TO Celia Davison, Manager Planning, Central South Unit

FROM Nicholas Lau, Team Leader Planning, Central South Unit

DATE 5 May 2026

SUBJECT **Update requested to the Auckland Unitary Plan (Operative in Part 2016) (AUP)**

I request an update to the AUP as outlined below:

Reason for update	Plan change operative
Chapter(s)	Chapter E24 Lighting Chapter E26 Infrastructure Chapter E27 Transport Chapter E38 Subdivision – Urban Chapter J – Definitions Chapter M – Appendices • Appendix 17 – Documents incorporated by Reference • Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Carparking Spaces
Changes to text (shown in underline and strikethrough)	<u>Chapter E24 Lighting</u> • Amend E24.1. Background • Add a new Policy E24.3.(1A) • Add a new Standard E24.6.2 • Add a new Matter of discretion E24.8.1.(3) • Add a new Assessment Criteria E24.8.2.(1A) • Amend E24.9 Special information requirements <u>Chapter E26 Infrastructure</u> • Delete Activity E26.2.3.1(A5) • Delete Standard E26.2.5.1(4) • Delete Standard E26.2.5.3(26) <u>Chapter E27 Transport</u> • Amend E27.1 Background • Amend Objective E27.2.(3) • Amend Objective E27.2.(4) • Add a new Objective E27.2.(5A) • Add a new Objective E27.2.(7) • Amend Policy E27.3.(1) • Amend Policy E27.3.(3) • Amend Policy E27.3.(14) • Add a new Policy E27.3.(20A) • Add a new Policy E27.3.(20AA) • Add a new Policy E27.3.(20B) • Add a new Policy E27.3.(30) • Amend Standard E27.6.1. • Amend activity rules in Table E27.4.1

	• Amend Standard E27.6.2(6) • Amend Standard E27.6.2(8) • Add a new Table E27.6.2.7A • Amend Standard E27.6.2(9) • Amend Standard E27.6.3.1. • Amend Standard E27.6.3.2. • Amend Table E27.6.3.2.1 • Add a new Standard E27.6.3.2(A) • Amend Standard E27.6.3.3. • Amend Standard E27.6.3.4. • Amend Standard E27.6.3.5. • Add a new Standard E27.6.3.7. • Amend Standard E27.6.4.3. • Amend Table E27.6.4.3.2 • Add a new Table E27.6.4.3.3 • Add a new Standard E27.6.6. • Add a new Table E27.6.6.1 • Add a new Standard E27.6.7. • Amend Matters of discretion E27.8.1. <u>Chapter E38 Subdivision – Urban</u> • Amend Standard E38.8.1.2. <u>Chapter J – Definitions</u> • Add a new abbreviation • Add new definitions <u>Chapter M – Appendices</u> • Amend Appendix 17 Documents incorporated by reference • Add a new Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Carparking Spaces •
Changes to diagrams	N/A
Changes to spatial data	N/A
Attachments	Attachment 1: Decision Attachment 2: Consent Order Attachment 3: AUP(OIP) text underline and strikethrough Attchemnt 4: Clause 16 Attachment 5: AUP(OIP) text (Clean)

Maps prepared by: N/A Geospatial Specialist	**Text Entered by:** Sarah El Karamany Planning Technician
Signature:	**Signature:**

	Reviewed by: Nicholas Lau Team Leader, Planning - Central South Unit
	Signature:
Authorised by: Celia Davison Manager Planning - Central South Unit	
Signature: 	

Attachment 1: Decision

Decision following the hearing of Plan Change 79 to the Auckland Unitary Plan under the Resource Management Act 1991

PROPOSAL – Amendments to the Transport Provisions - Proposed Plan Change 79 makes amendments to the Auckland Unitary Plan including requiring accessible parking, addressing safety issues for on-site loading/un-loading, catering for greater use of bicycles and enabling on-site electric vehicle charging. It also prioritises pedestrian access and safety along shared driveways in residential zones (including providing adequate lighting) and ensuring heavy vehicles can safely enter and exit shared driveways. It also enables assessments of the trip generation effects of development/land uses on the function and efficient operation of the transport network.

This plan change is **APPROVED, SUBJECT TO MODIFICATIONS**. The reasons are set out below.

Plan Change:	PC 79: Amendments to the transport provisions
Hearing Commenced:	Tuesday 17 October 2023, 9.30 a.m.
Hearing Panel:	Karyn Kurzeja (Chairperson) Dr Stephanie Mead Juliane Chetham Richard Knott Sarah Shaw
Appearances:	For Council: • Matthew Allan / Rowan Ashton / Felix Drissner-Devine, Legal Counsel • Tony Reidy (Auckland Council), Reporting Planner • Ruth Andrew (Auckland Council), Reporting Planner • Nicholas Lau (Auckland Council), Reporting Planner • Rory Power (Auckland Transport), Reporting Planner • Russell Brandon, Traffic Engineering / Transport Planning • Dr Julie Chambers, Pedestrian Safety • Elise Copeland, Universal Design • Dr Douglas Fairgray, Economics - with input from: ○ Chad Hu, Economics (on call) • Christopher Freke, (Auckland Transport), Transport Planning • Monique Jones, Terrace Housing Testing (on call) • Andrew Gill (Auckland Transport), Parking Strategy • Melanie McKelvie, Urban Design, with input from:

	o Jeff Fahrenson, Manager Field Surveying (Building Consents) (on call) o Jess Romhany, Policy Planner (on call) o Kathryn Ovenden, RIMU (on call) • Michael Roth, Transport Planning/Policy • Madeline Sharpe, Architectural Apartment Testing (on call) • Dr Esther Woodbury, Disability/Accessible Parking • Glen Wright, Lighting For the Submitters: • Geoffrey Beresford • Traffic Planning Consultants Ltd o Anatole Sergejew, Planning • Fire and Emergency New Zealand o Graeme Roberts, Planning o Geoff Purcell, District Manager Waitemata Fire District • Ockham Group Limited o Jethro Joffe, Planning • John Dare • Kāinga Ora – Homes and Communities o Jennifer Caldwell, Legal o John McCall, Planning o Brendon Liggett, Corporate • Sentinel Planning o Simon O'Connor • Beachlands South Limited Partnership o Bill Loutit / Tracey Turner, Legal o Vijay Lala, Planning o Leo Hills, Transport • Ryman Healthcare Limited / Retirement Villages Association of New Zealand Inc o Luke Hinchey / Alice Hall, Legal o Leo Hills, Transport • Fletcher Residential Limited o Leo Hills, Traffic o Rachel Morgan, Planning • Simplicity Living / The Neil Group / Universal Homes / Classic Group / Evans Randall Investors / Mike Greer Homes / NZ Housing Foundation o Michael Campbell, Planning o Mark Thode, Planning

	• North Eastern Investments Limited (online)
	  o Amanda Coates
	• Port of Auckland (online)
	  o Mark Arbuthnot, Planning
	• Templeton Group / Winton Land Limited / Gibbonsco Management Limited
	  o Tom Morgan, Planning
	• John Mackay
	• Red Rhino Limited and Airport Rent A Car Limited / Matakana 2020 Limited and Conrad Robertson / Charles and Nancy Liu / Paul Culley and Annette Kann / J&S West Limited / The Kilns Limited / Ferndale Estate / Matvin Limited / Robyn Alexander and Katherine Heatley / Matvin Group Limited / Brampton House Design Limited / The Kingsway Trust / MJ Thorogood and Cheng-Kwang Yang / Gel Architects Ltd
	  o Diana Bell, Planning
	• Property Council New Zealand
	  o Logan Rainey
	• Laurie Knight / The Subdivision Company Ltd / Arkcon Ltd
	  o David Wren, Planning
	• Urban Planning Consultants
	  o Scott Macarthur, Planning
	
	Hearings Advisor:
	Sam Otter

Hearing Adjourned	Wednesday 19 October 2023
Hearing Closed:	Monday 22 January 2024

INTRODUCTION

1. This decision is made on behalf of the Auckland Council ("the Council") by Independent Hearing Commissioners Karyn Kurzeja (Chairperson), Dr Stephanie Mead, Juliane Chetham, Richard Knott and Sarah Shaw appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 ("**the RMA**").

2. The Commissioners have been given delegated authority by the Council to make a decision on Plan Change 79: Amendments to the transport provisions ("**PC 79**") to the Auckland Council Unitary Plan Operative in Part ("**AUP-OP**") after considering all the submissions, the section 32 evaluation, the reports prepared by the officers

for the hearing and evidence presented during and after the hearing of submissions.

3. PC 79 is a Council-initiated plan change that has been prepared following the standard RMA Schedule 1 process (that is - the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).

4. PC 79 was one of five plan changes and two variations notified[1] on 18 August 2022. The plan change was publicly notified on 18 August 2022 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1.

5. The submission period closed on 29 September 2022. A total of 129 submissions were received. A summary of submissions was notified for further submissions on 5 December 2022 with further submissions required by 20 January 2023. A total of 34 further submissions were made on the plan change.

SUMMARY OF PLAN CHANGE

6. The proposed plan change was described in detail in the section 42A hearing report. Specifically, Auckland Council prepared PC 79 to address two broad sets of issues, as identified in the section 32 evaluation report for PC 79:

    a) First, issues relating to the removal of car parking minimums (required by Policy 11 of the National Policy Statement on Urban Development 2020, May 2022 (NPS-UD) with consequential amendments effected by PC 71), in conjunction with the greater intensification enabled by PC 78 (Auckland's Intensification Planning Instrument), and the need to address climate change by supporting the transition to cleaner, more sustainable transport options (e.g. low/no emission options). In this regard, PC 79 proposes new / amended provisions relating to:

        - Accessible parking – PC 79 introduces new accessible parking requirements to enable all Aucklanders, including disabled people and older adults, to participate in their communities, and provide housing choice;
        - Pedestrian only access – with the number of developments without vehicle access and onsite parking likely to increase with the removal of minimum car parking requirements from the AUP, PC 79 proposes standards to address the increased risk of poorly designed and unsafe pedestrian only access;
        - Loading spaces – with new requirements proposed for loading spaces in residential developments;

[1] Plan change 79: Amendments to the transport provisions, Plan change 80: RPS Well-Functioning Urban Environment, Resilience to the Effects of Climate Change and Qualifying Matters, Proposed Plan Change 81: Additions to Schedule 14 Historic Heritage Schedule, Proposed Plan Change 82: Amendments to Schedule 14 Historic Heritage Schedule, Proposed Plan Change 83: Additions and amendments to Schedule 10 Notable Trees Schedule, Variation 4 to PC60: Open Space and Other Rezoning Matters and Variation 5 to PC66 (Private): 57 and 57A Schnapper Rock Road.

- Heavy vehicle access – provisions are proposed to ensure that, where heavy vehicle access is needed on a residential site (e.g. for waste collection), it is safely managed;
- Bicycle parking and access – provisions are proposed to require secure and covered bicycle parking and safe access;
- Electric vehicle charging – provisions are proposed to assist with the response to climate change, by future-proofing electric vehicle supply equipment in residential developments to support the modal shift towards low/no-emission transport options;
- Effects on the transport network – amended trip generation provisions are proposed to enable greater consideration of the effects of activities on the transport network.

b) Second, issues relating to the safety, efficiency and convenience of pedestrian and vehicle access provisions for private accessways in residential zones. In this regard, PC 79 proposes new / amended provisions to address concerns relating to:

- Lack of prioritisation of pedestrian safety and convenience in the design of accessways resulting in poor outcomes as a result of:
  - Inadequate minimum footpath width;
  - Inadequate separation of footpaths from trafficable areas;
  - Steep footpath gradients and steps within footpaths;
  - Obstruction of footpaths by lighting poles, letterboxes, utility boxes, rubbish bins etc;
  - Poor provision of footpaths in longer accessways, and accessways serving larger numbers of residential units;
  - Absence of provisions to require artificial lighting during the hours of darkness.
- Design of accessways for vehicles:
  - Inadequate speed management measures increase safety risks for all users;
  - Whether private vehicle accessways are designed for Fire and Emergency New Zealand (FENZ) vehicles, as required by the Building Code and recommended in FENZ guidance.
- Lack of integration of the transport provisions in Chapters E27 Transport and E38 Subdivision – Urban of the AUP.
- Removal of car parking minimums creates a risk that developments may underestimate the accessway requirements for larger developments with low parking provisions per dwelling.

7. PC 79 proposes amendments to the following Chapters in the AUP(OP):

- Chapter E24 – Lighting
- Chapter E27 – Transport
- Chapter E38 – Subdivision (Urban)

- Chapter J – Definitions
- Chapter M – Appendices (amendments to Appendix 17: Documents incorporated by reference and a new Appendix 23: Parking demand guidelines to calculate the number of required accessible car parking spaces).

8. Section 1 - Background to and Development of the Plan Change, Section 2 Hearings and Decision-making considerations as well as Section 3 – Statutory and Policy Framework of the section 42A Hearing Report have clearly addressed the matters referred to in the section headings – and we have not repeated them further here.

9. In addition to the above, an analysis of the submissions and the further submissions received was undertaken in Section 9 of the Hearing Report. That discussion focussed on submission themes that are common to more than one topic.

MAIN ISSUES RAISED BY SUBMISSIONS

10. The main issues or topics raised in the submissions included:

- Transport General (Coded as All Other Miscellaneous Issues)
- Topic 024 – Accessible Parking & Topic 037 – Parking Demand Guidelines & Topic 040 – Definitions and Abbreviations (relevant to Topic 024)
- Topic 025 – Pedestrian Only Access and Topic 031 – Pedestrian Access
- Topic 026 – Loading Spaces & Topic 027 - Heavy Vehicle Access & Related Material Incorporated by Reference (Topic 036)
- Topic 028 – Bicycle Parking and Access & Topic 036 – Material Incorporated by Reference (relevant to Topic 028)
- Topic 029 – Electric Vehicle Charging, Topic 036 – Material Incorporated by Reference (relevant to Topic 029) & Topic 040 – Definitions and Abbreviations (relevant to Topic 029)
- Topic 030 – Trip Generation & Topic 040 - Abbreviations and Definitions (relevant to Topic 030)
- Topic 033 – Vehicle Access, Topic 034 - Speed Management, Topic 035 - Vehicle Crossing and Access Widths and Topic 039 - Vehicle Access to Rear Sites
- Topic 032 – Lighting, Topic 038 – Artificial Lighting & Topic 036 – Related Material Incorporated by Reference.

11. An in-depth analysis of each of the above topics is discussed in the Section 42A Hearing Report.

LOCAL BOARD VIEWS

12. The section 42A Hearing Report advised that a number of workshops took place with all Local Boards (except for Aotea Great Barrier) during February and June 2022 and individual feedback (from each board) was summarised and collated. All feedback was considered and used to help shape the options[2].

13. A summary of consultation undertaken in preparation of PC 79 is provided in section 9 of the section 32 evaluation report, attached as Attachment 2 to the section 42A Hearing Report.

EXPERT CONFERENCING

14. Prior to the hearing, expert conferencing took place over four separate days being:

- 19th May 2023 – Topics covered included: electric vehicle charging, bicycle parking, accessible parking, parking demand guidelines, and related abbreviations/definitions;
- 12th June 2023 – Topics covered included: amended standard E27.6.1, Amended assessment criteria E27.8.2(3) and Abbreviation of "vehicles per hour";
- 21st July 2023 - Topics covered included: lighting, artificial lighting, related material incorporated by reference, pedestrian only access, pedestrian access, vehicle access, speed management, vehicle crossing and access widths, vehicle access to rear sites; and
- 24th July 2023 - Topics covered included: loading spaces, heavy vehicle access, related material incorporated by reference and transport general.

15. During the hearing it became evident to the Hearing Panel that there would be value in additional expert conferencing on two aspects of the plan change; specifically:

- Matters relating to width and functional access (with respect to emergency services); and
- The assessment criteria relevant to infringements of the amended trip generation thresholds standard in Table E27.6.1.1.

16. A fifth day of expert conferring was subsequently held on the above topics on 9th November 2023.

17. The Panel wishes to acknowledge the inputs of all experts who attended the expert conferencing sessions. The efforts made by all resulted in a significant narrowing of the remaining matters in contention. This was reflected in the amount of

[2] Section 42A Hearing Report, paragraphs 67 - 69

evidence that was prepared and a reduction in the days initially set down to hear the evidence.

THE HEARING PROCESS AND EVIDENCE

18. The hearing was held on 17th - 19th October 2023.

19. Council's legal counsel, Mr Matthew Allan and Mr Rowan Ashton provided opening legal submissions. Mr Allan briefly addressed the legal and planning framework relevant to the Panel's decision for PC 79 before making several observations on scope matters and then provided legal comment on several specific legal issues. The section 42A reporting team then took the Panel through an introductory PowerPoint presentation during which the specific matters addressed by PC 79 were addressed. In doing so, the Council officers explained in each case: (a) the problem identified through Council investigations and section 35 monitoring; and (b) PC 79's proposed response to the problem.

20. The s 42A Hearing Report was prepared by four reporting officers, which considered memoranda from the group of specialists listed as a part of the Council team on page one of this decision report. Several of these experts also prepared rebuttal memoranda in response to the submitters' evidence received. Details of their expert evidence is set out under the respective topic discussions.

21. Several submitters attended the hearing and presented to us.

22. Mr Geoffrey Beresford provided evidence seeking to retain and strengthen the assessment criteria that seeks to integrate car-parking with development, specifically to ensure that new driveways and/or carparking spaces are sufficient to avoid vehicle encroachment into public spaces.

23. Mr Anatole Sergejew is an experienced traffic engineer but provided evidence in a personal capacity. He outlined the potential conflicts between the requirements for accessible parking under PC 79 and those of the Building Act 2004 and sought amendments to PC 79 so that the proposed requirements for accessible parking are consistent with the legal requirements of the Building Act.

24. Mr Graeme Roberts provided expert planning evidence on behalf of Fire and Emergency New Zealand. Mr Roberts supported Council's opening legal submissions that any actual and potential adverse effects on the health, safety and general well-being of residents within developments are valid RMA considerations. He considered that development should only be permitted if certain health and safety minimums are met and stated that the provision of practical and functional access for emergency services is a critical element of a well-functioning urban environment. Mr Roberts was accompanied by Mr Geoff Purcell, District Manager Waitemata Fire District and Mr Jeremy Gibbons, Strategic Advisor, who responded to operational questions posed by the Panel.

25. Kāinga Ora – Homes and Communities (Kāinga Ora) provided legal submissions by Ms Jennifer Caldwell who outlined the case for the remaining matters in

contention for Kāinga Ora relating to electric vehicle charging; bicycle parking; accessible parking; artificial lighting; pedestrian access; loading spaces and heavy vehicle access; vehicle access and speed management; and trip generation. Mr Brendon Liggett presented corporate evidence while Mr John McCall provided planning evidence in support of Kāinga Ora's submission.

26. Beachlands South Limited Partnership ("BSLP") was represented by Mr Bill Loutit who provided legal submissions. Mr Leo Hills provided transport evidence and Mr Vijay Lala provided planning evidence. Mr Loutit advised that BSLP is generally supportive of PC 79 as amended through expert conferencing and the reporting officer's recommendations. However, BSLP remains concerned about proposed controls relating to: (a) Electric Vehicle (EV) Supply Equipment and charging capability; (b) Accessible parking; (c) Lighting for residential access; and (d) Trip generation and seeks further amendments. Mr Hills considers the trip generation assessment for public transport modes should keep with the intent of the Standard and there should be no accessible parking space requirement for residential dwellings as it is impractical. Mr Lala was concerned that the proposed changes have had little regard to how the changes will be addressed by applicants as part of resource consent applications and how such applications will be processed by the Council's reporting planners, including what sort of technical analysis will be required by applicants and by the Council's reporting planners to confirm or otherwise compliance with parts of PC 79. Mr Lala also considered that there was very little assessment of the costs associated with the proposed changes, individually or when considered cumulatively. He further considered that the proposed provisions are overly complex and complicated for inclusion within the AUP and are not the most efficient or effective and therefore are not the most appropriate.

27. Mr Leo Hills presented transportation evidence on behalf of Ryman Healthcare Limited and the Retirement Villages Association of New Zealand Inc. Mr Hills considered the trip generation Standard E27.6.1 is appropriate subject to further clarification on the assessment for non-vehicular travel modes to ensure the assessment criteria for public transport modes keeps with the intent of the Standard and that the accessible parking space requirement for integrated residential developments should be in accordance with existing legislation, specifically NZS4121:2001 and the Building Act. He supported a theoretical parking provision given that parking minimums have been removed.

28. Mr Leo Hills presented transportation evidence and Ms Rachel Morgan presented planning evidence on behalf of Fletcher Residential. Mr Hills reiterated his opinion that the trip generation provisions need to be amended to ensure the assessment criteria for public transport modes keeps with the intent of the Standard and that there should be no accessible parking space requirement for residential dwellings as it is impractical. He considered the pedestrian provisions should be amended including removal of the requirement for a separated pedestrian path for sites with less than 20 parking spaces. Ms Morgan supported removing the accessible parking and electric vehicle charging standards, and she proposed amendments to

the trip generation standard to provide greater clarity on the nature and level of assessment sought when the thresholds are exceeded.

29. Mr Michael Campbell and Mr Mark Thode presented a joint planning statement on behalf of several submitters; including: Simplicity Living, The Neil Group, Universal Homes, Classic Group, Evans Randall Investors, Mike Greer Homes and NZ Housing Foundation. They recommended a number of further amendments to PC 79, including that the special information requirements for lighting under E24.9 be deleted and that the trip generation standard assessment should focus on the immediate transport environment adjacent to a development site and the infrastructure supporting those transport modes (rather than the modes themselves). They support the relief sought by the submitters and recommend that the E27.6.6 standard be deleted in its entirety, or insofar as it relates to 'primary pedestrian access', and they support the amended provisions proposed by the reporting officers relating to electric vehicle supply equipment.

30. Ms Amanda Coates presented planning evidence on behalf of North Eastern Investments Limited. She disagreed that the submission point which sought that PC 79 should be withdrawn and re-notified with the decision text of PC 71 available to submitters is out of scope. This was due to the text of the AUP being altered by PC 79 creating uncertainty to the submitter due to the dual RMA Schedule 1 processes utilised for PC 71 and PC 79, where both affect Chapter E27 Transport. Ms Coates also does not accept that S47.1 should be rejected. She considered the E27.6.1 text should not be changed to impose restrictions on maximum parking and/or maximum limits that are contrary to the intent of the revised wording of the Consent Order Policy E27.3 (6) and (6AA) or to require greater consenting time due to a requirement for land use consents. She also opposed PC 79 text changes that require or include requirements for further reduction in speed limits and the application of traffic calming devices. She considered further controls on parking restrictions are unnecessary and she does not agree with the changes sought to Chapter E24 with regards to the level of information required for lighting. Ms Coates does not agree with the amended trip generation text, and she does not support the amended wording of Policy E27.3(14) with the addition of the wording "including within a dwelling".

31. Mr Mark Arbuthnot provided planning evidence on behalf of Ports of Auckland. Mr Arbuthnot supports the submissions of those parties that are seeking the deletion of Standard E27.6.3.2(A) from the Business – City Centre Zone. In the alternative, if Standard E27.6.3.2(A) is to be retained, he recommended that: a. for the purposes of good plan-making, it is moved to rule E27.6.2 (number of parking and loading spaces); and b. that Appendix 23 is amended to provide for a "no minimum" requirement for the Port of Auckland in recognition of the operational requirements of POAL's marine and port activities and the need to ensure the efficient use of its land and coastal marine area resources. The Panel received a memo from Mr Arbuthnot[3] stating that subject to the amendments described in

[3] Memorandum on behalf of Port of Auckland Limited dated 16th October 2023

Council's planning experts' rebuttal evidence to Standard E27.6.3.2(A) and Appendix 23, POAL advises that it no longer wishes to be heard, but still requests that the Hearing Panel consider their further submission, Mr Arbuthnot's evidence and the Joint Witness Statements he was signatory to.

32. Mr Tom Morgan presented planning evidence on behalf of Gibbonsco Management Limited, Winton Land Limited and Templeton Group Limited – collectively referred to as 'the Tattico group'. He supported a number of the amendments proposed by Council's specialists through evidence, including in relation to the following matters: (a) Topic 028: Standard E27.6.2.(6) – Number of Parking and loading spaces (bicycle parking), (b) Topic 026 and 027: Standard E27.6.3.5 – Vertical Clearance and (c) Topic 025 & 031: Deletion of Rule T56(E) in Table E27.6.6.1- Primary Pedestrian Access Width & Separation Requirements (Standard E27.6.6(3). He considered that amendments can be made to proposed provisions relating to trip generation through amended assessment criteria. He does not support the other amendments proposed to the Unitary Plan provisions through PC 79, including Chapter E27-Transport, E24-Lighting, Chapter E38-Subdivision (Urban), Chapter J-Definitions and Chapter M Appendices and noting they address topics (025-038) he considers they undermine the purpose and outcomes of the NPS-UD and Housing Supply Act and will not effectively or efficiently give effect to the sustainable management purpose of the RMA or the NPS-UD.

33. Mr John Mackay provided a personal statement of evidence drawing on his urban design experience. He concluded that he was generally in full agreement with the analysis and conclusions within Council's final section 42A Hearing Report. He would nevertheless prefer that accessible carparking could only be required within developments where the applicants choose to provide other parking on-site.

34. Ms Diana Bell presented planning evidence on behalf of the following group of submitters: Red Rhino Limited and Airport Rent A Car Limited, Matakana 2020 Limited and Conrad Robertson, Charles and Nancy Liu, Paul Culley and Annette Kann, J&S West Limited The Kilns Limited, Ferndale Estate, Matvin Limited, Robyn Alexander and Katherine Heatley, Matvin Group Limited, Brampton House Design Limited, The Kingsway Trust, MJ Thorogood and Cheng-Kwang Yang and Gel Architects Ltd. She challenged the section 42A Hearing Report (Section 9.2.1.4) which included all submitters she represented, with the exception of GEL Architects Limited, as submissions that are 'out of scope'. She described the challenges of achieving separated pedestrian paths from vehicle access and concluded that the proposed pedestrian access and access to rear sites standards should be amended, as they are overly prescriptive, unduly restrict development and are matters that should be addressed through assessment criteria.

35. The Property Council New Zealand was represented by Mr Logan Rainey. He provided oral corporate evidence, and he considers the proposed requirements for mandatory accessible car parking, loading zones, bicycle parking, heavy vehicle access and access to rear sites will all have an impact on intensification by reducing yields, increasing impervious areas and providing for more limited urban

design outcomes while reducing onsite amenity. He is also concerned about mandating the installation of EV charging. He considers all of these matters should be left for the market to determine.

36. Mr David Wren provided planning evidence on behalf of Laurie Knight, The Subdivision Company Ltd and Arkcon Ltd. He considers the proposed rules in relation to pedestrian access to new dwellings are overly prescriptive and impracticable to implement. Further, the rules that require pedestrian access to be separated from vehicular access will effectively prevent the future development of rear sites (and many other sites) as many existing access drives and rights of way (ROW) are simply not wide enough to provide the space required by the new standards. It is Mr Wren's view that the proposed standards will impact overall residential yield and that the application of standards is not the most efficient way to improve safety on driveways and the rule should be deleted. He considers the standard in relation to heavy vehicle access is vague, noting there is no definition for the term making it difficult to implement in practice. In relation to access to rear sites, he considers rule E38.8.1.2 should only be applied to new vacant sites to avoid the effect the rule has on preventing new development on existing rear sites. Mr Wren also agrees with Mr Knight's submission that the exemption provided in E27.6.3.2(A)(2) in relation to accessible car parking should be extended to the THAB Zone, which only applies where car parking is not provided on-site.

37. Mr Scott Macarthur provided planning evidence in a personal capacity. He was satisfied with the changes that the Council has made to PC 79, other than with respect to lighting and subdivision provisions. His view is that the new lighting standards were overly complex and would place a high administrative burden on both applicants and the Council in administering the proposed provisions. He was also not satisfied that the new standards met the test of s32 of the RMA. Mr Macarthur also considers that PC 79 should take the opportunity to remedy issues with standard E38.8.1.2(1), which due to poor drafting, is resulting in a large number of applications defaulting to a discretionary activity status. He considers that the specifics of Table E38.8.1.2.1 – Access to Rear Sites are overly complex and he provided alternative drafting for our consideration.

38. The following submitters tabled evidence in relation to the submission relief sought:

- CivilPlan Consultants Ltd, Planning evidence, A Grey
- Hugh Green Limited, Planning evidence, A Grey
- The Fuel Companies, Hearing Statement
- Golden Bay Cement, Hearing Statement
- Ockham Group Limited, Planning, J Joffe

39. As stated earlier in this decision, at the completion of hearing the submitters' evidence, the Panel directed additional expert conferencing in relation to the following two matters:

1. Matters relating to width and functional access (with respect to emergency services) being new Standard - E27.6.6 (3)(a) and (g) and (4)(a),(b) and (e) including the note, Table E27.6.6.1 Primary Pedestrian Access width and separation requirements including Note 1 as well as Figure E27.6.4.3.1 Vertical separation of pedestrian access, Table E27.6.4.3.2 Vehicle crossing and vehicle access widths including Note 1, and E38.8.1.2(3) and (4)(a) and (c) Access to rear sites, including Table E38.8.1.2.1 Access to rear sites, as well as Note 1; and 2.

2. The assessment criteria in E27.8.2 (3A) which consider infringements of the amended trip generation thresholds in Table E27.6.1.1. New development and subdivision thresholds.

40. The further expert conferencing was held on 9 November 2023 and a Joint Witness Statement was prepared. The Panel note that full agreement was able to be reached on the matter in relation to Assessment Criteria E27.8.2(3A). Specifically, upon discussion in the meeting, all experts agree with the wording of the new standard E27.8.2 (3A)(c). Further, all experts agree with the amendment to Standard E27.8.2(3A)(a) in reference to the "local" transport network.

41. In relation to the second matter – width and functional access, all experts agree with the proposed new standard E27.6.6(4) and (4A), except for the clear height. FENZ has a preference for unlimited clear height for the formed and clear width, however it recognises the practical considerations and understands this may not be achievable. Further, FENZ agrees with the provisions for pedestrian access adjacent to vehicle access. The Panel notes that Mr McCall maintained the position in his evidence. He is not opposed to a 3m clear width, however, he opposes the threshold of four or more dwellings without a specified length. Mr McCall considers length is an appropriate trigger for clear width regardless of the number of dwellings. We note that further agreement was also able to be reached on other matters relating to the FENZ submission.

42. The Council provided its closing remarks on 8 December 2023. It specifically addressed matters raised during the hearing in relation to the following topics:

a) General matters;

b) Accessible parking;

c) Trip generation;

d) Artificial lighting;

e) Pedestrian access;

f) Electric Vehicle charging;

g) Bicycle parking;

h) Heavy vehicle access;

i) Speed management;

j) Loading space; and

k) Integration of E27 and E38.

43. The Council's closing remarks outlined the officers' response to matters raised during the hearing and made further recommended changes to the PC 79 provisions to address the issues raised at the conclusion of each topic. The reporting officers' final set of recommended provisions were included in the provisions annexed to the closing remarks.

RELEVANT STATUTORY PROVISIONS CONSIDERED

44. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. We do not need to repeat the contents of the Plan Change Request and the section 32 Assessment Report in any detail, as they were set out in the section 42A Hearing Report, and we address the merits of those below. We accept the appropriate requirements for the formulation of a plan change have been satisfactorily addressed in the material before us.

45. We also note that the section 32 Evaluation Report, and the section 32AA Evaluation Report prepared by the council planners, states that the analysis of efficiency and effectiveness of the plan change is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. Having considered the notified plan change and the evidence, we are satisfied that PC 79 has been developed in accordance with the relevant statutory requirements.

46. Clauses 10 and 29 of Schedule 1 require that this decision must include the reasons for accepting or rejecting submissions. We address these matters below, as well as setting out our reasons for accepting or rejecting the submissions.

47. Section 32AA of the RMA requires a further evaluation for any changes that are proposed to the notified plan change after the section 32 evaluation was carried out[4]. This further evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes[5].

48. With regard to that section, the evidence presented by the reporting officers (including the section 32AA prepared by the reporting officers - which we adopt), as well as the evidence from the Council's specialist team, and the submitters, together with this report, which among other things addresses the modifications we have made to the provisions of PC 79, effectively represents that assessment.

[4] RMA, section 32AA(1)(a)
[5] RMA, section 32AA(1)(c)

OUR DECISIONS/FINDINGS ON THE SUBMISSIONS

Submissions and our decisions

49. We address the submissions below – with any amendments to PC 79 addressed as follows (for ease of understanding) the amendments made:

    - Changes in the notified PC 79 are shown in ~~strikethrough~~ and underline; and
    - Pink text changes show amendments to PC 79 that we have made based upon submissions received and are shown as ~~strikethrough~~ and underline.

50. The amendments to PC 79 are collated and shown in **Attachment A** (Amendments to proposed Plan Change 79).

51. With respect to further submissions, they can only support or oppose an initial submission. Our decision on the further submission points reflects our decisions on those initial submissions having regard to any relevant new material provided in that further submission. For example, if a further submission supports a submission(s) that opposes the Plan Change and we have determined that the initial submission(s) be rejected, then it follows that the further submission is also rejected.

52. With respect to the evidence we heard, and before moving to the detailed consideration of submissions below, we consider it important to record at the outset a matter addressed by Mr Allan in the Council's closing remarks:

> *"Of those submitters that attended the hearing, expert evidence was given primarily by planners, with one transport engineer, Mr Hills, also giving evidence. No experts in other relevant specialist disciplines (e.g. universal design, lighting, pedestrian safety, urban design, economics etc) were called by any submitter."*[6]

SUBMISSIONS ON TOPIC 023 - TRANSPORT GENERAL (CODED AS ALL OTHER MISCELLANEOUS ISSUES)

53. The submissions in Topic 023 addressed the following themes:

    - Theme 1 - Overall Support/Support with Amendments
    - Theme 2 - Overall Opposition
    - Theme 3 - Opposing PC 79, Give Effect to the NPS-UD
    - Theme 4 - Out of Scope Submissions
    - Theme 5 - Submissions on Emergency Services/Vehicle Access

[6] Council's closing remarks – paragraph 2.4

- Theme 6 - Parking – Onsite Parking, Parking Minimums. Parking Maximums, Future Parking Restrictions & Parking and Manoeuvring Dimensions
- Theme 7 - Submissions on Consistency of Language, Grammar and Formatting
- Theme 8 – Wrongly Coded Submissions
- Theme 9 – Delete Appendix 17: Proposed materials incorporated by reference

54. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main themes raised in the above submissions.

55. The submissions provide both opposition as well as support to PC 79, although in most cases support is offered subject to amendments being made as outlined in the respective submissions.

Rationale for PC 79

56. We note that the rationale for PC 79 is set out in the Section 32 Evaluation Report (refer, for example, to Section 4 Objectives). In summary, the intent of PC 79 is to address the issues of safety, efficiency and convenience of pedestrian and vehicle access provisions for private accessways in residential zones, parking, loading, trip generation, and emissions reduction as a result of intensification. The high-level outcomes sought from the proposed plan change are:

- address adverse environmental effects, including effects on the health and safety of people;
- achieve well-functioning urban environments;
- future proof the city for changes in transport modes and higher levels of intensification; and
- contribute towards addressing climate change issues.

Removal of Parking Minimums

57. Policy 11 of the NPS-UD required the removal of parking minimums from the AUP(OP). Territorial authorities around the country were required to do this without using the plan change process (Schedule 1 of the RMA). The timeframe for doing so was no later than 18 months after the commencement date of the NPS-UD (20 July 2020):

> *Policy 11: In relation to car parking:*
>
> *(a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.*

58. Parking minimums were removed from the AUP on 11 February 2022.

59. Technical “tidy up” plan changes – Plan Change 71 and Plan Modification 14 – were publicly notified on 24 February 2022. The decision was released by the Independent Hearing Panel on 1 December 2022. One appeal was received, which has subsequently been resolved by consent order.

Section 32 Analysis

60. A section 32 Report accompanied PC 79 (Attachment 2). In addition, the section 42A Hearing Report, together with the appended expert / specialist reports, as well as the section 32AA assessment of changes provided by all parties, are all part of the section 32 analysis before the Panel.

61. Incorporated documents that form part of PC 79 (i.e. which are incorporated by reference) were publicly notified prior to the notification of the plan change as required under the RMA.

62. We consider that the Section 32 report and related documents described above are appropriate and adequate, and provide sufficient section 32 analysis of the proposed provisions, including changes proposed post-notification. These collectively fulfil the section 32 and section 32AA requirements of the RMA.

Effects on Intensification/Site Yield and Impervious Areas

63. Council officer comments on the effects on yield, urban intensification and housing affordability are in Section 9.1.1 of the section 42 Hearing Report. A number of submitters (e.g. Templeton Group) raise a concern that PC 79’s standards will affect development yield. To assist in assessing PC 79’s potential impact on yield, updated apartment testing (undertaken by Ms Madeline Sharpe) and terrace house testing (undertaken by Ms Monique Jones) was completed, and Dr Douglas Fairgray undertook a regional capacity analysis, which was informed by modelling undertaken by Mr Chad Hu, a Senior Spatial Analyst at Auckland Council’s Research and Evaluation Unit (RIMU).

64. Based on the assessment of the testing and modelling undertaken by Ms Sharpe, Ms Jones, Dr Fairgray and Mr Hu, the reporting officers concluded that PC 79's controls (particularly as amended post-notification) are expected to have a very small effect on yield, and thus housing affordability. The testing shows that, while in some instances there are minor theoretical reductions in yield, overall, the application of the PC 78 (as notified) and PC 79 (s42A version) provisions either maintain or slightly increases yield. Dr Fairgray’s analysis concluded there is ample housing capacity, with PC 79 only anticipated to result in a very minor decrease: a theoretical reduction of 1.4% on PC 78’s very high level of plan-enabled capacity.

65. The evidence of Mr Morgan states[17] that the modelling and apartment testing detailed in Attachment 17 to the section 42A Hearing Report includes a number of assumptions, including not identifying site constraints such as trees or underground assets, and there is also no or inadequate provision for private

residential parking in the modelled scenarios. Mr Lala's evidence makes a similar criticism that the site layouts have not been ground-truthed by the development community and as a result he does not consider these to be reliable examples.[18] Mr Wren's evidence suggests that no testing has been undertaken in respect of rear site developments, whereas we note that Mr Hu's rebuttal memorandum addresses how rear site constraints were factored into his assessment.

66. The section 42A Hearing Report authors concluded that any theoretical reduction in yield as a result of PC 79's proposed requirements, e.g. for accessible parking and practical and functional and safe pedestrian access, is considered to be consistent with the intent of the NPS-UD for a well-functioning urban environment.

67. Moreover, the extent of impervious surfaces is managed via the maximum impervious area, building coverage and landscaped area standards in the respective residential zones.

68. We prefer the evidence of Ms Sharpe, Ms Jones, Dr Fairgray and Mr Hu which is based upon the thorough testing and modelling assessment they have undertaken.

Contrary to the NPS-UD & Enabling Act

69. One key / overarching outcome sought in PC 79 is achieving a well-functioning urban environment. The expression "well-functioning urban environment" is defined in Policy 1 of the NPS-UD as:

> *... urban environments that, as a minimum:*
>
> *(a) have or enable a variety of homes that:*
> *(i) meet the needs, in terms of type, price, and location, of different households; and*
>
> *(ii) enable Māori to express their cultural traditions and norms; and*
>
> *(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
>
> *(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
>
> *(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
>
> *(e) support reductions in greenhouse gas emissions; and are resilient to the likely current and future effects of climate change.*

70. Achieving good accessibility for all people, including those with disabilities, between housing, jobs, community services, natural spaces and open spaces (the outcome in Policy 1(c)) and reducing greenhouse gas emissions (the outcome in Policy 1(e)) have particular relevance.

71. PC 79 seeks to address matters relating to pedestrian access, loading spaces, heavy vehicle access and loading. Effects of activities on the transport network and

vehicle access involve addressing actual or potential adverse effects on the environment, people and communities, including their health and safety.

72. Issues relating to bicycle parking and access and EV charging equipment relate more to future-proofing and enabling the Auckland Region's shift to more sustainable transport modes and reducing greenhouse gas emissions.

73. We note that Ms McKelvie provides discussion of the concept of "*well functioning urban environment*" in section 3 of her specialist urban design memo. Ms McKelvie notes (para 3.13):

> *... the NPS-UD requires that PC79 contribute to a WFUE which provides for the social, economic, and cultural wellbeing, and for the health and safety, of residents, including movement networks that:*
>
> *i) Are more than the bare minimum and provide a satisfactory level of non-vehicular access enabling safe, convenient, reliable and efficient access from dwellings to the surrounding street network so that people have opportunities for employment, education, health care and other social services within their neighbourhood;*
>
> *ii) Provides for the health and safety of users, including active forms of transport such as walking, cycling and mobility aids such as wheelchairs so that equitable access is provided for all transport modes, not just vehicles.*

74. We agree with Ms McKelvie's assessment and rather than being contrary to the NPS - UD and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (RMAEHS), we find based on the evidence before us that PC 79 is complementary to and consistent with relevant provisions of those instruments.

75. PC 79 gives effect to, and is not in conflict with, the NPS-UD policy framework. It proposes changes to the operative AUP which improve the safety and efficiency of non-vehicular access, and enable safer, reliable and convenient access from developments to the wider public transport network. It also proposes to improve the safety of vehicular movements within developments, and enables active forms of transport such as walking, cycling and mobility aids so that equitable access is provided for all transport modes, not just vehicles. A focus on on-site pedestrian and user safety is also prioritised particularly by adequate footpath widths, appropriate gradients for all users and the requirement for adequate lighting for way-finding and safety. The over-arching outcome sought by PC 79 is thus aligned with achieving a well-functioning urban environment.

76. Qualifying matters are not considered to be relevant to PC 79. Qualifying matters are dealt with in PC 78 and have separate hearing topics, the majority of which are awaiting hearing dates yet to be set.[7]

[7] Due to two extensions of time sought by Auckland Council and approved by the Minister.

77. Furthermore, amendments are recommended to the notified PC 79 provisions as a result of the consideration of all submissions and discussions at expert conferencing.

Out of Scope Submissions

78. The issue of the scope of submissions (if they are "on" the plan change) has been well canvassed in legal submissions and evidence before the Hearing Panel, from both the Council and various submitters in this and other 'related' plan changes (e.g. PCs 78 and 80).

79. The legal principles relevant to determining whether a submission is "on" a plan change (in scope) are well-settled. We addressed the 'legal tests' in relation to scope in some detail in our Interim Guidance on PC 78[8]. As the majority of submitters to PC 79 (certainly those who appeared before us) are the same/similar as those to PC 78, we have not repeated those 'legal tests' in any detail here. However, very briefly, determining the issue of scope involves addressing the following two questions (referred to as the *Clearwater* 'limbs'):

    (a) Whether the submission addresses the change to the status quo advanced by the plan change; and

    (b) Whether there is a real risk that persons potentially affected by such a change have been denied an effective opportunity to participate in the plan change process.

80. Determining the first question requires an understanding of the status quo affected by the plan change. This must be derived from a review of the relevant section 32 report and the changes actually proposed to the plan, by reference to the nature and context of the notified change.

81. In the case of PC 79, we have set out the nature of the changes proposed in paragraphs 37 to 40 of this decision. In summary they relate to discrete parts of several chapters of the AUP(OP) including Chapters E24 Lighting, E27 Transport, E38 Subdivision – Urban, Chapter J – Definitions, Chapter M - Appendices, Appendix 17 – Documents incorporated by Reference, and proposed Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Carparking Spaces.

82. The section 32 report records that the amendments proposed in PC 79 are intended in part to address some of the flow on effects of the significant increases in intensification / development potential across the region realised through PC 78, but also seeks to address existing issues with the AUP identified through monitoring.

83. The formal Notice for PC 79 stated:

[8] Refer to our PC 78 Interim Guidance on this matter

Proposed Plan Change 79 – Transport proposes changes to Chapters E27 – Transport, E38 – Subdivision (Urban) and Chapter J – Definitions in the Auckland Unitary Plan (Operative in Part). It is a proposal that seeks to manage the impacts of development on Auckland's transport network, with a focus on pedestrian safety, accessible car parking, loading and heavy vehicle management, and catering for EV-charging and cycle parking.

84. Council's opening legal submissions made the following observations with respect to the change to the status quo proposed by PC 79[9].

> *(a) PC79 proposes amendments to specific parts of the AUP … (Chapters E24, E27, E38, J and M, and Appendix 17 and a proposed new Appendix 23);*
>
> *(b) It is focused on particular provisions / sections within each of those Chapters (e.g. in the case of Chapter E38 – Subdivision - Urban, amendments are only proposed to discrete aspects of Standard E38.8.1.2); and*
>
> *(c) PC79 does not propose any amendments to any other Chapters (e.g. the residential zone sections of the AUP).*

85. It is those amendments to the AUP(OP) that in our view define the status quo being changed and the nature of the changes.

86. Several submitters sought amendments beyond the notified provisions of PC 79. Section 9.2.1.4 of the section 42A Hearing Report addresses submissions identified by officers as 'out of scope'. Mr Allan in the Council's opening legal submissions addressed each of these.

87. The submissions of The Kilns Limited and others, addressed in the planning evidence of Ms Diana Bell, sought amendments to several provisions of Chapter E38: amend Rule E38.4.2 (A30), (A31) and (A13F) to change the activity status from Discretionary to Restricted Discretionary; review and amend Standards E38.8.1.2.1, E38.8.1.2(1) and E38.8.1.2(2) to increase the number of sites sharing a joint access lot or right of way and to increase the minimum legal width of an accessway for rear sites; and amend E38.12 and E38.12.1 to add matters of discretion and related assessment criteria to provide for infringements to the access to rear sites rules. The operative E38 provisions referred to are not the subject of change under PC 79. We accept Mr Allan's legal submissions that these requests do not address the alteration of the status quo advanced by the plan change and do not satisfy the first *Clearwater* limb. The only changes to Chapter E38 under PC 79 are changes consequential from the changes to pedestrian access standards, intended to eliminate inconsistencies between the Transport Chapter E27 and the Urban Subdivision Chapter E38. While PC 78 makes amendments to Table E38.4.2 Activity table – Subdivision in residential zones, PC

[9] Council's opening legal submissions at paragraph [2.40].

79 does not. Neither PC 79 nor PC 78 propose to make amendments to the existing activity statuses in Table E38.4.2. Further, we are satisfied that readers of the notified plan change and section 32 report would not have anticipated amendments to substantially amend the operative rear site standards and in particular to amend activity statuses when only consequential amendments were proposed by PC 79, and that such amendments represent "submissional sidewind" and therefore do not satisfy the second *Clearwater* limb.

88. The planning evidence of Ms Amanda Coats on behalf of North Eastern Investments Limited (NEIL) states that the Panel should withdraw PC 79 and renotify it as it should have been notified after PC 71 became operative. We accept Mr Allan's legal submissions that this request does not address the alteration of the status quo advanced by the plan change and does not satisfy the first *Clearwater* limb. Rather the request challenges the procedural decision to notify PC 79, which is not within the Panel's jurisdiction.

89. Mr Scott Macarthur's lay evidence, and Mr David Wren's planning evidence on behalf of The Subdivision Company and others, seek relief amending existing standards E38.8.1.2(1) and E38.8.1.2(2) to limit the application of those standards to vacant (rather than all) rear site subdivisions. We accept Mr Allan's legal submissions that these requests do not address the alteration of the status quo advanced by the plan change and do not satisfy the first *Clearwater* limb. The proposed amendments to operative standard E38.8.1.2 only propose discrete amendments to accommodate a minimum width grade separated pedestrian access adjoining a vehicle access serving between 4 and 10 rear sites. Further, we are satisfied that readers of the notified plan change and section 32 report would not have anticipated amendments to significantly limit the operative rear site standard and that such amendments represent "submissional sidewind" and therefore do not satisfy the second *Clearwater* limb.

90. CivilPlan Consultants and Hugh Green Ltd seek that an additional standard be added at E38.8.1.2(6) (or similar) so that access serving front sites must have a minimum legal and carriageway width. The operative standard only applies to access to rear sites. We accept Mr Allan's legal submissions that these requests do not address the alteration of the status quo advanced by the plan change and do not satisfy the first *Clearwater* limb. The amendments to the operative standard do not seek to alter its application with regard to front sites. Further, we are satisfied that readers of the notified plan change and section 32 report would not have anticipated amendments to significantly extend the operative rear site standard to apply to front sites and that such amendments represent "submissional sidewind" and therefore do not satisfy the second *Clearwater* limb.

91. The Panel considers that while the matters referred to in the above two paragraphs may be valid concerns, the matters outlined are more appropriately dealt with in the future Unitary Plan review which we understand is due to begin in 2026.

92. CivilPlan Consultants and Hugh Green Ltd seek removal of proposed standard E27.6.4.3 or alternative relief with respect to the minimum distance between speed

management devices and that a detailed definition of “speed management measure” is included in the AUP. Mr Grey’s evidence on behalf of CivilPlan Consultants and Hugh Green Ltd proposed a controlled activity rule so that the design of speed management measures is controlled by the Council. We accept Mr Allan’s legal submissions that this relief now proposed in evidence - a change to a more onerous activity status - was not “reasonably and fairly raised” in the submissions that sought deletion of the standard, amended spacing of devices or a definition of “speed management measure”. We find that the proposed controlled activity, while “on” PC 79, is out of scope of the submission.

93. Finally, we note that PC 80 was subject to one matter of appeal which dealt with the matter of scope, addressed in the Environment Court strike out decision *Beachlands South Limited Partnership v Auckland Council* [2024] NZEnvC 035 released in March 2024 (two months after the close of the PC 79 hearing). PC 80 amended the AUP RPS by adding policy to address NPS-UD matters relating to well-functioning urban environment, resilience to the effects of climate change, and qualifying matters. While the Environment Court declined to strike out the appeal, finding that the submission and appeal were within the scope of PC 80 “in general terms”, the decision recorded that consideration of any particular change on appeal would be subject to arguments as to scope as well as merit on an individual basis and the Court “sound[ed] several notes of caution”:

> *[62] The first is that to the extent that the proposals deviate from the three headings of well-functioning urban environment, climate change resilience, and qualifying matters, they will be increasingly difficult to justify before the Court.*
>
> *[63] Secondly, the provisions that were in frame include B2, B7, B8 and B10. Where changes are sought beyond these, these are going to be increasingly difficult to establish before the Court.*
>
> *[64] We accept that the Court has jurisdiction, if it is considering the core issues, to consider that there could be consequential or other changes elsewhere. Those almost always lead to a [section 293] notification requirement and the Court has proven reluctant to undertake this broader investigation unless it is clearly signalled by the submissions and cross-submissions themselves.*

94. We note that the Court in considering scope concluded that “at its heart” PC 80 was a consequence of the NPS-UD, and that higher court decisions on scope (*Clearwater* and *Motor Machinists*) related to plan changes where the Council exercised full discretion on the plan change content as there was no obligation to give effect to any national documents. In contrast to PC 80 sitting at the strategic RPS level, PC 79 is a technical plan change with a dual purpose of addressing both “flow on effects” of NPS-UD / PC 78 intensification and existing issues with the AUP identified through monitoring.

95. We also note the Court's finding that scope of submissions on PC 80 was not determined by wording in the section 32 report which purported to confine scope, given that the section 32 report can be no more than an evaluation that cannot alter the terms of the notified plan change. We record that for PC 79 we have not looked to the section 32 report for any statements purporting to confine scope. Rather we have undertaken the first limb analysis described in *Motor Machinists* as seeking to establish the *"breadth of alteration to the status quo entailed in the proposed plan change"* or the "ambit" of the plan change by considering (among other factors) whether the submission raises matters beyond those addressed in the section 32 report, and whether the particular management regime in the AUP is altered by the plan change.

96. Our findings on scope of submissions and evidence are set out above. In the event that we may be wrong about any submission however, we have followed the section 42A Hearing Report in also considering the merits of the submissions in the remainder of our decision below.

Parking Maximums

97. PC 79 does not amend any of the AUP's parking maximums. Parking maximums were also able to be retained under Policy 11 of the NPS-UD and were not affected by PC 71.

98. Parking maximums are intended to give effect to the following objectives and policies in E27 - Transport:

> E27.2. Objectives
> *(3) Parking and loading supports urban growth and the quality compact urban form.*
> *(4) The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone.*
>
> E27.3. Policies
> *(4) Limit the supply of on-site parking in the Business – City Centre Zone to support the planned growth and intensification and recognise the existing and future accessibility of this location to public transport, and support walking and cycling.*
> *(5) Limit the supply of on-site parking for office development in all locations to: (a) minimise the growth of private vehicle trips by commuters travelling during peak periods; and*
> *(b) support larger-scale office developments in the Business – City Centre Zone, Centre Fringe Office Control area, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Business Park Zone.*

Car Parking in Multiunit Developments – Unbundled from Individual Unit

99. Options for allocating car parking in multi – unit development such as terraced housing or apartment buildings could include:

- A dedicated car park associated with a residential dwelling/unit

- A car park(s) in a shared common area/communal parking area

100. It is up to the developer to determine what works best for the particular form of development and, under the NPS-UD, whether car parking is to be provided. Central government has directed councils to remove mandatory minimum car parking requirements (apart from accessible parking) from district plans.

Parking Dimensions

101. Parking dimensions have been retained in the AUP and are unaffected by Policy 11 of the NPS-UD which required the removal of car parking minimums (except for accessible parking).

102. The dimensions are in section E27.6.1.3 – Size and location of parking spaces. Parking dimensions are still necessary for those situations where landowners/developers choose to provide car parking.

Consistency of language, grammar and formatting

103. The submitters raise issues associated with consistency of language, grammar and formatting throughout PC 79. The reasons for the submissions are stated in the relief sought – to ensure the provisions are clear, unambiguous, complete and achieve the stated purpose of the plan change.

104. The changes made to PC 79 will ensure the provisions are clear, unambiguous, complete and achieve the stated purpose of the plan change.

Wrongly Coded Submissions

105. Three submissions were coded as “Transport General” (All Other Miscellaneous Issues).

106. We find that the submissions are not transport related or are beyond the scope of the plan change, e.g. concerning light rail for Auckland or PC 78 outcomes. We note that PC 79 submission 4.1 is already in the PC 78 Summary of Decision Requested as submission 132.1. PC 79 submission 7.1 does not have an equivalent in PC 78 and PC 79 submission 46.1 is already in the PC 78 Summary of Decisions Requested as submission 2128.8.

Appendix 17: Proposed materials incorporated by reference

107. The submitters seek the deletion of proposed Appendix 17: proposed materials incorporated by reference (relating to E24 Lighting, and E27 Transport).

108. The reasons for the submissions are:

> *Reference to National Standards unreasonable at resource consent stage, given any development has an obligation to comply with the respective National Standards as part of any Building Consent/EPA process*

regardless (26.34, 27.34, 28.34, 41.34, 67.34, 69.34, 90.34, 102.34, 108.34, 109.34, 111.34, 117.34)

109. PC 79 proposes to incorporate the following documents relating to transport:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018 (entire document)
- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use (Sections 1-3 & Tables 1 & 2)
- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications (Sections 1-4 & Appendix A)
- WorkSafe - Electric Vehicle charging safety guidelines, May 2019 2nd addition plus addendums 1 and 2 (entire document)
- Auckland Code of Practice for Land Development and Subdivision, (Chapter 3 Transport) Codes of Practice, Auckland Design Manual 2022
- Land Transport New Zealand Road and Traffic Guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007) (entire document).

110. We agree with the Council that the incorporation of the standards and guidelines into Appendix 17 of the AUP supports the technical requirements of the standards relating to electric vehicle supply equipment, bicycle parking and loading spaces.

Decision

111. That submissions coded to **Hearing Topic 023 – Transport General (Coded as All Other Miscellaneous Issues)** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 024 – ACCESSIBLE PARKING, TOPIC 037 – PARKING DEMAND GUIDELINES & TOPIC 040 – DEFINITIONS AND ABBREVIATIONS RELEVANT TO TOPIC 024)

112. The submissions in Topic 024, Topic 037 and Topic 040 addressed the following themes:

- Theme 1 – Overall Approach – Accessible Car Parking
- Theme 2 – Objectives E27.2.(3) & E27.2.(4) be Retained, Amended or Deleted
- Theme 3 – Policy E27.3(3) be Deleted or Amended
- Theme 4 – Support Standard Standards E27.6.3.1 and / or E27.6.3.2(A)
- Theme 5 – Standards E27.6.3.1 and E27.6.3.2(A) be deleted
- Theme 6 – Standard E27.6.3.2(A) be amended
- Theme 7 – Matters of Discretion and / or Assessment Criteria

- Theme 8 – Submission on Definitions and Abbreviations
- Theme 9 – Other Matters

113. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main themes raised in the above submissions.

Discussion

114. Dr Woodbury for Auckland Council gave evidence that, for many disabled people "*private vehicle use and the ability to park their vehicle has a significant role in facilitating fundamental aspects of social participation and inclusion*". The Council's closing remarks reiterated the Council's concerns with the likely increase in impaired mobility in Auckland's aging population, stating that one in 10 Aucklanders have impaired mobility and that figure is likely to increase. Mr Allan submitted that this, together with an increase in car free developments, resulted in a need to ensure that an adequate volume of accessible parking is available in new developments. Dr Woodbury considered that without access to accessibility parking spaces the significant benefits of private vehicle use by disabled people are eliminated. We note that these matters were not challenged by any submitter at the hearing and the evidence focused on the appropriate method to make adequate provision for accessible parking. The Panel is also aware that Dr Woodbury and Ms Copeland were the only disability / accessibility parking and universal design experts to give evidence at the hearing.

115. Submitters against E27.6.3.1 and/or E27.6.3.2(A) were concerned that the proposed provision for accessible car parking was problematic and would impact on residential intensification, result in unused parking spaces and the uneconomic use of land, as well as limiting design options and potentially increasing costs and land inefficiency.

116. The experts in attendance at the expert conferencing held on 19 May 2023 discussed accessible car parking. Mr Reidy for Auckland Council confirmed that under the NPS-UD Auckland Council is able to set car parking minimums for accessible parking. He confirmed that the proposed standard applies to developments of 10 dwellings or more. Mr Lala, Mr Hills, Ms Morgan, Mr Morgan, Mr McCall and Mr Joffe agreed that accessible parking provisions are most appropriately addressed through the Building Code, as opposed to within the AUP(OP). Mr Macarthur suggested four or more dwellings as an appropriate threshold for E27.6.3.1(A)(3) whereas Mr Lowe questioned if the provision should be related to movements or dwelling numbers. Ms Copeland confirmed that this was based on international comparisons and New Zealand disability statistics and noted Council and disability organisations would be accepting of a lower threshold as suggested by Mr Macarthur. We note that no areas of agreement or disagreement were recorded in the Joint Witness Statement.

117. We note that in response to submitter concerns, in their rebuttal memorandum the reporting officers proposed an exemption from accessible parking requirements

within areas of the THAB in walkable catchments (except where parking is proposed to be provided by developers).

118. Ms Caldwell, in her legal submissions for Kāinga Ora raised the issue of whether the proposed exemption for THAB walkable catchments is enduring, noting that walkable catchments are part of the ongoing PC 78 process, with the mapping of walkable catchments yet to be confirmed through that process.

119. The Council's closing remarks acknowledged in response to Kāinga Ora's concerns that the mapping of walkable catchments remains a matter in contention in the context of PC 78. Specifically, while Policy 3(c) of the NPS-UD refers to 'walkable catchments' generically, the reporting officers agree that if the proposed exemption remains, it would most likely have to be mapped or defined in some way, to ensure a workable standard (and to avoid debate as to the application of the exemption). However, there is a sequencing issue with this given the status of PC 78. Since PC 78 has not progressed to hear the topic covering walkable catchments, Mr Allan submitted that the Panel will need to make a finding that enables PC 79 to stand on its own.

120. We note that Dr Woodbury maintains her opinion that accessible car parking should be required for all residential developments in the THAB zone involving 4 or more dwellings, regardless of whether parking is otherwise provided. However, given the difficulties with defining walkable catchments in a sufficiently certain way, the reporting officers have recommended exempting the entire THAB zone where no parking is otherwise provided (but still requiring accessible parking where parking is provided). Mr Wren agreed that the exemption provided in E27.6.3.2(A)(2) should be extended so that the entire THAB zone is excluded unless carparking is provided onsite.

121. Mr Liggett and Mr McCall on behalf of Kāinga Ora support the provision of accessible parking spaces where developments have more than 10 dwellings on a site and parking is provided. They also support the exclusion of accessible parking requirements from the THAB zone. However, both Mr Liggett and Mr McCall consider the proposed provisions should provide for more flexibility to achieve compliance. This includes the Council having the ability to consider site constraints when providing accessible car parking, such as site topography and the scale of the development. They consider this should also include the ability to provide accessible dwellings on a site when assessing any non-compliance with proposed accessible parking standards. Mr McCall suggested this was necessary to reduce complexity and ensure flexibility. We note that both Mr Liggett and Mr McCall support the overall intent of the proposed provisions to ensure an equitable approach to participation and achieve a well-functioning urban environment.

122. Mr Mackay submitted that accessible parking should only be required in developments where the applicants choose to provide parking. Whereas, Mr Rainey for the Property Council considered that the proposed accessible parking provisions will reduce intensification opportunities and limit design outcomes. He stated that parking spaces are tied to individual units making the provision of

accessible parking inappropriate. He believed that the provision of accessible parking should be left to market demand.

123. It was Mr Hills' opinion that there should be no accessible parking space requirements for residential dwellings deeming it impractical – this viewpoint was shared by Ms Morgan. Mr Hills also raised concerns that in developments that do not provide common car parking, it would be difficult to provide accessible parking without effectively removing units. Furthermore, he noted that the only way to ensure accessible parking spaces are available to those requiring them would be to create additional communal spaces which are not assigned to specific units. Mr Hills considered that standard E27.6.3.2(A) would mean a development with 10 units or more would need to provide an accessible space regardless of what other parking spaces are required and irrespective of location (rather than promoting other forms of transport). In response to Mr Hills's evidence, we note that a threshold of 10 or more dwellings is now proposed by the reporting officers to apply for accessible parking.

124. Ms Copeland stated that in developments that do not provide for common car parking, garaging can be designed to enable accessible car parking, provided that sufficient dimensions are met. Ms Copeland considers that public transport is not a full substitute for private vehicle use for those with impaired mobility due to the disadvantages and impracticalities of public transport for those with impaired mobility. Ms Copeland also stated that it is inappropriate to let market demand determine accessible housing and/or car parking on the basis that the market is already failing to deliver adequate supply to meet the current and future needs of Auckland's population. She also made the point that a wide and diverse range of people use accessible parking, and accessible parking does not need to be aligned with "accessible units" i.e. people may require accessible parking without requiring an accessible unit, for example people that have sustained a temporary injury.

125. Mr Lala suggested that management of accessible parking would be a challenge for residents associations or body corporates. We note that the section 42A Hearing Report addressed the range of options for allocating accessible parking. Mr Lala also, on behalf of BSLP, repeated a concern in his summary statement that the testing undertaken for PC 79 was not reliable to inform the impacts of accessible parking requirements on development yield. We note that Ms Sharpe and Ms Jones state in their joint rebuttal memorandum that their work was based on typical Auckland sites and on apartment and terrace housing scenarios which they understand were based on data collated by Auckland Council on typical site dimension and size. We were told that the spatial requirements of accessible parking spaces were accurately depicted in the models to test their implications on development yield.

126. Ms Coates on behalf of NEIL stated that she didn't support the inclusion of the NPS-UD definition for accessible car parks. Mr Allan in the Council's closing remarks has advised that 'accessible carpark' is not defined in NZS4121. Instead, "accessible" is defined in NZS4121 as "having features that permit use by people with disabilities". Whereas he pointed out, the NPS-UD defines 'accessible car

park' as "a car park designed and marked (for instance, in accordance with the mobility car parking scheme) for use by persons with a disability or with limited mobility".

Findings

127. The Panel concluded that accessible parking needs to be specified in a standard rather than as assessment criteria to be appropriately provided for, and accepts the expert evidence of Dr Woodbury that adequate provision of accessible carparking is fundamental for disabled people's social participation and inclusion. On this basis, the Panel agrees with Dr Woodbury and Ms Copeland that it is not appropriate to let market demand determine the provision of accessible parking and disagrees with Mr Rainey on this point. The Panel also accepts the evidence of Dr Woodbury and Ms Copeland that public transport is not a full substitute for private vehicle use for those with impaired mobility.

128. The Panel notes in the Council's monitoring from 2017 to 2023, 92% of a sample of consented apartment buildings in the THAB zone have provided some parking, which would trigger accessible parking requirements under E27.6.3.2(A)(2). In regard to exclusions, we agree with the reporting officers' rebuttal amendment for the THAB zone to be excluded from the provision of accessible parking (where no parking is otherwise provided), and we note that this outcome is supported by various experts including Mr Wren, Mr Liggett and Mr McCall. The Panel agrees with the reporting officers that exempting the entire THAB zone where no parking is otherwise provided (but still requiring accessible parking where parking is provided) is appropriate given that PC 79 has now been decided prior to PC 78, which is still at the hearing stage.

129. We also agree with the threshold of 10 or more dwellings as now proposed by the reporting officers to apply for accessible parking. The Panel has concluded that this provides an appropriate balance between the benefits to society (including those with impaired mobility) and the costs involved in providing accessible parking. We are satisfied that the threshold of 10 or more units adequately addresses submitter concerns raised about the economic viability of developments where accessible parking is required (and avoids impacts on the economic viability of smaller scale developments if accessible car parking was required). We also consider that this threshold will appropriately reduce any perceived impact on intensification opportunities and ensure the requirements are functional and practical, while still ensuring there is an adequate amount of accessible parking available in new developments.

130. The Panel is satisfied that there are sufficient practical and economically viable options for the management of accessible car parking in both multi-unit developments and freehold scenarios and we accept the evidence of Ms Sharpe and Ms Jones on the reliability of the testing undertaken on the implications of accessible parking spaces on development yield. Further the Panel is not persuaded by Mr Lala's or Mr Rainey's concerns about parking spaces being tied to individual units and considers the threshold of 10 or more units strikes an

appropriate balance. We therefore disagree with Mr Liggett and Mr McCall's evidence that accessible parking standards should be tied to the ability to provide accessible dwellings on a site, and that additional flexibility is required to achieve compliance.

131. The Panel is satisfied that the restrictions on the provision of accessible parking (as discussed above) are sufficient to make adequate provision for accessible parking while recognising impact on development yields. The Panel does not agree that introducing accessible parking provisions would unduly restrict residential intensification, given the balance being achieved in the provisions. The Panel considers that the provisions provide flexibility in how accessible parking can be provided for and notes that if a developer wants to depart from the accessible parking requirement, then this can be determined via the resource consent process.

132. Lastly, based on the Council's closing remarks, we find that it is appropriate for PC 79 to give effect to the NPS-UD by utilising the recent and RMA-specific definition for 'accessible car-parking'.

Decision

133. That submissions coded to **Hearing Topic 024 – Accessible Parking & Topic 037 – Parking Demand Guidelines & Topic 040 – Definitions and Abbreviations (relevant to Topic 024)** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 025 – PEDESTRIAN ONLY ACCESS & TOPIC 031 – PEDESTRIAN ACCESS

134. The submissions in Topic 025 and Topic 031 addressed the following themes:

- Theme 1 – Overall Support
- Theme 2 – Support Objective E27.2.(5A)
- Theme 3 – Amend Objective E27.2.(5A) / New Objective
- Theme 4 – Oppose Objective E27.2.(5A)
- Theme 5 – Support Policy E27.3.(20B)
- Theme 6 – Amend Policy E27.3.(20B)
- Theme 7 – Oppose Policy E27.3.(20B)
- Theme 8 – Support Standard E27.6.6(1)
- Theme 9 – Amend Standard E27.6.6(1)
- Theme 10 – Oppose Standard E27.6.6(1)

- Theme 11 – Matters of Discretion E27.8.1(9) and Assessment Criteria E27.8.2(8)
- Theme 12 – Design Guidelines and Development Incentives

135. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main themes raised in the above submissions.

Discussion

136. Section 3.2.2 of the Section 32 Evaluation report outlines the issue that PC 79 seeks to address in terms of pedestrian only access:

> *49. Where a land use consent is sought in a residential zone, the AUP requires pedestrian access if there is vehicle access serving 10 or more parking spaces. The existing AUP standards for pedestrian access relate to circumstances where the pedestrian access is provided alongside a much wider vehicle access. The pedestrian access is required to be one metre wide and can be located within the formed driveway. Where a subdivision consent is sought in a residential zone, accessways serving six or more rear sites must provide separate pedestrian access which may be located within the formed driveway. The minimum width for the pedestrian access is again one metre and it must be distinguished from the vehicle carriageway. However, where no vehicle access is provided, there are currently no standards in the AUP for pedestrian access.*
>
> *50. Evidence is emerging of residential developments with pedestrian only access routes of poor quality and safety. Issues include inadequate footpath access widths, poor safety outcomes (in terms of steep gradients, lack of passive surveillance and inadequate lighting), and cluttered footpaths (waste bins and other obstructions).*
>
> *51. The number of developments without vehicle access and onsite parking is likely to increase across all zones as minimum car parking requirements have been removed from the AUP. Without specific standards in the AUP, there is an increased risk of poorly designed and unsafe pedestrian only access. This presents a number of challenges in terms of practical access for occupants and visitors, universal access, emergency services access and egress (fire, police and ambulance), furniture deliveries, personal and public safety, convenience and general amenity.*

137. We note that the technical specialist urban design memo of Ms McKelvie (Attachment 14 to the section 42A Hearing Report) further outlines the key issues and provides examples of these issues.

138. In order to address the issue above, objectives, policies and standards were proposed as a part of PC 79, together with matters of discretion and assessment criteria. The Panel noted that the notified provisions apply to residential zones only. We understand that this is based upon the discussion of case law on scope in Section 8 of the Hearing Report, where the Council considers there is no scope to expand the provisions beyond the residential zones.

139. The Council's position is that all pedestrian access should be designed and located to provide for safe and direct movement, minimising potential conflicts between pedestrians and other users. If there are unsafe pedestrian access routes, these would undermine the achievement of the objective and policies of the AUP(OP).

140. In response to matters raised by Ms McKelvie, the reporting officers agreed with Ms McKelvie's view on the need to distinguish between primary pedestrian access and other secondary pedestrian access(es). Hence, PC 79 addresses two types of pedestrian access to residential sites:

i. Pedestrian – only access, where there is no vehicle access onto a site; and
ii. Pedestrian access adjacent to vehicle access

141. The proposed provisions were discussed in some detail at the expert conferencing session held on 21 July 2023. We note that no areas of agreement or disagreement were recorded in the Joint Witness Statement but that a number of potential text changes were discussed to address the issues identified in submissions that the proposed provisions are overly prescriptive and impracticable to implement.

142. In response to submissions and as a result of this expert conferencing, further changes were proposed by the reporting officers to further distinguish between vehicle access and pedestrian access policies and to make the policies consistent with the NPS-UD definition of a 'well-functioning urban environment'. A new definition for 'primary pedestrian access' was also proposed to be added to PC 79 by the reporting officers. We also note that the reporting officers have removed the reference to "any dwellings which have separate pedestrian access provided directly from the front door to the road". Further, the revised standard was amended to be based on the concept of primary pedestrian access and distinguishes between pedestrian access not adjacent to a vehicle access and pedestrian access that is adjacent to a vehicle access. This was in response to Kāinga Ora's submission.

Findings

143. Several experts have recommended that the proposed pedestrian access standard would be best addressed as assessment criteria. In addition, it was Ms Morgan's opinion that the "assessment criteria *proposed through PC78 for four or more dwellings will ensure that safe pedestrian connections are provided*". Further, we note that Ms Morgan suggested amendments to a proposed PC 78 assessment criterion.

144. The Panel agrees with the Council's closing remarks, with regards to the matter of scope in transferring the management of pedestrian access to the residential zone chapters in the AUP(OP). We therefore find that this recommendation of Ms Morgan is out of scope. We also note that with the current uncertainly with the future of PC 78 and the fact that the PC 78 hearing has not progressed to consider

zone specific topics; and as PC 79 is being decided ahead of PC 78, the PC 79 provisions must stand on their own.

145. Notably, we were told by the Council's pedestrian safety expert Dr Chambers that there is a significant body of evidence which demonstrates the increased risk of injury or death to pedestrians due to driveway runover events on shared driveways, with the grade separation of pedestrians from vehicles being shown to result in a two-fold reduction in driveway runover injuries and deaths. Dr Chambers' report refers to the high death and injury rates among younger tamariki / children (e.g. with 4 to 5 tamariki / children aged five years or younger dying each year), while noting that older children and adults are also affected.

146. As Mr Allan noted in the Council's closing remarks, the above expert evidence is essentially uncontested; no pedestrian safety expert has provided evidence to the contrary on behalf of the submitters. We therefore accept the expert evidence of Dr Chambers. We were also mindful that in Council's opening legal submissions dated 13 October 2023, Mr Allan provided in paragraph 3.56 onwards a fulsome explanation of why standards are the more appropriate mechanism, rather than assessment criteria alone. For the reasons set out in these opening submissions, the Panel disagrees with Ms Morgan, Mr McCall and Ms Bell and instead agrees with the Council that permitted activity standards are the most effective and efficient method for achieving safe and functional pedestrian access.

147. It was Mr Wren's opinion that the suite of rules across PC 78 and PC 79 regarding pedestrian-only access and refuse collection mean that developments of four or more dwellings on rear sites with constrained access would not be possible without infringing the standards. Ms Bell was also concerned that the standards are too prescriptive and will not be suitable for, or able to be implemented, on many existing residential sites. She considered the standards will prevent and/or restrict the future development of rear sites (and many other sites) as many existing vehicle crossings and accessways/entrance strips are not wide enough to provide the additional width required by the proposed standards. We note that Mr Allan in the Council's closing remarks acknowledged that "*Mr Wren is correct in that the notified PC 78 refuse collection standards requiring adequate site frontage for bins if kerbside rubbish collection as proposed may present an issue for undertaking pedestrian-only development on certain rear sites. However, the possibility that some sites may not comply with a rule is not a sound argument against that rule*".

148. Mr Allan emphasised that "*rear sites can have site access constraints, which – much like other site constraints, e.g. flood hazard constraints – may reasonably limit the degree of intensification that may be achieved on a site. These sites are a result of legacy subdivision patterns that did not anticipate the density now provided for by AUP zones*".

149. Nonetheless, we note that these standards proposed by PC 79 (and PC 78) do not preclude consent being sought for alternative solutions on a case-by-case basis. We note that Mr Wren accepted that amalgamation of adjoining sites was a possible solution. Ms McKelvie's rebuttal memorandum in paragraph 15 notes that

there are solutions available for sites reliant on pedestrian-only access, including private waste management arrangements where waste trucks load from the street, with bins wheeled to the truck by the contractor. While it would not be uncommon for the constraints of these standards to be encountered, we find that design solutions remain available that would need to be assessed on a case-by-case basis.

150. In their evidence, both Mr Grey and Mr Wren outlined their concerns in relation to rear lot access and the clarity of drafting of Standard E27.6.6(3). Mr Grey was concerned that the existing provisions do not provide adequate guidance for vacant site subdivisions which include vehicle accessways that serve a combination of front sites and rear sites, and considered that the existing AUP operative standard E38.8.1.2 should be amended so that it applies to both rear sites and front sites. It was Mr Wren's opinion that the proposed standard was unclear and incompatible with the diagram which shows the primary pedestrian access as being the main shared access that does not extend necessarily to the dwelling. Mr Wren also had concerns about stairs and lift doors in relation to application of Standard E27.6.6(4).

151. The Panel notes that in response to Mr Wren's evidence, the reporting officers have recommended simplifying E27.6.6, by combining E27.6.6(1) and E27.6.6(3) to make it clear that there is a requirement to provide primary pedestrian access (subject to the exclusions stated in what is now E27.6.6(4)). Further, rather than amending E27.6.6, the reporting officers have proposed an amendment to the definition of "primary pedestrian access" to now specify:

> **Primary Pedestrian Access:**
>
> The main pedestrian route serving two or more dwellings in any residential zone providing pedestrian and micro-mobility access from the road to **the individual paths accessing** the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).

152. We agree that the above amendments now address the matters raised by Mr Wren. However, with regard to the views expressed by Mr Wren in relation to parking behaviour and the efficiency of raised kerbs, the Panel prefers the evidence of Dr Chambers in her specialist report and rebuttal memorandum which supports the view that grade separated footpaths materially reduce driveway risk. Ms Copeland also identified that, in terms of increased safety, a range of users benefit from grade separation, and we note that Mr Hills also appeared to agree that separated access reduces risk.

153. In response to Mr Grey's evidence the reporting officers have noted that all proposed sites are required to provide adequate legal and physical access to the road under standard E38.6.2. We also note that the Council can also utilise section 106(1)(c) of the RMA to impose subdivision consent conditions if they are considered necessary to ensure sufficient provision has been made for legal and physical access to proposed sites, and this may include specifying minimum vehicle access widths serving proposed front sites. The reporting officers also told

us that the key determinant regarding the sufficient provision of vehicle access to front sites is the associated frontage length, which is generally more than sufficient to accommodate vehicle access to the adjoining road. We note that Mr Brandon has also confirmed the appropriateness of this approach from a transport engineering perspective in his transport rebuttal memorandum. We prefer the evidence of the reporting officers and Mr Brandon.

154. Mr McCall on behalf of Kāinga Ora raised concerns that proposed rule E27.6.6.(2) which requires a 1.2m wide path around the edge of grouped parking areas was complex. He noted that in conjunction with the standard only applying to four or more dwellings in residential zones this standard applies to pedestrian access - not primary pedestrian access - between parking spaces (albeit only parking spaces consisting of four or more car parks served by the same vehicle access).

155. We note that the AUP(OP) does not manage pedestrian access from a grouped parking area to a dwelling. Further, Council's s 35 monitoring found that there are safety issues for pedestrian access in developments with parking for four or more dwellings, particularly where multiple grouped parking areas may exist on one development site. Some forms of parking such as centralised communal parking areas are not adequately designed for pedestrian safety within the site. These developments often fall below the AUP threshold (based on the number of car parks) which require a footpath and consequently people are required to walk through the active parking and manoeuvring areas, in the absence of any footpaths. We consider that such an outcome would be contrary to Kāinga Ora's own design guidelines, which supports the provision of separated pedestrian access to car parking areas[10]. We prefer the evidence of Dr Chambers and Ms McKelvie and consequently find that proposed Standard E27.6.6(4) which requires a 1.2m wide footpath where there are four or more dwellings is necessary to ensure the safety of users.

156. Mr Hills recommended that the threshold for requiring a primary pedestrian access adjacent to a vehicle access to be vertically separated should be 20 car parking spaces. This was based on a defined term with vehicle accessways accommodating 200 or more vehicle movements per day being a "high volume driveway" in RTS6, which he considered to be an appropriate threshold.

157. Conversely, Council's traffic expert, Mr Brandon, does not agree that the definition and commentary on high use driveways in these references provide a relevant threshold for when a vertically separated primary pedestrian access is and is not required. His reasoning for this position was set out in paragraph 6.44 in Council's closing remarks. He stated that RTS6 is a standard primarily providing guidance on visibility for drivers at vehicle crossings (vehicle crossings being the vehicle connection over the berm and footpath between a private property boundary and the road carriageway). It is not a document that considers pedestrian safety and

[10] Tāone Ora Urban Design Guidelines, Kāinga Ora, March 2023, at page 18: https://kaingaora.govt.nz/assets/Publications/Design-Guidelines/Taone-Ora-Urban-Design-Guidelines.pdf

accessibility within a site which is what the primary pedestrian access requirements address. He also considered that RTS6 (first published in 1993) was no longer a relevant document, and instead referred to more recent design guidance such as that provided in Austroads Guides. He remained of the view that the thresholds proposed for pedestrian access are appropriate. We agree.

158. In his opening legal submissions, Mr Allan confirmed that matters broadly relating to health and safety are undoubtedly valid RMA considerations[11]. Mr Allan went on to say that:

> "… an argument could be advanced that the use of relevant land for residential purposes should, for specified reasons relating to emergency access requirements to provide health and safety, only be permissible subject to certain requirements (e.g. as to width of paths) first be met.
>
> It is also arguable,… that the provision of practical and functional access for emergency services is a critical element of a well-functioning urban environment.[12]"

159. During the hearing, Mr Roberts on behalf of FENZ indicated that the submitter could potentially work with a 3-metre access 'corridor' with a 1.8m or 2m formed width, on the basis that these requirements would only be needed over a certain threshold of dwellings or access length. The reporting officers subsequently confirmed that they would be able to support a change to the pedestrian access standard to facilitate a 1.8m formed width within a 3m wide corridor.

160. As a consequence of Council's position set out above, which now accepted that the PC 79 provisions should provide for emergency access requirements, as well as the evidence of Mr Roberts in response to this amended position, on 20 October 2023, the Panel directed that there be further expert conferencing held on matters relating to width and functional access (with respect to emergency services) in an attempt to see if the experts could reach any further agreement with the provisions.

161. The additional expert conferencing occurred on 9 November 2023 where the invited experts discussed the width and functional access (with respect to emergency services). All experts at the further witness conferencing agreed with the wording of proposed new standards E27.6.6(4) and (4A), except for the clear height proposed by FENZ. The JWS records that FENZ has a preference for unlimited clear height for the formed and clear width, however recognises the practical considerations and understands this may not be achievable. Mr McCall for Kāinga Ora maintained the position in his evidence on the basis that he is not opposed to 3m clear width, however, opposes the threshold of four or more dwellings without a specified length. Mr McCall also considers that length is an appropriate trigger for clear width regardless of the number of dwellings. The Panel accepts the wording of new standards E27.6.6(4) and (4A) agreed at conferencing as set out in Attachment A to Council's closing remarks. Further, while under E27.6.6(3) the clear width can contain landscape treatment, the Panel is satisfied

[11] Opening Legal Submissions dated 13 October 2023, paragraph 3.38(a).
[12] Ibid, paragraphs 3.38(c) and (d).

that the restriction of this to a height of 600mm will minimise risk of impediment for emergency responders.

Decision

162. That submissions coded to **Hearing Topic 025 – Pedestrian Only Access and Topic 031 – Pedestrian Access** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 026 – LOADING SPACES & TOPIC 027 HEAVY VEHICLE ACCESS & RELATED MATERIAL INCORPORATED BY REFERENCE (Topic 036)

163. The submissions in Topic 026, Topic 027 and Topic 036 addressed the following themes:

- Theme 1 – Overall Approach for Loading Spaces
- Theme 2 – Support Standards E27.6.2(8) & E27.6.2.7 & / or E27.6.3.3(2A) & E27.6.3.4 & E27.6.3.5
- Theme 3 – Amend or Oppose Standards E27.6.3.2, E27.6.3.3(2A), E27.6.3.4, E27.6.3.4A, E27.6.3.5, & E27.6.2(8) & Table E27.6.2.7
- Theme 4 – Amend Standard Table E27.6.2.7 & Standards T111A & T111B
- Theme 5 – Matters of Discretion E27.8.1.(9)

164. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main themes raised in the above submissions.

Discussion

165. PC 79 introduces a small loading space requirement for developments of greater than nine dwellings and up to the 5,000m^2 threshold.

166. The rationale for the introduction of a small loading space standard derives from the removal of parking minimums, which the reporting officers consider will mean that the possibility of an informal loading space (i.e. using unoccupied car parks or the vehicle accessway) can no longer be guaranteed, unless a developer is providing car parking.

167. The Section 32 Evaluation Report associated with PC 79 identifies the issue as:

> *Developments or land uses that do not have vehicle access for servicing, pick up and drop off (including ride share and future potential for autonomous vehicles) and deliveries will be reliant on roadside access. This may lead to conflicts with transport network functions (parked cars blocking the carriageway or parking on the footpath) and may have safety effects (such as visibility constraints, unsafe vehicle manoeuvres and effects on pedestrian safety). (p. 13)*

168. In addition, the reporting officers note that there has been significant growth in e-commerce as outlined in the Section 32 Evaluation Report (p.14). This matter was discussed in further detail in the Technical Specialist Report of Mr Brandon on traffic engineering and transport planning matters (Attachment 6 to the s 42A Hearing Report).

169. The Panel also noted that at expert conferencing on 24 July 2023, Auckland Council experts proposed amendments to the loading standards. The most significant change proposed is that the "small loading space" requirement only applies to sites with frontage to an arterial road as identified on the planning maps. This was on the basis that arterial roads typically have the greatest demands on the use of road space e.g. they carry the highest traffic volumes, are used for public transport, high vehicle occupancy lanes, and cycle lanes. We were told that the manoeuvring areas associated with a small loading space are significantly less than for a larger truck. In addition, there is scope through the assessment criteria to consider alternative loading solutions.

170. We note that the amendments proposed to E27.6.2(8)(b) as well as the addition of new Table E27.6.2.7A Minimum small loading space requirements, including consequential amendments to the assessment criteria substantially addressed the concerns raised by the majority of submitters. This was confirmed by the experts (Mr Hills, Mr McCall, Ms Smart[13] as well as Mr Reidy and Mr Brandon) who were in attendance at the expert conferencing held on 24 July 2023 as recorded in the joint witness statement.

171. With regard to heavy vehicle access, proposed Standard E27.6.3.4A requires sufficient space on a site in a residential zone to ensure an 8m heavy vehicle does not need to reverse onto or off the site with a maximum reverse manoeuvring distance of 12m. We note that heavy vehicle access and manoeuvring areas must comply with the tracking curves in Land Transport New Zealand Road and Traffic Guidelines.

172. No changes were recommended to the proposed standard as a result of expert conferencing, except that the deletion of (1)(b) is proposed by reporting officers as there is no longer a specific standard relating to pedestrian access on sites serving heavy vehicles.

173. We note that the proposed standard is in response to a requirement in the residential zone provisions for onsite waste management collection under PC 78. We acknowledge that this matter has not yet progressed to a hearing, however, standard E27.6.3.4A is drafted in such a way that it applies "where" a site in a residential zone provides heavy vehicle access. Notably, the standard does not require the provision of heavy vehicle access, but where such access is proposed it sets out reverse manoeuvring requirements to achieve safety outcomes. In other

[13] With the exception of E27.6.3.5(3)(cb) Vertical Clearance, where Ms Smart considered a dimension of 4m clearance (as opposed to 3.8m) was more appropriate for FENZ.

words, the PC 79 standard is stand-alone and does not depend on the outcome of the PC 78 process.

Findings

174. The Panel noted that the agreed changes to the proposed standards resulted in limited evidence being presented to us at the hearing on Topic 026. Mr Grey in his evidence helpfully pointed out a remaining cross–referencing error in proposed provision (T137A) in Table E27.6.3.2.1 that required amendment. This has now been corrected by the reporting planners. Kāinga Ora also supported the overall intent of the proposed amendments but sought further modification to the agreed loading standard. Specifically, Mr Liggett and Mr McCall considered further amendment is required to the notified provisions to ensure land use efficiency and optimisation are not "unduly compromised". They sought that standard E27.6.2(8)(b) be further amended to reflect that loading spaces should not be required in cases "*where developments are established on sites with more than one street frontage and one or more of those roads is a lower order road*".

175. In his rebuttal memorandum, Mr Brandon considers that the proposed standards are similar in nature to the way current standards for matters such as vehicle access are addressed. It is his experience that these standards function in an efficient and effective manner. We note that the reporting officers have discussed the above matter further with Mr Brandon and in the Council's closing remarks Mr Allan submits that Kāinga Ora's proposed amendment should not be adopted because:

    a) *"The frontage a site has to another road could range in length significantly, and it is unknown how a development is going to be designed in relation to that side road frontage.*
    b) *The demand for use of an arterial (i.e., parking) tends to spill onto side roads, and corner sites are the most likely dual frontage scenario.*
    c) *The provision has been pared back significantly from all sites to just sites that have frontage to arterial roads.*
    d) *Were the provisions unamended, Council would be able to consider departing from the loading space standard on a site-by-site basis against the assessment criteria."*

176. We consider that the loading space standards are necessary. We acknowledge the extent to which the provision has been amended to respond to submitters' concerns. We agree with the latest amendments proposed as set out in Appendix A to Council's closing remarks for the reasons set out above, and on that basis, we disagree with Mr Liggett and Mr McCall that further modification to E27.6.2(8)(b) is required or appropriate as it has the potential to lead to conflicts with traffic and pedestrian safety.

177. Mr Wren gave evidence that the heavy vehicle standard is vague and lacks a definition for the term "heavy vehicle", making it difficult to implement in practice. He suggested that a definition might avoid confusion by specifying the vehicle which the proposed standard is aimed towards.

178. While there is existing guidance within the AUP as to the meaning of heavy vehicle, the reporting officers agree with Mr Wren that a specific definition of heavy vehicle has merit. They subsequently have recommended that the following heavy vehicle definition be included (based on Waka Kotahi's definition), which is similar to that included in other plans:

> **Heavy vehicle**
>
> A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

179. In the Council's closing remarks Mr Allan submitted that the above amendment increases the certainty of the standard and excludes its application to light delivery vehicles. He noted that the reporting officers are accordingly satisfied that there is sufficient scope to make this amendment, in response to the submissions received. We agree with the inclusion of the above definition for "heavy vehicle" and consider this addresses the matter raised by Mr Wren.

Decision

180. That submissions coded to **Hearing Topic 026 – Loading Spaces & Topic 027 Heavy Vehicle Access & Related Material Incorporated by Reference (Topic 036)** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 028 – BICYCLE PARKING AND ACCESS & TOPIC 036 – MATERIAL INCORPORATED BY REFERENCE (RELEVANT TO TOPIC 028)

181. The submissions in Topic 028 and Topic 036 addressed the following themes:

- Theme 1 - Overall Support
- Theme 2 - Overall Opposition
- Theme 3 - Support Policy E27.3 (14)
- Theme 4 - Amend Policy E27.3 (14)
- Theme 5 - Oppose Policy E27.3 (14)
- Theme 6 - Support Standard E27.6.2.6
- Theme 7 - Amend Standard E27.6.2(6) and Table E27.6.2.5
- Theme 8 - Delete Standard E27.6.2(6) and Table E27.6.2.5
- Theme 9 - Amend Assessment Criteria E27.8.2(6)

182. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main issues raised in the above submissions.

Discussion

183. The Section 32 Evaluation report outlines the reasons for changes to the AUP's bicycle parking provisions. The report includes the following observations:

> *63. The AUP currently does not require on-site bicycle parking until relatively high development thresholds are reached. For example, residential development of 20 or more residential units where there is no dedicated garage.*
> *...*
>
> *66. Furthermore, there are no provisions in the AUP relating to the design of on-site bicycle access and secure, sheltered parking facilities for bicycles. There are numerous benefits for cyclists in providing secure and sheltered bicycle storage facilities, especially where residents do not have access to a garage.*
>
> *67. Current provisions don't ensure that quality outcomes are provided for residential bicycle parking facilities.*
>
> *68. Transport is Auckland's largest source of emissions. Transitioning to a sustainable transport system is critical to give effect to Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan, which aims to halve regional emissions by 2030 and transition to net zero emissions by 2050. Increasing the uptake of cycling and micromobility is a priority in Te Tāruke-ā-Tāwhiri.*
> *...*
> *71. Accelerating the delivery of safe and connected cycling and micromobility networks in Auckland will enable more people to undertake more of their daily trips through sustainable active modes, leading to reduced transport emissions and greater wellbeing. It also enhances community and transport resilience by providing affordable, fossil-fuel free travel options for people and goods.*

184. In summary, the Council's position is that the current threshold for bicycle parking for residential development is set too high, quality outcomes for residential bicycle parking facilities are not always being achieved, and an increase in cycling is required if climate change goals are to be achieved. Further, safe, secure and covered bicycle parking is required if cycling is to be encouraged/enabled.

185. The Technical Specialist Report by Mr Michael Roth on bicycle parking (Attachment 16 to the section 42A Hearing Report) addresses the role of cycling in achieving climate change goals.

186. We note that a key action to reducing reliance on cars and supporting people to walk, cycle and use public transport, includes increasing support for walking and cycling, including initiatives to increase the use of e-bikes. Mr Roth notes in his transport planning memo on bicycle parking that PC 79's proposed bicycle parking and access provisions directly support this action.

187. Recommended changes were put forward by the Council at the first expert conferencing session held on 19 May 2023 to allow for more flexibility, with key bicycle parking requirements being shelter from weather, security and access.

Further changes to assessment criteria were also proposed by the Council based upon Waka Kotahi guidance on design details for bicycle parking which relate to both public and private provision. During the conferencing Mr Michael Lowe agreed about the need for flexibility but raised concerns that there isn't enough bicycle parking provision proposed to support mode shift. Mr Hills, Mr Lala, Ms Morgan, Mr McCall and Mr Morgan noted that it is a minimum requirement, but agreed there needed to be flexibility to provide bicycle parking within the dwelling, as many residents may not want to use communal parking (e.g. due to the value of e-bikes). The Panel notes that no consensus was reached on the proposed changes to the activity table, being Table E27.6.2.5.

188. The Panel also notes the evidence of Ms Coates which opposes the recommended change to Policy E27.3(14) by adding the words "*including within a dwelling*". The basis for her opposition is the increase in e-bikes causing fatal fires due to higher energy lithium-ion batteries.

189. The evidence of Mr McCall on behalf of Kāinga Ora advised that the proposed amendment to Policy E27.3.(14) (which he supports) has not been carried through into the proposed standard.

190. The proposed standard Table E27.6.2.5 Required bicycle parking rates requires one secure (long–stay) bicycle park per dwelling where there is no dedicated garage or basement carpark. We note that an internal bicycle parking space is one of the options proposed for providing bicycle parking.

191. In response to the evidence of Mr McCall, the Council's rebuttal memoranda proposed that bicycle parking within a dwelling be included as a means of complying with the standard, provided that this is not within a "habitable room". The rebuttal memo of Mr Roth addresses requirements for internal bicycle parking spaces. He states that bicycle parking within dwellings should not be provided for in habitable rooms. In light of Mr Roth's comments, the reporting planners concluded that habitable rooms should be excluded. This matter remained the main outstanding matter in this topic.

192. Kāinga Ora's legal submissions and hearing presentation raised concerns with PC 79's intention to exclude bicycle storage in habitable rooms from the ways in which the bicycle parking can be complied with. Ms Caldwell submitted that the proposed provisions relating to bicycle parking do not make appropriate provision for bicycles to be stored indoors in certain circumstances, in a way that reflects individual preferences. Kāinga Ora sought a further amendment to the standard E27.6.2.(6) to clarify that the standard can be complied with via provision for bicycle parking within a dwelling or an exemption to bicycle parking requirements in respect of dwellings located at ground level.

Findings

193. We questioned the certainty and enforceability of the proposed amendment to the standard allowing for bicycle parking provision within dwellings, excluding habitable rooms. The main issues we raised were:

a) How compliance would be demonstrated at the resource consent stage; and

b) How any monitoring and enforcement would or could occur of the internal spaces of dwellings.

194. These issues were acknowledged by the reporting planners who responded that enforcement of this rule is not something they could ensure or that the Council would in fact pursue beyond the imposition of a consent condition. Mr Allan addressed this matter further in the Council's closing remarks (paragraph 8.6) as follows:

> *"Officers consider that the only way that the standard could practically function in this regard would be for bicycle parking within dwellings to be specifically identified on the consented plans associated with an application, and a condition imposed that those facilities be provided. Compliance with this requirement could be monitored in conjunction with final Building Act inspections prior to occupation of dwellings. From this point on, any monitoring or enforcement of activities occurring within dwellings would be inappropriate and unnecessary. The purpose of the standard would be met at this stage as a space would be provided for residents to store a bicycle if they wish."*

195. We were not convinced that the proposed amendment was sufficiently certain, and remained concerned about the enforceability and monitoring of precluding bicycle parking within non-habitable rooms of dwellings. Consequently, we have deleted this clause of the standard.

196. The Panel has also made one further amendment to this standard to require the bicycle parking to be "sheltered from weather" (as opposed to "fully sheltered from weather") in E27.6.2.(6)(aa)(iii) as we find that to be 'fully' sheltered from the weather results in a standard that is possibly open to interpretation.

Decision

197. That submissions coded to **Hearing Topic 028 – Bicycle Parking and Access & Topic 036 – Material Incorporated by Reference (relevant to Topic 028)** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 029 – ELECTRIC VEHICLE CHARGING & TOPIC 036 – MATERIAL INCORPORATED BY REFERENCE (RELVANT TO TOPIC 029) & TOPIC 040 – DEFINITIONS AND ABBREVIATIONS (RELEVANT TO TOPIC 029)

198. The submissions in Topic 029, Topic 036 (relevant to Topic 029) as well as Topic 040 (relevant to Topic 029) addressed the following themes:

- Theme 1 - Support Overall Approach/Objective E27.2.(7)
- Theme 2 - Amend Objective E27.2.(7) / New Objective
- Theme 3 - Oppose Objective E27.2.(7)
- Theme 4 - Support Policy E27.3(30)
- Theme 5 - Support Policy E27.3(30)
- Theme 6 - Oppose Policy E27.3(30)
- Theme 7 - Oppose Policy E27.3(30)
- Theme 8 - Amend Standard E27.6.7 /New Standard
- Theme 9 - Oppose Standard E27.6.7 and/or Table E27.4.1 – Activity Table
- Theme 10 - Matters of Discretion E27.8.1.(16)
- Theme 11 - Assessment Criteria E27.8.2.(14)
- Theme 12 - New Definition - Electric vehicle supply equipment

199. The submission points are set out in the section 42A hearing report and are grouped into the above theme headings. Below is a discussion on the main issues raised in the above submissions.

Rationale for Requiring Electric Vehicle Supply Equipment (EVSE)

200. Objective 1 of the NPS-UD states:

> *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 into the future.*

201. A well-functioning urban environment is defined in Policy 1 of the NPS-UD as including:

> *... urban environments that, as a minimum:*
>
> *…*
>
> *(e) support reductions in greenhouse gas emissions; and are resilient to the likely current and future effects of climate change.*

202. Objective 8 of the NPS-UD states:

> *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.*

203. Mr Loutit, in his legal submissions on behalf of Beachlands South Partnership Limited told us that we must give greater weight to the specific and (relatively) directive requirement to "limit as much as possible" constraints on the competitive operation of development markets. Whereas, the more general ambitions "to support" reductions in GHG emissions do not justify the imposition of prescriptive EV supply equipment and charging controls at the individual dwelling scale.

204. Mr Allan, in the Council's closing remarks pointed out that Mr Loutit's submission does not accurately capture the actual wording of Policy 1(d), which is: "*support, and limit as much as possible, adverse impacts on, the competitive operation of land and development markets*". He stated that Policy 1(d), like Policy 1(e), employs the word "support". We note that the term "well-functioning urban environment" is defined in Policy 1 in a non-exhaustive manner, with the listed elements being minimum requirements, and all linked by the conjunctive "and". It was Mr Allan's submission it follows that all elements of Policy 1 are to be achieved and there is no hierarchy between them. We agree.

205. The section 42 Hearing Report advises that New Zealand's transition to electric vehicles is a key component of efforts to significantly reduce transport emissions. For example, Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan anticipates 40 percent of light vehicles to be electric or zero emission by 2030, and 80 percent by 2050. As charging electric vehicles typically takes several hours, and ideally occurs at night to take advantage of off-peak power, future residential developments will need to provide spaces and charging facilities to support uptake of electric vehicles. Even if no formal car parking is provided, it is still expected that most households will own a vehicle for the medium term at least and therefore some shared charging facilities will be required. It is Mr Roth's opinion in his transport planning memo on EV charging (Attachment 15 to the section 42A Hearing Report), that the proposed EV charging provisions directly support this action.

206. The Section 32 Evaluation Report states in section 4.1 that one of the key reasons for requiring electric vehicle supply equipment is: "*Auckland's transport infrastructure is future-proofed to cater for emerging changes in transport, including greater use of bicycles, including e-bikes, micro-mobility devices and electric vehicles*". In this regard we noted that Ms Morgan for Fletcher Residential suggested that the market is addressing the issue of EV charging, and we acknowledge that this is happening in some instances. However, we agree with the reporting officers that the market cannot be solely relied upon to deliver electric vehicle supply equipment to enable future EV charging.

207. The Panel observed that several submission points were received on notified objective E27.2.(7) and policy E27.3(30) as well as the subsequent standard and assessment criteria. According to the section 42A Hearing Report, the intention of proposed Objective (7) and Policy (30), as notified, was to provide the necessary infrastructure to enable the future installation of electric vehicle supply equipment.

208. Notably, in response to submissions, it was proposed by Auckland Council experts at expert conferencing on 19 May 2023 to amend the objective and policy to reflect the above intention, moving from a position of 'requirement' to one of 'enablement'. Changes were also put forward to the notified proposed standard. The intent remains the same – that for new residential dwellings (excluding detached dwellings), with covered carparking, there is provision made for the future installation of electric vehicle supply equipment.

209. The recommended revised standard that was presented at expert conferencing clarifies that the EV charging:

a) Applies to any new dwelling with car parking;
b) Only applies to undercover car parks;
c) Would not apply to new detached dwellings; and
d) Would not apply to any car parking permanently allocated to visitors.

210. Consequential amendments were also proposed to the assessment criteria and a new definition of 'Electric Vehicle Supply Equipment' (EVSE) was proposed to assist in interpretation and application of the standard.

211. The Panel understands that the above proposed amendments were not discussed in any detail, as the bigger issue of whether the AUP should contain provisions relating to EV charging was the only issue discussed at expert conferencing.

212. In addition to the above amendments, the reporting officers also introduced a new objective, policy, activities and standard relating to electric vehicle charging stations in response to submissions received on PC 79, after the expert conferencing occurred. The standard was further amended by the reporting officers in their rebuttal memorandum, in response to the Fuel Companies hearing statement.

213. Some submitters – BSLP included – have expressed general concerns in relation to the costs involved with the standard. In his summary statement Mr Lala advised he did not agree with the responses provided by Council that there would be little if any additional costs associated with these new provisions, such as EV supply equipment. Specifically, it was not clear to Mr Lala what information would be required for resource consent applicants, or how Council's resource consent reporting planners could confirm compliance with the proposed provisions. It was his view that:

> *"resource consent applicants would need a statement (or certification) from an electrician that the development complies with the future proofing of capability requirement at the resource consent stage. Similarly, the Council's resource consent reporting planners would most likely require their own technical specialists to confirm or otherwise such compliance. In my view, the costs associated with this process (including any time delays) outweigh the benefits, particularly when no actual EV charging infrastructure will result. Therefore, I consider the proposed changes are not the most appropriate as they will result in inefficiencies in the resource consent process and will be ineffective in improving New Zealand's EV charging infrastructure[14]."*

214. Mr Lala did not provide us with any evidence on the costs associated with having to retrofit EV charging to existing developments at a later date. We note that Mr Roth's EV charging report (Attachment 15) contains further information on the costs of retrofitting EVSE as opposed to installation at the time of development. The Panel also notes a key distinction that the proposed standard does not

[14] Summary Statement of Vijay Lala, paragraph 1.12

prescribe a specific technology or equipment. It seeks that there are no substantial constraints or impediments to the installation of future EV charging. We accept Mr Roth's opinion that it is cheaper and more efficient to provide for EV charging at the time of development, rather than retrofitting at a later date. We also agree that these amendments will "future-proof" Auckland's transport infrastructure and cater for emerging changes in transport, including greater use of electric vehicles.

215. We agree with Council's closing remarks that what is now proposed is a very low-cost minimum enabling provision for future installation of Electric Vehicle Charging Equipment. The approach is technology agnostic and does not preclude further EV charging solutions or alternative technologies being adopted (if these eventuate).

216. While Kāinga Ora considers that the most appropriate mechanism to require electric vehicle supply equipment is through the Building Regulations 1992 (Building Code), it acknowledges that there does not appear to be any amendment to the Building Code currently "in the pipeline". Other submitters, such as Beachlands South Limited Partnership were also in agreement with Kāinga Ora on this matter. In this regard we observed the record of expert conferencing from 19 May 2023 discussion on the EV charging provisions records the following statement:

> *All experts, except Sarah (Sarah Westoby (Planning) – representing The Fuel Companies, Z Energy Limited), agreed that the requirements would be better located in the building code, however, given the fact this hasn't happened, Auckland Council has taken a risk averse position to ensure provision is contained within the AUP.*

217. Kāinga Ora considers it is clearly necessary to have some form of regulatory framework around electric vehicle supply equipment, and accepts the value of enabling the future installation of this equipment, so as to avoid costly retrofitting exercises further down the track.

218. Ms Caldwell for Kāinga Ora stated that PC 79 represents an opportunity to provide greater certainty, and ensure that an appropriate, enabling framework is established, to allow for a smooth and efficient transfer to electric vehicles. However she submitted, it is important that this framework does not become overly rigid or prescriptive and thereby risk putting developers to unnecessary and inappropriate costs.

219. Mr Liggett in his statement of evidence, considers there is currently a disconnect between the more enabling approach taken in the Objectives and Policies and the relevant standards /assessment criteria which require EV charging to be provided for in all undercover car parking within residential developments. Consequently, he considers the specific amendments sought by Kāinga Ora are necessary to maintain flexibility for developers whilst balancing the need for such equipment to be provided.

220. We note that Mr Roth confirmed that the provisions do not require that EV charging facilities are installed. Instead, the provisions enable the future installation of such

equipment, by ensuring designated space for the necessary conduit, circuit, and metering to be provided between each car park and an electrical distribution board; i.e., all that is required to be provided is space and an electrical distribution board.

221. We note that Mr Campbell and Mr Thode in their summary statement on behalf of multiple submitters stated that their evidence supported the proposed section 42A amendments to the EV charging standards, on the understanding that their purpose is to provide the 'capability' to install Electrical Vehicle Supply Equipment, but that the physical infrastructure need not be supplied at the same time, and could be done so at a future date without contravention of the standard.

222. In Council's closing remarks, Mr Allan considered that the standard does not prevent Kāinga Ora (or other developers) from providing other EV charging solutions, which go beyond what the standard would require. He also pointed out that Mr McCall, Ms Morgan and Mr Lala referred to the possibility that technology might change as a reason for rejecting the standard. However, in his rebuttal Mr Roth stated that no changes are expected to residential supply technology beyond the increasing use of communication and software for load management. He reiterated that the proposed standard does not prescribe a specific technology or equipment. Instead, it ensures that there are no substantial constraints or impediments to the installation of future EV charging.

223. We agree with the Council and find that the amended EV charging provisions are appropriate and will give effect to the NPS-UD, including Policy 1.

Decision

224. That submissions coded to **Hearing Topic 029 – Electric Vehicle Charging and Topic 036 – Material Incorporated by Reference (relevant to Topic 029) and Topic 040 – Definitions and Abbreviations (relevant to Topic 029)** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 030 – TRIP GENERATION & ABBREVIATIONS AND DEFINITIONS TOPIC 040 (RELEVANT TO TOPIC 030)

225. The submissions in Topic 030 – Trip Generation & Abbreviations and Definitions Topic 040 (relevant to Topic 030) addressed the following themes:

- Theme 1 - Overall opposition
- Theme 2 - Support Standard E27.6.1
- Theme 3 - Oppose Standard E27.6.1
- Theme 4 - Amend Standard E27.6.1
- Theme 5 - Support Table E27.6.1.1
- Theme 6 - Amend Table E27.6.1.1

- Theme 7 - Support E27.8.2(3) Assessment criteria
- Theme 8 - Oppose E27.8.2(3) Assessment criteria
- Theme 9 - Further analysis required

226. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main issues raised in the above submissions.

227. The Council proposed changes to the trip generation provisions to reflect that the mandatory residential intensification provisions under the NPS-UD and MDRS will result in additional demands and effects on the transport network. Through lowering the trip generation (Standard E27.6.1) thresholds, the section 42A Hearing Report states that appropriate thresholds will ensure that the effects of an increased number of residential developments are considered, and where necessary mitigated. This therefore reduces pressure on the transport network. The issue of increased consenting costs and challenges was noted by the Council, and they indicated in the section 32 report this will only impact a small number of applications.

228. The Panel notes that this is not the first attempt at a travel demand rule. Proposed Plan Change 71 – NPS-UD Removal of Car Parking Minimums – Consequential Technical Amendments included a proposed “travel demand standard” and associated changes. The purpose of this standard was to enable a fuller assessment of the effects of activities on the transport network (than the existing trip generation standard did). We further note that after opposition this was withdrawn from PC 71 on 28 July 2022.

229. Expert conferencing held on 12 June 2023 highlighted that all experts agreed lower thresholds are an appropriate mechanism to consider trip generation. Furthermore, it was agreed that the existing trip generation threshold was appropriate for consideration of vehicle-related trips, but that assessing the effects on other modes of transport, such as walking, cycling and public transport trips is appropriate at a lower threshold.

230. All experts agreed that in terms of the threshold notified at 60 dwellings, for active modes the 60 dwelling threshold seems to be appropriate. For a lower threshold to be considered (some submissions are seeking 40 dwellings), further research would be required to validate this. We note that Mr McCall was neutral on this matter.

231. A revised set of trip generation provisions was prepared by the Council in response to expert conferencing. Mr Chris Freke’s specialist report (Attachment 11 to the section 42 Hearing Report) sets out the detailed explanation for these changes, and describes the two tiers of threshold in the amended provisions, with lower thresholds for consideration of active modes and public transport. There are also distinct matters of discretion (E27.8.1) and assessment criteria (E27.8.2) proposed to distinguish between the two tiers of thresholds.

232. The evidence of Mr Campbell and Mr Thode, Mr Lala, Mr Hills, Mr McCall, Mr Morgan, and Ms Morgan expressed similar views that the recommended Standard and Assessment Criteria for active and public transport modes should be further amended to provide greater clarity on the nature and level of assessment sought when the thresholds are exceeded, particularly with regard to public transport modes.

233. These experts consider there is a lack of clarity in relation to the proposed provisions that could result in an assessment being requested that goes beyond what they understand to be intended, i.e. to provide an assessment of the local network in regard to likely active mode demands and routes taken to key areas, including public transport.

234. As such, for the public transport mode assessment, these experts considered the assessment criteria should be limited to the active mode connectivity to existing or proposed facilities, and basic public transport infrastructure (such as bus stops, seating, and shelter). These experts considered this assessment should not include information regarding patronage or capacity of the public transport system which are beyond the control of any applicant and the sole responsibility of Auckland Transport.

235. Ms Morgan, Mr Hills, Mr Campbell and Mr Thode and Mr Morgan also presented similar evidence that it would be more efficient and effective to focus the assessment on the immediate transport environment adjacent to a development site and the infrastructure supporting those transport modes (rather than the modes themselves), and as a means to limit the scope of any assessment (keeping in mind that comprehensive assessment would otherwise be required for development under the operative thresholds). The experts jointly recommended amendments to the assessment criteria under E27.8.2.

236. Mr Freke acknowledged that the primary focus of the lower trip generation thresholds is around local active mode networks and supporting passenger transport infrastructure, such as indicated within the evidence of Mr Hills. He was comfortable with limiting the scope to “infrastructure” for these activities subject to minor wording amendment being made as set out in his rebuttal evidence.

237. He considered that the trip generation assessment can be applied to a wide range of scenarios and that the context is very important. He therefore considered that the scope of assessment shouldn’t be unduly fettered as this would tend to result in the provisions not being able to be applied where they should be.

238. Mr Freke in his rebuttal memorandum agreed with the submitters that there needs to be some limitation on the effects for which mitigations can be required. This should reflect the general position that applicants are not required to address wider network issues that are not directly related to the effects from their proposed activity. Mr Freke was of the opinion that that this is already the case as assessment criteria E27.8.2(3)(b) limits potential network mitigations to those that relate to the “local transport network”. He considered that either of “local” or

"immediate" local transport requires consideration of mitigation works beyond the adjoining frontage of a site. Therefore, he did not support the amendment suggested limiting assessment and any mitigation measures to those within or adjoining a site.

239. The evidence of Mr McCall on behalf of Kāinga Ora did not support the idea of a public transport or active modes of transport assessment using the proposed new threshold system. Mr McCall considers that the requirement for an applicant to assess the adequacy of the surrounding public transport and active mode infrastructure is inappropriate. This, in his view, is because developers and landowners do not have control over the operation and/or infrastructure relating to public transport and/or active modes of transport. Further, it was Mr McCall's opinion, if such an assessment was undertaken and it was determined that there are effects on the capacity of the surrounding public transport and/or active modes of transport, it is unclear what mitigation measures could be proposed by the applicant. Mr Freke disagreed with Mr McCall's view that the provision or enhancement of active mode infrastructure beyond a site is beyond the control of developers. He cited several examples of provisions within the AUP which are underpinned by an ability to require changes within existing road reserves to address the effects from an activity or proposal.

240. During the hearing it became evident to the Hearings Panel that there would be value in additional expert conferencing on the assessment criteria which consider infringements of the amended trip generation thresholds standard in Table E27.6.1.1. This was directed by the Panel on 20th October 2023[15] and additional expert conferencing was held on 9th November 2023.

241. The additional conferencing was successful in that upon discussion in the meeting, all experts in attendance agreed with the drafting of a new clause E27.8.2(3A)(c) to define the scope of the local transport network. Further, all experts agreed with the amendment to Standard E27.8.2(3A)(a) in reference to the "local" transport network.

242. In Council's closing remarks, Mr Allan noted that it is important, from a legal perspective, to consider how the Environment Court typically approaches the assessment of the traffic effects of development. He pointed out several pertinent findings in *Laidlaw College Inc v Auckland Council*[16] and that the operative trip generation assessment criterion E27.8.2(3)(b) refers to "contributing to improvements to the local transport network". He submitted that this criterion aligns with the decision of the Environment Court in *Laidlaw* and was not proposed to be changed by PC 79. As such:

> *"While the experts agreed at conferencing to define the "local transport network" for the purposes of the new lower threshold provisions, counsel submit that the wording of the provisions should leave no room for doubt*

[15] Direction (20 October 2023) from the Hearing Panel – Further Expert Conferencing – Plan Change 79 – Transport Provisions.
[16] *Laidlaw College Inc v Auckland Council* [2011] NZEnvC 248 at [38].

that the agreed limitation does not apply to the existing trip generation provisions otherwise, including assessment criteria E27.8.2(3)(b).”

243. To make this clear, Counsel submitted that the wording for new clause E27.8.2(3A)(c) agreed at conferencing should be amended further by the addition of the following bolded text:

> *c) For the purpose of assessing **E27.8.2(3A)** (a) and (b) **only***, the local transport network refers to the area in the immediate vicinity of the site. For the purpose of this assessment, public transport infrastructure includes infrastructure associated with **public transport stops**, and excludes bus lanes. Any mitigation measures must relate to the effects of the proposal on the environment, demand on public transport infrastructure and active mode journeys from the site.*
>
> **** Note: this does not alter the meaning of ‘local transport network’ in any other context.***

244. The amended wording above includes one further change recommended by Mr Freke and Mr Power, which is to refer more generically to “public transport stops” rather than “bus stops” (to provide for possibilities other than buses, e.g. shuttle vans etc).

Findings

245. The Panel finds that new clause E27.8.2(3A)(c) agreed at conferencing should be amended as set out above, as we agree it needs to be clear that the new clause applies for the assessment of E27.8.2(3A) (a) and (b) only. We also agree that the additional wording change sought by Mr Freke and Mr Power would ‘future proof’ this criterion to include other forms of public transport stops.

246. Lastly, in relation to the matters concerning thresholds, we note that all submitters, with the exception of Kāinga Ora, appeared to accept the new proposed provisions, with Mr Lala and Mr Hills confirming that the thresholds are agreed, subject to amendments to the related criteria (subsequently agreed at conferencing). We are also mindful that Kāinga Ora did not call expert transport evidence. Further, the expert transport and transport planning evidence before us confirms the appropriateness of the new lower thresholds for consideration of active modes and public transport. We agree with the expert transport evidence of Mr Hills and in doing so, we find that the new threshold provisions are appropriate, as outlined above.

Decision

247. We find that submissions coded to **Topic 030 – Trip Generation & Abbreviations and Definitions Topic 040 (relevant to Topic 030)** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 033 – VEHICLE ACCESS, TOPIC 034 SPEED MANAGEMENT, TOPIC 035 VEHICLE CROSSING AND ACCESS WIDTHS & TOPIC 039 VEHICLE ACCESS TO REAR SITE

248. The submissions in Topic 033, Topic 034, Topic 035 and Topic 039 addressed the following themes:

- Theme 1 – General Support
- Theme 2 – Support Policy E27.3.(20A)
- Theme 3 – Amend Policy E27.3.(20A)
- Theme 4 – Oppose Policy E27.3.(20A)
- Theme 5 – Amend Standard E27.6.4.3
- Theme 6 – Retain or amend Standards in Table E27.6.6.3 and associated relief with reference to Figure E27.6.4.3.1
- Theme 7 – Delete Table E27.6.6.3
- Theme 8 – Amend Standard E38.8.1.2

249. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main themes raised in the above submissions.

Discussion

250. PC 79 proposes a package of provisions (objective, policies, standard, matters of discretion and assessment criteria) that address the issues identified in the Section 32 report relevant to these topics, which are set out below:

- Inadequate footpath widths / separation of footpaths from trafficable areas;
- Speed management devices for private accesses;
- Carriageway widths; and
- Lack of integration between Chapters E27 and E38.

251. In the s42A Hearing Report, the reporting officers acknowledged that proposed policy E27.3(20A) was overly prescriptive and impracticable to implement. Amendments to the notified version of the policy were put forward by the Auckland Council experts at expert conferencing on 21 July 2023. We note that the amendments generally reflect those sought in submission point 91.4 from the Aedifice Property Group. The reporting officers consider that the amendments assist in clarifying and simplifying the policy's intent and in turn, address common and specific issues relating to vehicle and pedestrian access (including pedestrian safety), as identified above.

252. The reporting officers also consider that amended policy E27.3(20A) and the desired outcome of providing for the safe on-site movement of pedestrians adjacent to a vehicle access is consistent with existing policies in Chapter E27 of

the AUP which seek to achieve a range of pedestrian safety outcomes in different transport environments, particularly existing policy E27.3(20) which complements proposed policy E27.3(20A) by providing for the safe movement of pedestrians along the interface between a vehicle crossing and the adjoining road network.

253. Proposed standard E27.3.(20A) requires vehicle access to be designed and located "to provide for low speed environments and for the safety of pedestrians and other uses, and the functional access for emergency responders". Table E27.6.6.1 (formerly E27.6.6.3 when notified) provides primary pedestrian access width and separation requirements, and provides minimum formed primary pedestrian access widths where not adjacent to vehicle access and minimum formed primary pedestrian access width and separation where adjacent to vehicle access. This has been discussed further in Topic 031 pedestrian access. We also note that proposed standard E27.6.4.3.1 provides a diagram of vertical separation of pedestrian access.

254. Standard E27.6.4.3(1)(c) and Table E27.6.4.3.3 address speed management requirements. The amended standard provides that every on-site parking and loading space must have vehicle access from a road, with the vehicle access meeting "the minimum speed management measure spacing" specified in Table E27.6.4.3.3. In residential zones where the length of the vehicle access exceeds 30 metres, the location of minimum speed management measures should be "not more than 10 metres from the site boundary with the legal road" and "not more than 30 metres spacing between speed management measures". Where heavy vehicle access and speed management measures are required, the speed management measures design should take into consideration heavy vehicle requirements.

255. Expert conferencing occurred on these topics on 21 July 2023. In response to submissions received the reporting officers introduced a definition for 'Speed Management Measures' to the experts in attendance which sought to provide certainty around expectations during the consenting process as follows:

> *"The application of engineering and other physical measures to a vehicles access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network. Includes:*
>
> - *speed humps*
> - *raised tables*
> - *side islands*
> - *lane narrowing*
> - *chicanes*
> - *lateral shifts*
> - *surface treatments*
> - *landscaping."*

256. In addition, PC 79 proposes to amend Table E27.6.6.3 (now Table 27.6.6.1) to require a minimum 1.8m wide pedestrian access adjoining a vehicle access for existing rear lots to ensure the key elements of a safe and direct pedestrian route

between a public road and the front door of a dwelling is being provided for. We note that consequential amendments have been recommended by the reporting officers to notified Table E27.6.6.3 for the purpose of ensuring consistency with the notified pedestrian access requirements in Standard E38.8.1.2 which was specifically sought by submission point 40.7.

257. Furthermore, notified Standard E38.8.1.2 seeks a 0.4m wide increase in the required minimum legal accessway width serving 6-10 rear sites. We note that the minimum formed 5.5m width between the operative and notified Standard E38.8.1.2 required for accessways serving 6-10 rear sites remains unchanged. The reporting officers consider that if a residential development requires dispensation for not being able to comply with the 6.9m minimum legal accessway width serving 6-10 rear sites stated in amended notified Standard E38.8.1.2, the merits of any requested dispensation should be subject to a robust and thorough assessment through a discretionary activity resource consent process, as is presently the case for any residential developments which are unable to comply with the operative minimum 6.5m legal accessway width requirement in Standard E38.8.1.2.

258. The reporting officers also consider that accessways serving rear sites enable safe pedestrian access for residents to adequately access the wider pedestrian movement network, including recreational opportunities which provides for their health and wellbeing. By doing so, this would then give effect to NPS-UD Policy 1 which is one of the key objectives of PC 79.

259. Submission point 40.2 sought to ensure the minimum legal accessway widths stated in notified Table E38.8.1.2.1 are consistent with those in operative Standard E27.6.4.3, which was accepted by the reporting officers and therefore amendments have been made to notified Table E38.8.1.2.1 so that an additional tier is created for 4-5 rear sites and the minimum formed 3.0m width requirement in operative Table E38.8.1.2.1 is retained for these site numbers. Consequently, this ensures the minimum formed accessway width serving 4-5 rear sites remains consistent with the minimum 3.0m wide vehicle access width in operative Table E27.6.4.3.1 required to serve between 3-9 parking spaces proposed by a residential development.

260. We note that, as recorded in the joint witness statement response from expert conferencing on 21 July, the AUP Practice and Guidance note Urban Subdivision – Residential (August 2022) (AUP Practice and Guidance note) states that operative Standard E38.8.1.2(2) applies to both vacant lot subdivision, as well as subdivision around an existing development and subdivision in accordance with an approved land use consent. Consequently, the intent of notified Standards E38.8.1.2(3) and E38.8.1.2(4) is to complement operative Standard E38.8.1.2(2) and its existing application to all types of rear site subdivision.

Findings

261. The Panel finds that amended E27.3(20A) as agreed at expert conferencing on 9 November 2023 to provide for emergency providers is an appropriate policy. We agree with the Council evidence, including the expert evidence of Dr Chambers and Mr Brandon in relation to the need for vehicle accesses to provide for pedestrian safety. The Panel also agrees that providing functional access for emergency responders is necessary (as discussed elsewhere), and appropriately reflects the matters discussed with FENZ during expert conferencing. The Panel rejects Kāinga Ora's submission that policy E27.3(20A) should be incorporated into policy E27.3.(20) and agrees with reporting officers that both policies are sufficiently distinct from each other to warrant separate but complementary policies. The Panel agrees with the reporting officers that having separate policies is appropriate to ensure that due consideration is given to all elements of on-site safety in the design of vehicle access and adjacent pedestrian accesses.

262. We note that the evidence of both Ms Bell and Mr Wren sought that the proposed AUP standard E27.6.6.1 be deleted, as they consider that the requirement for a minimum 1.4m wide pedestrian access adjoining a vehicle access serving existing rear sites would prevent / or restrict the future development of sites for the purpose of accommodating four or more dwellings with vehicular access. This is on the basis that many existing accesses and rights of way are not wide enough to provide the space required by the new standards. The reporting officers, relying on the evidence of Ms McKelvie consider that there are various development options available for rear sites that cannot comply with the proposed combined requirements for vehicle and pedestrian access. These include amalgamation of adjoining sites, constructing three complying dwellings under the MDRS (where the accessway standards are unaffected by PC 79), pedestrian only access developments, and seeking RDA consent to infringe the standards for a specific site. Ms McKelvie, in her rebuttal memorandum (page 7) provided site examples and dwelling typologies to demonstrate that in her experience "*in the review of resource consent applications, site amalgamation is a common development approach as it provides greater design flexibility in terms of both site layout and dwelling typologies, as well as access arrangements and ultimately yield*."

263. The Panel understands that rear sites which are unable to comply with the PC 79 standards have a restricted discretionary activity pathway, which includes both a matter of discretion (E27.8.1(9)(aa)) and an assessment criterion (E27.8.2(8)(d)(i)) that specifically provides for consideration of site limitations. Ms McKelvie remains of the opinion that the proposed standards are appropriate and necessary to achieve the broader NPS-UD objectives of a well-functioning urban environment with good accessibility as well as providing for residential intensification. We agree with Ms McKelvie that while some rear sites may not be able to comply with the PC 79 standards (as well as the operative AUP access standards), there are several development options available that still enable a level of intensification commensurate with the constraints of a site. We also continue to prefer the expert pedestrian safety opinion of Dr Julie Chambers when considering provisions that

seek to provide solutions for pedestrian safety, such as grade separated pedestrian access.

264. The speed management provisions were amended in response to submissions to define complying speed management measures, in order to provide certainty around expectations during the consenting process. We note that the Council officers stated at expert conferencing, they would provide accompanying practice and guidance notes and technical guidance documents to support resource consent assessments and the resulting implementation of speed management measures throughout relevant resource consent application processes. The Panel understands that the supporting AUP Practice and Guidance note would be used to set out general principles which may be used as guidance for any matters relating to the interpretation and application of the recommended "speed management measures" definition.

265. The evidence of Mr Morgan considered that the proposed permitted activity standards for speed management will add cost to a resource consent process and deny the opportunity for a contrary opinion to be provided by a traffic engineer, noting that depending on the characteristics of a site and a given accessway, a traffic calming device may not be warranted. He considered that instead this matter could be addressed by way of resource consent conditions or through the Engineering Plan Approval process. Mr Brandon does not agree. He considers that the standard defines the spacing required, and because the definition outlines a wide range of common devices that may be used, certain devices can be selected and designed to align with the context of the particular site. Further, if an applicant considers that a vehicle accessway does not require speed management, this could be assessed as a restricted discretionary activity. And, if it can be demonstrated that the vehicle accessway will still operate safely and there is a valid reason for not providing speed management, then he considered such a design could be granted consent. The other reasons he provided included that developing a speed management design after resource consent is granted will not make for a more efficient process, as the design still needs to be approved to ensure it is adequate for the site and if left until after resource consent, it is possible that a satisfactory design cannot be achieved without resulting in changes to the consented design, in turn, requiring a variation. We prefer the evidence of Mr Brandon and agree the standards are appropriate and that speed management on driveways is not more appropriately addressed by way of resource consent conditions.

266. Mr Grey's evidence sought that proposed Table E27.6.4.3.3 be amended so that the distance between speed management devices is increased to 60m and a "speed management measure" definition is included in the AUP. He also requested that specific design criteria are added to the speed management standard to ensure a permitted design is clear and has referred to the requirements in the Auckland Transport Design Manual. It was Mr Brandon's experience that there are a range of factors in speed management design that impact on the ability to comply with the standards. This can include matters such as stormwater, vehicle

manoeuvring, pedestrian access, gradients, road widths and visibility. He therefore considered that providing specific design requirements in the speed management standard will likely create challenges in providing a compliant design with these other design requirements. He considers that a practice note on private accessway speed management will provide further guidance on acceptable design and that will assist applicants in providing compliant speed management. The Panel agrees with Mr Brandon. We note that Mr Hills also considered that the definition is appropriate to apply in practice.[17]

267. The planning evidence of Mr McCall addresses submission 102.28 which requested the deletion of all proposed speed management provisions from PC 79. Mr McCall is now recommending that the provisions be retained, but that speed management measures would only need to be implemented for a vehicle access exceeding 30m in length where it serves 10 or more car parking spaces.

268. Mr McCall also considers that requiring speed management measures based on vehicle access length alone is problematic and does not adequately address the outcome sought. He noted that a 30m driveway serving one to two dwellings will require a speed management device, however a driveway serving 10 dwellings at 25m would not. He considered that the risk of collisions (with both pedestrians and other vehicles) is higher in the latter example.

269. It was Mr Brandon's opinion that while 60 metres may be appropriate for a residential street, he supported the Flow Section 32 Technical Report that traffic calming devices with a spacing of 30 metres (as per Table E27.6.4.3.3) should typically achieve a speed environment of 20-30km/hr. He stated that speed is a key factor in the likelihood of and the outcome of crashes, with lower speeds i.e. below 30km/h, reducing the seriousness of injury. He remained of the opinion that speed management measures will improve safety for pedestrians and cyclists by reducing vehicle speeds (refuting submissions stating that rules are unnecessary). This is because over this short distance drivers are unlikely to accelerate enough to exceed 30 km/hr. He considered that a greater device spacing results in higher vehicle speeds between the devices which in turn increases the likely level of harm if a crash occurs.

270. Mr Brandon also considers that low volumes of vehicle traffic travelling at higher speeds are still a safety risk, especially if there are higher volumes of pedestrians. An additional threshold of 10 parking spaces for a speed management requirement would not take into account a scenario where there is a high number of dwellings generating greater pedestrian volumes. He outlined that in the scenario Mr McCall set out above, the vehicle accessway may also have a vertically separated footpath which will improve pedestrian safety, this is because where a primary pedestrian access is adjacent to a vehicle accessway, if the vehicle accessway serves 4 or more dwellings or car parking spaces it will require a vertically separated footpath.

[17] Leo Hills primary evidence, paragraph 5.36

271. The Panel prefers Mr Brandon's evidence that 30 metres is appropriate, given the spacing of speed management measures should achieve a lower speed environment than what 60 metres may achieve. The Panel also agrees there is an expectation from pedestrians and bicycle users that a vehicle access way is different from a residential street, particularly in regard to children's perceptions. The Panel agrees with Mr Brendon's evidence that speed is a key factor in the likelihood of crashes and the severity of any resulting injury and concludes that proposed standard E27.6.4.3(1)(c) and Table E27.6.4.3.3 are appropriate to address pedestrian and cyclist safety hazards.

272. We note that the planning evidence of Mr Campbell and Mr Thode, and Ms Morgan, which they have prepared for a number of submitters who originally sought the deletion of all proposed speed management provisions from PC 79, now accept their appropriateness and recommended inclusion in the AUP.

273. The Panel also notes that Table E27.6.6.1 (formerly E27.6.6.3 when notified) has been discussed further in Topic 031 Pedestrian Access. The Panel finds that the Council evidence in relation to the proposed primary pedestrian access width and separation requirements are appropriate. The Panel further agrees that the vertical separation of pedestrian access diagram in proposed standard E27.6.4.3.1 will appropriately address matters relating to pedestrian safety.

274. In regard to Topic 39 vehicle access to rear sites, both Mr Macarthur and Mr Wrens' planning evidence considered that the existing AUP operative standard E38.8.1.2 should be amended so that it only applies to vacant sites. In their rebuttal memorandum (paragraph 157) the reporting officers stated:

> *"Putting aside the matter of scope, and for the reasons outlined in the Section 42A Report which respond to other submissions seeking similar relief, we do not agree with the requested relief. If the relief was granted it would significantly undermine the AUP's integrity by preventing the application of urban subdivision provisions to the most common subdivision types; those being either an application for subdivision consent being sought concurrently or subsequent to a land use consent being granted, which in the context of residential development proposal, generally involves land use consent being sought for multiple dwellings."*

275. The reporting officers consider that the amendments proposed to E38.8.1.2 are seeking to ensure consistent pedestrian access requirements between the notified E27 and E38 standards. They also stated that subdivision rules must address land use matters where a subdivision consent application is subject to existing AUP Standards E38.8.1.1(1) and/or E38.8.2.1(1). They noted that Standard E38.8.1.1(1) is particularly relevant in terms of requiring subdivision consent applications to comply with AUP Chapter E27 access and manoeuvring requirements.

276. The evidence of Mr Grey on behalf of Hugh Green Limited was that standard E38.8.1.2 should be amended to include front sites as well as rear sites. His

concern was that the existing provisions do not provide adequate guidance for vacant site subdivisions that include vehicle accessways that serve a combination of front sites and rear sites. Further, it was Mr Grey's experience, that the vehicle access requirements for front sites in vacant subdivision applications are effectively considered against the requirements of Chapter E27. He therefore considers if a front site has enough frontage to accommodate a compliant vehicle access for the likely land use, he did not consider that additional requirements in Chapter E38 are necessary.

277. In their rebuttal memorandum, the reporting officers considered that it is unnecessary to grant the relief sought by submissions 72.17 and 76.8. They considered that this requested relief would "*inappropriately fetter the application of existing AUP operative standard E38.8.1.2 for the purpose of ensuring rear sites with limited frontage lengths can be adequately and safely accessed from the adjoining road network*".

278. We have already addressed the scope aspects of these submissions. As per the reasons discussed in the pedestrian access section of this decision, the Panel agrees with Dr Chambers and Mr Brandon that amendments will improve pedestrian safety and reduce the risk of pedestrian and vehicle related incidents.

Decision

279. That submissions coded to **Hearing Topic 033 – Vehicle Access, Topic 034 Speed Management, Topic 035 Vehicle Crossing and Access Widths and Topic 039 Vehicle Access to Rear Site** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

SUBMISSIONS ON TOPIC 032 – LIGHTING, TOPIC 038 – ARTIFICAL LIGHTING & TOPIC 036 – RELATED MATERIAL INCORPORATED BY REFERENCE

280. The submissions in Topic 032 – Lighting, Topic 038 – Artificial Lighting & Topic 036 – Related Material Incorporated by Reference addressed the following themes:

- Theme 1 – Overall Support
- Theme 2 – Overall opposition to all proposed amendments to E24 - Lighting
- Theme 3 – Amend new policy E24.3.(1A)
- Theme 4 – Support or Opposition for proposed standard (E24.6.2 and E27.6.3.7(2)), matter of discretion, assessment criteria, information requirement and Inclusion of AS/NZS 1158.3.1 to Appendix 17
- Theme 5 – Submissions seeking an alternative/ or alternative wording to new Lighting Standard – E24.6.2 and E27.6.3.7(2)

- Theme 6 – Matters of Discretion and Assessment Criteria
- Theme 7 – Special Information Requirements

281. The submission points are set out in the section 42A Hearing Report and are grouped into the above theme headings. Below is a discussion on the main themes raised in the above submissions.

282. The AUP(OP) currently has no requirement for the provision of outdoor lighting for any residential properties, other than Section E27 which mandates that any site with more than 10 carparks requires 'adequate' lighting for parking and manoeuvring and to associated pedestrian paths (Standard E27.6.3.7(1)). This standard does not address development providing fewer (or no) carparks or pedestrian only typologies which we heard are growing in number in recent years. PC 79 introduces a new rule framework for the provision of lighting to developments. The memorandum of Ms McKelvie has stated that the lack of 'adequate' lighting requirements has led to an inadequate and inconsistent range of lighting solutions for developments, which in turn leads to poor safety, wayfinding and wellbeing of residents and visitors.

283. The findings in Ms McKelvie's memorandum (Attachment 14 to the section 42A Hearing Report) outline the Council's monitoring work. Ms McKelvie provided examples of inadequate lighting during the hearing which included examples of solar bollards (poor lighting in a low position is insufficient for way-finding or security) and wall-mounted lighting. It was Ms McKelvie's opinion that the findings show the poor quality of lighting in many developments, including examples of footpaths obstructed with lighting.

284. Notably, Ms McKelvie's memorandum also indicates that fewer than half of all pedestrian-only developments, and only half of developments with vehicle accessways, provide adequate lighting. It is Ms McKelvie's opinion that:

> *"Lighting is necessary for safety of users and wayfinding for residents, visitors and emergency services personnel. … Lighting has a positive effect on personal safety and on reducing levels of crime, and PC79 requires that lighting is a primary consideration and integral to the overall design of residential developments."*

285. The reporting officers conclude that the standards introduced provide for clear expectations around what is considered to be 'adequate' and refer to AS/NZ Standard 1158.3.1 which sets out the technical parameters for illumination in various circumstances. We note that the additional information requirements proposed allow for consideration of site-specific elements, and also require that a lighting plan be prepared by a qualified lighting expert.

286. Council's lighting engineer Mr Glen Wright, in his memorandum attached at Attachment 19 to the section 42A Hearing Report, supports the proposed PC 79 lighting provisions, which are based on compliance with the requirements of AS/NZS1158.3.1 in accordance with best and accepted practice in Australasia. Mr Wright, has advised that the lighting performance criteria in Standard

AS/NZS1158.3.1 provides appropriate night-time visual conditions for use in residential, private and public realms. He considers that the proposed provisions will ensure that appropriate artificial outdoor lighting is provided to private pedestrian access, including shared driveways, access and car parking.

287. Mr Wright, in his memorandum sets out the rationale for inclusion of the subcategories at paragraphs 10 and 12, and references the importance of the AS/NZS as follows:

> *10. It is common practice and considered best practice in New Zealand to make reference to AS/NZS 1158.3.1 for lighting performance recommendations and requirements for public spaces. The "Forward" of this standard states:*
>
> > *This Standard sets out performance and design requirements for Category P lighting schemes having regard to the safe movement of pedestrians, degree of activity (of pedestrians and vehicles), the fear of crime and the need to enhance the amenity of the locality."*
> >
> > *Category P lighting is acknowledged to be an effective counter measure to the fear of crime.*
> >
> > *For each lighting subcategory described in this Standard, the light technical parameters (LTP's) and their prescribed values are necessary and sufficient for the application. Conformance to this standard will be achieved by meeting all the required values of the LTPs for the designated lighting subcategory.*
>
> *...*
>
> *12. To achieve appropriate lighting outcomes not only requires compliance with AS/NZS 1158.3.1 but equally requires the use of the appropriate subcategory. Too often a lower performance subcategory is selected than is required resulting in poor safety and amenity outcomes for the public.*

288. Some submitters contended that, even if the current AUP(OP) provisions are deficient, the costs of the provisions promoted by Council outweigh the benefits. Some submitters also suggested that the proposed lighting standards are overly complicated and technical in nature. A common approach by submitters was that the provision of lighting should be left up to the conditions of resource consent. This view is not supported by the reporting officers who consider that lighting is a comprehensive aspect of the design of a development. They consider lighting to be part of the overall design with other key elements such as landscaping, building positions, footpath/accessway locations and parking layouts. Lighting design left to a condition of consent is not efficient in their opinion, and can result in poor outcomes with variable standards of lighting resulting. The reporting officers acknowledge that the proposed standard may add additional up-front costs as part of a consent, but consider there are also additional costs and time associated with additional assessments that may be required at the consent-monitoring stage if a clear lighting plan has not been provided.

289. Mr Wright notes at paragraph 26 of his memorandum:

> *It is my experience that lighting needs to be considered early in the design process to ensure sufficient space is provided for the lighting solutions (both for the lights, poles, foundations and cabling). Coordination of the lighting design with the landscape design is also important to ensure the light is not excluded from accessways by planting, screening, or fencing. Often the space planning is very tight and if no provision has been made for lighting, the later addition of lighting results in poor lighting outcomes that cannot be adequately addressed at these later design stages.*

290. During the expert conferencing held on 21 July 2023, the experts in attendance discussed the proposed lighting provisions, posed questions and provided feedback. We note that no areas of agreement or disagreement were recorded in the Joint Witness Statement.

291. The evidence of Mr Lala was that the lighting standards in general are overly detailed and he considers the operative provisions in respect of lighting are sufficient. Similarly, the evidence of Mr McCall is that the minimum P subcategories and several standards are unnecessarily onerous and not commensurate with the effect needing to be managed.

292. In response to concerns raised by Ms Caldwell, Counsel for Kāinga Ora, about the lighting standard only being available "behind a paywall", with the suggestion being that this does not represent "best practice plan-making", in the Councils' closing remarks Mr Allan advised that "*the RMA expressly envisages that standards such as AS/NZS 1158 may be incorporated by reference, notwithstanding that many standards are not freely available for download*[18]." He also advised that many district plans around the country refer to NZS standards, which normally involve a cost, while Mr Wright noted that many district plans throughout the country already refer to AS/NZS1158 in a range of contexts. Mr Allan made the further point that lighting design and assessment is a specialist discipline, and as Mr Wright says in his rebuttal memorandum, all lighting specialists will have a copy of the standard.

293. The evidence of Ms Morgan disagrees with the need to provide a lighting plan as part of a resource consent application, and that the operative approach should remain (whereby lighting is assessed schematically at the consent stage and thereafter as a condition of consent). Ms Morgan also considers that requiring a lighting plan would increase the up-front costs. She provided us with a figure of $8,000 for a lighting plan based on a current Albany development being undertaken by her client, but did acknowledge upon questioning that the example provided did involve new roading (and would introduce additional Auckland Transport road lighting plan requirements), and therefore was subject to additional requirements not amended by PC 79.

294. The evidence of Mr Morgan, Ms Coates, Mr Campbell and Mr Thode, and Mr McCall also reject the inclusion of special information requirements and the

[18] Council's closing remarks, paragraph 5.11(a)

provision of a lighting plan at the consent application stage. They generally consider 'upfront' lighting plans in the form of special information requirements are unnecessary, too prescriptive, and should be addressed via other means such as through conditions of consent which also allows for the deferment of those costs until later in the development process. They all considered that in their experience, the approach of lighting design being deferred to a condition of consent is working well.

295. During the hearing we asked Mr Wright to provide us with an indication of costs for a lighting plan. He noted that some providers provide lighting plans free of charge, provided that their product is used. Otherwise, Mr Wright referenced a range of $2,000–$3,000 for a lighting plan, depending on the scale of the development. He therefore did not agree with Ms Morgan that her figure provided was typical for a lighting plan. Ms Morgan also suggested that a developer would incur a cost of approximately $3,000 for a peer review. This contrasts with Mr Wright's advice that peer reviews, when undertaken, are generally in the range of $800-$1,000. We also noted that Ms McKelvie advised us that lighting plans are reviewed by Council officers internally, and it's not a common occurrence for Council to seek a peer review, which generally tends to occur with the larger scale, more complex developments.

296. Mr Campbell and Mr Thode also state that special information requirements may lead to restrictive conditions being imposed on resource consents, with an unintended consequence of changes to lighting plans being required as a 'variation' under section 127 RMA. The evidence of Mr McCall similarly describes the special information requirements as being overly onerous and at odds with the effects being managed.

297. The evidence of Mr Lala also disagrees that the provisions for residential lighting should be 'retrofitted' to a section of the AUP which his evidence argues is designed to deal with artificial lighting for outdoor activities including entertainment, recreation and night-time working. Mr Lala instead maintains that the planning approach should be to amend the matters of discretion and assessment criteria for four or more dwellings within the residential zones to include lighting, so that an appropriate assessment and analysis can be made for such applications.

298. The evidence of Mr Morgan also discusses the location for residential lighting provisions in a chapter that deals with the light spill from non-residential activities and its effect on adjacent sites, and argues that lighting internal to a development does not need to be subject to the same level of technical prescription.

299. Other submitters' evidence also discuss the alternatives to the location of, or approach to, achieving adequate lighting for residential developments. The evidence of Mr Morgan, Ms Morgan and Mr Campbell and Mr Thode argues that the lighting standards would be more appropriately located in the relevant residential zones as assessment criteria, for example, or that the operative provisions are adequate to deal with lighting in developments. It is also pointed out in this evidence that provisions have been proposed as part of PC 78 to ensure the

adequate provision of lighting of pedestrian connections at the resource consent stage.

300. Conversely, the evidence of Mr McCall agrees that Chapter E24-Lighting is the appropriate location for lighting standards as this is in accordance with the National Planning Standards 2019. However, Mr McCall disagrees with the amendment to standard E27.6.3.7 and seeks that the operative standard is retained, and also argues that the operative matters of discretion and assessment criteria are adequate to deal with lighting in developments.

301. We note that the reporting officers recommended one amendment to Table 24.6.2.1 to clarify which level of P subcategory would apply to a pedestrian pathway adjacent to a carpark, in response to a matter raised in Mr Lala's evidence.

302. Furthermore, the evidence of Mr McCall maintains the relief sought of Kāinga Ora in terms of an amendment to the policy framework by rejecting the addition of new policy E24.3.(1A) because he considers it repeats the operative policy E24.3.(1). In their rebuttal memorandum, the reporting officers respectfully disagreed with Mr McCall's point. Although subtle, they considered that the addition of the new policy serves to provide appropriate support for the suite of new provisions, as explained in the Section 42A Hearing Report. They therefore considered a stand-alone policy which reflects the revised proposed intent of Chapter E24 is appropriate. This is because the standards, matters of discretion and assessment criteria, which have also been amended to reflect a focus on safety and access, are able to give effect to a bespoke policy which supports these changes per se, rather than one which is a combination of the overall intent of the provisions. As outlined in their rebuttal memorandum, the focus of the operative Chapter E24-Lighting is on the effects of light spill from sites (particularly as a result of non-residential activities) and the proposed amendments to the chapter introduce a suite of new provisions which require specific lighting to residential developments for reasons of safety, wayfinding and amenity. They state this adds a new focus to the Chapter which was previously missing, and they consider that an accompanying (separate) policy is therefore appropriate.

303. The evidence of Mr McCall maintains that proposed assessment criteria E24.8.2.(1A)(b) which references solar lighting should be deleted on the basis that lighting (regardless of type) will either comply with the standard or not, and all applications requiring lighting under the standard will need to demonstrate the ability to comply with the lighting performance levels in Table E24.6.2.1.

304. During the hearing, Mr Wright explained that where solar lighting is to be provided, it requires early consideration in the design because solar panels have to be located where they can receive adequate photons (from the sun) to charge their batteries, particularly during the depths of winter. Placing solar panels where they are in the shadow of buildings, fences or trees can result in insufficient charging and loss of light through the night which he considers to be a poor outcome.

305. In addition to the above matter, the reporting officers did accept that the ability to assess the "longevity" of solar powered lighting solutions over a "50 year period from the date that it is installed" may be problematic, for the technical reasons set out in the rebuttal memorandum of Mr Glen Wright. Consequently, they proposed an amendment to Assessment Criteria E24.8.2(1A)(b) to more reasonably reflect the typical lifespan of good-quality solar lighting panels from a 50 year period to a 25-year period.

Findings

306. Having heard all of the evidence, we find in favour of the Council's case. Based on the evidence of Ms McKelvie, we find that the operative provisions do not adequately require that artificial lighting is considered and assessed as part of a resource consent application, and this is leading to poor outcomes, including negative safety outcomes for pedestrians and poor amenity for many residential developments. We conclude that the proposed lighting standards are necessary to improve outcomes for all developments across the region.

307. We also find that the most appropriate location for the proposed lighting provisions is within Chapter E24 Lighting. This is a comprehensive chapter found in the 'Auckland-wide' set of provisions in the AUP, where all the provisions that apply regionally are located. We do not consider it to be an efficient approach to apply individual rules for lighting within the respective zone chapters as sought by Mr Lala, Mr Morgan, Ms Morgan and Mr Campbell and Mr Thode and we prefer the evidence of Mr McCall and the Council officers on this matter. We also note that this approach is consistent with the National Planning Standards 2019.

308. The Panel considers that a new stand-alone policy E24.3.(1A) which reflects the revised proposed intent of Chapter E24 is appropriate. This is because the standards, matters of discretion and assessment criteria, which have also been amended to reflect a focus on safety and access, are able to give effect to a bespoke policy which supports these changes, rather than one which is a combination of the overall intent of the provisions as a whole.

309. We noted the results of the Council's monitoring of lighting on rear sites, as well as on pedestrian only developments, which was reiterated to us in Council's closing remarks. While we heard from the experts in front of us that the status quo was working well, the results of the monitoring appear to say otherwise. We found ourselves in agreement with Mr Allan's conclusions on the reasons for this difference in opinion, which is the submitters in attendance at the hearing have competent design teams and therefore generally deliver developments of a good quality; whereas, the Council reviews thousands of resource consent applications each year, which when reviewed on the whole, demonstrates that poor outcomes are occurring as evidenced in Ms McKelvie's memorandum and the section 42A presentation.

310. Some submitters also suggested that the proposed lighting standards are overly complicated and technical in nature. We find in reliance on the evidence of Mr

Wright, that the standards introduced provide for clear expectations around what is considered to be 'adequate' and refer to AS/NZ Standard 1158.3.1 which sets out the technical parameters for illumination in various circumstances and will ensure that appropriate artificial outdoor lighting is provided to private pedestrian access, including shared driveways, access and car parking. We were also told by Mr Wright that these standards are readily accessible to lighting specialists who carry out these lighting designs and assessments.

311. Some submitters contended that, even if the current AUP provisions are deficient, the costs of the provisions promoted by Council outweigh the benefits. The Panel observes that the costs of lighting design need to be incurred at some point in the development process (for four or more dwellings). The matter before us is whether these costs are altered by having the lighting design undertaken at an earlier stage in the process and whether this results in superior amenity outcomes.

312. We note that the Officers' assessment, having taken advice from Mr Wright, is that costs to applicants will be no greater than at present (and may be reduced), while lighting outcomes will be improved. The Panel also notes that no evidence to the contrary from a lighting expert has been provided by any of the submitters. We find that there is the risk of increased costs when deferring the lighting design to a consent condition and the relationship between proposed lighting and other elements of a development have not been adequately considered. This can require significant back and forth with an applicant and 'negotiation' to re-design elements which may already be finalised. We also conclude there is little difference in cost whether lighting plans are provided as part of a resource consent application or as a condition of consent, the fact remains, a lighting plan should be produced. We therefore conclude that the inclusion of a special information requirement requiring the provision of a lighting plan at the consent application stage is the most appropriate method for achieving adequate lighting within developments.

313. The Panel acknowledges the concerns of Mr Campbell and Mr Thode that this special information requirement may lead to restrictive conditions being imposed on resource consents, with an unintended consequence of changes to lighting plans being required as a 'variation' under section 127 RMA. We accept that this could be an unintended outcome, however we find that the benefits of this special information provision outweigh the associated costs.

314. We agree with the recent amendment made by Council officers to Table 24.6.2.1 to clarify which level of P subcategory would apply to a pedestrian pathway adjacent to a carpark. In addition, we find in reliance on Mr Wright's evidence, that a specific assessment criterion is appropriate relating to solar lighting, given its specific technical nature which requires positioning and orientating in terms of the sun. Therefore, we agree with the recent amendment by the reporting officers to Assessment Criteria E24.8.2(1A)(b) to more reasonably reflect the typical lifespan of good-quality solar lighting panels from a 50 year period to a 25-year period.

Decision

315. That submissions coded to **Topic 032 – Lighting & Topic 038 – Artificial Lighting & Topic 036 – Related Material Incorporated by Reference** are **accepted** or **accepted-in-part** to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions, or where the submissions supported this aspect of PC 79; and **rejected** where the relief sought has not been granted.

OVERALL DECISION

316. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that Proposed Plan Change 79 to the Auckland Unitary Plan (Operative in Part) is approved, subject to the modifications as set out in this decision - amendments to the text of the Unitary Plan as set out in **Attachment A** to this Decision report.

317. Submissions on the plan change are accepted, accepted in part, and rejected in accordance with this decision. The reasons for the decision are those addressed above in the body of the Decision report.

318. The adoption of PC 79, with its amendments:

- Is consistent with the Auckland Unitary Plan (Operative in part) Regional Policy Statement; and
- Is the most appropriate way to achieve the overall purpose of the Resource Management Act 1991.

Karyn Kurzeja, Chairperson

Date: 31 July 2024

Attachment A

Independent Hearing Panel's Plan Change 79 decision on provisions

Auckland Unitary Plan (Operative in Part)

Auckland Unitary Plan Operative in part

PROPOSED PLAN CHANGE 79 (Decision version)

Amendments to the transport provisions

Public notification: 18 August 2022

Close of appeals: 29 September 2022

This is a Council initiated plan change

Explanatory note – not part of proposed plan change

The proposed plan change seeks to manage impacts of development on Auckland's transport network, with a focus on pedestrian safety, accessible car parking, loading and heavy vehicle management, and catering for EV-charging and cycle parking.

Plan Change 79: Amendments to the transport provisions

Amendments to:

Chapters E24 Lighting,

E27 Transport,

E38 Subdivision – Urban,

Chapter J – Definitions,

Chapter M – Appendices,

- **Appendix 17 – Documents incorporated by Reference,**
- **Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Carparking Spaces**

PC79 Decision:

Key

- Notified text added (underlined)
- Notified text deleted (~~struck-through~~)
- Any additions to notified text, or operative text, made by Independent Hearing Panel (double-underlined)
- Any deletions to notified text made by Independent Hearing Panel (~~underlined and struck-through~~)
- Any deletions to operative text made by Independent Hearing Panel (~~double-struck-through~~).

E24 Lighting amendments

1. **Amend E24.1. Background as follows:**

   Artificial lighting enables work, recreation, ~~and~~ entertainment and associated activities to occur beyond normal daylight hours. It also provides additional safety and security to sites for access and wayfinding. ~~and associated activities.~~ However, unless used with care, it can adversely affect adjoining properties through light spill and glare. If screening or aiming of light is poorly controlled this can result in light pollution causing adverse changes to the view of the night sky.

The provisions for artificial light provide for adequate lighting to support activities and enable safety and security for participants, while minimising potential adverse effects.

2. Add a new Policy E24.3.(1A) as follows:

(1A) Provide for appropriate levels of artificial lighting for pedestrian safety, and to enable access and wayfinding.

3. Add a new Standard E24.6.2 as follows:

E24.6.2. Artificial lighting standards for ~~pedestrian~~ access in residential zones

~~(1) Any pedestrian access serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (excluding dwellings which have separate pedestrian access provided directly from the front door to the road) must:~~ When lighting for access in residential zones is required by Standard E27.6.3.7(2), it must:

(a) have lighting limits measured and assessed in accordance with Australian/New Zealand Standard Lighting for roads and public spaces (Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements Lighting for Roads and Public Spaces (AS/NZS1158.3.1)

(b) must be lit to the appropriate P subcategory for pedestrian access as set out in AS/NZS1158.3.1

(c) meet the minimum P subcategories specified in Table 24.6.2.1 below:

Table 24.6.2.1 Minimum P subcategories

Access	P Subcategory
Pedestrian access only	PP3
Pedestrian access adjacent to vehicle access	PR2
Connecting elements, steps, stairwells and ramps	PA3
Parking spaces and adjacent pedestrian access	PC2
Vehicle access for 4-9 parking spaces or dwellings	PR5

Vehicle access for 10-19 parking spaces or dwellings	PR4
Vehicle access for 20 or more parking spaces or dwellings	PR2

(d) All light fittings must not project any light at or above the height of their light source.

(e) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or less.

(f) Spill light and glare from the lighting must meet the specifications of E24.6.1(8).

(g) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where ~~A~~automatic presence detection or sensor lighting is ~~to be avoided and where~~ proposed, this must be supported by a safety assessment.

(h) Lighting required by Standard E27.6.3.7(2) must be supplied from a common electrical supply ~~which cannot be disabled~~.

4. Add new Matter of discretion E24.8.1 as follows

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

…

(3) the adequacy of artificial lighting to provide effective way-finding, ~~security~~ safety and ease of access for all pedestrians

5. Add a new Assessment Criteria E24.8.2(1A) as follows:

E24.8.2. Assessment criteria

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

(1A) the effects of lighting on pedestrian safety, wayfinding and access;

(a) whether the number, location, design and orientation of light fittings and light support structures provide adequate lighting for the safety and wayfinding of people, including pedestrians moving, residing, working or visiting sites or neighbourhoods.

Note: Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least 15m

(b) the extent to which any solar powered lighting solution meets the lighting subcategory performance levels outlined in Table 24.6.2.1 throughout the hours of darkness and the longevity of this solution over the following ~~50~~20-year period from the date that it is installed.

6. Amend E24.9 Special information requirements as follows:

E24.9. Special information requirements

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

(1) ~~Lighting plans for applications in residential zones, serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (excluding dwellings which have separate pedestrian access provided directly from the front door to the road).~~ When lighting is required for use or development in residential zones, a lighting plan must be prepared by a suitably qualified lighting specialist and must:

(a) Include a lighting assessment for all areas of the site where lighting is required by the relevant standards. ~~Include all accessible areas of the site where movement of people is expected. Such locations include, but are not limited to vehicle and pedestrian access, shared driveways, building entrances, storage areas, building frontage, outdoor or undercroft parking spaces,~~

(b) Include proposed locations, lux levels, and types of lighting (i.e. manufacturers specifications) and any light support structures required to control the timing, level of lighting, or to minimise light spill, glare and loss of night-time viewing.

(c) Demonstrate design compliance as required by AS/NZS1138.3.1

(d) Provide an assessment of each pedestrian access, vehicle access and parking area against the relevant lighting requirements in Table E24.6.2.1. ~~Demonstrate that all lighting meets the minimum P categories for each access type as set out in Table 24.6.2.1.~~

(e) Demonstrate that the lighting plan has been designed for safety, and in the case where solar lighting is proposed, that an assessment of its effectiveness and durability has been established.

E27 Transport amendments

7. Amend E27.1 Background

Activities or subdivision which generate higher ~~amounts of traffic~~ trip volumes by any mode, and which seek to locate outside of the most intensive centres and residential zones, are required to demonstrate how the proposal would integrate with the transport network. This includes managing the transport impacts of the proposal on the effective, efficient and safe operation of the local transport network.

8. Amend Objective E27.2.(3) as follows:

(3) Parking, including accessible car parking and loading supports urban growth, ~~and~~ and a ~~the~~ quality compact urban form.

9. Amend Objective E27.2.(4) as follows:

(4) Parking, including accessible car parking, loading and access is safe and efficient and, where parking is provided, it is commensurate with the character, scale and intensity and alternative transport options of the location.

10. Add a new Objective E27.2.(5A) as follows:

(5A) Safe, ~~and~~ direct, and continuous on-site access for pedestrian and other users is provided to dwellings, in residential zones.

11. Add a new Objective E27.2.(7) as follows:

(7) ~~The necessary e~~Electric Vehicle Supply Equipment ~~vehicle supply equipment is provided for~~ enabled to facilitate use of electric vehicles.

12. Amend Policy E27.3(1)

(1) Require subdivision, use and development which:

…

(c) [deleted] ~~do not already require an integrated transport assessment or have been approved based on an integrated transport assessment.~~

13. Amend Policy E27.3.(3) as follows:

(3) Manage the number, location and type of parking, including accessible car parking, and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:

…

(e) the recognition of different activities having different trip characteristics; ~~and~~

(f) the efficient use of on-street parking, and

(g) full participation in society for people with disabilities that impact on mobility.

14. Amend Policy E27.3.(14) as follows:

(14) Support increased cycling and walking by:

(a) requiring larger non-residential developments and all residential developments without a dedicated garage or basement car parking space to provide secure and covered bicycle parking, including within a dwelling;

…

15. Add a new Policy E27.3.(20A) as follows:

(20A) Require vehicle accesses to be designed and located to provide for low speed environments and for the safety of pedestrians and other users, and functional access for emergency responders. and require pedestrian access that is adjacent to a vehicle access to be designed and located to provide for safe and direct movement, minimising potential conflicts between pedestrians and other users.

16. Add a new policy E27.3(20B) as follows:

(20B) Require pedestrian access that is the sole means of access between residential zoned dwellings and the public road, to be designed and located to provide for safe and ,direct and continuous movement, minimising potential conflicts between pedestrians and other users, and to provide functional access for emergency responders.

17. Add a new Policy E27.3.(30) as follows:

Electric vehicle charging

(30) RequireEnable provision for Electric Vehicle Supply Equipment electric vehicle supply equipment for new residential unit developments that provide carparking.

18. Amend Standard E27.6.1 Trip generation as follows:

(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:

(a) a new development or subdivision in Table E27.6.1.1;

(b) 100 v/hr ~~vehicles per hour~~ (any hour) for activities not specified in Table E27.6.1.1 requiring a controlled or restricted discretionary land use activity consent in the applicable zone where there are no requirements for an assessment of transport or trip generation effects. This standard does not apply to development activities provided for as permitted in the applicable zone; or

(c) [deleted] ~~a proposed subdivision of land which has capacity under this Plan to accommodate more than 100 60 dwellings~~

resource consent for a restricted discretionary activity is required.

Table E27.6.1.1 New development and subdivision thresholds

Activity			**New development or subdivision**
(TA1)	Residential	Dwellings – threshold 1	40 dwellings
(T1)		Dwellings – threshold 2	~~100~~ ~~60~~ 100 dwellings
(T1A)		Integrated residential development – threshold 1	100 units
(T2)		Integrated residential development – threshold 2	~~500~~ ~~100~~ 500 units
(T2A)		Visitor accommodation – threshold 1	60 units
(T3)		Visitor accommodation – threshold 2	~~100~~ ~~60~~ 100 units
(T3A)		Residential subdivision – threshold 1	Capacity to accommodate more than 40 dwellings
(T3B)		Residential subdivision – threshold 2	Capacity to accommodate more than 100 dwellings
(T4)	Education facilities	Primary	167 students
(T5)		Secondary	333 students
(T6)		Tertiary	500 students

(T7)	Office		5,000 m^2 GFA
(T8)	Retail	Drive through	333 m^2 GFA
(T8A)		Retail activities (non-drive through)	1,667 m2 GFA
(T9)	Industrial activities	Warehousing and storage	20,000 m^2 GFA
(T10)		Other industrial activities	10,000 m^2 GFA

(2) Standard E27.6.1(1) does not apply where:

(a) a proposal is located in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, or Residential – Terrace Housing and Apartment Building Zone or Centre Fringe Office Control as shown on the planning maps;

(b) [deleted] ~~development is being undertaken in accordance with a consent or provisions approved on the basis of an Integrated Transport Assessment where the land use and the associated trip generation and transport effects are the same or similar in character, intensity and scale to those identified in the previous assessment;~~

(c) the activity is permitted in the H7 Open space zones; or

(d) there are requirements to assess ~~transport, traffic or~~ trip-generation effects for the activity in ~~the~~ any applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities

19. Amend activity rules in Table E27.4.1 Activity Table as follows:

Table E27.4.1Activity table

Activity		**Activity status**
(A1)	Parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~ which is an accessory activity and complies with the standards for parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~.	P
(A2)	Parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~ which is an accessory activity but which does not comply with the standards for parking, loading, ~~and~~ access and Electric	RD

	Vehicle Supply Equipment ~~electric vehicle supply equipment.~~	
…	…	…

20. Amend Standard E27.6.2.(6) as follows:

E27.6.2 Number of parking and loading spaces

…

(6) Bicycle parking:

(e) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; ~~and~~

(aa) for residential developments, the required secure long–stay bicycle parking must be located and designed in a manner that (is):

~~i) provided in either:~~

~~a) a non-habitable room; or~~
~~b) a storage or garden shed or equivalent; or~~
~~c) A dedicated cycle parking facility; or~~
~~d) Any combination of the above.~~

~~ii) can accommodate a bicycle(s) with the following dimensions – 1.9m length x 1.25m height x 0.7m width~~

i) not part of any required outdoor living space or landscaped area

ii) in a location ~~directly~~ accessible from either the road, vehicle access, pedestrian access or car parking area;

iii) ~~fully~~ sheltered from the weather;

iv) lockable and secure;

~~v) if located within a dwelling, not within a habitable room~~

~~In addition, communal bicycle parking facilities must be designed to have:~~

~~vi) spacing between racks of a minimum of 1.2m;~~

~~vii) clearance to a wall or edge of a minimum of 0.9m;~~

~~viii) width of an access aisle between rows of a minimum of 1.2m (3.0m stand centre to centre);~~

~~ix) mains outlets for charging electric bicycles at a minimum ratio of 1/10 bicycle parks;~~

~~Two-tiered bicycle stands must be designed to have:~~

~~x) a spacing between bikes of a minimum of 0.4m;~~

~~xi) access aisles of a minimum of 2.2m to allow access to the second tier;~~

xii) the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			**Visitor (short-stay) Minimum rate**	**Secure (long-stay) Minimum rate**
(T81)	Residential	All residential developments ~~Developments of 20 or more dwellings~~	1 per 20 for developments of 20 or more dwellings	1 per dwelling without a dedicated garage or basement car parking space
…	…	…	…	…

Note: Further guidance on bicycle parking design can be found in the Auckland Code of Practice for Land Development and Subdivision 2022. Also see the Waka Kotahi Cycling Network Guidance Technical Note, Cycle Parking Planning and Design December 2022.

…

21. Amend Standard E27.6.2(8) as follows:

(8) Number of loading spaces:

(a) all activities must provide loading as specified in Table E27.6.2.7.

(b) residential activities where part of the site has frontage to an arterial road as identified on the planning maps, must provide loading as specified in Table E27.6.2.7A.

Reinstate Existing Table E27.6.2.7 Minimum loading space requirements

~~Table E27.6.2.7 Minimum loading space requirements~~

~~Activity~~		~~GFA/Number of dwellings~~	~~Minimum rate~~
…	…	…	…
~~(T111A)~~	~~Residential activities where vehicle access is provided~~		~~The same rates as for "All other activities, except for activities within rural zones" must apply~~
~~(T111B)~~	~~Residential activities where vehicle access is not otherwise provided~~	~~Developments where all dwellings have individual pedestrian access directly from a public road~~	~~No loading space required~~
		~~Up to 9 dwellings without individual pedestrian access directly from a public road~~	~~No loading space required~~
		~~Greater than 9 dwellings up to 5,000m^2 without individual pedestrian~~	~~1*~~

		~~access directly from a public road~~	
		~~Greater than 5,000m^2 dwellings up to 20,000m^2~~	~~1~~
		~~Greater than 20,000m^2 up to 90,000m^2~~	~~2~~
		~~Greater than 90,000m^2~~	~~3 spaces plus 1 space for every additional 40,000m^2~~
…	…	…	…

~~* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions~~

Add New Table E27.6.2.7A Minimum small loading space requirements

Activity	GFA/Number of dwellings	Minimum rate
(T111B)	Developments where all dwellings have individual pedestrian access directly from a public road	No loading space required
	Up to 9 dwellings without individual pedestrian access directly from a public road	No loading space required
	Greater than 9 dwellings up to 5,000m^2 without individual pedestrian access directly from a public road	1*
	Greater than 5,000m^2	NA

* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions

22. Amend Standard E27.6.2.(9) as follows:

(9) Fractional spaces:

(a) where the calculation of the permitted parking results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space. If there are different activities within a development, the parking permitted for each activity must be added together prior to rounding.

~~Note: Where parking is provided, parking spaces are to be provided for people with disabilities and accessible routes from the parking spaces to the~~

~~associated activity or road as required by the New Zealand Building Code D1/AS1. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001).~~

23. Amend Standard E27.6.3.1. as follows:

E27.6.3.1. Size and location of parking spaces

(1) Every parking space must:

(a) comply with the minimum dimensions given in Table E27.6.3.1.1 and Figure E27.6.3.1.1; except accessible parking dimensions and accessible route requirements must be designed in accordance with the ~~New Zealand Building Code D1/AS1~~ New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001); and

…

24. Amend Standard E27.6.3.2 as follows:

E27.6.3.2. Size and location of loading spaces

(1) Every loading space must:

…

(d) comply with the following when any yard of a site is used to provide the loading space (where it is permitted within the zone):

…

(ii) the use of the loading space does not create a traffic hazard on the road at any time~~.~~; and

(e) have a maximum crossfall of 1:50 (2%) in all directions.

Table E27.6.3.2.1 Minimum loading space dimensions

Activity		Length of loading space (m)	Width of loading space (m)
…	…	…	…
(T137A)	Activities requiring a small loading space under Standard E27.6.2(8)(b) ~~Residential activities denoted with a (*) in Table E27.6.2.7~~	6.4	3.5
…	…	…	…

25. Add a new Standard E27.6.3.2(A) as follows:

E27.6.3.2(A) Accessible Parking

(1) Accessible parking must be provided for all new activities, changes of activity type, and / or the expansion or intensification of an existing activity in all zones, except for those listed below in E27.6.3.2(A)(2);

(2) Accessible parking is not required in the following zones, unless car parking is provided on site, in which case the required number of accessible parking spaces must be determined in accordance with Table 1 or Table 2 below, whichever is relevant:

Business Zones:

(a) Business – City Centre Zone;
(b) Business – Metropolitan Centre Zone;
(c) Business – Town Centre Zone;
(d) Business – Local Centre Zone;
(e) Business – Mixed Use Zone;
(f) Business – Neighbourhood Centre Zone.

Residential zones:

(a) Residential - Terrace Housing and Apartment Buildings Zone.

(3) For residential developments in residential zones (excluding the Terrace Housing and Apartment Buildings Zone unless car parking is provided on site), accessible parking spaces must be provided for developments of 10 or more dwellings on a site.

(4) The required number of onsite accessible parking spaces provided must be calculated using the following method:

(i) For non-residential land uses;

Step 1 - Use the Parking Demand Guidelines in Appendix 23 to determine the theoretical parking demand

Step 2 - Use Table 1 – Number of accessible parking spaces – Non-Residential, below to determine the required number of accessible car park spaces based on either the number of parking spaces that are proposed to be provided or the theoretical parking demand calculated in step 1, whichever is the higher.

Table 1 – Number of accessible parking spaces – Non-Residential land uses

Total number of parking spaces provided or theoretical parking spaces, whichever is the higher	Number of accessible parking spaces
1 – 20	Not less than 1
21 – 50	Not less than 2
For every additional 50 parking spaces or part of a parking space	Not less than 1

(ii) For retirement villages, supported residential care, visitor accommodation and boarding houses

The same method for calculating the required number of onsite accessible parking spaces for non-residential uses in 4(i) applies.

(iii) For residential land uses

The required number of accessible parking spaces provided must be in accordance with Table 2 below:

Table 2 – Number of accessible parking spaces – Residential land uses

Number of dwellings	Number of accessible parking spaces
10 - 19	Not less than 1
20 – 29	Not less than 2
30 – ~~39~~50	Not less than 3
For every additional ~~10~~ 25 dwellings or units	Not less than 1

26. Amend Standard E27.6.3.3 as follows:

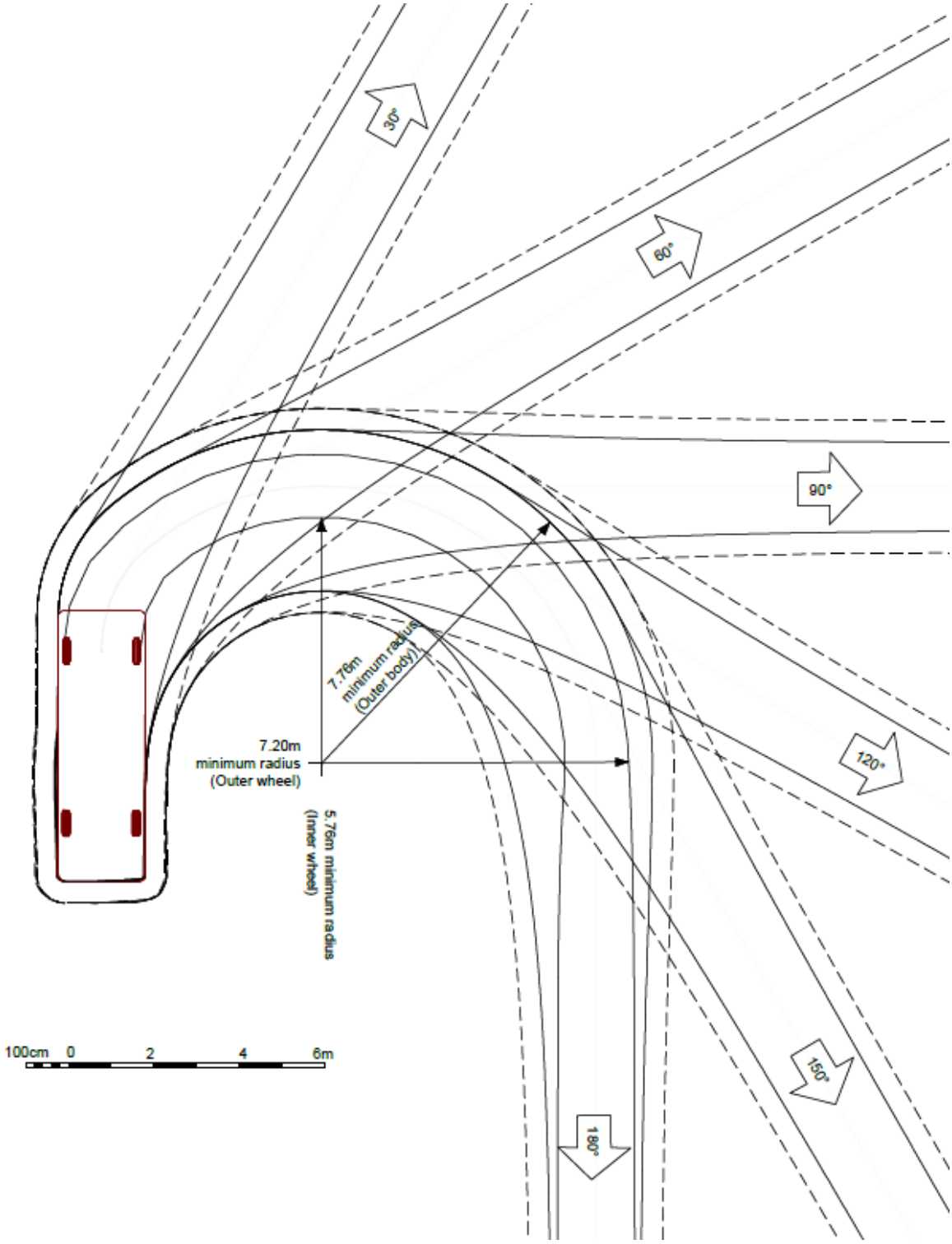
E27.6.3.3 Access and manoeuvring

…

(2A) For every loading space required by Table E27.6.3.2.1.(T137A) the access and manoeuvring areas associated with that loading space must accommodate the 6.4m van tracking curves set out in Figure E27.6.3.3.3.

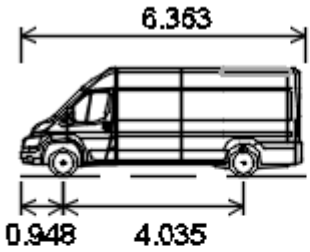
…

Figure E27.6.3.3.3 - 6.4m van tracking curve



Note 1: The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.4

Figure E27.6.3.3.4 Key for 6.4m van tracking curve



Delivery Van

Overall Length	6.363m
Overall Width	2.050m
Overall Body Height	2.432m
Min Body Ground Clearance	0.206m
Track Width	1.810m
Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	7.200m

27. Amend Standard E27.6.3.4. as follows:

E27.6.3.4 Reverse manoeuvring

(1) Sufficient space must be provided on the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply:

(a) four or more parking spaces are served by a single access;

(b) there is more than 30m between the parking space and the road boundary of the site; or

(c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1 ~~or~~

(d) ~~vehicle access is required in accordance with E27.6.3.4.A.~~

28. Add a new Standard E27.6.3.4A as follows:

E27.6.3.4A Heavy vehicle access

(1) Where a site in a residential zone provides heavy vehicle access it must~~:~~

~~(a)~~ provide sufficient space on the site so an 8m heavy vehicle does not need to reverse onto or off the site or road, with a maximum reverse manoeuvring distance within the site of 12m.~~; and~~

~~(b) provide pedestrian access in accordance with E27.6.6.2.~~

(2) Heavy vehicle access and manoeuvring areas associated with access required by E27.6.3.4A.(1) must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).

29. Amend standard E27.6.3.5 as follows:

E27.6.3.5 Vertical Clearance

(1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:

(a) 2.1m where access and/or parking for cars is provided for residential activities;

(b) 2.3m where access and/or parking for cars is provided for all other activities;

(c) 2.5m where access and/or accessible parking ~~for people with disabilities~~ is provided and/or required; ~~or~~

(ca) 2.8m where loading is required for residential activities denoted with an asterisk (*) in Table E27.6.2.7A; ~~or~~

(cb) 3.8m where heavy vehicle access in Standard E27.6.3.4A is provided; or

(d) 3.8m where loading is required in Table E27.6.2.7~~for all other activities~~.

30. Amend new standard E27.6.3.7 as follows:

E27.6.3.7 Lighting

(1) Lighting is required where there are 10 or more parking spaces which are likely to be used during the hours of darkness. The parking and manoeuvring areas and associated pedestrian routes must be adequately lit during use in a manner that complies with the rules in Section E24 Lighting.

(2) ~~Lighting is required, in residential zones, serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (except for dwellings which have separate pedestrian access provided directly from the front door to the road), Pedestrian access must be adequately lit during the hours of darkness in a manner that complies with the rules in Section E24 Lighting~~ Lighting is required, in residential zones to primary pedestrian access, vehicle access, parking and manoeuvring areas, where any of the following apply:

(a) There are four or more dwellings accessible from a primary pedestrian access which is not adjacent to a vehicle access;

(b) There are 10 or more parking spaces; or

(c) There are 10 or more dwellings.

Adequate lighting must be provided during the hours of darkness in a manner that complies with the rules in Section E24 Lighting.

31. Amend Standard E27.6.4.3 as follows:

E27.6.4.3 Width of vehicle access, ~~and~~ queuing and speed management requirements

(1) Every on-site parking and loading space must have vehicle access from a road, with the vehicle access complying with the following standards ~~for width~~:

(a) passing bays are provided in accordance with Table E27.6.4.3.1; and

(b) meeting the minimum formed access width specified in Table E27.4.3.2~~.~~; and

(c) meeting the minimum speed management measure spacing specified in Table E27.6.4.3.3.~~; and~~

~~(d) meeting the minimum requirements specified in E38 Subdivision – Urban Table E38.8.1.2.1 for minimum legal width, minimum vertical clearance from buildings and structures, and minimum inside turning radius for bends.~~

…

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Number of parking spaces served	Minimum width of crossing at site boundary[1]	Maximum width of crossing at site boundary[1]	Minimum formed access width
…	…	…	…	…	…
(T151)	Residential zones	Serves 10 or more parking spaces	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) The formed width is permitted to be narrowed to 2.75m if there are clear sight lines along the entire access and passing bays at 50m intervals are provided. ~~1.0m pedestrian access for rear sites which may be located within the formed driveway~~
…	…	…	…	…	…

[1] Width of crossing at site boundary excludes any adjacent pedestrian access.

* Provided that a maximum width of 9.0m is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles

Note 1

Minimum vehicle crossing widths to the State Highway network may be greater than those above. All access to the State Highway network requires the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989. Applicants are advised to contact the New Zealand Transport Agency's Auckland Office.

~~Where vehicle accessways are provided, consideration of fire emergency vehicle access is required by the New Zealand Building Code Clause C6.~~

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

Table E27.6.4.3.3 Speed management requirements

Activity		Length of vehicle access	Location of minimum speed management measures
(T156A)	Residential zones	Exceeds 30m	Not more than 10m from the site boundary with the legal road; and Not more than 30m spacing between speed management measures.

Note: Where heavy vehicle access and speed management measures are required, the design of speed management measures should include consideration of heavy vehicle requirements.

32. Add new Standard E27.6.6 as follows:

E27.6.6 Design and location of pedestrian access in residential zones

(1) ~~Any pedestrian access, in residential zones, serving two or more dwellings, where there is no vehicle access must~~ Where two or more dwellings are proposed in residential zones, primary pedestrian access must be provided which meets the following:

(a) have the minimum pedestrian access width and separation specified in Table E27.6.6.1 for its full length ~~have a minimum formed access width of 1.8m;~~

(b) [deleted] ~~provide passing bays in accordance with Table E27.6.6.1;~~

(c) ~~meet the maximum gradient, in accordance with Table E27.6.6.2~~ have a gradient no greater than:

(i) 1 in 12 for pedestrian access which is not adjacent to vehicle access;

(ii) the maximum vehicle access gradient as specified in Table E27.6.4.4.1 where the pedestrian access is adjacent to vehicle access;

(d) [deleted] ~~provide artificial lighting in accordance with Standard E24.6.2;~~

(e) have a surface treatment which is firm, stable and slip resistant in any weather conditions;

(f) provide direct and continuous access to the dwellings from a public footpath;

(g) be free from permanent obstructions and have a clear height of at least 2.1m ~~unobstructed~~ for its full length.~~; and~~

(h) [deleted] ~~where the pedestrian access is not adjacent to vehicle access and includes steps, provide a step-free option as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.~~

~~*Except that a primary pedestrian access is not required for 2-3 dwellings where vehicle access is provided to dwellings.~~

(2) A minimum clear width of 3m and a minimum clear height of 2.1m for its full length is required for primary pedestrian access where not adjacent to vehicle access and serving:

(a) up to three dwellings and has a length greater than 50m; or

(b) four or more dwellings.

(3) For the purposes of (2) above, the clear width may include:

(a) the minimum 1.8m formed primary pedestrian access width;

(b) landscape treatment with a maximum mature height of 600mm;

(c) lighting infrastructure.

(4) Standards E27.6.6(1), (2) and (3) above do not apply where:

(a) up to three dwellings are proposed on a site and vehicle access is provided to each dwelling; or

(b) a dwelling directly fronts and has direct access to a street.

(5) For four or more dwellings in residential zones, pedestrian access must be provided to each parking space within a parking area ~~(excluding garages)~~ consisting of four or more parking spaces served by the same vehicle access and:

(a) have a minimum width of 1.2m;

(b) be vertically separated from trafficable areas as shown in Figure E27.6.4.3.1;

(c) connect to the primary pedestrian access or the dwellings associated with those parking spaces;

(d) have a surface treatment which is firm, stable and slip resistant in any weather condition; and

(e) be free from permanent obstructions and have a clear height of 2.1m for its full length.

This standard does not apply where the pedestrian access forms part of a primary pedestrian access.

(2) [deleted] ~~Any pedestrian access in residential zones that is adjacent to a vehicle access serving 10 or more parking spaces or 10 or more dwellings (except for dwellings which have separate pedestrian access provided directly from the front door to the road), whichever is the greater, must:~~

(a) ~~meet the minimum pedestrian access width and separation specified in Table E27.6.6.3;~~

(b) ~~not exceed the maximum gradient, specified in Table E27.6.6.2;~~

(c) ~~have a surface treatment which is firm, stable and slip resistant in any weather conditions;~~

(d) ~~be unobstructed for its full length; and~~

(e) ~~where the pedestrian access includes steps, provide a step-free option as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.~~

(3) [deleted] ~~Any pedestrian access in residential zones that is adjacent to a vehicle access serving, to up to nine dwellings (except for dwellings which have separate pedestrian access provided directly from the front door to the road), which require heavy vehicle access in accordance with E27.6.3.4A must:~~

~~(a) meet the minimum pedestrian access width and separation specified in Table E27.6.6.3;~~

~~(b) meet the maximum gradient, specified in Table E27.6.6.2;~~

~~(c) provide artificial lighting in accordance with Standard E24.6.2;~~

~~(d) have a surface treatment which is firm, stable and slip resistant in any weather conditions;~~

~~(e be unobstructed for its full length; and~~

~~(f) where the pedestrian access includes steps, a step-free option must be provided as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.~~

Note: Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

Table E27.6.6.1 Pedestrian access passing bay requirements

Length of access	*Maximum interval between passing bays*	*Passing Bay Width*
Exceeds 50m	50m	Increase formed with of pedestrian access to 2.5m over a 3.5m length (to allow pedestrians and cyclists to safety pass each other)

Table E27.6.6.2 Maximum pedestrian access gradient requirements

Maximum pedestrian access gradient	**Required rest area at either end of the gradient**
Up to 1 in 33.3(3 percent)	No rest area required
Between 1 in 33.3 (3 percent) and 1 in 20 (5 percent)	Rest area with a minimum length of 1.2m and with a maximum gradient of 1 in 33.3 (3 percent) must be provided at intervals not exceeding 45m
Between 1 in 20 (5 percent) and 1 in 12.5 (8 percent)	Rest area with a minimum length of 1.2m and with a maximum gradient of 1 in 33.3 (3 percent) must be provided at intervals not exceeding 9m

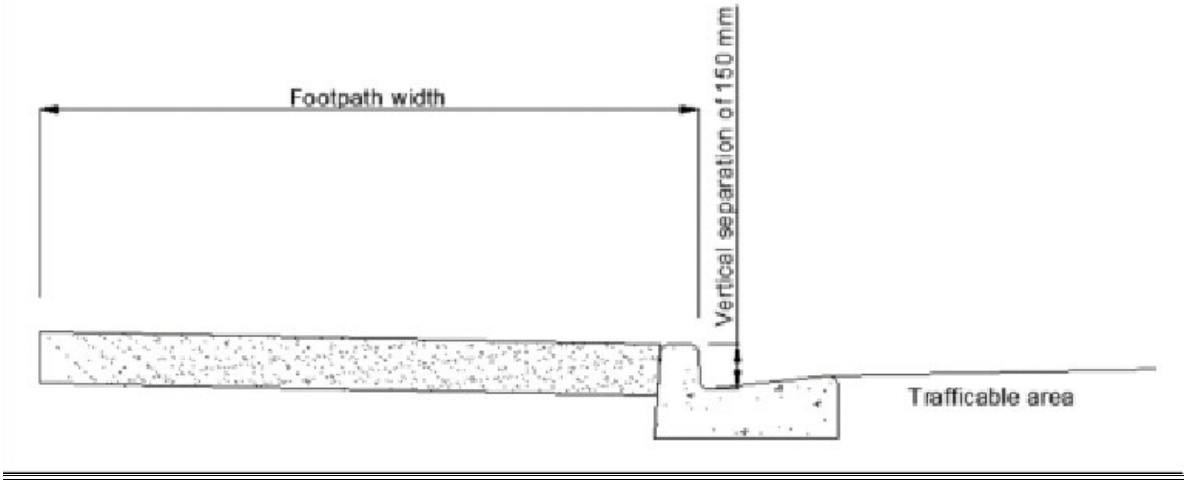
Table E27.6.6.13 Primary Pedestrian aAccess width and separation requirements adjacent to a vehicle access

Location of site ~~frontage~~		**The total n~~N~~umber of parking spaces or dwellings served by a vehicle and/or Primary Pedestrian Access**	**Minimum formed Primary Pedestrian Access width where not adjacent to vehicle access**	**Minimum formed Primary Pedestrian Access width and separation where adjacent to vehicle access~~pedestrian access width and separation~~**
~~(T156A)~~	Residential zones	~~Any development where all dwellings have separate pedestrian access provided directly from the front door to the road~~		~~No pedestrian access required adjacent to the vehicle access~~
~~(T156B)~~		~~Serves 1-9 parking spaces or 1-9 dwellings, whichever is the greater~~		~~No pedestrian access required adjacent to the vehicle access~~
(T156A)		Serves 2 – 3 dwellings	1.8m	No requirement under E27.6.6(1) to (3)
(T156B~~C~~)		Serves 4~~10~~ to 19 parking spaces or 4~~10~~ to 19 dwellings, whichever is the greater~~, excluding any dwellings which have separate pedestrian access provided directly from the front door to the road~~	1.8m	~~1.35~~ 1.4m (including the kerb), which must be vertically separated from trafficable areas ~~and designed to be clear of obstructions,~~ as shown in Figure E27.6.4.3.1,
(T156C~~D~~)		Serves 20 or more parking spaces or 20 or more dwellings, whichever is the greater~~, excluding any dwellings which have separate pedestrian access provided directly from the front door to the road~~	1.8m	1.8m (including the kerb) which must be vertically separated from trafficable areas ~~and designed to be clear of obstructions,~~ as shown in Figure E27.6.4.3.1 ~~and connected to every dwelling~~

Location of site ~~frontage~~		The total n~~N~~umber of parking spaces or dwellings served by a vehicle and/or Primary Pedestrian Access	Minimum formed Primary Pedestrian Access width where not adjacent to vehicle access	Minimum formed Primary Pedestrian Access width and separation where adjacent to vehicle access~~pedestrian access width and separation~~
~~(T56E)~~		~~Serves 1-9 dwellings and requires heavy vehicle access in accordance with E27.6.3.4A~~		~~1.35m which must be vertically separated from trafficable areas and designed to be clear of obstructions~~

Note 1: Works within the legal road, such as connections to public footpaths, require prior approval from Auckland Transport as the road controlling authority. This approval is separate and additional to any land use or subdivision approval required.

Figure E27.6.4.3.1 Vertical separation of pedestrian access



33. Add a new Standard E27.6.7 as follows:

E27.6.7 ~~Electric vehicle supply equipment~~ Provision for electric vehicle charging

~~1. Any dwelling with dedicated car parking must provide the following for each car parking space to support the charging of electric vehicles:~~

~~a) Sufficient space on the switchboard(s) for RCD; and~~

~~b) Appropriately sized mains; and~~

~~c) The necessary conduit, cable route and/or cable ladders whichever is appropriate.~~

~~Note: this standard does not apply to visitor car parking.~~

Purpose: to ensure that any undercover car parks for new semi-detached dwellings or for new dwellings within a terrace or apartment building are provided with the capability to install Electric Vehicle Supply Equipment.

(1) Any new dwellings with car parking (with the exception of new detached dwellings) must provide each undercover car park with the capability to install Electric Vehicle Supply Equipment with designated space for the necessary conduit, circuit and metering between the car park and an electrical distribution board on the same building storey, or ground level if the car parking space is at ground level.

Note:

~~(a) This standard applies to all new dwellings, with the exception of new detached dwellings~~

(a) This standard does not apply to any car parking permanently allocated to visitors.

Refer to the following standards and guidelines:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018

- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use

- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications

- WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2

34. Amend Matters of discretion E27.8.1 as follows:

E27.8.1 Matters of discretion

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

…

(4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1, with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network.

(4A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network relating to active (walking and cycling) and public transport modes.

(5A) any activity or development that provides less than the required number of accessible parking spaces under Standard ~~E27.6.2(a)~~ E27.6.3.2(A):

(a) adequacy for the site and the proposal;

(b) site limitations;

(c) effects on the transport network; and

(d) alternative proposals for accessible parking.

…

(9) any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3, ~~E27.6.4.3A and~~ E27.6.4.4 and E27.6.6~~:~~

(a) adequacy for the site and the proposal;

(aa) site limitations;

(ab) effects on the function and the safe and efficient operation of the transport network;

(aaa) adequacy of emergency responder access;

(b) design of parking, loading and access;

(ba) effects on pedestrian safety and accessibility;

…

(15) Any activity or development which does not meet the requirements for electric vehicle supply equipment under Standard E27.6.7;

(a) adequacy for the site and the proposal; ~~and~~

(ab) site limitations; and

(b) alternative proposals.

35. Amend Assessment criteria E27.8.2 as follows:

(3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.<u>, with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1</u>:

a) the effects on the function and the safe and efficient operation of the transport network ~~including pedestrian movement~~ <u>with consideration of all modes of transport,</u> particularly at peak ~~traffic~~ times;

b) the implementation of mitigation measures proposed to address adverse effects which may include, <u>but are not limited to, the following</u> measures:

i. ~~such as~~ travel planning;

ii. providing alternatives to private vehicle trips including accessibility to public transport;

iii. staging development;

iv. <u>providing</u> or contributing to improvements to the local transport network <u>across all modes</u>; ~~or~~

c) the trip characteristics of the proposed activity on the site.

<u>(3A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:</u>

<u>(a) the effects on the function and the safe and efficient operation of the transport network as they relate to active modes (walking and cycling) and public transport infrastructure, particularly at peak times; and</u>

<u>(b) the assessment criteria at E27.8.2(3)(b) and (c) above apply, but with consideration of the implementation of mitigation measures and trip characteristics focused on active modes (walking and cycling) and public transport infrastructure; and</u>

<u>(c) for the purpose of assessing E27.8.2(3A) a) and b) only*, the local transport network refers to the area in the immediate vicinity of the site. For the purpose of this assessment, public transport infrastructure includes infrastructure associated with public transport stops, and excludes bus lanes. Any mitigation measures must relate to the effects of the proposal on the environment, demand on public transport infrastructure and active mode journeys from the site.</u>

<u>* Note: this does not alter the meaning of ‘local transport network’ in any other context.</u>

(4A) any activity or development that provides less than the required number of accessible parking spaces under Standard E27.6.3.2.(A):

(a) the trip characteristics of the proposed activities on the site requiring accessible parking spaces;

(b) the extent to which it is physically practicable to provide the required accessible parking spaces on the site including in terms of the existing location of buildings, the type of the existing building(s) site dimensions, topography and the availability of access to the road;

(c) the availability and capacity of alternative accessible parking in the immediate vicinity, including on street and other public accessible car parking, with an accessible route to and from the building designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001), to provide the additional parking sought for the proposal;

(d) mitigation measures to provide accessible parking which may include measures such as by entering into a shared accessible parking arrangement with another site or sites in the immediate vicinity

(e) the availability of alternatives to private vehicle trips in the immediate vicinity with access to public transport by an accessible route designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) and a maximum distance of 200m.

…

Note: Accessible parking requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted.

(6) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7):

…

(b) the provision made for cyclists and active modes is:

(i) readily accessible, secure, ~~provides locking points for different sizes and shapes of bicycle,~~ provides adequate protection from ~~all~~ weather~~s~~, ~~provides mains outlets for the charging bicycles~~ and is designed for safety; and

(ii) practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.

(7) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(aa) the extent to which it is physically practicable to provide the required loading space(s) on site in terms of the characteristics of the site, including its location in relation to the transport network, site dimensions, topography, and existing development;

(a) effects of the loading arrangements proposed for the site, including the non-provision of any required loading space, on the safe and efficient operation of the adjacent transport network;

(b) the specific business practice, operation or type of customer associated with the proposed activities;

(c) the extent to which an accessible and adequate on-street loading space is available nearby or can be created while having regard to other demands for kerbside use of the road; ~~or~~

(d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity and its use shared; or. ~~Or~~

(e) the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan. ~~the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan.~~

(8) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3, E27.6.4.2, E27.6.4.3, ~~and~~ E2~~6~~7.6.4.4 and E27.6.6:

(a) effects on the safe and efficient operation of the adjacent transport network having regard to:

(i) the effect of the modification on visibility and safe sight distances;

(ii) existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;

(iii) existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; ~~or~~

(iv) existing community or public infrastructure or facilities located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways~~.~~; and

(v) the extent to which the management plan for the development identifies and mitigates risk to all site and road users.

…

(d) the safety and practicality of pedestrian access, in residential zones, having regard to:

(i) site limitations, configuration of buildings and activities, user requirements and operational requirements;

(ii) the number of dwellings / future occupants that a primary pedestrian access is serving;

(iii) the extent to which a primary pedestrian access is direct, continuous, obstruction free and safely accommodates different users and abilities including minimisation of gradients, provision of landing areas and avoidance of steps;

(iv) space limitations and constraints within basement parking areas;

(v) the safety of pedestrians where a pedestrian access crosses trafficable areas, considering the design of the crossing, visibility between drivers and pedestrians, and vehicle speeds;

(vi) the extent to which the design incorporates Crime Prevention Through Environmental Design principles;

(vii) the extent to which the design incorporates Universal Design principles, including the extent to which a primary pedestrian access is slip resistant under all conditions and where primary pedestrian access is not adjacent to vehicle access and includes steps, provides a footpath and/or ramps as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities;

~~(ii)~~ (viii) the need to separate pedestrian areas from vehicle access, parking, manoeuvring and reversing areas; and~~or~~

(iii) (ix) the avoidance of conflict between users.

(e) The safety and functionality of emergency responder access.

…

(14) any activity or development which infringes the standards for electric vehicle supply equipment under Standard E27.6.7:

(a) the practicability and adequacy of the electric vehicle supply equipment arrangements considering:

(i) site limitations, arrangement of buildings and activities and operational requirements;

(ii) the extent to which the site can reasonably be served by different electric vehicle supply equipment arrangements

E38 Subdivision – Urban Amendments

36. Amend Standard E38.8.1.2. as follows:

E38.8.1.2. Access to rear sites

(1) A single jointly owned access lot or right-of-way easement must not serve more than ten proposed rear sites.

(2) Vehicle access to proposed sites without direct vehicular access to a formed legal road must be by way of an entrance strip, jointly owned access lot or right-of-way easement over adjoining land, or by a combination of these mechanisms, provided the total width and other dimensions of the access comply with the standards in Table E38.8.1.2.1 Access to rear sites below.

Table E38.8.1.2.1 Access to rear sites

		Total number of rear sites served		
	1	**2 – 3 ~~5~~**	**4-5**	**6 ~~6~~4 - 10**
Minimum legal width	3.0m	3.5m	4.4m	6.9m~~7.5 6.5~~
Minimum formed width	2.5m	3.0m	3.0m	5.5m
Minimum service strip	0.5m	0.5m	0.5m	1.0m
Maximum length	50m	50m	50m	100m ~~Note 1~~ Note 1
Maximum gradient	1 in 4	1 in 5		
Minimum vertical clearance from buildings or structures	3.8m			

Minimum inside turning radius for bends	6.5m

Note 1

~~For accessways greater than 50 metres in length speed management measures should be considered~~. ~~Where vehicle accessways are provided, consideration of fire emergency vehicle access is required by the New Zealand Building Code Clause C6.~~

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

(3) Accessways serving ~~six or more~~ four to ten rear sites must provide separated pedestrian access~~, which may be located within the formed driveway~~.

(4) The pedestrian access required by E38.8.1.2(3) must meet all of the following:

(a) have a minimum width of 1.4~~3~~5m ~~metre~~;

(b) can include the service strip; ~~and~~

(c) ~~be distinguished from the vehicle carriageway through the use of a raised curb or different surface treatment~~ the requirements of Table E27.6.4.3.3 and Figure E27.6.4.3.1 be vertically separated from the vehicle carriageway through the use of a raised kerb as shown in; and

(d) ~~the requirements of Table E27.6.6.2.~~ have a maximum gradient not exceeding the vehicle access gradient standard in Table E38.8.1.2.1.

(5) Accessways exceeding 30m in length must meet the speed management measures specified by Table E27.6.4.3.3.

37. Amend Appendix 17 Documents incorporated by reference, as follows:

...

E24 Lighting

AS/NZS1158.3.1:2020 Australian/New Zealand Standard Lighting for roads and public spaces (Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements

…

E27 Transport

…

Australian/New Zealand Wiring Rules **AS/NZS 3000:2018** (entire document)

SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use (Sections 1-3 & Tables 1 & 2)

SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications (Sections 1-4 & Appendix A)

WorkSafe - Electric Vehicle charging safety guidelines, May 2019 2nd addition plus addendums 1 and 2 (entire document)

Auckland Code of Practice for Land Development and Subdivision, (Chapter 3 Transport) Codes of Practice, Auckland Design Manual 2022

Land Transport New Zealand Road and Traffic Guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007) (entire document)

…

38. Add a new Appendix 23 in Chapter M Appendices as follows:

Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Car Parking Spaces

Activity		**Minimum rate**	
	Retirement village		0.7 per unit plus 0.2 visitor space per unit plus 0.3 per bed for rest home beds within a retirement village
	Supported residential care		0.3 per bed
	Visitor accommodation		1 per unit or, where accommodation is not provided in the form of units, 0.3 per bedroom
	Boarding houses		0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the H29

			Special Purpose – School Zone)
Offices			A minimum of 1 per 45m2 GFA
Commercial services, excluding the following: veterinary clinics, storage and lockup facilities			1 per 25m2 GFA
Retail	Motor vehicle sales		1 per 10 vehicle display spaces, plus 1 per additional 50m2 GFA
	Trade suppliers		1 per 50m2 GFA plus 1 per 100m2 of outdoor storage or display areas
	Large Format Retail (excluding supermarkets and department stores)		1 per 45m2 GFA
	All other retail (including food and beverage)		1 per 25m2 GFA
Industrial activities and storage and lock-up facilities	Repair and maintenance services		4 per repair / lubrication bay, plus 1 per additional 50m2 GFA
	Warehousing, storage and lock up facilities		1 per 100m2 GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
	All other industrial activities		1 per 50m2 GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
Entertainment facilities and community facilities			0.2 per person the facility is designed to accommodate

provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces not separately use shall be disregarded)			
Emergency services			1 per employee on site plus 1 per emergency service appliance based at the facility
Care centres			0.10 per child or other person, other than employees plus 0.5 per FTE employee
Educational facilities	Primary and secondary		0.5 per FTE employee plus 1 visitor space per classroom
	Tertiary		Massey University at Albany Campus: 0.32 per EFT student Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student the facility is designed to accommodate
Medical facilities	Hospitals not shown on the Parking Variation Control planning maps		1 per 50m2 GFA
	Grafton Hospital 2 Park Road, Grafton		No minimum
	Greenlane Clinical Centre 210 Green Lane West, Epsom		1 per 55m2 GFA
	Mt Albert 50 Carrington Road, Mt Albert		1 per 60m2 GFA

	Mercy Hospital 98 Mountain Road, Epsom		1 per 40m2 GFA
	Healthcare facilities		1 per 20m2 GFA
	Veterinary clinics		1 per 20m2 GFA
Land used for organised sport and recreation			12.5 spaces per hectare
Clubrooms			0.2 per person the facility is designed to accommodate
Water transport	Land adjacent to a public boat launching ramp		No minimum rate for accessory parking associated with boat launching
Marine and port activities and facilities	Marinas		0.35 per berth provided
	Ports of Auckland		No minimum
	Minor ports at Gabador Place, Tamaki and Onehunga		0.5 per employee intended to be working in or at the facility at any one time
All other activities, except for activities within rural zones			1 per 50m2 GFA
All other activities where located in rural zones			No minimum

39. Add a new Abbreviation and a new Definition to Chapter J - Definitions

J1.2. Abbreviations and Acronyms

…

Vehicles per hour	v/hr

…

Accessible car park

Has the same meaning as in the National Policy Statement on Urban Development 2020, May 2022.

Electric Vehicle Supply Equipment:

Electric Vehicle Supply Equipment for car parks includes the power outlets, wiring, cable trays, circuits, metering, electrical distribution boards and communications technology required to connect a type 2 (7 kilowatt, 32 Amp) electric vehicle charger with the electricity network and enable smart electrical load management.

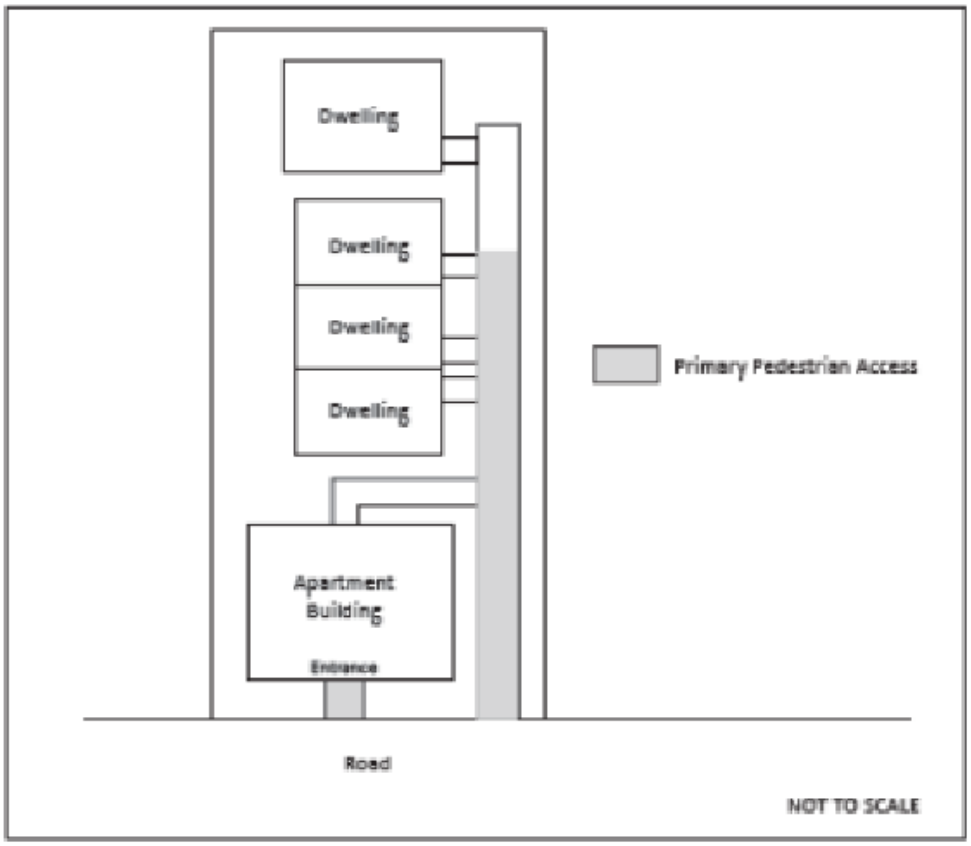
Heavy vehicle:

A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

Primary Pedestrian Access:

The main pedestrian route serving two or more dwellings in any residential zone providing pedestrian and micro-mobility access from the road to the individual paths accessing the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).

[INSERT NEW ACCOMPANYING DIAGRAM AS FOLLOWS:]



Speed Management Measures:

The application of engineering and other physical measures to a vehicle access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network.

Includes:

- speed humps
- raised tables
- side islands
- lane narrowing
- chicanes
- lateral shifts
- surface treatments
- landscaping.

40. Add new objective, policy, activities and standard relating to electric vehicle charging stations

Include a new Objective as follows:

E27.2 (8) Enable car parking with electric vehicle charging stations in all zones.

Include a new Policy as follows:

E27.3 (31) Provide for car parking with electric vehicle charging stations in all zones where:

(a) adverse effects on the amenity of the streetscape are minimised.

Include new Activities to Activity Table E27.4.1 as follows:

Activity		**Activity Status**
(A18)	Electric vehicle charging stations that comply with the standards for electric vehicle charging stations in E27.6.8	P
(A19)	Electric vehicle charging stations that do not comply with the standards for electric vehicle charging stations in E27.6.8	RD

New Standard E27.6.8

E27.6.8 Electric vehicle charging stations

(1) Any building or structure for EV charging must:

(a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and
(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.

Include new Matters of Discretion as follows:

E27.8.1

…

(16) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8:

(a) The extent and effect of non-compliance with the standard;
(b) Location and design; and
(c) Visual and streetscape amenity.

Include new Assessment Criteria as follows:

E27.8.2

…

(15) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8:

(a) The effects on streetscape and visual amenity; and
(b) Mitigation to manage adverse effects on streetscape and visual amenity effects.

Attachment 2: Consent Order

IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKAURAU

Decision [2026] NZEnvC 038

IN THE MATTER OF	appeals under clause 14 of the First Schedule of the Resource Management Act 1991
BETWEEN	THE NEIL GROUP LIMITED
	(ENV-2024-AKL-198)
	UNIVERSAL HOMES LIMITED
	(ENV-2024-AKL-199)
	SIMPLICITY LIVING LIMITED
	(ENV-2024-AKL-200)
	NEW ZEALAND HOUSING FOUNDATION
	(ENV-2024-AKL-201)
	NEILSTON HOMES LIMITED
	(ENV-2024-AKL-202)
	CLASSIC BUILDERS GROUP LIMITED
	(ENV-2024-AKL-203)
	FLETCHER RESIDENTIAL LIMITED
	(ENV-2024-AKL-204)
	Appellants
AND	AUCKLAND COUNCIL
	Respondent

Court:	Environment Court Judge D C Caldwell sitting alone under s 279 of the Act
Last case event:	2 February 2026
Date of Decision:	6 March 2026
Date of Issue:	6 March 2026

CONSENT ORDER

A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

(1) The appeals are allowed subject to the amendments to Proposed Plan Change 79 to the Auckland Unitary Plan: Amendments to the transport provisions as attached to this order at Annexure B;

(2) The appeals are otherwise dismissed; and

(3) The Council is directed to delete the following provisions in Chapter E26 of the Auckland Unitary Plan pursuant to s 292 of the RMA: Activity E26.2.3.1(A5), Standard E26.2.5.1(4), and Standard E26.2.5.3(26).

B: Under s 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] The appeals relate to Proposed Plan Change 79 to the Auckland Unitary Plan (**AUP**): Amendments to the transport provisions (**PC79**).

[2] Consent order documents were initially filed in September 2025. The request for the consent order was supported by a number of documents. These included a joint

memorandum of parties[1] and an affidavit of David Mead, planner, which provided expert evidence in relation to the changes, including a s 32AA analysis.[2]

[3] By memorandum of counsel, the Auckland Council (**Council**) sought to amend the draft consent order and the provisions attached to the draft consent order by including the deletion of residual provisions in Chapter E26 - Infrastructure that conflict with the new electric vehicle charging station provisions in PC79, which the parties had previously agreed could be treated as operative under s 86F of the RMA.[3]

[4] That memorandum confirmed that all appellants and s 274 parties had been consulted in support of the proposed amendment to the draft consent order.[4] For completeness the Court sought, given that this was a consent order, that confirmation of that support be provided. This was provided by joint memorandum of parties dated 2 February 2026.[5]

Background to PC79[6]

[5] PC79 is a Council-initiated plan change, which amends discrete parts of the AUP.[7] PC79 as notified sought to address two broad sets of issues:

(a) First, issues relating to the removal of car parking minimums,[8] in conjunction with the greater intensification that was to be enabled by Plan Change 78: Intensification (**PC78**),[9] and the need to address climate change by supporting the transition to cleaner, more sustainable transport

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[1] Joint memorandum of the parties in support of consent order Plan Change 79 – amendments to the transport provisions, dated 30 September 2025 (**September Memorandum**).
[2] Affidavit of David Mead on behalf of Auckland Council Proposed Plan Change 79 – Transport provisions, affirmed 26 September 2025.
[3] Memorandum of counsel for the Auckland Council, dated 16 December 2025 (**December Memorandum**) at [1.1].
[4] December Memorandum at [1.2].
[5] Joint memorandum of parties in support of amended draft consent order, dated 2 February 2026.
[6] September Memorandum [2.1] – [2.5].
[7] Chapter E24 – Lighting, Chapter E27 – Transport, Chapter E38 –Subdivision – Urban, Chapter J – Definitions, Chapter M – Appendices (specifically Appendix 17 and a proposed new Appendix 23).
[8] Required by policy 11 of the National Policy Statement on Urban Development.
[9] PC78 was Auckland's Intensification Planning Instrument. It was withdrawn in part on 9 October 2025.

options (e.g. low / no emission options); and

(b) Second, issues relating to the safety, efficiency and convenience of pedestrian and vehicle access provisions for private accessways in residential zones.

[6] With regard to the first set of issues, PC79 proposed new / amended provisions relating to:

(a) Accessible parking – PC79 proposed new requirements to enable all people, including disabled individuals and older adults, to participate in their communities and to provide more housing choice;

(b) Pedestrian only access – With the number of developments without vehicle access and onsite parking likely to increase with the removal of minimum car parking requirements from the AUP, PC79 proposed standards to address the increased risk of poorly designed and unsafe pedestrian only access;

(c) Loading spaces – PC79 proposed new requirements for loading spaces in residential developments;

(d) Heavy vehicle access – Provisions were proposed to ensure that, where heavy vehicle access is needed on a residential site (e.g. for waste collection), it is safely managed;

(e) Bicycle parking and access – Provisions were proposed to require secure and covered bicycle parking and safe access;

(f) Electric vehicle (**EV**) charging – Provisions were proposed to assist with the response to climate change, by future-proofing EV supply equipment in residential developments to support the modal shift towards low/no-emission transport options; and

(g) Effects on the transport network – Amended trip generation provisions were proposed to enable greater consideration of the effects of activities on the transport network.

[7] As to the second set of issues, PC79 proposed new / amended provisions to address concerns relating to:

(a) Lack of prioritisation of pedestrian safety and convenience in the design of accessways, resulting in poor outcomes due to:

(i) Inadequate minimum footpath width;

(ii) Inadequate separation of footpaths from trafficable areas;

(iii) Steep footpath gradients and steps within footpaths;

(iv) Obstruction of footpaths by lighting poles, letterboxes, utility boxes, rubbish bins etc;

(v) Poor provision of footpaths in longer accessways, and accessways serving larger numbers of residential units;

(vi) Absence of provisions to require artificial lighting during the hours of darkness;

(b) Design of accessways for vehicles (e.g. inadequate speed management measures increasing safety risks for all users);

(c) Lack of integration of the transport provisions in Chapters E27 Transport and E38 Subdivision – Urban of the AUP; and

(d) Removal of car parking minimums creates a risk that developments may underestimate the accessway requirements for larger developments with low parking provision per dwelling.

[8] PC79 was publicly notified on 18 August 2022 and submissions closed on 29 September 2022. A summary of submissions was notified for further submissions on 5 December 2022 with further submissions required by 20 January 2023. The hearing was officially closed on 22 January 2024.

[9] An Independent Hearing Panel on behalf of Auckland Council approved PC79 subject to modifications (**Decision Version**) in a decision dated 31 July 2024. The decision was notified on 9 August 2024.

Appeals[10]

[10] Neil Group Limited, Universal Homes Limited, Simplicity Living Limited, New Zealand Housing Foundation, Neilston Homes Limited, Classic Builders Group Limited (together, **the Developer Group**) and Fletcher Residential Limited (**FRL**) lodged appeals against the Council's decision on PC79 between 17 and 20 September 2024:

(a) The appeals by the Developer Group recognise that *"intensive residential development needs to be designed and implemented in a way that has regard to potential adverse effects on the amenity, safety and wellbeing of neighbouring properties; and acknowledges that the AUP can appropriately incorporate provisions that address the risk of such effects arising"*, but raised concerns including that PC79:[11]

(i) Unnecessarily constrained the ability of land developers to respond appropriately to site and project specific circumstances.

(ii) Compromised the ability of developers to make efficient use of scarce land resources.

(iii) Added excessive and unnecessary complexity and expense to the design, consenting and construction phases for medium and high-density residential development in Auckland.

(b) The appeal by FRL supported the intent of PC79, and its focus on cycling and pedestrian access, safety and accessibility, but raised concerns including in relation to the:[12]

> … level of detail, unnecessary complexity and rigidity into the AUP that is not the most appropriate provisions to achieve the objectives and policies of the AUP particularly having regard to the provisions' efficiency and effectiveness. The Decision will lead to considerable additional cost, loss of useable land and an increase in the cost of housing without any corresponding benefit.

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[10] September Memorandum at [3.1] – [3.3].
[11] Developer Group notices of appeal.
[12] FRL notice of appeal at [11].

[11] As outlined in **Annexure A**, the following parties each gave notice of their intention to join the Appeals under s 274 of the RMA:

(a) Kāinga Ora-Homes and Communities (**Kāinga Ora**);

(b) Russell Property Group Limited (**RPG**);

(c) Port of Auckland Limited (**POAL**);

(d) Arkcon Limited (**Arkcon**);

(e) Ngāti Whātua Ōrākei (**NWO**);

(f) Fire and Emergency New Zealand (**FENZ**); and

(g) Hato Hone St John New Zealand (**STJ**).

[12] The parties advise that:

(a) Sentinel Planning Limited filed a notice of appeal, which was withdrawn on 19 November 2024.

(b) New Zealand Police filed a s 274 notice, which was withdrawn on 15 November 2024.

Agreed amendments to PC79 provisions

[13] The parties advise that they have engaged in constructive discussions regarding the matters raised in the Appeals and have reached an agreement that resolves all Appeals and all s 274 party interests in full. The agreement involves a number of amendments to the PC79 provisions. The agreed amendments are attached to this consent order as **Annexure B**.

[14] An affidavit by Mr Mead, planning consultant for the Auckland Council, accompanied the September Memorandum. The affidavit provides further explanation of the agreed amendments and addresses the relevant statutory requirement for a further evaluation of changes to PC79 under s 32AA of the RMA.

[15] In relation to s 32AA's requirement that the further evaluation be "at a level of detail that corresponds to the scale and significance of the changes", the editorial amendments are assessed by the parties as being neutral in effect / as having no impact, and accordingly do not require an s 32AA analysis. I accept that. The s 32AA analysis undertaken in Mr Mead's affidavit properly focuses on substantive changes.

[16] The parties are agreed that the appeals can be resolved in their entirety through amendments to PC79 provisions across five of the six key topic areas identified by the parties, with trip generation provisions remaining uncontested. The parties consider the agreed amendments address the appellants' concerns while maintaining PC79's core policy objectives:

(a) *Trip generation*: No party raised issues with these provisions, and they remain unchanged as set out in the Decision Version;

(b) *Electric vehicle (EV) charging:* Amendments provide clearer compliance pathways for future-proofing EV supply equipment capability, with options for demonstrating compliance at resource consent or building consent stage;

(c) *Accessible parking:* Revised requirements focus accessible parking on situations where parking is being provided on-site (with exceptions for specified community activities), introduce flexible marking requirements for residential developments in specific circumstances, provide clearer calculation methods with updated parking ratios, exclude Port of Auckland activities, and include refined matters of discretion and assessment criteria, together with an amended definition;

(d) *Bicycle parking / loading / heavy vehicles / speed management*: Amendments clarify that bicycle parking may be located within dwellings and remove the landscaped area restriction and accessibility requirement, refine loading space requirements to target sites with arterial frontage and no alternative access, integrate heavy vehicle provisions into existing reverse manoeuvring standards, and focus speed management on vehicle access serving four or more dwellings;

(e) *Lighting*: Amendments refine performance standards and remove overlapping categories, establish dual special information requirement pathways (simplified for compliant lighting, comprehensive assessment for non-compliant), strengthen professional CPTED assessment requirements, and include minor amendments to matters of discretion and assessment criteria; and

(f) *Pedestrian access / rear sites*: A restructured framework introduces activity-based consenting with permitted activity status for 2-5 dwellings, restricted discretionary consent for 6+ dwellings, specific provisions for non-physically separated access, refined emergency responder access requirements, amendments to Objective E27.2(5A) and Policy E27.3(20B), new Policy E27.3(20AA) for vehicle crossings of pedestrian access, and corresponding new matters of discretion and assessment criteria, with consequential amendments to rear site access standards and a clarified definition of "primary pedestrian access".

Draft Replacement Plan Change for Plan Change 78

[17] The parties advise that on 21 August 2025, the Council's Policy and Planning Committee approved a draft replacement plan change for PC78 for the purposes of consultation with iwi authorities, adjoining councils and government ministries, and seeking local board views. The Council has identified that certain provisions in the draft replacement plan change overlap with the provisions in PC79. The Court was advised the draft plan change has been revised to address any inconsistencies with the PC79 settlement, should it proceed to notification.

Deletion of Chapter E26 provision – s 292[13]

The PC79 EV charging station provisions

[18] The Decisions Version of PC79 introduced a comprehensive EV charging station framework in Chapter E27, comprising:

[13] December Memorandum at [2.1] – [6.1].

(a) A new Objective E27.2(8): Enable EV charging stations in all zones;

(b) A new Policy E27.3(31): Provide for EV charging stations where streetscape amenity effects are minimised;

(c) New activities E27.4.1(A18) – (A19): Permitted activity status (or restricted discretionary if standards not met);

(d) A new Standard E27.6.8: 3m maximum height; compliance with yard/buffer standards if more than two stations; and

(e) New matters of discretion (E27.8.1(16)) and assessment criteria (E27.8.2(15)): Where standards not met.

[19] The E27 framework was introduced through the PC79 process in response to submissions from fuel company submitters who considered that the existing E26 framework was unclear about whether organisations other than network utility operators could establish EV charging stations. The new E27 provisions were designed to provide a more enabling and accessible framework for EV charging stations across all zones.

[20] By joint memorandum on 3 March 2025, all parties agreed those provisions could be treated as operative under s 86F RMA as no appeal sought relief challenging them and they were standalone provisions requiring no consequential amendments arising from settlement of other topics.

The conflicting E26 provisions

[21] Chapter E26 – Infrastructure contains three existing operative provisions that also regulate EV charging stations:

(a) E26.2.3.1(A5): Lists "Electric vehicle charging stations" as a permitted activity under the network utilities framework;

(b) E26.2.5.1(4): Standards for EV charging in roads: 1.8m maximum height, 1.5m^2 maximum areas, socket/cable management requirements, plus specific requirements for arterial roads; and

(c) E26.2.5.3(26): Standards for EV charging in zones: 1.8m maximum height, 1.5m² maximum area, socket/cable management requirements.

[22] The relevant extracts from Chapter E26 are set out in **Annexure C**.

[23] The new E27 framework is more enabling than the existing E26 provisions. The E26 provisions impose a maximum height of 1.8m and a maximum area of 1.5m² for EV charging stations. In contrast, the E27 framework specifies a maximum height of 3m and no area limit. This creates conflict about which technical standards apply to EV charging stations.

[24] The PC79 provisions also clearly establish that EV charging stations can be established by anyone in all zones, not just network utility operators.

The s 42A report and IHP decision

[25] The s 42A reporting planner for PC79 had noted the fuel company submitters' understanding that they were unable to utilise the E26 provisions because of their view that "*Service Stations, Truck Stops and any other retail-level activities that the Fuel Companies undertake are not 'infrastructure' and they are not Network Utility Providers*". The reporting planner agreed that the E26 provisions were potentially unclear, and recommended a new set of provisions for inclusion in Chapter E27 in response to the fuel companies' submissions.

[26] Submission 73.13 from Z Energy Limited sought to "amend, transfer or delete (as appropriate)" the following E26 provisions:

(a) Rule E26.2.3.1(A5);

(b) Standard E26.2.5.1(4); and

(c) Standard E26.2.5.3(26).

[27] The s 42A report specifically recommended accepting submission 73.13.

[28] The IHP decision in turn accepted submissions relating to EV charging "*to the extent that the amended PC 79 provisions satisfy the relief sought in the submissions*".

[29] Despite this, the E26 provisions were not expressly deleted in the Decisions Version of the plan change, creating the current conflict.

[30] The need for consequential amendments to delete the superseded E26 provisions came to light during a review by Council officers in preparation for implementing the impending consent order.

Jurisdiction

[31] The Court was requested to approve the deletion of the following provisions from Chapter E26 – Infrastructure:

(a) Activity E26.2.3.1(A5);

(b) Standard E26.2.5.1(4); and

(c) Standard E26.2.5.3(26).

[32] The parties submitted the Court has jurisdiction to direct this amendment under s 292 RMA for the reasons which follow.

[33] The E26 provisions are operative, bringing them within the scope of the power in s 292.

[34] The parties submitted that two aspects of s 292 are engaged:

(a) First, the conflict between the new (PC79) provisions in E27 and the existing E26 provisions creates regulatory uncertainty about which framework applies to EV charging stations; and

(b) Alternatively, deleting the E26 provisions is necessary to give full effect to the AUP by ensuring the updated EV framework operates as the IHP intended – enabling EV charging stations as permitted activities on all zoned land and roads without restriction to network utility operators.

[35] The parties state that the deletions introduce more enabling provisions, and remove more restrictive provisions, while clarifying that the provisions are available

to all, not just network utility operators. The parties consider no person will be prejudiced or adversely affected by the proposed deletions.

Consideration

[36] The Court has now read and considered the consent memorandum of the parties dated 30 September 2025, the affidavit of David Mead affirmed 26 September 2025, the memorandum of counsel for the Council dated 16 December 2025, and the memorandum of the parties dated 2 February 2026.

[37] On the basis of all of the information provided to the Court I am satisfied that the orders will promote the purpose of the Act.

[38] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

(a) All parties to the proceedings have executed the memoranda requesting this order; and

(b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

[39] As the appeals did not seek relief in relation to those provisions in PC79, the Court exercises its power under s 292 of the RMA to delete Activity E26.2.3.1(A5), Standard E26.2.5.1(4), and Standard E26.2.5.3(26). The Court is satisfied that it is appropriate to delete these E26 provisions as:

(a) The conflict between the new (PC 79) provisions in E27 and the existing E26 provisions creates regulatory uncertainty about which framework applies to EV charging stations; and

(b) Deleting the E26 provisions is necessary to give full effect to the Auckland Unitary Plan by ensuring the updated electric vehicle charging station framework operates as intended – enabling EV charging stations as

permitted activities on all zoned land and roads without restriction to network utility operators.

[40] I am satisfied that the deletions sought are appropriate.

Outcome

[41] Therefore, the Court orders, by consent, that:

(a) The appeals are allowed subject to the amendments to Proposed Plan Change 79 to the Auckland Unitary Plan: Amendments to the transport provisions as attached to this order at Annexure B;

(b) The appeals are otherwise dismissed; and

(c) The Council is directed to delete the following provisions in Chapter E26 of the Auckland Unitary Plan pursuant to s 292 of the RMA: Activity E26.2.3.1(A5), Standard E26.2.5.1(4), and Standard E26.2.5.3(26).

[42] Under s 285 of the Resource Management Act 1991, there is no order as to costs.

D C Caldwell
Environment Court Judge | Kaiwhakawā o te Kōti Taiao

Annexure A

APPELLANTS AND SECTION 274 PARTIES

No	Appeal	S274 Parties
1.	The Neil Group Limited v Auckland Council **ENV-2024-AKL-000198**	• Kainga Ora-Homes and Communities • Russell Property Group • Port of Auckland Limited • Arkcon Limited • Fire and Emergency New Zealand • Hato Hone St John
2.	Universal Homes Limited v Auckland Council **ENV-2024-AKL-000199**	• Kainga Ora-Homes and Communities • Port of Auckland Limited • Arkcon Limited • Fire and Emergency New Zealand • Hato Hone St John
3.	Simplicity Living Limited v Auckland Council **ENV-2024-AKL-000200**	• Kainga Ora-Homes and Communities • Russell Property Group • Port of Auckland Limited • Arkcon Limited • Fire and Emergency New Zealand • Hato Hone St John

4.	New Zealand Housing Foundation v Auckland Council **ENV-2024-AKL-000201**	• Kainga Ora-Homes and Communities • Port of Auckland Limited • Arkcon Limited • Ngāti Whātua Ōrākei • Fire and Emergency New Zealand • Hato Hone St John
5.	Neilston Homes Limited v Auckland Council **ENV-2024-AKL-000202**	• Port of Auckland Limited • Arkcon Limited • Fire and Emergency New Zealand • Hato Hone St John
6.	Classic Builders Group Limited v Auckland Council **ENV-2024-AKL-000203**	• Kainga Ora-Homes and Communities • Russell Property Group • Port of Auckland Limited • Arkcon Limited • Fire and Emergency New Zealand • Hato Hone St John
7.	Fletcher Residential Limited v Auckland Council **ENV-2024-AKL-000206**	• Kainga Ora-Homes and Communities • Russell Property Group • Port of Auckland Limited • Arkcon Limited • Ngāti Whātua Ōrākei • Fire and Emergency New Zealand • Hato Hone St John

Annexure B

Auckland Unitary Plan (Operative in Part)

Auckland Unitary Plan Operative in part

PROPOSED PLAN CHANGE 79 (Decision version)

Amendments to the transport provisions

Public notification: 18 August 2022

Close of appeals: 29 September 2022

This is a Council initiated plan change

Explanatory note – not part of proposed plan change

The proposed plan change seeks to manage impacts of development on Auckland's transport network, with a focus on pedestrian safety, accessible car parking, loading and heavy vehicle management, and catering for EV-charging and cycle parking.

CONSENT ORDER VERSION OF PC79 PROVISIONS

Note: Proposed changes to the Decisions Version are shown in red underline and ~~strikethrough.~~

Updated 16 December 2025 to include section 292 RMA amendments to electric vehicle charging station provisions in Chapter E26 - Infrastructure (see section 40, page 64)

Plan Change 79: Amendments to the transport provisions

Amendments to:

Chapters E24 Lighting,

E27 Transport,

E38 Subdivision – Urban,

Chapter J – Definitions,

Chapter M – Appendices,

- **Appendix 17 – Documents incorporated by Reference,**
- **Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Carparking Spaces**

PC79 Decision:

Key

- Notified text added (underlined)
- Notified text deleted (~~struck-through~~)
- Any additions to notified text, or operative text, made by Independent Hearing Panel (double-underlined)
- Any deletions to notified text made by Independent Hearing Panel (~~underlined and struck-through~~)
- Any deletions to operative text made by Independent Hearing Panel (~~double-struck-through~~).

E24 Lighting amendments

1. **Amend E24.1. Background as follows:**

   Artificial lighting enables work, recreation, ~~and~~ entertainment and associated activities to occur beyond normal daylight hours. It also provides additional safety and security to sites for access and wayfinding. ~~and associated activities.~~ However, unless used with

care, it can adversely affect adjoining properties through light spill and glare. If ~~screening~~ shielding or aiming of light is poorly ~~controlled~~ implemented this can result in light pollution causing adverse changes to the view of the night sky and/or adverse amenity effects.

The provisions for artificial light provide for adequate lighting to support activities and enable safety and security for participants, while minimising potential adverse effects.

2. **Add a new Policy E24.3.(1A) as follows:**

(1A) Provide for appropriate levels of artificial lighting for pedestrian safety, and to enable access and wayfinding.

3. **Add a new Standard E24.6.2 as follows:**

E24.6.2. Artificial lighting standards for ~~pedestrian~~ access in residential zones

(1) ~~Any pedestrian access serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (excluding dwellings which have separate pedestrian access provided directly from the front door to the road) must:~~ When lighting for access in residential zones is required by Standard E27.6.3.7(2), it must:

(a) have lighting ~~limits~~ designed~~, measured~~ and assessed in accordance with Australian/New Zealand Standard Lighting for roads and public spaces (Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements Lighting for Roads and Public Spaces (AS/NZS1158.3.1:2020))

~~(b) must be lit to the appropriate P subcategory for pedestrian access as set out in AS/NZS1158.3.1~~

(c) meet the minimum P subcategories specified in Table 24.6.2.1 below:

Table 24.6.2.1 Minimum P subcategories

Access	P Subcategory
Primary ~~P~~pedestrian access ~~only~~ not adjacent to a vehicle access including connecting elements, steps, stairwells and ramps serving 4 to 9 dwellings	~~PP3~~PP4
Any primary pedestrian access not adjacent to a vehicle access including connecting	PP3

elements, steps, stairwells and ramps serving 10 or more dwellings or 10 or more parking spaces	
~~Pedestrian access adjacent to vehicle access~~	~~PR2~~
~~Connecting elements, steps, stairwells and ramps~~	~~PA3~~
Parking spaces ~~and adjacent pedestrian access~~	~~PC2~~PC3
Vehicle accessway and manoeuvring areas, including any required adjacent primary pedestrian access ~~for 4-9 parking spaces or dwellings~~	~~PR5~~PR4
~~Vehicle access for 10-19 parking spaces or dwellings~~	~~PR4~~
~~Vehicle access for 20 or more parking spaces or dwellings~~	~~PR2~~

(d) All light fittings must not project any light at or above the height of their light source.

(e) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or ~~less~~ lower.

(f) Spill light and glare from the lighting must meet the specifications of E24.6.1(8).

(g) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where ~~A~~automatic presence detection or sensor lighting is ~~to be avoided and where~~ proposed, this must be ~~supported~~ confirmed as appropriate by a Crime Prevention Through Environmental Design ~~safety~~ assessment prepared by a suitably experienced and qualified specialist.

(h) The ~~L~~lighting required by Standard E27.6.3.7(2) and its power source must not be disabled, except for necessary maintenance or repairs or for emergency purposes. ~~be supplied from a common electrical supply which cannot be disabled~~.

(i) Solar lighting is acceptable where it complies with E24.6.2 throughout the hours of darkness.

4. **Add new Matter of discretion E24.8.1 as follows**

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

…

(3) the adequacy and location of artificial lighting to provide effective way-finding, ~~security~~ safety and ease of access for all pedestrians

5. **Add a new Assessment Criteria E24.8.2(1A) as follows:**

E24.8.2. Assessment criteria

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

(1A) the effects of lighting on pedestrian safety, wayfinding and access;

(a) whether the number, location, design and orientation of light fittings and light support structures provide adequate lighting for the safety and wayfinding of people, including pedestrians, moving, residing, working or visiting sites ~~or neighbourhoods~~.

~~Note: Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least 15m~~

(b) ~~the extent to which any solar powered lighting solution meets the lighting subcategory performance levels outlined in Table 24.6.2.1 throughout the hours of darkness and the longevity of this solution over the following 5020 year period from the date that it is installed.~~ where solar lighting does not comply with Standard E24.6.2(i), the adequacy of the proposed lighting to provide for pedestrian safety, wayfinding and access.

6. **Amend E24.9 Special information requirements as follows:**

E24.9. Special information requirements

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

(1) ~~Lighting plans for applications in residential zones, serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (excluding dwellings which have separate pedestrian access provided directly from the front door to the road),~~

When lighting is required under standards E27.6.3.7(2) and E24.6.2, a lighting plan and specification shall accompany any resource consent application, prepared by a suitably experienced and qualified lighting specialist, which demonstrates at a minimum the following: ~~for use or development in residential zones, a~~ ~~lighting plan must be prepared by a suitably qualified lighting specialist and must~~:

(a) ~~Include a lighting assessment for all areas of the site where lighting is required by the relevant standards.~~ ~~Include all accessible areas of the site where movement of people is expected. Such locations include, but are not limited to vehicle and pedestrian access, shared driveways, building entrances, storage areas, building frontage, outdoor or undercroft parking spaces,~~ Confirms the AS/NZS1158.3.1:2020 lighting performance P subcategory required by Standard E24.6.2, for all areas of the site where lighting is required.

(b) Provides a compliance statement that the lighting proposed in the lighting plan and specification is expected to comply with the relevant requirements in E24.6.2(1) and the spill and glare requirements of E24;

(c) ~~(b)~~ Includes ~~proposed locations, lux levels, and~~ types of lighting ~~(i.e. manufacturers specifications)~~ and ~~any~~ light support structures ~~required to control the timing, level of lighting, or to minimise light spill, glare and loss of night-time viewing~~.

(d) ~~(c) Demonstrate design compliance as required by AS/NZS1138.3.1.~~ Overlays the lighting plan on the site plan and landscape plan, and identifies the lighting structures in relation to pedestrian and vehicle movement spaces and landscape areas.

~~(d) Provide an assessment of each pedestrian access, vehicle access and parking area against the relevant lighting requirements in Table E24.6.2.1. Demonstrate that all lighting meets the minimum P categories for each access type as set out in Table 24.6.2.1.~~

(e) ~~Demonstrate that the lighting plan has been designed for safety, and~~ ~~I~~includes in any ~~the~~ case where solar lighting is proposed, ~~that~~ a~~n~~ compliance statement ~~assessment~~ of its effectiveness and durability taking into account anticipated sun exposure ~~has been established~~.

(2) For lighting that does not comply with Standard E24.6.2, a detailed lighting assessment prepared by a suitably experienced and qualified lighting specialist must be provided that, in addition to addressing all relevant matters in (1) above, includes design calculations required under AS/NZS 1158.3.1:2020 and an analysis of effects arising from any non-

compliances.

E27 Transport amendments

7. Amend E27.1 Background

Activities or subdivision which generate higher ~~amounts of traffic~~ trip volumes by any mode, and which seek to locate outside of the most intensive centres and residential zones, are required to demonstrate how the proposal would integrate with the transport network. This includes managing the transport impacts of the proposal on the effective, efficient and safe operation of the local transport network.

8. Amend Objective E27.2.(3) as follows:

(3) Parking, including accessible car parking and loading supports urban growth, ~~and~~ and a ~~the~~ quality compact urban form.

9. Amend Objective E27.2.(4) as follows:

(4) Parking, including accessible car parking, loading and access is safe and efficient and, where parking is provided, it is commensurate with the character, scale and intensity and alternative transport options of the location.

10. Add a new Objective E27.2.(5A) as follows:

(5A) Safe, ~~and~~ ~~direct.~~ and ~~continuous~~convenient on-site pedestrian access ~~for pedestrian and other users~~ is provided to dwellings~~,~~ in residential zones.

11. Add a new Objective E27.2.(7) as follows:

(7) ~~The necessary e~~Electric Vehicle Supply Equipment ~~vehicle supply equipment is provided for~~ enabled to facilitate use of electric vehicles.

12. Amend Policy E27.3(1)

(1) Require subdivision, use and development which:

…

(c) [deleted] ~~do not already require an integrated transport assessment or have been approved based on an integrated transport assessment.~~

13. Amend Policy E27.3.(3) as follows:

(3) Manage the number, location and type of parking, including accessible car parking, and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:

…

(e) the recognition of different activities having different trip characteristics; ~~and~~

(f) the efficient use of on-street parking, and

(g) full participation in society for people with disabilities that impact on mobility.

14. Amend Policy E27.3.(14) as follows:

(14) Support increased cycling and walking by:

(a) requiring larger non-residential developments and all residential developments without a dedicated garage or basement car parking space to provide secure and covered bicycle parking, which may be located ~~including~~ within a dwelling;

…

15. Add a new Policy E27.3.(20A) as follows:

(20A) Require vehicle access~~es~~ to be designed and located to provide for low speed environments and for the safety of pedestrians and other users, and functional access for emergency responders. ~~and require pedestrian access that is adjacent to a vehicle access to be designed and located to provide for safe and direct movement, minimising potential conflicts between pedestrians and other users~~.

15A. Add a new policy E27.3.(20AA) as follows:

(20AA)Provide for vehicles to cross a required primary pedestrian access so long as pedestrian safety is prioritised by design solutions such as:

(a) Minimising vehicle crossing points (such as by pairing or grouping crossings) and providing adequate pedestrian refuge space between crossing points;
(b) Using speed management measures to slow down vehicles;
(c) Using mountable kerbs to enable vehicle access to parking areas while discouraging vehicle access and parking over primary pedestrian access between vehicle crossing points; and
(d) Providing clear sightlines between pedestrian access and vehicle manoeuvring and parking areas.

16. Add a new policy E27.3(20B) as follows:

(20B) Require pedestrian access ~~that is the sole means of access between residential zoned dwellings and the public road~~, to be designed and located to provide for safe ~~and~~ , ~~direct~~ and ~~continuous~~ convenient ~~movement~~ access, ~~minimising~~ minimise potential conflicts between pedestrians and other users, and to provide functional access for emergency responders.

17. Add a new Policy E27.3.(30) as follows:

Electric vehicle charging

(30) ~~Require~~Enable provision for Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~ for new residential ~~unit~~ developments that provide carparking.

18. Amend Standard E27.6.1 Trip generation as follows:

(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:

(a) a new development or subdivision in Table E27.6.1.1;

(b) 100 v/hr ~~vehicles per hour~~ (any hour) for activities not specified in Table E27.6.1.1 requiring a controlled or restricted discretionary land use activity consent in the applicable zone where there are no requirements for an assessment of transport or trip generation effects. This standard does not apply to development activities provided for as permitted in the applicable zone; or

(c) [deleted] ~~a proposed subdivision of land which has capacity under this Plan to accommodate more than 100 60 dwellings~~

resource consent for a restricted discretionary activity is required.

Table E27.6.1.1 New development and subdivision thresholds

Activity			**New development or subdivision**
(TA1)	Residential	Dwellings – threshold 1	40 dwellings
(T1)		Dwellings – threshold 2	~~100~~ ~~60~~ 100 dwellings

(T1A)		Integrated residential development – threshold 1	100 units
(T2)		Integrated residential development – threshold 2	~~500~~ ~~100~~ 500 units
(T2A)		Visitor accommodation – threshold 1	60 units
(T3)		Visitor accommodation – threshold 2	~~100~~ ~~60~~ 100 units
(T3A)		Residential subdivision – threshold 1	Capacity to accommodate more than 40 dwellings
(T3B)		Residential subdivision – threshold 2	Capacity to accommodate more than 100 dwellings
(T4)	Education facilities	Primary	167 students
(T5)		Secondary	333 students
(T6)		Tertiary	500 students

(T7)	Office		5,000 m^2 GFA
(T8)	Retail	Drive through	333 m^2 GFA
(T8A)		Retail activities (non-drive through)	1,667 m2 GFA
(T9)	Industrial activities	Warehousing and storage	20,000 m^2 GFA
(T10)		Other industrial activities	10,000 m^2 GFA

(2) Standard E27.6.1(1) does not apply where:

(a) a proposal is located in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, or Residential – Terrace Housing and Apartment Building Zone or Centre Fringe Office Control as shown on the planning maps;

(b) [deleted] ~~development is being undertaken in accordance with a consent or provisions approved on the basis of an Integrated Transport Assessment where the land use and the associated trip generation and~~

~~transport effects are the same or similar in character, intensity and scale to those identified in the previous assessment;~~

(c) the activity is permitted in the H7 Open space zones; or

(d) there are requirements to assess ~~transport, traffic or~~ trip-generation effects for the activity in ~~the~~ any applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities

19. Amend activity rules in Table E27.4.1 Activity Table as follows:

Table E27.4.1Activity table

Activity		Activity status
(A1)	Parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~ which is an accessory activity and complies with the standards for parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~.	P
(A2)	Parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment ~~electric vehicle supply equipment~~ which is an accessory activity but which does not comply with the standards for parking, loading, ~~and~~ access and Electric	RD
	Vehicle Supply Equipment ~~electric vehicle supply equipment~~,	
…	…	…

20. Amend Standard E27.6.2.(6) as follows:

E27.6.2 Number of parking and loading spaces

…

(6) Bicycle parking:

(e) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; ~~and~~

(aa) for residential developments, the required secure long–stay bicycle parking must be located and designed in a manner that (is):

~~i) provided in either:~~

~~a) a non-habitable room; or~~

~~b) a storage or garden shed or equivalent; or~~
~~c) A dedicated cycle parking facility; or~~
~~d) Any combination of the above.~~

~~ii) can accommodate a bicycle(s) with the following dimensions – 1.9m length x 1.25m height x 0.7m width~~

i) not part of any required outdoor living space ~~or landscaped area~~

~~ii) in a location~~ ~~directly~~ ~~accessible from either the road, vehicle access, pedestrian access or car parking area;~~

ii) ~~iii)~~ ~~fully~~ sheltered from the weather;

iii) ~~iv)~~ lockable and secure;

(bb) To avoid doubt, the required secure long-stay bicycle parking may be located within a dwelling.

ii) ~~if located within a dwelling, not within a habitable room~~

~~In addition, communal bicycle parking facilities must be designed to have:~~

iii) ~~spacing between racks of a minimum of 1.2m;~~

iv) ~~clearance to a wall or edge of a minimum of 0.9m;~~

v) ~~width of an access aisle between rows of a minimum of 1.2m (3.0m stand centre to centre);~~

vi) ~~mains outlets for charging electric bicycles at a minimum ratio of 1/10 bicycle parks;~~

~~Two-tiered bicycle stands must be designed to have:~~

vii) ~~a spacing between bikes of a minimum of 0.4m;~~

viii) ~~access aisles of a minimum of 2.2m to allow access to the second tier;~~

(b) ~~ix)~~ the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			**Visitor (short-stay) Minimum rate**	**Secure (long-stay) Minimum rate**
(T81)	Residential	All residential developments ~~Developments of 20 or more dwellings~~	1 per 20 for developments of 20 or more dwellings	1 per dwelling without a dedicated garage or basement car parking space
…	…	…	…	…

Note: Further guidance on bicycle parking design can be found in the Auckland Code of Practice for Land Development and Subdivision 2022. Also see the Waka Kotahi Cycling Network Guidance Technical Note, Cycle Parking Planning and Design December 2022.

…

21. Amend Standard E27.6.2(8) as follows:

(8) Number of loading spaces:

(a) all activities must provide loading as specified in Table E27.6.2.7.

(b) in addition, where the only vehicle access for residential activities is from ~~where part of the site has frontage to~~ an arterial road as identified on the planning maps ~~must provide~~ a small loading space must be provided in accordance with ~~as specified in~~ Table E27.6.2.7A.

Reinstate Existing Table E27.6.2.7 Minimum loading space requirements

~~Table E27.6.2.7 Minimum loading space requirements~~

~~Activity~~		~~GFA/Number of dwellings~~	~~Minimum rate~~
…	…	…	…
~~(T111A)~~	~~Residential activities where vehicle access is provided~~		~~The same rates as for "All other activities, except for activities within rural zones" must apply~~
~~(T111B)~~	~~Residential activities where vehicle access is not otherwise provided~~	~~Developments where all dwellings have individual pedestrian access directly from a public road~~	~~No loading space required~~
		~~Up to 9 dwellings without individual pedestrian access directly from a public road~~	~~No loading space required~~
		~~Greater than 9 dwellings up to 5,000m^2 without individual pedestrian access directly from a public road~~	~~1*~~
		~~Greater than 5,000m^2~~	~~1~~

		~~dwellings up to 20,000m²~~	
		~~Greater than 20,000m² up to 90,000m²~~	~~2~~
		~~Greater than 90,000m²~~	~~3 spaces plus 1 space for every additional 40,000m²~~
…	…	…	…

~~* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions~~

Add New Table E27.6.2.7A Minimum small loading space requirements where residential activities only have vehicle access from an arterial road

Activity	GFA/Number of dwellings	Minimum rate
(T111B)	Developments where all dwellings have individual pedestrian access directly from a public road	No loading space required
	Up to 9 dwellings without individual pedestrian access directly from a public road	No loading space required
	10 or more ~~Greater than 9~~ dwellings up to 5,000m² without individual pedestrian access directly from a public road	1*
	Greater than 5,000m²	NA

* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions

22. Amend Standard E27.6.2.(9) as follows:

(9) Fractional spaces:

(a) where the calculation of the permitted parking results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space. If there are different activities within a development, the parking permitted for each activity must be added together prior to rounding.

~~Note: Where parking is provided, parking spaces are to be provided for people with disabilities and accessible routes from the parking spaces to the~~

~~associated activity or road as required by the New Zealand Building Code D1/AS1. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001).~~

23. Amend Standard E27.6.3.1. as follows:

E27.6.3.1. Size and location of parking spaces

(1) Every parking space must:

(a) comply with the minimum dimensions given in Table E27.6.3.1.1 and Figure E27.6.3.1.1; except accessible parking dimensions and accessible route requirements must be designed in accordance with the ~~New Zealand Building Code D1/AS1~~ New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001); and

…

24. Amend Standard E27.6.3.2 as follows:

E27.6.3.2. Size and location of loading spaces

(1) Every loading space must:

…

(d) comply with the following when any yard of a site is used to provide the loading space (where it is permitted within the zone):
…

(ii) the use of the loading space does not create a traffic hazard on the road at any time~~.~~; and

(e) have a maximum crossfall of 1:50 (2%) in all directions.

Table E27.6.3.2.1 Minimum loading space dimensions

Activity		Length of loading space (m)	Width of loading space (m)
…	…	…	…
(T137A)	Activities requiring a small loading space under Standard E27.6.2(8)(b) ~~Residential activities denoted with a (*) in Table E27.6.2.7~~	6.4	3.5
…	…	…	…

25. Add a new Standard E27.6.3.2(A) as follows:

E27.6.3.2(A) Number and Design of Accessible Parking

(1) Accessible parking must be provided for all new buildings~~activities~~, extension to existing buildings and changes of activity from non-residential to residential land uses, in accordance with E27.6.3.2(A)(2) to (5) below~~type, and / or the expansion or intensification of an existing activity in all zones, except for those listed below in E27.6.3.2(A)(2);~~

(2) For residential developments where car parking is provided on site, accessible parking spaces must be provided for developments of 10 or more dwellings.

~~(2) Accessible parking is not required in the following zones, unless car parking is provided on site, in which case the required number of accessible parking spaces must be determined in accordance with Table 1 or Table 2 below, whichever is relevant:~~

~~Business Zones:~~

~~(a) Business – City Centre Zone;~~
~~(b) Business – Metropolitan Centre Zone;~~
~~(c) Business – Town Centre Zone;~~
~~(d) Business – Local Centre Zone;~~
~~(e) Business – Mixed Use Zone;~~
~~(f) Business – Neighbourhood Centre Zone.~~

~~Residential zones:~~

~~(a) Residential - Terrace Housing and Apartment Buildings Zone.~~

(3) For all non-residential developments, accessible parking must be provided when car parking is provided on-site.

~~(3) For residential developments in residential zones (excluding the Terrace Housing and Apartment Buildings Zone unless car parking is provided on site), accessible parking spaces must be provided for developments of 10 or more dwellings on a site.~~

~~(4) The required number of onsite accessible parking spaces provided must be calculated using the following method:~~

~~(i) For non-residential land uses:~~

(4) Accessible parking is not required to be provided where no car parking is provided on site, except for the following activities in the following zones where accessible parking must be provided even when there is no car parking on-site:

Column A Zones where activities listed in column B must provide accessible car parks	**Column B** Activities that must provide accessible car parks where located in any of the zones listed in column A
Business - General Business Business - Business Park Business - Heavy Industry Business - Light Industry Zone Future Urban Zone Residential - Large Lot Residential - Rural and Coastal Settlement Residential – Mixed Housing Urban Residential – Mixed Housing Suburban Residential – Single House Zone All Special Purpose Zones	Care centres Cemeteries Community facilities Educational facilities including Tertiary Educational facilities Hospital and Healthcare facilities Organised sport and recreation Recreation facilities

(5) Where accessible parking is required to be provided on-site in accordance with E27.6.3.2 (A) (1) to (4) above, the required number of accessible parking spaces must be calculated as set out in E27.6.3.2(A) (6) and (7).

(6) For non-residential land uses, the required number of accessible parking spaces is to be determined using Steps 1 to 3 below:

Step 1 - ~~Use the Parking Demand Guidelines in Appendix 23 to determine the theoretical parking demand~~For non-residential land uses in the following Business Zones:

(i) Business – City Centre Zone;

(ii) Business – Metropolitan Centre Zone;

(iii) Business – Town Centre Zone;

(iv) Business – Local Centre Zone;

(v) Business – Mixed Use Zone;

(vi) Business – Neighbourhood Centre Zone.

Use Table E27.6.2.1 (maximum parking rates for the Business – City Centre), Table E27.6.2.2 (maximum parking rates for the Centre Fringe Office Control area) or Table E27.6.2.3 (maximum parking rates area 1) to determine theoretical demand where a maximum parking rate is stipulated that results in a lesser parking requirement to that based on the Parking Demand Guidelines in Appendix 23.

For other non-residential land uses in the above Business zones and in all other Zones - use the Parking Demand Guidelines in Appendix 23 to determine the theoretical parking demand.

Step 2 - Use Table 1 – Number of accessible parking spaces – Non-Residential, below to determine the required number of accessible car park spaces for non-residential land uses based on either the number of parking spaces that are existing or proposed to be provided or the theoretical parking demand for non-residential land uses calculated in step 1, whichever is the higher.

Table 1 – Number of accessible parking spaces – Non-Residential land uses

Total number of parking spaces provided or theoretical parking spaces, whichever is the higher	Number of accessible parking spaces
1 – 20	Not less than 1
21 – 50	Not less than 2
For every additional 50 parking spaces or part of a parking space	Not less than 1

Step 3 – Provided that the number of accessible car parks calculated using Table 1 shall not be less than presently exist on the site.

(7) ~~(iii)~~ For dwellings ~~residential land uses~~ in all zones (including dwellings in the residential component of mixed use developments) which provide car parking, ~~T~~the required number of accessible parking spaces provided must be in accordance with Table 2 below:

Table 2 – Number of accessible parking spaces – ~~Residential land uses~~ Dwellings

Number of dwellings	Number of accessible parking spaces
10 – ~~19~~ 20	Not less than 1
~~20 – 29~~ 21-50	Not less than 2
~~30 – 39~~50	~~Not less than 3~~
For every additional ~~10 25~~ 50 dwellings ~~or units~~	Not less than 1

(8) ~~(ii)~~ For retirement villages, supported residential care, visitor accommodation and boarding houses

The same method for calculating the required number of onsite accessible parking spaces for non-residential uses in ~~4(i)~~(6) applies.

(9) Accessible car parks must be marked as accessible and connected by an accessible route to the building, unit(s) or facility they serve, except that:

(a) for residential developments where an accessible car park is located within a garage, carport or parking pad that directly adjoins the dwelling it serves, the space may be, but is not required to be, marked as accessible; and

(b) for accessible parking spaces in grouped or communal areas of residential developments that do not directly adjoin the dwellings they serve, such spaces must be marked as accessible, and may include additional signage indicating private allocation to specific dwellings. The marking for these residential parking spaces may be supplemented beyond standard accessible parking markings to clearly indicate their residential and private/allocated nature.

For all non-residential developments, or non-residential components of mixed-use developments, standard accessible parking markings must be used.

Note 1: Refer to NZS 4121:2001 – Design for Access and Mobility - Buildings and Associated Facilities for information on marking / signage of

accessible car parks.

Note 2: For accessible parking dimensions and accessible route requirements, see standard E27.6.3.1(1)(a).

Note 3: Accessible parking spaces provided in communal parking areas must be marked, however for the avoidance of doubt can be allocated to individual units and do not need to be held in common.

(10) The requirements of this standard E27.6.3.2(A) do not apply to activities within I208 Port Precinct.

Note: Accessible parking requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted.

26. Amend Standard E27.6.3.3 as follows:

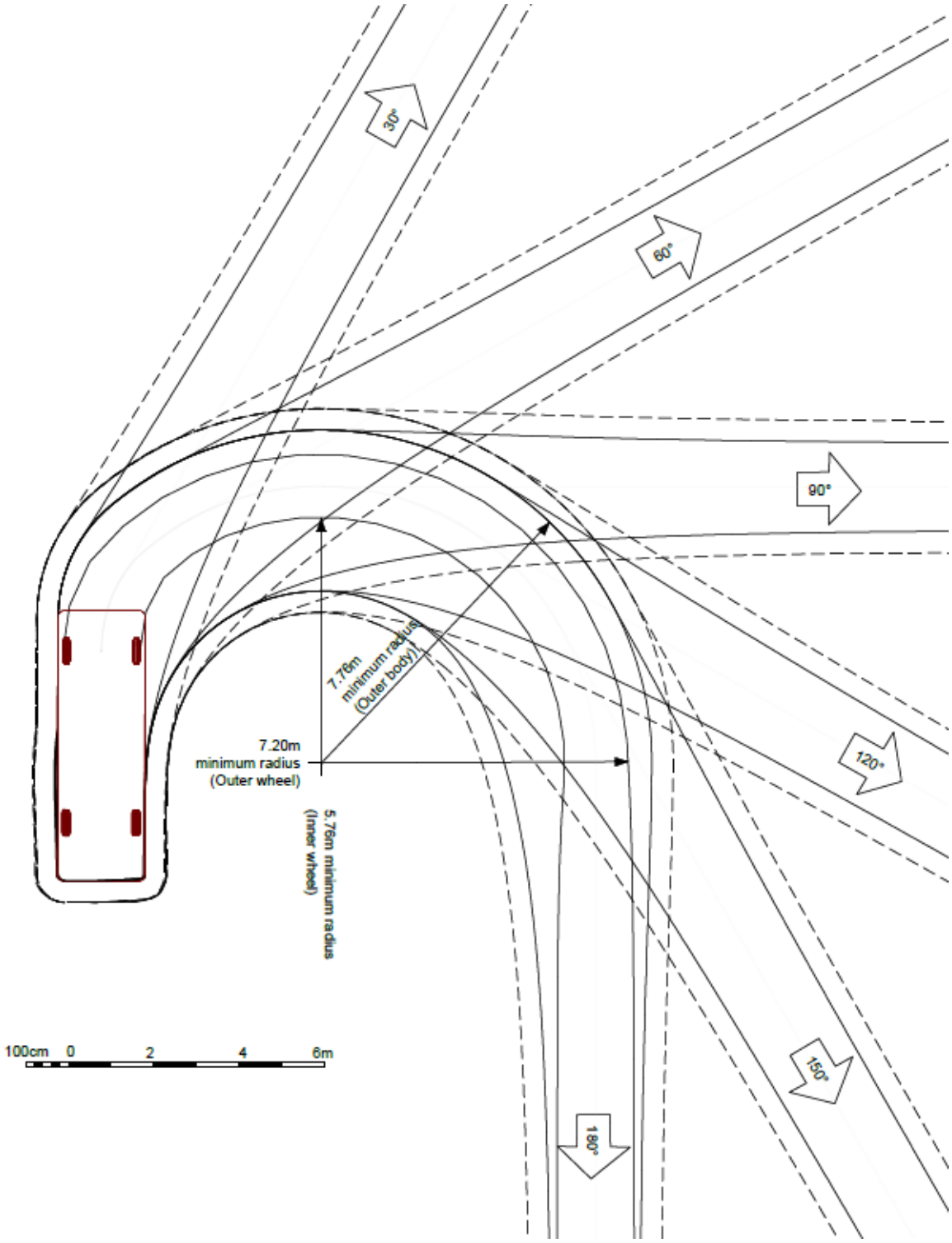
E27.6.3.3 Access and manoeuvring

…

(2A) For every small loading space required by Table E27.6.3.2.1.(T137A) the access and manoeuvring areas associated with that loading space must accommodate the 6.4m van tracking curves set out in Figure E27.6.3.3.3.

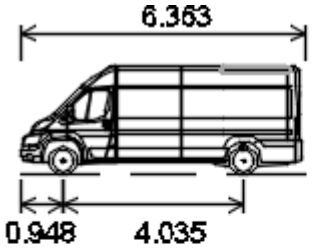
…

Figure E27.6.3.3.3 - 6.4m van tracking curve



Note 1: The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.4

Figure E27.6.3.3.4 Key for 6.4m van tracking curve



Delivery Van

Overall Length	6.363m
Overall Width	2.050m
Overall Body Height	2.432m
Min Body Ground Clearance	0.206m
Track Width	1.810m
Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	7.200m

27. Amend Standard E27.6.3.4. as follows:

E27.6.3.4 Reverse manoeuvring

(1) Sufficient space must be provided on the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply:

(a) four or more parking spaces are served by a single access;

(b) there is more than 30m between the parking space and the road boundary of the site; or

(c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1 ~~or~~

(d) ~~vehicle access is required in accordance with E27.6.3.4.A.~~

(2) Where E27.6.3.4(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.

(a) Heavy vehicle access and manoeuvring areas associated with access required by the above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).

~~28. Add a new Standard E27.6.3.4A as follows:~~

~~E27.6.3.4A Heavy vehicle access~~

~~(1) Where a site in a residential zone provides heavy vehicle access it must:~~

~~(a) provide sufficient space on the site so an 8m heavy vehicle does not need to reverse onto or off the site or road, with a maximum reverse manoeuvring distance within the site of 12m.; and~~

~~(b) provide pedestrian access in accordance with E27.6.6.2.~~

~~(2) Heavy vehicle access and manoeuvring areas associated with access required by E27.6.3.4A.(1) must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).~~

29. Amend standard E27.6.3.5 as follows:

E27.6.3.5 Vertical Clearance

(1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:

(a) 2.1m where access and/or parking for cars is provided for residential activities;

(b) 2.3m where access and/or parking for cars is provided for all other activities;

(c) 2.5m where access and/or accessible parking ~~for people with disabilities~~ is provided and/or required; ~~or~~

(ca) 2.8m where loading is required for residential activities denoted with an asterisk (*) in Table E27.6.2.7A; ~~or~~

(cb) 3.8m where heavy vehicle access in Standard E27.6.3(2) ~~E27.6.3.4A~~ is provided; or

(d) 3.8m where loading is required in Table E27.6.2.7~~for all other activities~~.

30. Amend new standard E27.6.3.7 as follows:

E27.6.3.7 Lighting

(1) Lighting is required where there are 10 or more parking spaces which are likely to be used during the hours of darkness. The parking and manoeuvring areas and associated pedestrian routes must be adequately lit during use in a manner that complies with the rules in Section E24 Lighting.

(2) ~~Lighting is required, in residential zones, serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (except for dwellings which have separate pedestrian access provided directly from the front door to the road). Pedestrian access must be adequately lit during the hours of darkness in a manner that complies with the rules in Section E24 Lighting~~ Lighting is required, in residential zones to primary pedestrian access, vehicle access, parking and manoeuvring areas, where any of the following apply:

(a) There are four ~~or more~~to nine dwellings accessible from a primary pedestrian access which is not adjacent to a vehicle access;

(b) There are 10 or more parking spaces; or

(c) There are 10 or more dwellings.

~~Adequate l~~Lighting must be provided during the hours of darkness in a manner that complies with the rules in Section E24 Lighting.

31. Amend Standard E27.6.4.3 as follows:

E27.6.4.3 Width of vehicle access, ~~and~~ queuing and speed management requirements

(1) Every on-site parking and loading space must have vehicle access from a road, with the vehicle access complying with the following standards ~~for width~~:

(a) passing bays are provided in accordance with Table E27.6.4.3.1; and

(b) meeting the minimum formed access width specified in Table E27.4.3.2.~~;~~ and

(c) meeting the minimum speed management measure spacing specified in Table E27.6.4.3.3.~~; and~~

(d) ~~meeting the minimum requirements specified in E38 Subdivision – Urban Table E38.8.1.2.1 for minimum legal width, minimum vertical clearance from buildings and structures, and minimum inside turning radius for bends.~~

…

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Number of parking spaces served	Minimum width of crossing at site boundary[1]	Maximum width of crossing at site boundary[1]	Minimum formed access width
…	…	…	…	…	…
(T151)	Residential zones	Serves 10 or more parking spaces	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) The formed width is permitted to be narrowed to 2.75m if there are clear sight lines along the entire access and passing bays at 50m intervals are provided. ~~1.0m pedestrian access for rear sites which may be located within the formed driveway~~
…	…	…	…	…	…

[1] Width of crossing at site boundary excludes any adjacent pedestrian access.

* Provided that a maximum width of 9.0m is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles

Note 1

Minimum vehicle crossing widths to the State Highway network may be greater than those above. All access to the State Highway network requires the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989. Applicants are advised to contact the New Zealand Transport Agency's Auckland Office.

~~Where vehicle accessways are provided, consideration of fire emergency vehicle access is required by the New Zealand Building Code Clause C6.~~

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

Table E27.6.4.3.3 Speed management requirements

Activity		Length of vehicle access	Location of minimum speed management measures
(T156A)	Vehicle access serving four or more dwellings in Residential zones	Exceeds 30m	Within ~~Not more than~~ 10m of ~~from~~ the site's boundary with the legal road; and Thereafter, n~~N~~ot more than 30m spacing between speed management measures.

Note: Where heavy vehicle access and speed management measures are required, the design of speed management measures should include consideration of heavy vehicle requirements.

32. Add new Standard E27.6.6 as follows:

E27.6.6 Design and location of pedestrian access in residential zones

Purpose: to provide for on-site pedestrian safety and convenience.

(1) This standard applies to development of two or more dwellings in residential zones.

(2) For the purposes of this standard and standard E38.8.1.2 (Access to rear sites), and the associated provisions and related assessment criteria, "physically separated" means separation of primary pedestrian access from vehicle access, parking and manoeuvring areas by way of:

(a) 150mm high, non-mountable vertical kerbs to primary pedestrian access;

(b) Minimum 1 m wide landscape buffer between primary pedestrian access and vehicle access, manoeuvring or parking areas; or

(c) wheel stops or similar barriers positioned to avoid vehicle access onto or over an adjacent primary pedestrian access.

(3) Primary pedestrian access must be provided to each dwelling. The primary pedestrian access requirements specified in Table E27.6.6.1 apply for the full length of the pedestrian access:

Table E27.6.6.1

	Number of Dwellings (excluding dwellings that directly front and have direct pedestrian access from a road)	**Primary Pedestrian Access Adjacent to Vehicle Access and Parking Area**	**Primary Pedestrian Access Not Adjacent to Vehicle Access or Parking Area or Pedestrian Only Access**
(T160)	**2-5 dwellings**	(i) No requirement. Pedestrian access may share the vehicle access space.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.
(T161)	**6-19 dwellings**	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.4m. (iii) Free of permanent obstructions with minimum clear height of 2.1m.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip

		(iv) A gradient no greater than the maximum vehicle access gradient as specified in Table E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	resistant in any weather condition.
(T162)	**20+ dwellings**	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.8m. (iii) Free of permanent obstructions with minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.

(4) Clear Width / Height Requirements for emergency responders

Purpose: to provide access for emergency responders.

(a) Where primary pedestrian access is adjacent to a vehicle access on the same site, no additional clear width/height requirement applies beyond the primary pedestrian access requirements in E27.6.6(3).

(b) Where primary pedestrian access is not adjacent to a vehicle access as described in (a), the following further requirements apply in addition to those in E27.6.6(3):

(i) Minimum clear width of 3m;

(ii) Minimum clear height of 2.1m;

(iii) The clear width may include the minimum formed primary pedestrian access width of 1.8m required in E27.6.6(3), but shall be free of permanent obstructions and spaces within which vehicles may park with the exception of:

- Soft/frangible landscape treatment with a maximum mature height of 600mm;
- Wall-mounted, fence-mounted or building-mounted lighting infrastructure.

~~(1) Any pedestrian access, in residential zones, serving two or more dwellings, where there is no vehicle access must Where two or more dwellings are proposed in residential zones, primary pedestrian access must be provided which meets the following:~~

~~(a) have the minimum pedestrian access width and separation specified in Table E27.6.6.1 for its full length have a minimum formed access width of 1.8m;~~

~~(b) [deleted] provide passing bays in accordance with Table E27.6.6.1;~~

~~(c) meet the maximum gradient, in accordance with Table E27.6.6.2 have a gradient no greater than:~~

~~(i) 1 in 12 for pedestrian access which is not adjacent to vehicle access;~~

~~(ii) the maximum vehicle access gradient as specified in Table E27.6.4.4.1 where the pedestrian access is adjacent to vehicle access;~~

~~(d) [deleted] provide artificial lighting in accordance with Standard E24.6.2;~~

~~(e) have a surface treatment which is firm, stable and slip resistant in any weather conditions;~~

~~(f) provide direct and continuous access to the dwellings from a public footpath;~~

~~(g) be free from permanent obstructions and have a clear height of at least 2.1m unobstructed for its full length.; and~~

(h) [deleted] where the pedestrian access is not adjacent to vehicle access and includes steps, provide a step-free option as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.

*Except that a primary pedestrian access is not required for 2-3 dwellings where vehicle access is provided to dwellings.

(2) A minimum clear width of 3m and a minimum clear height of 2.1m for its full length is required for primary pedestrian access where not adjacent to vehicle access and serving:

(a) up to three dwellings and has a length greater than 50m; or

(b) four or more dwellings.

(3) For the purposes of (2) above, the clear width may include:

(a) the minimum 1.8m formed primary pedestrian access width;

(b) landscape treatment with a maximum mature height of 600mm;

(c) lighting infrastructure.

(4) Standards E27.6.6(1), (2) and (3) above do not apply where:

(a) up to three dwellings are proposed on a site and vehicle access is provided to each dwelling; or

(b) a dwelling directly fronts and has direct access to a street.

(5) For four or more dwellings in residential zones, pedestrian access must be provided to each parking space within a parking area (excluding garages) consisting of four or more parking spaces served by the same vehicle access and:

(a) have a minimum width of 1.2m;

(b) be vertically separated from trafficable areas as shown in Figure E27.6.4.3.1;

(c) connect to the primary pedestrian access or the dwellings associated with those parking spaces;

(d) have a surface treatment which is firm, stable and slip resistant in any weather condition; and

(e) be free from permanent obstructions and have a clear height of 2.1m for its full length.

This standard does not apply where the pedestrian access forms part of a primary pedestrian access.

(2) [deleted] Any pedestrian access in residential zones that is adjacent to a vehicle access serving 10 or more parking spaces or 10 or more dwellings (except for dwellings which have separate pedestrian access provided directly from the front door to the road), whichever is the greater, must:

(a) meet the minimum pedestrian access width and separation specified in Table E27.6.6.3;

(b) not exceed the maximum gradient, specified in Table E27.6.6.2;

(c) have a surface treatment which is firm, stable and slip resistant in any weather conditions;

(d) be unobstructed for its full length; and

(e) where the pedestrian access includes steps, provide a step-free option as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.

(3) [deleted] Any pedestrian access in residential zones that is adjacent to a vehicle access serving, to up to nine dwellings (except for dwellings which have separate pedestrian access provided directly from the front door to the road), which require heavy vehicle access in accordance with E27.6.3.4A must:

(a) meet the minimum pedestrian access width and separation specified in Table E27.6.6.3;

(b) meet the maximum gradient, specified in Table E27.6.6.2;

(c) provide artificial lighting in accordance with Standard E24.6.2;

(d) have a surface treatment which is firm, stable and slip resistant in any weather conditions;

(e be unobstructed for its full length; and

(f) where the pedestrian access includes steps, a step-free option must be provided as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.

Note 1: Works within the legal road, such as connections to public footpaths, require prior approval from Auckland Transport as the road controlling authority. This approval is separate and additional to any land use or subdivision approval required.

Note 2: E27.6.6(4) is intended to provide access for emergency responders. Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

~~Table E27.6.6.1 Pedestrian access passing bay requirements~~

~~*Length of access*~~	~~*Maximum interval between passing bays*~~	~~*Passing Bay Width*~~
~~Exceeds 50m~~	~~50m~~	~~Increase formed with of pedestrian access to 2.5m over a 3.5m length (to allow pedestrians and cyclists to safety pass each other)~~

~~Table E27.6.6.2 Maximum pedestrian access gradient requirements~~

~~**Maximum pedestrian access gradient**~~	~~**Required rest area at either end of the gradient**~~
~~Up to 1 in 33.3(3 percent)~~	~~No rest area required~~
~~Between 1 in 33.3 (3 percent) and 1 in 20 (5 percent)~~	~~Rest area with a minimum length of 1.2m and with a maximum gradient of 1 in 33.3 (3 percent) must be provided at intervals not exceeding 45m~~
~~Between 1 in 20 (5 percent) and 1 in 12.5 (8 percent)~~	~~Rest area with a minimum length of 1.2m and with a maximum gradient of 1 in 33.3 (3 percent) must be provided at intervals not exceeding 9m~~

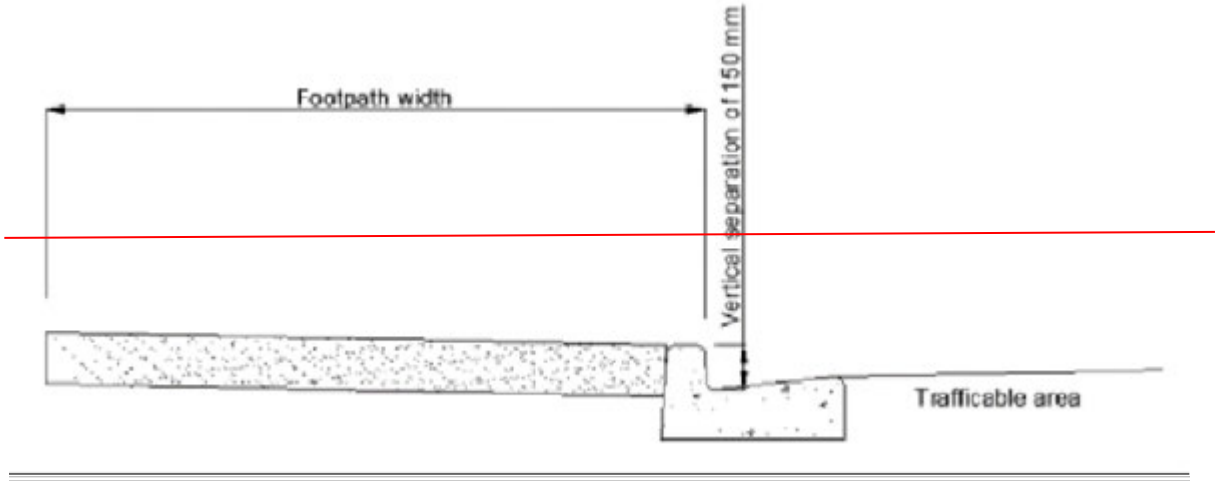
~~Table E27.6.6.13 Primary Pedestrian aAccess width and separation requirements adjacent to a vehicle access~~

Location of site frontage		The total nNumber of parking spaces or dwellings served by a vehicle and/or Primary Pedestrian Access	Minimum formed Primary Pedestrian Access width where not adjacent to vehicle access	Minimum formed Primary Pedestrian Access width and separation where adjacent to vehicle accesspedestrian access width and separation
(T156A)	Residential zones	Any development where all dwellings have separate pedestrian access provided directly from the front door to the road		No pedestrian access required adjacent to the vehicle access
(T156B)		Serves 1-9 parking spaces or 1-9 dwellings, whichever is the greater		No pedestrian access required adjacent to the vehicle access
(T156A)		Serves 2 – 3 dwellings	1.8m	No requirement under E27.6.6(1) to (3)
(T156BC)		Serves 410 to 19 parking spaces or 410 to 19 dwellings, whichever is the greater, excluding any dwellings which have separate pedestrian access provided directly from the front door to the road	1.8m	1.35 1.4m (including the kerb), which must be vertically separated from trafficable areas and designed to be clear of obstructions, as shown in Figure E27.6.4.3.1,
(T156CD)		Serves 20 or more parking spaces or 20 or more dwellings, whichever is the greater, excluding any dwellings which have separate pedestrian access provided directly from the front door to the road	1.8m	1.8m (including the kerb) which must be vertically separated from trafficable areas and designed to be clear of obstructions, as shown in Figure E27.6.4.3.1 and connected to every dwelling

Location of site frontage		The total nNumber of parking spaces or dwellings served by a vehicle and/or Primary Pedestrian Access	Minimum formed Primary Pedestrian Access width where not adjacent to vehicle access	Minimum formed Primary Pedestrian Access width and separation where adjacent to vehicle accesspedestrian access width and separation
(T56E)		Serves 1-9 dwellings and requires heavy vehicle access in accordance with E27.6.3.4A		1.35m which must be vertically separated from trafficable areas and designed to be clear of obstructions

Note 1: Works within the legal road, such as connections to public footpaths, require prior approval from Auckland Transport as the road controlling authority. This approval is separate and additional to any land use or subdivision approval required.

Figure E27.6.4.3.1 Vertical separation of pedestrian access



33. Add a new Standard E27.6.7 as follows:

E27.6.7 Electric vehicle supply equipment Provision for electric vehicle charging

~~1. Any dwelling with dedicated car parking must provide the following for each car parking space to support the charging of electric vehicles:~~

~~a) Sufficient space on the switchboard(s) for RCD; and~~

~~b) Appropriately sized mains; and~~

~~c) The necessary conduit, cable route and/or cable ladders whichever is appropriate.~~

~~Note: this standard does not apply to visitor car parking.~~

Purpose: to ensure that any undercover car parks ~~for new semi-detached dwellings or~~ for new dwellings ~~(except new detached dwellings) within a terrace or apartment building~~ are provided with the capability to install Electric Vehicle Supply Equipment.

(1) Any new dwellings with undercover car parking (with the exception of new detached dwellings) must provide each undercover car park with the capability to install Electric Vehicle Supply Equipment with ~~designated~~sufficient space for the necessary conduit, circuit and metering between the car park and an electrical distribution board on the same building storey, or ground level if the undercover car park~~ing space~~ is at ground level.

(2) For developments requiring resource consent, compliance with this standard may be through one of the following:

(a) Resource consent drawings showing schematically the space identified for future Electric Vehicle Supply Equipment as required by (1); or

(b) An appropriate condition of resource consent (offered by the applicant and agreed by the Council) requiring that a detailed plan or plans be provided and certified by Council prior to the lodgement of any building consent application, showing the space identified for future Electric Vehicle Supply Equipment as required by (1).

(3) For developments not requiring resource consent, compliance with this standard must be demonstrated at building consent stage through building consent drawings showing the space identified for future Electric Vehicle Supply Equipment as required by (1).

~~Note:~~

~~(a) This standard applies to all new dwellings, with the exception of new detached dwellings~~

(a) This standard does not apply to any car parking permanently allocated to visitors.

Refer to the following standards and guidelines:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018

- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use

- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications

- WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2

34. Amend Matters of discretion E27.8.1 as follows:

E27.8.1 Matters of discretion

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

…

(4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1, with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network.

(4A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network relating to active (walking and cycling) and public transport modes.

(5A) any activity or development that provides fewer ~~less~~ than the required number of accessible parking spaces under Standard ~~E27.6.2(a)~~ E27.6.3.2(A):

(a) adequacy ~~for the site and~~ of the proposal relative to demand for accessible parking;

(b) site limitations that restrict provision of required spaces;

~~(c) effects on the transport network; and~~

~~(d)~~ (c) alternative proposals for accessible parking.

…

(9) any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3, ~~E27.6.4.3A~~ ~~and~~ E27.6.4.4 ~~and E27.6.6~~:

(a) adequacy for the site and the proposal;

(aa) site limitations;

(ab) effects on the function and the safe and efficient operation of the transport network;

(aaa) adequacy of emergency responder access;

(b) design of parking, loading and access;

(ba) effects on pedestrian safety and accessibility;

…

(15) Any activity or development which does not meet the requirements for electric vehicle supply equipment under Standard E27.6.7;

(a) adequacy for the site and the proposal; ~~and~~

(ab) site limitations; and

(b) alternative proposals.

(16) Activity A21: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with standards E27.6.6:

(a) Pedestrian safety, convenience and accessibility

(b) Design and layout of pedestrian access.

(17) Activity A22: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, and which is not physically separated for all or part of its length:

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics and context

(c) Design and layout of dwellings in relation to pedestrian and vehicle access.

(d) Design and layout of pedestrian access and vehicle access and parking areas.

(18) Activity A23: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3):

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics

(c) The nature and extent of any obstruction(s) and any reduced clear height

(d) Design and layout of pedestrian access, including the adequacy of emergency responder access.

(19) Activity A23: Any activity or development which infringes the standard in Standard E27.6.6(4):

(a) The adequacy of emergency responder access.

35. Amend Assessment criteria E27.8.2 as follows:

(3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6., with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

a) the effects on the function and the safe and efficient operation of the transport network ~~including pedestrian movement~~ with consideration of all modes of transport, particularly at peak ~~traffic~~ times;

b) the implementation of mitigation measures proposed to address adverse effects which may include, but are not limited to, the following measures:

i. ~~such as~~ travel planning;

ii. providing alternatives to private vehicle trips including accessibility to public transport;

iii. staging development;

iv. providing or contributing to improvements to the local transport network across all modes; ~~or~~

c) the trip characteristics of the proposed activity on the site.

(3A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) the effects on the function and the safe and efficient operation of the transport network as they relate to active modes (walking and cycling) and public transport infrastructure, particularly at peak times; and

(b) the assessment criteria at E27.8.2(3)(b) and (c) above apply, but with consideration of the implementation of mitigation measures and trip characteristics focused on active modes (walking and cycling) and public transport infrastructure; and

(c) for the purpose of assessing E27.8.2(3A) a) and b) only*, the local transport network refers to the area in the immediate vicinity of the site. For the purpose of this assessment, public transport infrastructure includes infrastructure associated with public transport stops, and excludes bus lanes. Any mitigation measures must relate to the effects of the proposal on the environment, demand on public transport infrastructure and active mode journeys from the site.

* Note: this does not alter the meaning of 'local transport network' in any other context.

(4A) any activity or development that provides fewer ~~less~~ than the required number of accessible parking spaces under Standard E27.6.3.2.(A):

(a) the extent to which the amount of accessible parking proposed is sufficient to meet the likely demand, having regard to:

(i) the nature of the proposed activities, including the interaction between activities on the site;

(ii) the availability of and accessibility of the site by public transport; and

(iii) ~~(b)~~ the trip characteristics of the proposed activities on the site requiring accessible parking spaces;

~~(c)~~ (b) the extent to which it is physically practicable to provide the required accessible parking spaces on the site including in terms of topography, site shape and dimensions, and the existing location of buildings, and whether accessible parking can be accommodated in ~~the type of the~~ existing building(s) when a change of use is proposed~~site dimensions, topography and the availability of access to the road~~;

~~(d)~~ (c) the availability and capacity of alternative accessible parking in the immediate vicinity, including ~~on street and other public accessible car~~ parking, ~~with an accessible route to and from the building designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121:2001), to provide the additional parking sought for the proposal;~~

(i) on street and other publicly accessible car parking;

(ii) within other sites with surplus capacity, including whether the use of the alternative car parks is secured through an appropriate legal agreement; and

(iii) whether an accessible route from the alternative location to the application site is present;

~~(e) mitigation measures to provide accessible parking which may include measures such as by entering into a shared accessible parking arrangement with another site or sites in the immediate vicinity~~

~~(f) the availability of alternatives to private vehicle trips in the immediate vicinity with access to public transport by an accessible route designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) and a maximum distance of 200m.~~

~~…~~

~~Note: Accessible parking requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted.~~

(6) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7):

…

(b) the provision made for cyclists and active modes is:

(i) readily accessible, secure, ~~provides locking points for different sizes and shapes of bicycle,~~ provides adequate protection from ~~all~~ weathers, ~~provides mains outlets for the charging bicycles~~ and is designed for safety; and

(ii) practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.

(7) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(aa) the extent to which it is physically practicable to provide the required loading space(s) on site in terms of the characteristics of the site, including its location in relation to the transport network, site dimensions, topography, and existing development;

(a) effects of the loading arrangements proposed for the site, including the non-provision of any required loading space, on the safe and efficient operation of the adjacent transport network;

(b) the specific business practice, operation or type of customer associated with the proposed activities;

(c) the extent to which an accessible and adequate on-street loading space is available nearby or can be created while having regard to other demands for kerbside use of the road; ~~or~~

(d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity and its use shared; or. ~~Or~~

(e) the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan. ~~the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan.~~

(8) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3, E27.6.4.2, E27.6.4.3, ~~and~~ E2~~6~~7.6.4.4 ~~and E27.6.6~~:

(a) effects on the safe and efficient operation of the adjacent transport network having regard to:

(i) the effect of the modification on visibility and safe sight distances;

(ii) existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;

(iii) existing pedestrian numbers, and estimated future pedestrian

numbers having regard to the level of development provided for in this Plan; ~~or~~

(iv) existing community or public infrastructure or facilities located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways~~.~~; and

~~(v) the extent to which the management plan for the development identifies and mitigates risk to all site and road users.~~

…

~~(d)~~ ~~the safety and practicality of pedestrian access, in residential zones, having regard to:~~

~~(i) site limitations, configuration of buildings and activities, user requirements and operational requirements;~~

~~(ii) the number of dwellings / future occupants that a primary pedestrian access is serving;~~

~~(iii) the extent to which a primary pedestrian access is direct, continuous, obstruction free and safely accommodates different users and abilities including minimisation of gradients, provision of landing areas and avoidance of steps;~~

~~(iv) space limitations and constraints within basement parking areas;~~

~~(v) the safety of pedestrians where a pedestrian access crosses trafficable areas, considering the design of the crossing, visibility between drivers and pedestrians, and vehicle speeds;~~

~~(vi) the extent to which the design incorporates Crime Prevention Through Environmental Design principles;~~

~~(vii) the extent to which the design incorporates Universal Design principles, including the extent to which a primary pedestrian access is slip resistant under all conditions and where primary pedestrian access is not adjacent to vehicle access and includes steps, provides a footpath and/or ramps as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities;~~

~~(ii) (viii) the need to separate pedestrian areas from vehicle access, parking, manoeuvring and reversing areas; andor~~

~~(iii) (ix) the avoidance of conflict between users.~~

(e) The safety and functionality of emergency responder access.

…

(14) any activity or development which infringes the standards for electric vehicle supply equipment under Standard E27.6.7:

(a) the practicability and adequacy of the electric vehicle supply equipment arrangements considering:

(i) site limitations, arrangement of buildings and activities and operational requirements;

(ii) the extent to which the site can reasonably be served by different electric vehicle supply equipment arrangements

(15) Activity A21: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with standard E27.6.6:

(a) The practicality and safety of the location of primary pedestrian access having regard to:

(i) the extent to which the primary pedestrian access is located to provide a safe and convenient ~~and continuous~~ connection from the road to the front door of the dwelling(s);

(ii) the extent to which the design incorporates Crime Prevention Through Environmental Design principles;

(b) The extent to which private and communal outdoor living space is separated from driveways and shared parking areas with appropriate fencing or other appropriate design techniques, to minimise the risk of children playing in vehicle access areas;

(c) The extent to which appropriate secondary pedestrian access:

(i) is provided within the development, including between parking areas, dwellings, and any communal site facilities, to provide for safe and convenient access for residents, and to provide a safe and convenient connection from any associated carparking area to the front door of the dwelling;

(ii) is safely accommodated in basement parking areas, while recognising space limitations and constraints; and

(iii) safely accommodates different users and abilities including minimisation of gradients and steps.

(16) Activity A22: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6:

(a) Policy E27.3.(20AA)

(b) The criteria set out in E27.8.2.(15) above as relevant

(c) The safety and practicality of primary pedestrian access where it is not physically separated from vehicle access, having regard to:

(i) site characteristics, including topography, configuration of buildings and activities, user requirements and operational requirements;

(ii) the number of parking spaces served by the vehicle access and volume of vehicle traffic;

(iii) the extent to which the site's layout and design minimises the need for vehicles to cross primary pedestrian accesses to gain access to garages, individual parking pads or spaces in grouped parking areas;

(iv) the safety of pedestrians where a primary pedestrian access crosses trafficable areas or vehicles must cross a primary pedestrian access, considering the design of the crossing, visibility between drivers and pedestrians, and vehicle speeds;

(v) where vehicles are proposed to cross a primary pedestrian access to access a car parking space, the extent to which:

- the number of crossing points is minimised, including through the use of paired/grouped crossing points;
- there are spaces between crossing points to allow for pedestrians using primary pedestrian access to safely pause while vehicles enter/exit parking spaces;
- the proximity of vehicle crossing points warrants the use of a continuous mountable kerb between crossing points, while ensuring that the extent of mountable kerb does not compromise pedestrian safety;
- the primary pedestrian access maintains uniform height and surface treatment along its length, indicating pedestrian priority;

- the primary pedestrian access is horizontally separated from parking spaces to provide intervisibility between pedestrians on the path and vehicles manoeuvring out of parking spaces; and
- whether other physical design measures can be used to ensure pedestrian safety and to restrict vehicles parking or manoeuvring over a primary pedestrian access.

(17) Activity A23: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3):

(a) Whether the proposed design of the primary pedestrian access will meet the safety and practical needs of a range of users, taking into account:

(i) the number of units served and the site's characteristics, including all weather use, the transportation of rubbish bins and household items and the ability for cyclists to safely access any private and shared cycle storage areas;

(ii) the extent to which the design incorporates Universal Design principles, including where the primary pedestrian access is not adjacent to vehicle access and includes steps, whether a footpath and/or ramps as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities can be provided;

(iii) the extent to which the location and nature of any obstruction(s) or reduced clear height would adversely affect the practicality and safety of pedestrian access;

(iv) the safety and functionality of emergency responder access.

(18) Activity A23: Any activity or development which infringes the standard in Standard E27.6.6(4):

(a) The safety and functionality of emergency responder access.

(b) The ability for the building(s) to be accessed by emergency responder vehicles and equipment.

E38 Subdivision – Urban Amendments

36. Amend Standard E38.8.1.2. as follows:

E38.8.1.2. Access to rear sites

(1) A single jointly owned access lot or right-of-way easement must not serve more than ten proposed rear sites.

(2) Vehicle access to proposed sites without direct vehicular access to a formed legal road must be by way of an entrance strip, jointly owned access lot or right-of-way easement over adjoining land, or by a combination of these mechanisms, provided the total width and other dimensions of the access comply with the standards in Table E38.8.1.2.1 Access to rear sites below.

Table E38.8.1.2.1 Access to rear sites

		Total number of rear sites served		
	1	**2 – ~~5~~ ~~3~~ 5**	**~~4~~ ~~5~~**	**~~6~~ ~~6~~4 - 10**
Minimum legal width	3.0m	3.5m	~~4.4m~~	6.9m~~7~~5 ~~6.5~~
Minimum formed width	2.5m	3.0m	~~3.0m~~	5.5m
Minimum service strip	0.5m	0.5m	~~0.5m~~	1.0m
Maximum length	50m	50m	~~50m~~	100m ~~Note 1~~ Note 1
Maximum gradient	1 in 4	1 in 5		
Minimum vertical clearance from buildings or structures	3.8m			
Minimum inside turning radius for bends	6.5m			

Note 1

~~For accessways greater than 50 metres in length speed management measures should be considered~~. ~~Where vehicle accessways are provided, consideration of fire emergency vehicle access is required by the New Zealand Building Code Clause C6.~~

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

(3) Accessways serving ~~six or more~~ ~~four~~ six to ten rear sites must provide separated pedestrian access~~, which may be located within the formed driveway~~.

(4) The pedestrian access required by E38.8.1.2(3) must meet all of the following:

(a) have a minimum width of 1.~~435~~m ~~metre~~;

(b) can include the service strip; ~~and~~

(c) ~~be distinguished from the vehicle carriageway through the use of a raised curb or different surface treatment~~ the requirements of Table E27.6.4.3.3 and Figure E27.6.4.3.1 be ~~vertically~~ physically separated from the vehicle carriageway ~~through the use of a raised kerb as shown in~~; and

(d) ~~the requirements of Table E27.6.6.2.~~ have a maximum gradient not exceeding the vehicle access gradient standard in Table E38.8.1.2.1.

Note: See the definition of "physically separated" in standard E27.6.6(2).

(5) Accessways exceeding 30m in length must meet the speed management measures specified by Table E27.6.4.3.3.

37. Amend Appendix 17 Documents incorporated by reference, as follows:

…

E24 Lighting

AS/NZS1158.3.1:2020 Australian/New Zealand Standard Lighting for roads and public spaces ~~(~~Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements

…

E27 Transport

…

Australian/New Zealand Wiring Rules **AS/NZS 3000:2018** (entire document)

SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use (Sections 1-3 & Tables 1 & 2)

SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications (Sections 1-4 & Appendix A)

WorkSafe - Electric Vehicle charging safety guidelines, May 2019 2nd addition plus addendums 1 and 2 (entire document)

Auckland Code of Practice for Land Development and Subdivision, (Chapter 3 Transport) Codes of Practice, Auckland Design Manual 2022

Land Transport New Zealand Road and Traffic Guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007) (entire document)

…

38. Add a new Appendix 23 in Chapter M Appendices as follows:

Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Car Parking Spaces

Activity		Minimum rate	
	Retirement village		0.7 per unit plus 0.2 visitor space per unit plus 0.3 per bed for rest home beds within a retirement village
	Supported residential care		0.3 per bed
	Visitor accommodation		1 per unit or, where accommodation is not provided in the form of units, 0.3 per bedroom
	Boarding houses		0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the H29

			Special Purpose – School Zone)
Offices			A minimum of 1 per ~~45m2~~ 100m2 GFA
Commercial services, excluding the following: veterinary clinics, storage and lockup facilities			1 per 25m2 GFA
Retail	Motor vehicle sales		1 per 10 vehicle display spaces, plus 1 per additional 50m2 GFA
	Trade suppliers		1 per 50m2 GFA plus 1 per 100m2 of outdoor storage or display areas
	Large Format Retail (excluding supermarkets and department stores)		1 per ~~45m2~~ 50m2 GFA
	All other retail (~~including~~ excluding food and beverage)		1 per ~~25m2~~ 50m2 GFA
	Food and beverage		1 per 25m2 GFA
Industrial activities and storage and lock-up facilities	Repair and maintenance services		4 per repair / lubrication bay, plus 1 per additional 50m2 GFA
	Warehousing, storage and lock up facilities		1 per 100m2 GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
	All other industrial activities		1 per 50m2 GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking

Entertainment facilities and community facilities			0.2 per person the facility is designed to accommodate

provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces not separately use shall be disregarded)			
Emergency services			1 per employee on site plus 1 per emergency service appliance based at the facility
Care centres			0.10 per child or other person, other than employees plus 0.5 per FTE employee
Educational facilities	Primary and secondary		0.5 per FTE employee plus 1 visitor space per classroom
	Tertiary		Massey University at Albany Campus: 0.32 per EFT student Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student the facility is designed to accommodate
Medical facilities	Hospitals not shown on the Parking Variation Control planning maps		1 per 50m2 GFA
	Grafton Hospital 2 Park Road, Grafton		No minimum
	Greenlane Clinical Centre 210 Green Lane West, Epsom		1 per 55m2 GFA

	Mt Albert 50 Carrington Road, Mt Albert		1 per 60m2 GFA

	Mercy Hospital 98 Mountain Road, Epsom		1 per 40m2 GFA
	Healthcare facilities		1 per 20m2 GFA
	Veterinary clinics		1 per 20m2 GFA
Land used for organised sport and recreation			12.5 spaces per hectare
Clubrooms			0.2 per person the facility is designed to accommodate
Water transport	Land adjacent to a public boat launching ramp		No minimum rate for accessory parking associated with boat launching
Marine and port activities and facilities	Marinas		0.35 per berth provided
	~~Ports of Auckland~~		~~No minimum~~
	Minor ports at Gabador Place, Tamaki and Onehunga		0.5 per employee intended to be working in or at the facility at any one time
All other activities, except for activities within rural zones			1 per 50m2 GFA
All other activities where located in rural zones			No minimum

39. Add a new Abbreviation and a new Definition to Chapter J - Definitions

J1.2. Abbreviations and Acronyms

…

Vehicles per hour	v/hr

…

Accessible car park

Has the same meaning as in the National Policy Statement on Urban Development 2020, May 2022 except that the requirement for marking is subject to the provisions of this plan.

Electric Vehicle Supply Equipment:

Electric Vehicle Supply Equipment for car parks includes the power outlets, wiring, cable trays, circuits, metering, electrical distribution boards and communications technology required to connect a type 2 (7 kilowatt, 32 Amp) electric vehicle charger with the electricity network and enable smart electrical load management.

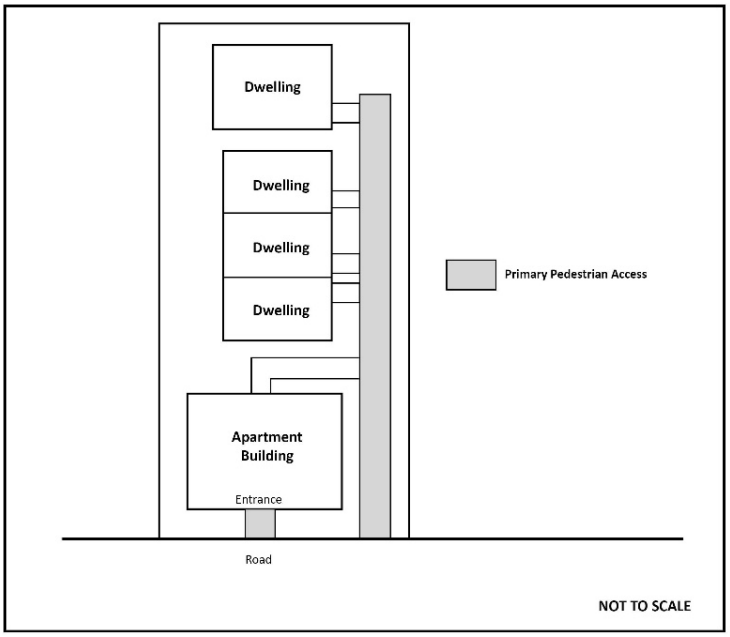
Heavy vehicle:

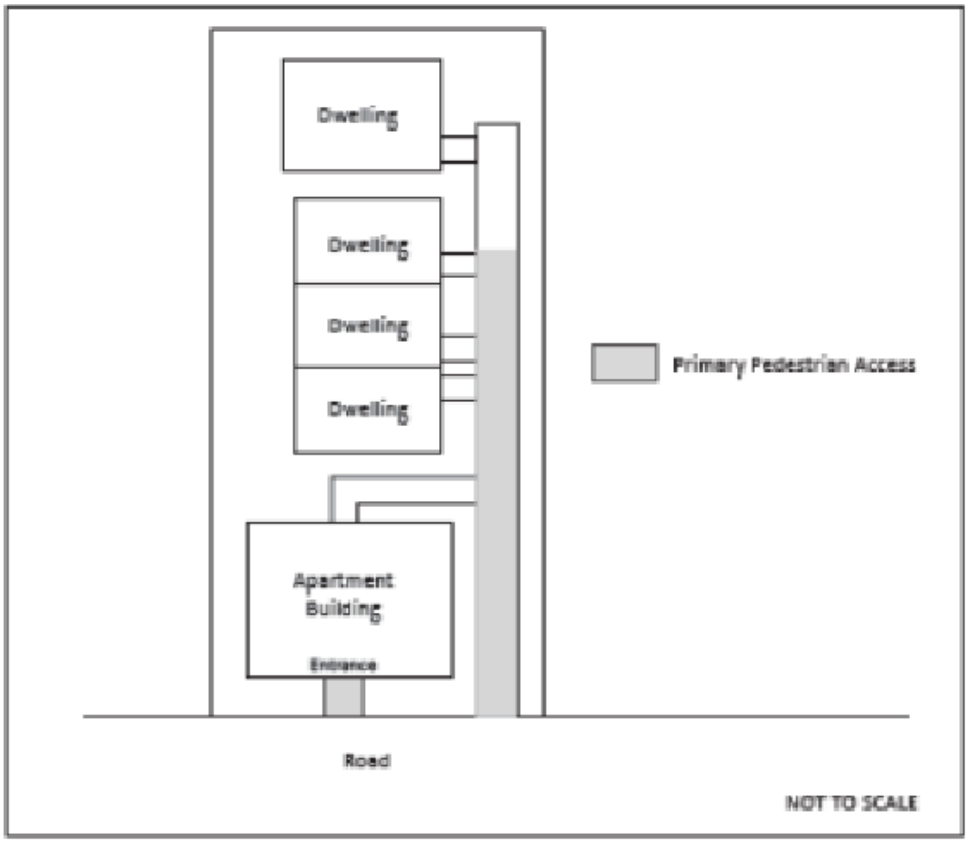
A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

Primary Pedestrian Access:

The main pedestrian route serving two or more dwellings in any residential zone, including any segment that serves only the final dwelling, providing pedestrian and micro-mobility access from the road to the individual paths accessing the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).

[INSERT NEW ACCOMPANYING DIAGRAM AS FOLLOWS:]





Speed Management Measures:

The application of engineering and other physical measures to a vehicle access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network.

Includes:

- speed humps
- raised tables
- side islands
- lane narrowing
- chicanes
- lateral shifts
- surface treatments
- landscaping.

40. Add new objective, policy, activities and standard relating to electric vehicle charging stations

Include a new Objective as follows:

E27.2 (8) Enable car parking with electric vehicle charging stations in all zones.

Include a new Policy as follows:

E27.3 (31) Provide for car parking with electric vehicle charging stations in all zones where:

(a) adverse effects on the amenity of the streetscape are minimised.

Include new Activities to Activity Table E27.4.1 as follows:

Activity		**Activity Status**
(A18)	Electric vehicle charging stations that comply with the standards for electric vehicle charging stations in E27.6.8	P
(A19)	Electric vehicle charging stations that do not comply with the standards for electric vehicle charging stations in E27.6.8	RD

(A20)	Primary pedestrian access serving between 2 and 5 dwellings (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with standard E27.6.6	P
(A21)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with standard E27.6.6 * including dwellings as part of an integrated residential development	RD
(A22)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6 * including dwellings as part of an integrated residential development	RD
(A23)	Primary pedestrian access in residential zones (whether physically separated or not) that does not comply with: (a) The width, gradient, clear height, obstruction or slip resistance requirements of Standard E27.6.6(3); and/or (b) The emergency responder access requirements of Standard E27.6.6(4)	RD

New Standard E27.6.8

E27.6.8 Electric vehicle charging stations

(1) Any building or structure for EV charging must:

(a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and

(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.

Include new Matters of Discretion as follows:

E27.8.1

…

(16) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8:

(a) The extent and effect of non-compliance with the standard;
(b) Location and design; and
(c) Visual and streetscape amenity.

Include new Assessment Criteria as follows:

E27.8.2

…

(15) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8:

(a) The effects on streetscape and visual amenity; and
(b) Mitigation to manage adverse effects on streetscape and visual amenity effects.

Make the following amendments to Chapter E26 - Infrastructure:

(a) Delete Activity E26.2.3.1(A5);

(b) Delete Standard E26.2.5.1(4); and

(c) Delete Standard E26.2.5.3(26).

Annexure C

EXTRACTS FROM CHAPTER E26 OF THE AUP

ACTIVITY TABLE E26.2.3

E26.2.3. Activity table

Table E26.2.3.1 Activity table specifies the activity status of land use and development activities in all zones and roads pursuant to section 9(3) of the Resource Management Act 1991.

- Network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.2.3.1 Activity table - Network utilities and electricity generation – All zones and roads

Activity		Roads, unformed roads and the Strategic Transport Corridor Zone	Rural zones, Future Urban Zone and Special Purpose – Quarry Zone	Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land)	Residential zones, Special Purpose – Māori Purpose Zone and Special Purpose – School Zone	Industrial zones and the Business – General Business Zone	Centres zones, Business – Mixed Use Zone, Special Purpose – Airports and Airfields Zone, Special Purpose – Major Recreation Facility Zone, Special Purpose – Healthcare Facility and Hospital Zone, Business – Business Park Zone and Special Purpose – Tertiary Education Zone	Open space zones and the Special Purpose – Cemetery Zone
General								
(A1)	Operation, maintenance and repair of network utilities and electricity generation facilities in existence on 30 September 2013 or which have been lawfully established or granted resource consent	P	P	P	P	P	P	P
(A2)	Minor infrastructure upgrading of network utilities	P	P	P	P	P	P	P
(A3)	Service connections	P	P	P	P	P	P	P
(A4)	Minor utility structure	P	P	P	P	P	P	P
(A5)	Electric vehicle charging stations	P	P	P	P	P	P	P

E26.2.5.1(4) – ELECTRIC VEHICLE CHARGING STATIONS WITHIN ROADS

E26.2.5. Standards

E26.2.5.1. Activities within roads and unformed roads in Table E26.2.3.1 Activity table

All activities listed as permitted in Table E26.2.3.1 Activity table must comply with the following permitted activity standards.

…

(4) Electric vehicle charging stations:

(a) maximum height of 1.8m;

(b) maximum area of 1.5m^2;

(c) either have a socket connection, or a fitted cable management accessory;

(d) the equipment must be removed by the owner when the equipment becomes obsolete; and

(e) in addition to the above, where the electric vehicle charging station is located on an arterial road:

(i) it must be located adjacent to part of a road on which car parking is authorised by Auckland Transport for a time period of at least 30 minutes for either general vehicle use or reserved for electric vehicles;

(ii) the equipment must be removed by the owner (at the owner's sole cost) at least 30 days prior to the adjacent car parking space being permanently removed; and

(iii) written notice of any proposed installation of the equipment must be given to Auckland Transport at least 2 months prior to the lodgement of any request to access the road corridor.

E26.2.5.3(26) – ELECTRIC VEHICLE CHARGING STATIONS WITHIN ZONES

E26.2.5.3. Specific activities within zones in Table E26.2.3.1

The specific activities listed below are required to comply with the permitted activity standards in E26.2.5.1 and E26.2.5.2. Where a standard in E26.2.5.3 for a specified activity varies from a standard in E26.2.5.1 or E26.2.5.2, E26.2.5.3 shall apply.

...

Electric vehicle charging stations

(26) Electric vehicle charging stations must be:

(a) maximum height of 1.8m;

(b) maximum area of 1.5m^2; and

(c) either have a socket connection, or a fitted cable management accessory.

Attachment 3: AUP(OIP) text underline and strikethrough

E24. Lighting

E24.1. Background

Artificial lighting enables work~~, recreation~~ and entertainment and associated activities to occur beyond normal daylight hours. It also provides additional safety and security to sites for access and wayfinding. ~~and associated activities.~~ However, unless used with care, it can adversely affect adjoining properties through light spill and glare. If ~~screening~~ shielding or aiming of light is poorly ~~controlled~~ implemented this can result in light pollution causing adverse changes to the view of the night sky and/or adverse amenity effects.

The provisions for artificial light provide for adequate lighting to support activities and enable safety and security for participants, while minimising potential adverse effects.

E24.2. Objectives [rcp/dp]

(1) Artificial lighting enables outdoor activities and the security and safety of people and property.

(2) The adverse effects of outdoor lighting on the environment and safety of road users are limited.

E24.3. Policies [rcp/dp]

(1) Provide for appropriate levels of artificial lighting to enable the safe and efficient undertaking of outdoor activities, including night time working, recreation and entertainment.

(1A) Provide for appropriate levels of artificial lighting for pedestrian safety, and to enable access and wayfinding.

(2) Control the intensity, location and direction of artificial lighting to avoid significant glare and light spill onto adjacent sites, maintain safety for road users and minimise the loss of night sky viewing.

(3) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.

E24.4. Activity table

Table E24.4.1 Activity table specifies the activity status of land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status of coastal use, occupation and activity pursuant to sections 12(1); 12(2) and 12(3) of the Resource Management Act 1991.

Table E24.4.1 Activity table [rcp/dp]

Activity		Activity status
(A1)	Activities that comply with all the relevant permitted activity standards	P
(A2)	Activities that do not comply with a relevant permitted activity standard	RD

E24.5. Notification

(1) Any application for resource consent for an activity listed in Table E24.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E24.6. Standards

All activities listed as permitted in Table E24.4.1 Activity table must comply with the following standards.

E24.6.1. General standards

(1) Lighting limits must be measured and assessed in accordance with Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting, except for building façade lighting that complies with Standard E244.6.1(10). In the event of any conflict between Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting and the lighting standards set out below, the lighting standards set out below shall prevail.

(2) Any calculation for the purposes of these standards must be based on a maintenance factor of 1.0 (i.e. no depreciation).

(3) For the purposes of Standard E24.6.1(2) and Standard E24.6.1(9) the lighting category classification for each zone in Table E24.6.1.1 Lighting category classifications will apply. Where a development is located on a site which adjoins or is directly across a road from a different lighting category, the most sensitive classification of the two categories will apply.

(4) Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements may be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measures may be used for determining the effect of the artificial lighting.

(5) For the purposes of these standards, the curfew time is 10pm - 7am and the pre-curfew time is 7am – 10pm.

Table E24.6.1.1 Lighting category classifications

Zone	Lighting category			
	Lighting category 1 (Intrinsically dark)	Lighting category 2 (Low brightness)	Lighting category 3 (Medium brightness)	Lighting category 4 (High brightness)
Residential				
Residential – Large Lot Zone		X		
Residential – Rural and Coastal Settlement Zone		X		
Residential – Single House Zone			X	
Residential – Mixed Housing Suburban Zone			X	
Residential – Mixed Housing Urban Zone			X	
Residential – Terrace Housing and Apartment Buildings Zone			X	
Open space				
Open Space – Conservation Zone	X			
Open Space – Informal Recreation Zone			X	
Open Space – Sport and Active Recreation Zone			X	
Open Space – Civic Spaces Zone				X
Open Space – Community Zone			X	
Business				
Business – City Centre Zone				X
Business – Metropolitan Centre Zone				X
Business – Town Centre Zone				X
Business – Local Centre Zone				X
Business – Neighbourhood Centre Zone			X	
Business – Mixed Use Zone			X	
Business – General Business Zone				X
Business – Business Park Zone				X
Business – Light Industry Zone				X

Zone	Lighting category			
	Lighting category 1 (Intrinsically dark)	Lighting category 2 (Low brightness)	Lighting category 3 (Medium brightness)	Lighting category 4 (High brightness)
Business – Heavy Industry Zone				X
Coastal				
Coastal – General Coastal Marine Zone		X		
Coastal – Marina Zone		X		
Coastal – Mooring Zone		X		
Coastal – Minor Port Zone			X	
Coastal – Ferry Terminal Zone			X	
Coastal – Defence Zone			X	
Coastal – Coastal Transition Zone			X	
Rural				
Rural – Rural Conservation Zone	X			
Rural – Countryside Living Zone		X		
Rural – Rural Coastal Zone		X		
Rural – Mixed Rural Zone			X	
Rural – Rural Production Zone			X	
Rural – Waitākere Foothills Zone		X		
Rural – Waitākere Ranges Zone	X			
Future Urban Zone		X		
Special purpose				
Strategic Transport Corridor Zone				X
Special Purpose – Airports and Airfields Zone				X
Special Purpose – Cemetery Zone		X		
Special Purpose – Healthcare Facility and Hospital Zone				X
Special Purpose – Major Recreation Facility Zone			X	
Special Purpose – Maori Purpose Zone			X	
Special Purpose – Quarry Zone			X	
Special Purpose – School Zone			X	
Special Purpose – Tertiary Education Zone				X

(6) The added illuminance from the use of any artificial lighting on any site must not exceed either:

(a) the levels in Table E24.6.1.2 Horizontal and vertical illuminance at a boundary, when measured at the boundary of any adjacent site containing a lawfully established dwelling. The illuminance limit will apply horizontally and vertically at any point on the boundary and at any height; or

Table E24.6.1.2 Horizontal and vertical illuminance at a boundary

Time	Illuminance limit
Pre-curfew	100 lux above the background level
Curfew	10 lux above the background level

(b) the vertical illuminance limits in Table E24.6.1.3 Vertical illuminance at a window, when measured or calculated at the windows of habitable rooms of a lawfully established dwelling.

Table E24.6.1.3 Vertical illuminance at a window

Time	Vertical illuminance limit for each lighting category			
	Lighting category 1	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
Pre-curfew	2 lux	10 lux	10 lux	25 lux
Curfew	0 lux (except public road lighting)	1 lux	2 lux	4 lux

(7) Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed the threshold increment limit stated in Table E24.6.1.4 Threshold increment, on any public road, calculated within each traffic lane in the direction of travel.

Table E24.6.1.4 Threshold increment

Light technical parameter	Threshold increment limit for each lighting category			
	Lighting category 1	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
Threshold increment (TI)	15 per cent (based on adaption luminance of 0.1 cd/m2)	15 per cent (based on adaption luminance of 1 cd/m2)	15 per cent (based on adaption luminance of 2 cd/m2)	15 per cent (based on adaption luminance of 10 cd/m2)

(8) The exterior lighting on any property adjacent to land on which there is a dwelling must be selected, located, aimed, adjusted and/or screened to ensure that glare resulting from the lighting does not exceed the pre-curfew or curfew limits outlined in Table E24.6.1.5 Pre-curfew luminous intensity limits or Table E24.6.1.6 Curfew luminous intensity limits.

Table E24.6.1.5 Pre-curfew luminous intensity limits

Intentionally illuminated area		Pre-curfew luminous intensity limit for each lighting category			
Size of area (based on the controlling dimension)	**Controlling dimension (refer to Note 1)**	**Lighting category 1**	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
Large	>75m	2,500 cd	7,500 cd	10,000 cd	25,000 cd
Medium	≥25m ≤75m	2,500 cd	7,500 cd	10,000 cd	25,000 cd
Small	<25m	2,500 cd	2,500 cd	7,500 cd	25,000 cd

Note 1

The controlling dimension is the maximum dimension from any light source to the furthest point of the intentionally illuminated area in the direction of maximum intensity.

Table E24.6.6 Curfew luminous intensity limits

Curfew luminous intensity limit for each lighting category			
Lighting category 1	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
0 cd	500 cd	1,000 cd	2,500 cd

(9) The average surface luminance measured in candelas per square metre (cd/m^2) for an intentionally artificially lit building façade shall not exceed any one of the following:

(a) 0 cd/m^2 in lighting category 1;

(b) 5 cd/m^2 in-lighting category 2;

(c) 10 cd/m^2 in lighting category 3; or

(d) 25 cd/m^2 in lighting category 4.

(10) The limits may be determined by calculation or measurement in accordance with CIE 150:2003 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations – International Commission on Illumination ISBN 3 901 906 19 3.

E24.6.2. Artificial lighting standards for access in residential zones

(1) When lighting for access in residential zones is required by Standard E27.6.3.7(2), it must:

(a) have lighting designed and assessed in accordance with Australian/ New Zealand Standard Lighting for roads and public spaces (Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements Lighting for Roads and Public Spaces (AS/NZS1158.3.1:2020))

(c) meet the minimum P subcategories specified in Table 24.6.2.1 below:

Table E24.6.2.1 Minimum P subcategories

Access	P Subcategory
Primary pedestrian access not adjacent to a vehicle access including-connecting elements, steps, stairwells and ramps serving 4 to 9 dwellings	PP4
Any primary pedestrian access not adjacent to a vehicle access including connecting elements, steps, stairwells and ramps serving 10 or more dwellings or 10 or more parking spaces	PP3
Parking spaces	PC3
Vehicle accessway and manoeuvring areas, including any required adjacent primary pedestrian access	PR4

(d) All light fittings must not project any light at or above the height of their light source.

(e) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or lower.

(f) Spill light and glare from the lighting must meet the specifications of E24.6.1(8).

(g) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where automatic presence detection or sensor lighting is proposed, this must be confirmed as appropriate by a Crime Prevention Through Environmental Design assessment prepared by a suitably experienced and qualified specialist.

(h) The lighting required by Standard E27.6.3.7(2) and its power source must not be disabled, except for necessary maintenance or repairs or for emergency purposes.

(i) Solar lighting is acceptable where it complies with E24.6.2 throughout the hours of darkness.

E24.7. Assessment – controlled activities

There are no controlled activities in this section.

E24.8. Assessment – restricted discretionary activities

E24.8.1. Matters of discretion

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

(1) the effects of lighting on traffic safety; and

(2) the effects of artificial lighting and glare on the amenity values and the character of the neighbourhood.

(3) the adequacy and location of artificial lighting to provide effective way-finding, safety and ease of access for all pedestrians

E24.8.2. Assessment criteria

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

(1) for traffic safety:

(a) the extent to which any artificial lighting will adversely affect traffic safety;

(1A) the effects of lighting on pedestrian safety, wayfinding and access;

(a) whether the number, location, design and orientation of light fittings and light support structures provide adequate lighting for the safety and wayfinding of people, including pedestrians, moving, residing, working or visiting sites.

(b) where solar lighting does not comply with Standard E24.6.2(i), the adequacy of the proposed lighting to provide for pedestrian safety, wayfinding and access.

(2) for the effects of artificial lighting and glare on amenity values:

(a) whether the number, placement, design, height, colour, orientation and screening of light fittings and light support structures minimises light spill, glare, and loss of night time viewing;

(b) the extent to which the amount of light falling beyond the site during the hours of darkness is minimised to control effects on indoor amenity values and sleep quality; and

(c) whether the artificial lighting is necessary, suitably designed and adequately protects the amenity values of the surrounding environment.

E24.9. Special information requirements

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

(1) When lighting is required under standards E27.6.3.7(2) and E24.6.2, a lighting plan and specification shall accompany any resource consent application, prepared by a suitably experienced and qualified lighting specialist, which demonstrates at a minimum the following:

(a) Confirms the AS/NZS1158.3.1:2020 lighting performance P subcategory required by Standard E24.6.2, for all areas of the site where lighting is required.

(b) Provides a compliance statement that the lighting proposed in the lighting plan and specification is expected to comply with the relevant requirements in E24.6.2(1) and the spill and glare requirements of E24;

(c) Includes types of lighting and light support structures.

(d) Overlays the lighting plan on the site plan and landscape plan, and identifies the lighting structures in relation to pedestrian and vehicle movement spaces and landscape areas.

(e) Includes in any case where solar lighting is proposed, a compliance statement of its effectiveness and durability taking into account anticipated sun exposure.

(2) For lighting that does not comply with Standard E24.6.2, a detailed lighting assessment prepared by a suitably experienced and qualified lighting specialist must be provided that, in addition to addressing all relevant matters in (1) above, includes design calculations required under AS/NZS 1158.3.1:2020 and an analysis of effects arising from any non-compliances.

E26. Infrastructure

E26.1. Introduction and other relevant regulatory requirements

E26.1.1. Introduction

Infrastructure is critical to the social, economic, and cultural well-being of people and communities and the quality of the environment. This section provides a framework for the development, operation, use, maintenance, repair, upgrading and removal of infrastructure.

As well as benefits infrastructure can have a range of adverse effects on the environment, visual amenity of an area, and public health and safety. The sensitivity of adjacent activities, particularly residential, to these effects can lead to complaints and ultimately constraints on the operation of infrastructure. Managing these reverse sensitivity effects is essential. Equally in some circumstances other activities and development need to be managed in a way that does not impede the operation of infrastructure.

Infrastructure is provided for on the basis of Auckland-wide provisions. Additional infrastructure provisions (zones, overlays and precincts), such as the National Grid Corridor Overlay, Auckland Airport Precinct and the Strategic Transport Corridor Zone are also provided throughout the plan and should be referred to where applicable. Designations may also provide for infrastructure.

PC 120 (see Modifications)

[new text to be inserted]

The overlay and Auckland-wide provisions that are included in this section are set out in Table E26.1.1.1.

Table E26.1.1.1 Structure

Overlay or Auckland-wide provisions	E26 sub-section reference	Page number
Network utilities and electricity generation – All zones and roads	E26.2 Network utilities and electricity generation – All zones and roads	4
D9 Significant Ecological Areas Overlay E15 Vegetation management and biodiversity	E26.3 Network utilities and electricity generation – Vegetation management	33
D13 Notable Trees Overlay E16 Trees in open space zones E17 Trees in roads	E26.4 Network utilities and electricity generation – Trees in roads and open space zones and the Notable Trees Overlay	44
E11 Land disturbance – Regional E12 Land disturbance – District	E26.5 Network utilities and electricity generation – Earthworks all zones and roads E26.6 Network utilities and electricity	53

	generation – Earthworks overlays except Outstanding Natural Features Overlay E26.7 Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay	62 76
D17 Historic Heritage Overlay	E26.8 Network utilities and electricity generation – Historic Heritage Overlay	88
D18 Special Character Areas Overlay – Residential and Business	E26.9 Network utilities and electricity generation – Special Character Areas Overlay – Residential and Business	93
D21 Sites and Places of Significance to Mana Whenua Overlay	E26.10 Network utilities and electricity generation – Sites and Places of Significance to Mana Whenua Overlay	98
D14 Volcanic Viewshafts and Height Sensitive Areas Overlay	E26.11 Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay	101
D15 Ridgeline Protection Overlay D16 Local Public Views Overlay D19 Auckland War Memorial Museum Viewshaft Overlay D20A Stockade Hill Viewshaft Overlay	E26.12 Network utilities and electricity generation – Auckland War Memorial Museum Viewshaft, Local Public Views, Ridgelines Overlays	106
D10 Outstanding Natural Landscapes Overlay D11 Outstanding Natural Character and High Natural Character Overlay	E26.13 Network utilities and electricity generation – Outstanding Natural Landscapes Overlay (excluding outstanding natural features) and Outstanding Natural Character and High Natural Character Overlay	112
D10 Outstanding Natural Features Overlay	E26.14 Network utilities and electricity generation – Outstanding Natural Features Overlay (excluding outstanding natural landscapes)	117

PC 120 (see Modifications)

E26.1.2. Other relevant regulatory requirements

(1) Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, improvement and removal of utility structures in the road, unformed road and Strategic Transport Corridor.

(2) The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities "NESETA") Regulations 2009 apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or prior to 14 January 2010 and remain part of the National Grid. In the case

of conflict with any other provision of this plan, including any provision in the activity table in this section, the NESETA provisions shall prevail.

(3) The Resource Management (National Environmental Standards for Telecommunication Facilities "NESTF") Regulations 2016 provide for:

(a) the planning and operation of a telecommunication facility such as a mobile phone transmitter, that generates radio frequency fields as a permitted activity provided it complies with the New Zealand Standard on Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300 GHz (NZS 2772.1: 1999);

(b) the installation of telecommunication equipment cabinets in the road reserve as a permitted activity, subject to specified limitations on their size and location;

(c) noise from telecommunication equipment cabinets located in the road reserve as a permitted activity, subject to the specified noise limits; and

(d) the installation or replacement of masts and antennas on existing structures in the road reserve as a permitted activity, subject to specified limitations on height and size.

(4) Compliance with the NZECP 34:2001 is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34:2001, including any activities that are otherwise permitted by the Plan must comply with this regulation.

(5) Connections to a network utility require approval of the relevant network utility operator and works within roads require approval of the relevant road controlling authority.

(6) ***Resource Management (National Environmental Standards for Freshwater) Regulations 2020***

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

If an activity provided for in rules E26.2.3 to E26.14.8, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

E26.2. Network utilities and electricity generation – All zones and roads

E26.2.1. Objectives [rp/dp]

(1) The benefits of infrastructure are recognised.

(2) The value of investment in infrastructure is recognised.

(3) Safe, efficient and secure infrastructure is enabled, to service the needs of existing and authorised proposed subdivision, use and development.

(4) Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled.

(5) The resilience of infrastructure is improved and continuity of service is enabled.

(6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.

(7) The national significance of the National Grid is recognised and provided for and its effective development, operation, maintenance, repairs, upgrading and removal is enabled.

(8) The use and development of renewable electricity generation is enabled.

(9) The adverse effects of infrastructure are avoided, remedied or mitigated.

E26.2.2. Policies [rp/dp]

(1) Recognise the social, economic, cultural and environmental benefits that infrastructure provides, including:

(a) enabling enhancement of the quality of life and standard of living for people and communities;

(b) providing for public health and safety;

(c) enabling the functioning of businesses;

(d) enabling economic growth;

(e) enabling growth and development;

(f) protecting and enhancing the environment;

(g) enabling the transportation of freight, goods, people; and

(h) enabling interaction and communication.

(2) Provide for the development, operation, maintenance, repair, upgrade and removal of infrastructure throughout Auckland by recognising:

(a) functional and operational needs;

(b) location, route and design needs and constraints;

(c) the complexity and interconnectedness of infrastructure services;

(d) the benefits of infrastructure to communities with in Auckland and beyond;

(e) the need to quickly restore disrupted services; and

(f) its role in servicing existing, consented and planned development.

Adverse effects on infrastructure

(3) Avoid where practicable, or otherwise remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.

Adverse effects of infrastructure

(4) Require the development, operation, maintenance, repair, upgrading and removal of infrastructure to avoid, remedy or mitigate adverse effects, including, on the:

(a) health, well-being and safety of people and communities, including nuisance from noise, vibration, dust and odour emissions and light spill;

(b) safe and efficient operation of other infrastructure;

(c) amenity values of the streetscape and adjoining properties;

(d) environment from temporary and ongoing discharges; and

(e) values for which a site has been scheduled or incorporated in an overlay.

(5) Consider the following matters when assessing the effects of infrastructure:

(a) the degree to which the environment has already been modified;

(b) the nature, duration, timing and frequency of the adverse effects;

(c) the impact on the network and levels of service if the work is not undertaken;

(d) the need for the infrastructure in the context of the wider network; and

(e) the benefits provided by the infrastructure to the communities within Auckland and beyond.

(6) Consider the following matters where new infrastructure or major upgrades to infrastructure are proposed within areas that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character:

(a) the economic, cultural and social benefits derived from infrastructure and the adverse effects of not providing the infrastructure;

(b) whether the infrastructure has a functional or operational need to be located in or traverse the proposed location;

(c) the need for utility connections across or through such areas to enable an effective and efficient network;

(d) whether there are any practicable alternative locations, routes or designs, which would avoid, or reduce adverse effects on the values of those places, while having regard to E26.2.2(6)(a) - (c);

(e) the extent of existing adverse effects and potential cumulative adverse effects;

(f) how the proposed infrastructure contributes to the strategic form or function, or enables the planned growth and intensification, of Auckland;

(g) the type, scale and extent of adverse effects on the identified values of the area or feature, taking into account:

(i) scheduled sites and places of significance and value to Mana Whenua;

(ii) significant public open space areas, including harbours;

(iii) hilltops and high points that are publicly accessible scenic lookouts;

(iv) high-use recreation areas;

(v) natural ecosystems and habitats; and

(vi) the extent to which the proposed infrastructure or upgrade can avoid adverse effects on the values of the area, and where these adverse effects cannot practicably be avoided, then the extent to which adverse effects on the values of the area can be appropriately remedied or mitigated.

(h) whether adverse effects on the identified values of the area or feature must be avoided pursuant to any national policy statement, national environmental standard, or regional policy statement.

(7) Enable the following activities within natural heritage, natural resources, coastal environment, historic heritage, special character and Mana Whenua cultural heritage overlays:

(a) the use and operation of existing infrastructure; and

(b) the minor upgrading, maintenance and repair of existing infrastructure, while ensuring that the adverse effects on the values of the area are avoided and where those effects cannot practicably be avoided, minimise any such effects and ensure they are appropriately remedied or mitigated.

(8) Encourage new linear infrastructure to be located in roads, and where practicable within the road reserve adjacent to the carriage way.

Undergrounding of infrastructure in urban areas

(9) Require new or major upgrades to electricity and telecommunications lines to be located underground in urban areas unless:

(a) there are significant operational, functional, technical or economic reasons that require an aboveground network; or

(b) the additional lines are part of minor upgrading to the network or are service connections.

(10) Enable the coordinated undergrounding of existing electricity and telecommunications lines in the road, particularly where the opportunity exists when network improvements are undertaken.

New technologies

(11) Provide flexibility for infrastructure operators to use new technological advances that:

(a) improve access to, and efficient use of services;

(b) allow for the re-use of redundant services and structures where appropriate;

(c) result in environmental benefits and enhancements; and

(d) utilise renewable sources.

Renewable electricity generation

(12) Provide for renewable electricity generation activities to occur at different scales and from different sources, including small and community-scale renewable electricity generation activities.

National Grid

(13) Have regard to the extent to which actual and potential effects have been avoided, remedied or mitigated by the route, site and method selected when assessing the development of the National Grid.

Road network

(14) Require road network activities to:

(a) avoid, remedy or mitigate adverse effects on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions;

(b) avoid, remedy or mitigate adverse effects on amenity values of adjoining properties and the streetscape; and

(c) maintain or enhance the safety and efficiency of the transport network.

(15) Ensure roads are designed, located and constructed to:

(a) provide for the needs of all road users and modes of transport;

(b) avoid, remedy or mitigate adverse effects on amenity values of adjoining properties;

(c) avoid, remedy or mitigate adverse construction effects including effects of vibration, noise, and dust;

(d) avoid, remedy or mitigate adverse operational effects particularly on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions;

(e) minimise severance effects and changes to drainage patterns; and

(f) maintain or enhance the safety and efficiency of the transport network.

E26.2.3. Activity table

Table E26.2.3.1 Activity table specifies the activity status of land use and development activities in all zones and roads pursuant to section 9(3) of the Resource Management Act 1991.

- Network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.2.3.1 Activity table - Network utilities and electricity generation – All zones and roads

Activity		Roads, unformed roads and the Strategic Transport Corridor Zone	Rural zones, Future Urban Zone and Special Purpose – Quarry Zone	Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land)	Residential zones, Special Purpose – Māori Purpose Zone and Special Purpose – School Zone	Industrial zones and the Business – General Business Zone	Centres zones, Business – Mixed Use Zone, Special Purpose – Airports and Airfields Zone, Special Purpose – Major Recreation Facility Zone, Special Purpose – Healthcare Facility and Hospital Zone, Business – Business Park Zone and Special Purpose – Tertiary Education Zone	Open space zones and the Special Purpose – Cemetery Zone
General								
(A1)	Operation, maintenance and repair of network utilities and electricity generation facilities in existence on 30 September 2013 or which have been lawfully established or granted resource consent	P	P	P	P	P	P	P
(A2)	Minor infrastructure upgrading of network utilities	P	P	P	P	P	P	P
(A3)	Service connections	P	P	P	P	P	P	P
(A4)	Minor utility structure	P	P	P	P	P	P	P
(A5)	[Deleted]~~Electric vehicle charging stations~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~
(A6)	Removal of network utilities and electricity generation facilities	P	P	P	P	P	P	P
(A7)	Ancillary telecommunication equipment/devices	P	P	P	P	P	P	P

	and networks for supporting the operation of a network utility and/or electricity generation facility, including but not limited to smart meters, antennae and aerials(excludes microwave and satellite dish aerials)							
(A8)	Pipes and cables for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications that are attached to existing structures	P	P	P	P	P	P	P
(A9)	Pipe and cable bridges for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications	P	P	P	P	P	P	P
(A10)	Air quality and meteorological monitoring structures and devices	P	P	P	P	P	P	P
(A11)	Temporary network utilities operating for less than 12 months	P	P	P	P	P	P	P
(A12)	Temporary signage during the construction of network utilities and electricity generation facilities, which is in place for no longer than 12 months	P	P	P	P	P	P	P
(A13)	Diesel or petrol electricity generators used for the emergency backup of any activities in Table E26.2.3.1 Activity Table	P	P	P	P	P	P	P
(A14)	Network utilities and energy storage inside existing buildings used for network utilities.	P	P	P	P	P	P	P
(A15)	Network utilities and energy storage within buildings where the network utilities or energy storage services that building	P	P	P	P	P	P	P
(A16)	Network utilities and electricity generation facilities not listed in Table E26.2.3.1 Activity Table	D	D	D	D	D	D	D
Electricity transmission and distribution								
(A17)	Distribution substations	P	P	P	P	P	P	P
(A18)	Substations within new buildings *Centres zones and Business – Mixed Use Zone	NA	P	P	C	P	C *RD#	RD#
(A19)	Substations within existing buildings	NA	P	P	P	P	P	P
(A20)	Substations within existing buildings that require an increase in building platform area or building height *Centres zones and Business – Mixed Use Zone	NA	P	P	C	P	C *RD	RD
(A21)	Unenclosed Substations *Business – Heavy Industry Zone	NA	RD#	D	D	D *RD	D	D
(A22)	Underground electricity lines	P	P	P	P	P	P	P
(A23)	Pole mounted transformer * within areas of the Road, Unformed Road and the Strategic Transport Corridor Zone, this activity shall have the same status as the adjacent zone ** Industrial zones *** within areas of the road, unformed road and the Strategic Transport Corridor Zone, where the area is adjacent to the relevant zone and is located outside the RUB	*	P	P	RD P***	RD P**	RD	RD P***
(A24)	Overhead electricity lines up to and including 110kV * within areas of the Road, Unformed Road and Strategic Transport Corridor this activity shall have the same status as the adjacent zone; ** Business – Heavy Industry Zone	*	P	P	D	RD P**	D	D
(A25)	Overhead electricity lines greater than 110kV * Business – Heavy Industry Zone	D	D	D	D	D P*	D	D
Liquid fuels and gas transmission and distribution								
(A26)	Underground gas distribution regulator stations	P	P	P	P	P	P	P

(A27)	Aboveground gas distribution regulator stations	P	P	P	P	P	P	P
(A28)	Aboveground gas and petroleum product transmission regulator, valve, or pump stations * Business – Heavy Industrial Zone	D	D	D	D	D RD*	D	D
(A29)	Underground gas distribution pipelines at a gauge pressure not exceeding 2000 kilopascals, including any aerial crossings of streams using bridges or any other structures, and ancillary underground equipment and fittings	P	P	P	P	P	P	P
(A30)	Underground gas and petroleum product transmission pipelines at a gauge pressure exceeding 2000 kilopascals including any aerial crossings of streams or other low lying areas using bridges or any other structures, and ancillary underground equipment and fittings	D	D	D	D	D	D	D
Telecommunications								
(A31)	Antennas attached to a replacement utility structure that are subject to and do not comply with Regulations 26 and 27 of the NESTF	C	NA					
(A32)	Antennas attached to retaining walls, tunnels, bridges and other structures (other than replacement utility structures under the NESTF) in the road, unformed Road and Strategic Transport Corridor Zone	P	NA					
(A33)	Antennas attached to a building and/or structure where the face of the antenna does not exceed 1.5m^2 or 1.2m in diameter for dish antennas (excludes private television antennas and satellite dishes)	NA	P	P	RD	P	P	P
(A34)	Mast and attached antennas * within Business – Local Centre Zone and Business – Neighbourhood Centre Zone ** within the Strategic Transport Corridor zone	RD# P**	P	P	D	P	P RD*#	RD#
(A35)	Antennas inside of new or existing buildings	P	P	P	P	P	P	P
(A36)	Antennas that do not exceed the following dimensions: GPS Antennas: • 300mm high and 130mm in diameter • small cell units/antennas that do not exceed a volumetric dimension of 0.25m^3 Omni-directional antennas: • 1.6m high; • 650mm horizontal length for dipole antennas; and • Whip or cross rod section of 60mm in diameter	P	P	P	P	P	P	P
(A37)	Externally mounted telecommunication satellite dishes attached to buildings not exceeding 0.8m in diameter and ancillary components	NA	P	P	P	P	P	P
(A38)	Telecommunication cabinets and shelters *that meet the permitted standards in NESTF if within a road	P*	P	P	P	P	P	P
(A39)	Telecommunication cabinets in roads and Strategic Transport Corridor zone that do not meet the permitted standards in NESTF (excludes rail corridors)	RD						
(A40)	Underground telecommunication lines and facilities	P	P	P	P	P	P	P
(A41)	Overhead telecommunication lines * within areas of the road, unformed road and Strategic Transport Corridor Zone this activity shall have the same status as the adjacent zone ** Business – Heavy Industry Zone	*	P	P	D	RD P**	D	D

(A42)	Telecommunication kiosks	P	P	P	P	P	P	P
(A43)	Telephone exchanges	P	P	P	P	P	P	P
(A44)	Installation and operation of equipment inside existing telephone exchanges	P	P	P	P	P	P	P
Amateur radio								
(A45)	Amateur radio configurations	NC	P	P	P	P	P	P
(A46)	Amateur radio configurations that do not comply with Standard E26.2.5.3(25)	NC	D	D	D	D	D	D
Water, wastewater and stormwater structures								
(A47)	Underground reservoirs	P	P	P	P	P	P	P
(A48)	Above ground reservoirs	RD	P	P	RD	P	RD	RD
(A49)	Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines)	P	P	P	P	P	P	P
(A50)	Aboveground pipelines and attached ancillary structures for the conveyance of water, wastewater and stormwater	RD	RD	RD	RD	RD	RD	RD
(A51)	Water, wastewater and stormwater pump stations	P	P	P	P	P	P	P
(A51A)	Water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2 (3)(a) *Centres zones and Business – Mixed Use Zone	NA	P	P	C	P	C *RD#	RD#
(A52)*	Water, wastewater and stormwater storage tanks	P	P	P	P	P	P	P
(A53)	Water treatment plants	D	P	P	RD	P	RD	RD
(A54)	Wastewater treatment plants	D	RD	D	D	RD	D	D
(A55)	Stormwater detention/retention ponds/wetlands	C	C	C	C	C	C	C
(A56)	Water, wastewater and stormwater outfalls and ancillary structures	P	P	P	P	P	P	P
(A57)	Ventilation facilities, drop shafts and manholes	P	P	P	P	P	P	P
(A58)	Stormwater treatment devices; erosion protection; culverts; measuring devices (flows structures)	P	P	P	P	P	P	P
Electricity generation and its storage								
(A59)	Small-scale electricity generation * solar electricity generation which is ancillary to network utilities located in roads and unformed roads and Strategic Transport Corridor Zone	NA P*	P	P	P	P	P	P
(A60)	Community-scale electricity generation * solar electricity generation	NA	P	P	RD# P*	P	RD# P*	RD# P*
(A61)	Large scale wind farms	NA	RD#	D	NC	RD#	D	NC
(A62)	Research and exploratory scale investigations for renewable electricity generation activities	D	P	NA	NA	NA	NA	P
(A63)	Other electricity generating facilities	NC	D	D	NC	D	D	NC
(A64)	Electricity storage facility that is not a minor utility structure	RD	P	P	RD#	P	RD#	RD#
Infringement of standards								
(A65)	Any activity that does not comply with Standard E26.2.5.2(6) and E26.2.5.1(6)	NC	NC	NC	NC	NC	NC	NC
(A66)	Any activity that does not comply with Standard E26.2.5.2(7) and E26.2.5.1(7)	NC	NC	NC	NC	NC	NC	NC

* rainwater tank standards listed below do not apply to item (A52) which only relates to network utility tanks.

- H3.6.13 Single House Zone
- H1.6.8 Large Lot Zone
- H2.6.11 Rural and Coastal Settlement Zone
- H4.6.16 Mixed Housing Suburban Zone
- H5.6.17 Mixed Housing Urban Zone
- H6.6.18 Terrace Housing and Apartment Buildings Zone
- H19.10.17 Rural Zones
- H20.6.9 Waitākere Foothills Zone
- H21.6.9 Waitākere Ranges Zone
- H27.6.9 Special Purpose - Māori Purpose Zone

Table E26.2.3.2 Activity table specifies the activity status of land use and development for road network activities pursuant to section 9(3) of the Resource Management Act 1991.

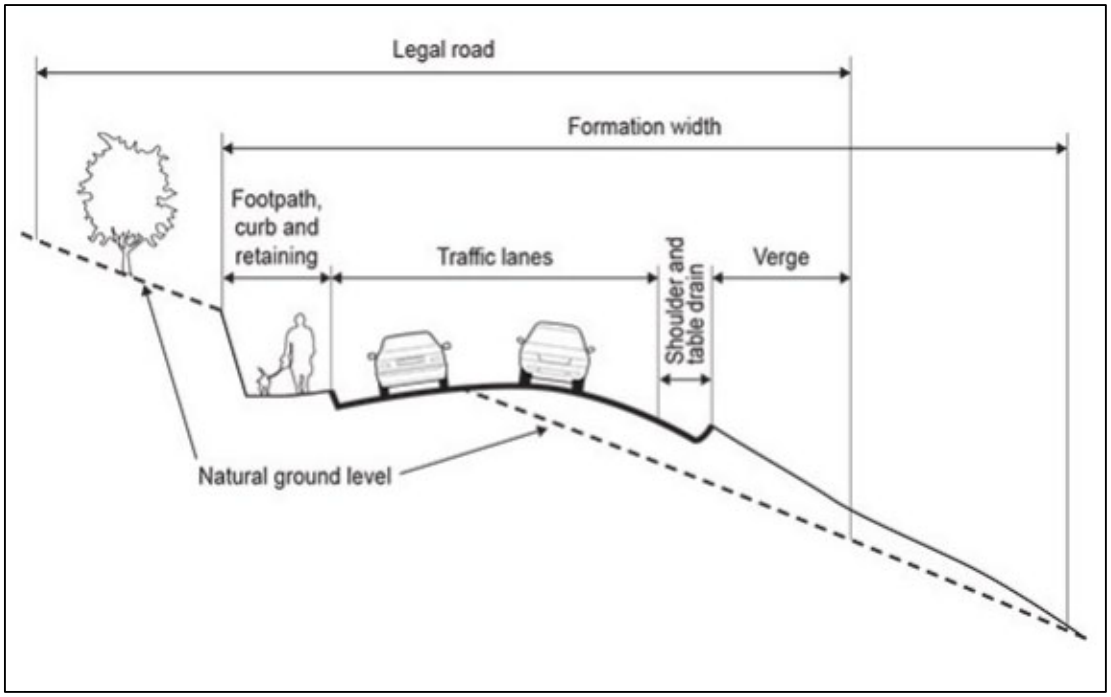
(1) The rules in Table E26.2.3.2 apply to the local public road network operated by Auckland Transport and any private road (provided the private road is in private ownership, provides public access and is connected to the public road network).

(2) in this section:

(a) ‘existing road' has the same meaning as in section 315 of the Local Government Act 1974 and includes legally established private roads (a road in private ownership providing public access and is connected to the public road network). Section 315 does not include a motorway within the meaning of the Government Roading Powers Act 1989; and

(b) for the purposes of these rules, the existing road includes activities undertaken within the formation width of the road which may extend beyond the legal road width refer to Figure E26.2.3.1; and

Figure E26.2.3.1 Formation width of the road



(c) 'unformed road' means land that is vested or dedicated that has never been formed in full or in part,

(3) Any zoning (including precinct provisions) ceases to have effect from the time the land is vested or dedicated as a road.

(4) In the case of stopped roads, the zoning reverts to that of the adjoining land at the time when the road is stopped, and where there are two different zones, the adjacent zone extends to the centre line of the former road.

(5) This section controls the road network activities (including structures) undertaken in the local public road network, and associated/ancillary structures and activities adjacent to but within the formation width of the existing road by Auckland Transport (or its agents) except where the overlay and Auckland-wide rules apply additional rules that must also be complied with.

(6) Where an existing road (as defined in Rule E26.2.3(2) above) is also identified as having an underlying zoning, the rules as set out below will have precedence over any zone rules in regard to the activity status and standards.

Table E26.2.3.2 Activity table for road network activities

Activity		Existing Road	Unformed Road
(A67)	Construction, operation, use, maintenance and repair of road network activities	P	P
(A68)	Transportation of people, goods and services	P	P
(A69)	Construction of unformed roads	NA	RD#
(A70)	Public amenities	P	P

E26.2.4. Notification

(1) An application for resource consent for a controlled or restricted discretionary activity listed in Table E26.2.3.1 Activity table or Table E26.2.3.2 Activity table for road network activities above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, except that:

(a) any restricted discretionary activity identified by a # in the in Table E26.2.3.1 Activity table and Table E26.2.3.2 Activity table for road network activities will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) Any application for resource consent for an activity that infringes the permitted or controlled activity standards will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.2.5. Standards

E26.2.5.1. Activities within roads and unformed roads in Table E26.2.3.1 Activity table

All activities listed as permitted in Table E26.2.3.1 Activity table must comply with the following permitted activity standards.

(1) Temporary network utilities:

(a) all temporary network utilities and associated buildings and structures must be removed from the site on completion of the works; and

(b) the site must be reinstated in accordance with conditions specified in the National Code of Practice for Utility Operators' Access to Transport Corridors (2011).

(2) Building area:

(a) the maximum aboveground building area for structures, excluding electricity and telecommunication support structures is 2m^2. This excludes:

(i) *[intentionally blank]*

(ii) telecommunication cabinets permitted under NESTF;

(iii) distribution substations and gas distribution regulator stations provided they do not exceed 6m^2;

(iv) distribution substations that specifically connect between networks operating at different voltages or phase angles, and are located outside of urban areas provided they do not exceed 10m^2; and

(v) pole mounted transformers provided the transformer does not exceed 2m^3.

(3) Height:

(a) the maximum height for structures, excluding electricity and telecommunication support structures, telecommunication devices, earth peaks, lightning rods, smart meters and GPS antennas is 1.8m;

(b) the maximum height for support structures for electricity lines, telecommunication lines, telecommunication equipment/devices, including telecommunication equipment/devices is 25m. This measurement of height of the structure excludes any earth peaks, lightning rods, smart meters, omni-directional whip antennas and GPS antennas; and

(c) the maximum height for of 2.5m applies to:

(i) telecommunication kiosk; and

(ii) distribution substations that specifically connect between networks operating at different voltages or phase angles, and are located outside of urban areas.

(4) [Deleted]~~Electric vehicle charging stations:~~

(a) ~~maximum height of 1.8m;~~

(b) ~~maximum area of 1.5m^2;~~

(c) ~~either have a socket connection, or a fitted cable management accessory;~~

(d) ~~the equipment must be removed by the owner when the equipment becomes obsolete; and~~

(e) ~~in addition to the above, where the electric vehicle charging station is located on an arterial road:~~

(i) ~~it must be located adjacent to part of a road on which car parking is authorised by Auckland Transport for a time period of at least 30 minutes for either general vehicle use or reserved for electric vehicles;~~

(ii) ~~the equipment must be removed by the owner (at the owner's sole cost) at least 30 days prior to the adjacent car parking space being permanently removed; and~~

(iii) ~~written notice of any proposed installation of the equipment must be given to Auckland Transport at least 2 months prior to the lodgement of any request to access the road corridor.~~

(5) Minor infrastructure upgrading

(a) All activities and works must be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(6) Electricity transmission and distribution (Electric and magnetic fields):

(a) network utilities that emit electric and magnetic field emissions must comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation Monograph Environmental Health Criteria (No 238, June 2007).

(7) Radio Frequency Fields (RF fields):

(a) network utilities should not result in radio-frequency fields produced by the network utility exceeding the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

E26.2.5.2. Activities within zones in Table E26.2.3.1 Activity table

All activities listed as permitted in Table E26.2.3.1 Activity table must comply with the following permitted activity standards.

(1) Temporary network utilities:

(a) all temporary network utilities, temporary electricity generation facilities and associated buildings and structures must be removed from the site on completion of the works.

(2) Building area:

(a) the maximum aboveground building area for structures, excluding electricity and telecommunication support structures:

(i) in residential zones is 20m^2;

(ii) in all other zones is 30m^2;

(b) Standard E26.2.5.2(2)(a)(i) and (ii) excludes:

(i) structures in industrial zones; and

(ii) substations or telephone exchanges incorporated within a building complying with the rules for the relevant zone which are provided for as a separate activity.

(3) Height:

(a) the maximum height for structures, excluding electricity and telecommunication support structures, telecommunication devices, earth peaks, lightning rods, smart meters and GPS antennas, is 2.5m. Excludes:

(i) structures in industrial zones, where the height controls of the relevant zone will apply;

(ii) substations and telephone exchanges incorporated within a building complying with the rules for the relevant zone or otherwise approved; and

(iii) telecommunication shelters and electricity storage facilities in rural zones, where a maximum height of 3m applies;

(b) the maximum height for support structures for electricity lines and telecommunication lines is 25m.

(c) The maximum height for rainwater tanks is 3m

(4) Yards:

(a) electricity and telecommunication support structures must be set back at least 1m from any adjoining site that is zoned residential or Special Purpose – Māori Purpose Zone.

(5) Pole mounted transformers:

(a) The maximum dimension for transformers is 2m^3

(6) Electricity transmission and distribution (Electric and magnetic fields):

(a) network utilities that emit electric and magnetic field emissions must comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).

(7) Radio Frequency Fields (RF fields):

(a) network utilities should not result in radio-frequency fields produced by the network utility exceeding the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

E26.2.5.3. Specific activities within zones in Table E26.2.3.1

The specific activities listed below are required to comply with the permitted activity standards in E26.2.5.1 and E26.2.5.2. Where a standard in E26.2.5.3 for a specified activity varies from a standard in E26.2.5.1 or E26.2.5.2, E26.2.5.3 shall apply.

Minor infrastructure upgrading [rcp/dp]

(1) Minor infrastructure upgrading of network utilities must comply with the following controls (where relevant):

(a) minor re-alignment, configuration, relocation or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets or ancillary structures:

(i) that is within 2m of the existing alignment or location;

(ii) that is within 5m of the existing alignment or location when associated with road widening reasons or road safety or electricity clearance reasons.

(b) alterations and additions to overhead electricity and telecommunication lines on existing poles:

(i) do not increase the number of conductors or wires/lines by more than 100 percent;

(ii) or when installing a new low voltage circuit on an existing pole, the total number of new conductors or wires/lines must not exceed 8, consisting specifically of 4 lines for electricity circuit (or single bundled line containing up to 4 electricity lines), 1 hot water pilot

line, 1 street light line, and 2 for telecommunication purposes. Where the hot water pilot and street light lines are not required, the maximum number of new conductors must not exceed 6 (unless some of the electricity lines are bundled in a single bundled line, in which case the maximum number of new conductors or wires/lines must not exceed 7, less the number of electricity lines in the bundled line).

(iii) the provisions in E26.2.5.3(1)(b)(i) and E26.2.5.3(1)(b)(ii) above exclude service connections and lateral network connections

(iv) additional cross arms that do not exceed the length of the existing cross arm by more than 100 percent, up to a maximum of 4m; and

(v) additional or replacement electricity and telecommunication lines that:

- do not exceed 30mm in diameter; or
- in the case of a single bundled line containing up to 4 electricity lines provided for under E26.2.5.3(1)(b)(ii), does not exceed 44mm in diameter. Only one bundled electricity line per span is permitted.

(c) the addition or replacement of:

(i) earthwires, either overhead or underground, and underground earthgrids, which may contain telecommunication lines, and earthpeaks;or

(ii) above-ground insulators on the poles.

(d) any pole which replaces an existing pole provided that:

(i) it must not have a diameter or width that is more than the existing pole’s diameter or width at its largest point plus 50 percent and in the case of double pole 100 percent; and

(ii) it must not have a height greater than 25m

(e) modification of an existing pole:

(i) only where the mechanical loading requirements make this necessary in order to undertake reconductoring or the reconfiguration of equipment, such as staywires, anchor blocks, on overhead electricity and telecommunication lines; or

(ii) when modifications to structures are required to meet mechanical loading requirements the height and profile of any modified

support structure must remain the same as existed prior to the modifications.

(f) the installation of new mid-span electricity poles in existing networks to address clearances in NZECP 34:2001;

(g) an increase in the power carrying or operating capacity, efficiency or security of electricity lines, gas distribution lines and telecommunications lines, where this uses the existing network utility and meets the requirements of E26.2.5.3(1)(c) - (f) above;

(h) the alteration, replacement or relocation of water, wastewater or stormwater structures (excluding pipes):

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within the 2m of existing alignment or location.

(i) the alterations or replacement of water, wastewater, stormwater, gas pipes provided that:

(i) above ground pipes must not exceed 300mm increase in diameter of the pipe;

(ii) underground pipes must not exceed a 50 percent increase in the diameter of the pipe

(j) the replacement of an existing antenna with a new antenna provided that:

(i) the new antenna does not exceed the maximum dimension of the existing antenna by more than 20 per cent; and

(ii) where the antenna is a dish antenna the diameter of the new antenna must not increase by more than 20 percent; and

(iii) the overall height of the facility to which the antenna is attached either does not increase or that any height increase is as a result of the antenna size increase only.

(k) Any upgrading of infrastructure that does not comply with the relevant standards for minor infrastructure upgrading specified above, shall be subject to the relevant activity status for that activity specified in Activity Table E26.2.3.1.

Substations and electricity storage facilities

(2) Noise from substations must not exceed the following noise limits when measured within the boundary of a residential zone site or within the notional boundary of a rural zone site:

(a) 55 dB L_{Aeq} between Monday to Saturday 7am to 10pm and Sundays 9am to 6pm and

(b) 45 dB L_{Aeq}/75 dB L_{Amax} for all other times

(2A) Noise from electricity storage facilities must not exceed:

(a) The noise limits in E26.2.5.3(2) when the electricity storage facility is located on the same site as a substation and the noise levels are assessed cumulatively; or

(b) The following noise limits when measured within the boundary of a residential zone site or within the notional boundary of a rural zone site:

(i) 50 dB LAeq between Monday to Saturday 7am to 10pm and Sundays 9am to 6pm and

(ii) 40 dB LAeq/75 dB LAmax for all other times.

(3) Noise from substations and electricity storage facilities in other zones must not exceed the noise limits for the zone in which they are located as provided in E25 Noise and vibration.

(4) Noise from distribution substations and electricity storage facilities within roads, unformed roads and Strategic Transport Corridor Zone must not exceed 40 dB LAeq:

(i) in adjacent residential areas – 6m from the distribution substation or electricity storage facility, or at the nearest residential boundary (whichever is furthest); and

(ii) in adjacent rural zones – 6m from the distribution substation or electricity storage facility, or at the nearest rural notional boundary (whichever is furthest).

(5) In respect of E26.2.5.3(3) and (4) above noise levels must be measured in accordance with NZS6801:2008 “Acoustics – Measurement of environmental sound” and assessed in accordance with NZS6802:2008 “Acoustics – Environmental noise”.

(6) Antennas attached to buildings must not exceed the height at the point of attachment to the building by more than the height specified in Table E26.2.5.3.1.

For the purposes of this rule, the following ancillary components are excluded from the height standards: radio frequency units; GPS antennas; smart meters, lightning rods, shrouds and ancillary equipment such as amplifiers, controller boxes and tilt motors.

Table E26.2.5.3.1 Telecommunication antennas attached to buildings

Zone group	Permitted height
• Rural zones; • Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land); • Future Urban Zone; • Special Purpose – Quarry Zone; • Industrial zones; • Centres zones and Business – Mixed Use Zone (excluding the Business – Local Centre Zone and Business – Neighbourhood Centre Zone); • Business – General Business Zone; • Special Purpose – Airports and Airfields Zone, Special Purpose – Major Recreation Zone, Special Purpose – Healthcare Facility and Hospital Zone and the Business – Business Park Zone; and • Special Purpose – Tertiary Education Zone	5m
• Business – Local Centre Zone and Business – Neighbourhood Centre Zone; • Open space zones; and • Special Purpose – Cemetery Zone	3.5m

(7) Standards E26.2.5.3(8) - (10) apply to individual antennas or clusters of antennas, provided that collectively these do not exceed 600mm in diameter.

(8) The maximum number of antennas specified in E26.2.5.3(9) and (10) do not apply to:

(a) antennas mounted on the fascia of a building below the roofline; and

(b) GPS antennas, smart meters, lightning rods, shrouds and ancillary equipment such as radio frequency units, amplifiers, controller boxes and tilt motors

(9) The maximum number of antennas in the Business – Local Centre Zone and Business – Neighbourhood Centre Zone are in Table E26.2.5.3.2.

Table E26.2.5.3.2 Maximum number of antennas

Roof area (plan view)	Maximum number of antennas per site
300m^2 or less	6
Greater than 300m^2 and less than 1,000m^2	8
1,000m^2 or more	12

(10) For all other zones the maximum number of antennas is 12 per site.

Height of masts and attached antennas (excludes NESTF)

(11) Masts and attached antennas identified as permitted activities in Table E26.2.3.1 must not exceed the height limits in Table E26.2.5.3.3, excluding provision for lightning rods, omni-directional whip antennas and GPS antennas, telecommunication devices and earthpeaks.

Table E26.2.5.3.3 Height of masts and attached antennas (excludes NESTF)

Zone groups	Maximum height
• Rural zones; • Industrial zones; • Strategic Transport Corridor Zone; • Centres zones and Business - Mixed Use Zone (excluding the Business – Local Centre Zone and Business – Neighbourhood Centre Zone); • Special Purpose – Airport Zone; • Special Purpose – Major Recreation Facility Zone; • Special Purpose – Healthcare Facility and Hospital Zone; • Business – Business Park Zone; • Business – General Business Zone; • Coastal – Minor Port Zone (land); • Future Urban Zone; • Coastal – Marina Zone (land); and • Special Purpose – Quarry Zone	25m

Electricity generation – wind generation scale and location

(12) Meteorological masts for wind research and exploration must not exceed 90m in height.

(13) Roof-mounted wind turbines for small-scale electricity generation must:

(a) not exceed the permitted height of the zone by more than 3m;

(b) have a rotor diameter no more than 2.5m; and

(c) be limited to one per dwelling within the residential zones.

(14) Freestanding wind turbines for small-scale electricity generation must comply with Table E26.2.5.3.4.

Table E26.2.5.3.4 Freestanding wind turbines for small-scale electricity generation

Zone	Maximum height	Maximum rotor diameter (m)
Residential zones and the Special Purpose – Māori Purpose Zone	12	2.5
Rural zones, Future Urban Zone, Special Purpose – Quarry Zone and industrial zones	20	5
All other zones	15	3

(15) In residential zones and the Special Purpose – Māori Purpose Zone, freestanding wind turbines for small-scale electricity generation are limited to one per site.

(16) The noise (rating) level from small scale electricity generation must not exceed the noise control specified for activities in the zone in which the small scale electricity generation activity is located (including noise control for any zone interface), following the subtraction of 10 decibels from every applicable A-weighted noise limit in the applicable rule. A penalty for the noise containing Special Audible Characteristics in accordance with NZS6802:2008 Acoustics – Environmental Noise must not be applied.

(17) Wind turbine towers, either freestanding tubular, lattice or tubular mast supported by guy wires, for a community-scale electricity generation facility must not exceed 25m in height.

(18) Small and community scale wind turbines on sites adjoining residential zones must meet the height in relation to boundary control for the adjoining zone in which they are located.

(19) There is no height limit for wind turbine towers associated with large-scale wind farms.

Electricity generation - solar panels

(20) For small scale and community scale electricity, solar panels on the roof of a building must not exceed 250mm in height above the existing roof.

Setbacks

(21) Wind turbine towers must be set back from the boundary of the site on which the wind turbine is located at a distance equivalent to the length of the turbine blades. The tips of the turbine blades must stay within the site at all times.

Shadow flicker

(22) No dwellings on a neighbouring property must be exposed to more than 30 hours of shadow flicker per year based on realistic shadow flicker hours calculations from large-scale wind farms.

Pipe and cable bridges

(23) Pipe and cable bridges must not exceed:

(a) 25m in length;

(b) 1m in diameter or width

Underground pipelines for the conveyance of gas, water, wastewater and stormwater

(24) Any aboveground section of underground pipelines for the conveyance of gas, water, wastewater and stormwater must not exceed:

(a) 25m continuous length of pipe that is aboveground in any one section; and

(b) 300mm in diameter.

Amateur Radio Configurations

(25) Amateur radio configuration activities must comply with the following standards:

(a) no limit to the number of supporting structures less than 102mm in diameter. Where guy wires are used, these must not exceed 10mm in diameter;

(b) a maximum of one supporting structure greater than 102mm. The maximum height of the supporting structure shall be the relevant building height. The maximum horizontal diameter of the pole or supporting structure is 800mm. The minimum setback from any boundary is 1.5m. Any guys used to support the pole must not exceed 10mm in diameter;

(c) dish antennas located less than 5m above ground have a maximum horizontal diameter of 4m and a minimum boundary setback of 1m. Dish antennas situated more than 5m above ground have a maximum diameter of 1.2m;

(d) the maximum height of antennas mounted on buildings using a supporting structure less than 102mm diameter shall be 18m in the residential zones, and 18m or the relevant permitted or actual building height plus 5m (whichever is greatest) in all other zones;

(e) all antennas must be designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz at all times and in all places to which the public has access; and

(f) no amateur radio configuration may be located on a site that is, or contains, a scheduled historic heritage place. In respect of a scheduled historic heritage place, no amateur radio configuration shall be located on a site with a extent of place or any area of legal road within that extent of place.

Licensed amateur radio operators have an important role in civil defence activities in the city. The rules recognise this by permitting certain amateur radio configurations for use by licensed amateur radio operators.

Electric vehicle charging stations

(26) [Deleted]~~Electric vehicle charging stations must be:~~

(a) ~~maximum height of 1.8m;~~

(b) ~~maximum area of 1.5m^2; and~~

(c) ~~either have a socket connection, or a fitted cable management accessory.~~

E26.2.5.4. Standards for road network activities in Table E26.2.3.2

The following permitted activity standards apply to activities within Table E26.2.3.2 Activity table for road network activities in the existing road.

(1) Temporary works, buildings and structures must be removed from the road on completion of works.

(2) After completion of works, the ground must be reinstated to at least the condition existing prior to any work starting.

(3) Work within the formation width of the road must be incidental to, and serve a supportive function for the existing public road or is required for the safety of road users or is required for the safety of adjacent landowners or occupiers.

(4) Road network activities involving the construction, renewal or minor upgrading of road pavement (excluding footpaths), bridges, retaining walls and tunnels, that are within 20m of any building or structure that is listed as a primary feature in Schedule 14.1, shall prepare a vibration management plan. The plan shall be prepared by a suitably qualified and experienced person and shall demonstrate that vibration levels in E25.6.30 (1)(a) German Industrial Standard DIN 4150-3(1999): Structural vibration – Part 3 Effects of vibration on structures will be complied with.

The plan must include the information set out in E26.8.8 and be provided to the council no less than 5 days prior to the works commencing.

E26.2.5.5. Controlled activity standards

All activities listed as controlled in Table E26.2.3.1 Activity table must comply with the following controlled activity standards.

Antennas

(1) Antennas attached to replacement utility structures that do not comply with Regulation 7 of the NESTF in roads, unformed roads and the Strategic Transport Corridor Zone:

(a) the total height of the structure may exceed the limit specified in Regulation 7(2) of NESTF, by an additional 0.5m;

(b) the maximum diameter of any shroud is 600mm; and

(c) there is no limit on the size of antennas where contained within a shroud not exceeding the above limits.

Substations within new or existing buildings and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a)

(2) Substations within new buildings, substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) the substation building or pump station must comply with the standards for the relevant zone; and

(b) noise from substations must not exceed the noise limits in Standards E26.2.5.3(2) - (5).

E26.2.6. Assessment – controlled activities

E26.2.6.1. Matters of control

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

(1) antennas attached to replacement utility structure that do not comply with Regulation 7 of the NESTF in roads, unformed roads and the Strategic Transport Corridor Zone:

(a) compliance with Standard E26.2.5.5(1) Controlled activity standard for antennas.

(2) stormwater detention and retention ponds and wetlands:

(a) effects on the use of open space;

(b) provision of safe access for maintenance; and

(c) effects on health and safety.

(3) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) external building appearance;

(b) landscaping and fencing;

(c) compliance with Standard E26.2.5.5(2); and

(d) effects on health and safety.

E26.2.6.2. Assessment criteria

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

(1) antennas attached to replacement utility structure that do not comply with Regulation 7 of the NESTF in roads, unformed roads and the Strategic Transport Corridor Zone:

(a) whether Standard E26.2.5.5(1) is complied with; and

(b) the ability to use a shroud to encompass antennas.

(2) stormwater detention and retention ponds and wetlands:

(a) the extent to which interference with public use and enjoyment of open space is minimised where stormwater detention and retention ponds and wetlands are located in public open space;

(b) whether safe and direct access can be provided to enable the maintenance of stormwater detention and retention ponds and wetlands; and

(c) whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing.

(3) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) whether Standard E26.2.5.5(2) is complied with;

(b) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features without compromising the functional requirements of the pump station or substation;

(c) the extent to which the visual effects of the building can be softened by landscaping without compromising the functional requirements of the pump station or substation; and

(d) the extent to which fencing can be used to minimise potential health and safety hazards.

E26.2.7. Assessment – restricted discretionary activities

E26.2.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) functional and operational needs of, and benefits derived from, the infrastructure;

(b) visual effects;

(c) where located within a road, the operation and function of road network activities and effects on the amenity values of the streetscape;

(d) noise and vibration effects;

(e) odour effects;

(f) shadow flicker effects; and

(g) implications in terms of future planned urban development.

(2) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(i) effects of external building appearance on amenity values of the streetscape and adjoining properties; and

(ii) effects on health and safety.

(3) road construction of unformed roads and their operation:

(a) adverse effects on amenity values of adjoining properties;

(b) adverse construction effects including effects of vibration, noise, and dust;

(c) adverse operational effects particularly on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions;

(d) severance effects and changes to drainage patterns;

(e) safety and efficiency of the transport network; and

(f) the benefits provided by the construction of the road.

E26.2.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) function and operational needs of and the benefits derived from, infrastructure:

(i) the extent to which the functional and operational requirements of the infrastructure affects or necessitates its location, form, height and size;

(ii) the extent to which the infrastructure or upgrade will benefit and contribute to the social, economic and cultural and environmental wellbeing of businesses, people and communities; and

(iii) the extent to which the infrastructure improves the resilience and security of the network or utility service provided.

(b) visual effects:

(i) the extent to which the cumulative adverse visual effects of additional infrastructure on the amenity values of the streetscape and adjoining properties, are avoided, remedied or mitigated;

(ii) the extent to which any adverse effects of the design, scale and height of the infrastructure can be internalised, modified or mitigated without compromising the functional requirements of the infrastructure;

(iii) the extent of any effects of any building envelope infringements on privacy, over-shadowing or domination of adjacent properties or roads; and

(iv) the extent to which the visual effects of the infrastructure can be softened by landscaping without compromising the functional requirements of the infrastructure.

(c) where located within a road, the operation and function of road network activities and effects on the amenity values of the streetscape:

(i) the extent to which the infrastructure impedes, restricts or compromises the safe and efficient movement and function of transport activities within a road (including access to and from adjoining properties); and

(ii) the extent to which infrastructure in a road adversely effects the amenity values of the streetscape and the function of public amenities.

(d) implications in terms of future planned urban development:

(i) the extent to which the proposed infrastructure provides for any planned urban development (for example approved structure plans); and

(ii) the extent to which the proposed infrastructure may constrain future urban development.

(e) measures required to avoid, remedy or mitigate adverse effects:

(i) whether measures proposed to avoid, remedy or mitigate the adverse effects where relevant to the above criteria will be; effective.

(f) noise and vibration:

(i) the extent to which noise or vibration generated by the infrastructure adversely affects adjacent properties.

(g) odour:

(i) the extent to which any odour emissions from the infrastructure adversely affects the amenity values of surrounding properties.

(h) shadow flicker:

(i) the extent of any shadow flicker effects on adjacent properties and road.

(2) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features

without compromising the functional requirements of the pump station or substation;

(b) the extent to which the visual effects of the building can be softened by landscaping without compromising the functional requirements of the pump station or substation; and

(c) the extent to which fencing can be used to minimise potential health and safety hazards.

(3) road construction of unformed roads and their operation:

(a) whether adverse effects on amenity values of adjoining properties are avoided, remedied or mitigated;

(b) whether adverse construction effects including effects of vibration, noise, and dust are avoided, remedied or mitigated;

(c) whether adverse operational effects particularly on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions are avoided, remedied or mitigated;

(d) the extent to which severance effects and changes to drainage patterns can be avoided, remedied or mitigated; and

(e) whether the safety and efficiency of the transport network will be compromised and the impact on the network and levels of service if the work is not undertaken.

E26.2.8. Special information requirements

There are no special information requirements in this sub-section.

E26.3. Network utilities and electricity generation – Vegetation management

E26.3.1. Objectives

The objectives for vegetation management are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay; and
- E15 Vegetation management and biodiversity.

E26.3.2. Policies

The policies for vegetation management are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay; and
- E15 Vegetation management and biodiversity.

E26.3.3. Activity table

Table E26.3.3.1 Activity table specifies the activity status of land use and development activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991 in the:

- rural zones, coastal areas and riparian areas(for the meaning of 'coastal areas' and 'riparian areas', refer to E15 Vegetation management and biodiversity and in particular Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules);
- D9 Significant Ecological Areas Overlay; (SEA)
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay; and (ONF) and (ONL)
- D11 Outstanding Natural Character Overlay and High Natural Character Overlay; (ONC) and (HNC)

The acronyms in brackets after the overlays identified above are used to identify those overlays in the headings in Table E26.3.3.1

For Table E26.3.3.1 Activity table:

- vegetation alteration or removal in relation to existing transmission lines as at 14 January 2010 which form part of the National Grid must also comply with relevant regulations in the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009. These regulations will also determine the relevant activity status for such activities notwithstanding any other rules in the Plan;

- for the vegetation management rules except where otherwise stated any square metre limit applies on a ‘per project’ basis; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management

Activity		Auckland wide rules Vegetation management	Overlay rules Vegetation management				
		Rural zones, coastal areas and riparian areas [rp]	SEA [rp]	ONF [dp]	HNC [dp]	ONL [dp]	ONC [dp]
Operation, maintenance, renewal, repair, construction and removal of network utilities and electricity generation facilities and minor infrastructure upgrading							
(A71)	Biosecurity tree works	P	P	P	P	P	P
(A72)	Dead wood removal	P	P	P	P	P	P
(A73)	Emergency tree works	P	P	P	P	P	P
(A74)	Pest plant removal	P	P	P	P	P	P
(A75)	Vegetation alteration or removal for the operation, repair and maintenance of access tracks and fences for network utilities	P	P	P	P	P	P
(A76)	Vegetation alteration or removal	P	P	P	P	P	P
(A77)	Vegetation alteration or removal that does not comply with Standards E26.3.5.1 to E26.3.5.4	RD	RD	RD	RD	RD	RD
(A78)	Vegetation alteration or removal not otherwise provided for	D	D	D	D	D	D

E26.3.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.3.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.3.4A General Standard

All activities listed as permitted, or restricted discretionary in Table E26.3.3.1 must comply with the following standard.

Disposal of kauri material

(1) All kauri material (including sawdust and woodchips) must be retained on site according to best practice or disposed of to an approved landfill facility.

E26.3.5. Permitted activity standards

All activities listed as permitted in Table E26.3.3.1 Activity table must comply with the following permitted activity standards.

Regional [rp]

Permitted activity standards for vegetation management in rural zones, coastal areas, riparian areas and the Significant Ecological Areas Overlay

E26.3.5.1. Vegetation alteration or removal for the operation, maintenance and repair of access tracks and fences for network utilities

(1) Must be undertaken within and to 1m either side of existing tracks and fences.

(2) Must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(3) Must not result in the removal of more than 20m^2 of vegetation within a significant ecological area.

(4) Must not result in the removal of more than 50m^2 of vegetation from areas not identified as a significant ecological area.

E26.3.5.2. Vegetation alteration or removal

(1) Must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(2) *[deleted]*

(3) Must not result in the removal of more than 50m^2 of vegetation within a coastal area or riparian area not identified as a significant ecological area.

(4) Must not result in the removal of more than 20m^2 of vegetation within the legal road or the formation width of the road in the Waitakere Ranges Heritage Area Overlay.

(5) Must not result in the removal of more than 500m^2 of vegetation within the legal road or the formation width of the road in a rural zone.

(6) Must not result in the removal of more than 250m^2 of vegetation outside the legal road or the formation width of the road in a rural zone.

(7) Vegetation alteration or removal from a significant ecological area must be for the purpose of:

(a) the operation, maintenance, renewal, repair or removal of network utilities or electricity generation facilities or minor infrastructure upgrading and not result in the removal of more than 20m2 of vegetation, except within the formation width of the road; or

(b) the operation, maintenance, renewal, repair or removal of network utilities or electricity generation facilities or minor infrastructure upgrading and must be undertaken in any of the following:

(i) within the formation width of existing roads, except where Standard E26.3.5.2(4) applies; or

(ii) within 1m of the network utility, or existing access track; or

(iii) in accordance with the Electricity (Hazards from Trees) Regulations 2003; or

(c) maintaining the safety of the network utility and must be undertaken in any of the following:

(i) within state highway designations as at 30 September 2013; or

(ii) within railway designations as at 30 September 2013; or

(d) installing a service connection and must not result in the removal of more than 10m2 of vegetation.

(7A) Tree trimming or alteration of trees must comply with the following standards:

(a) the maximum branch diameter must not exceed 50mm;

(b) no more than 10 per cent of live growth of the tree is removed in any one calendar year;

(c) the trimming or alteration must retain the natural shape, form and branch habit of the tree;

(d) trimming or alteration must meet accepted modern arboricultural practice.

(8) Standards E26.3.5.2(1)-(7A) do not apply to vegetation alteration or removal required to maintain the visibility of road safety signage, vehicle sightlines, carriageway clearance heights and widths as follows:

(a) clearance of 4.5m height above the road carriage way or up to 0.5m above any traffic signal, or road safety and directional signage located above the road carriageway;

(b) clearance of a 0.5m width back from the road kerb;

(c) clearance of a 0.6m width back from the un-kerbed road; or

(d) clearance for any over dimension route requirement.

District [dp]

Permitted Activity Standards for vegetation management in the Outstanding Natural Features Overlay, Outstanding Natural Landscapes Overlay and Outstanding Natural Character and High Natural Character Overlay

E26.3.5.3. Vegetation alteration or removal for the operation, maintenance and repair of access tracks and fences for network utilities

(1) Must be undertaken within and to 1m either side of existing tracks and fences.

(2) Must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(3) Must not result in the removal of more than 50m^2 of vegetation within an overlay.

E26.3.5.4. Vegetation alteration or removal

(1) Vegetation alteration or removal must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(2) Must not result in the removal of more than 50m^2 of vegetation within an overlay.

(3) Must not result in the removal of more than 20m^2 of vegetation within the legal road or the formation width of the road in the Waitakere Ranges Heritage Area Overlay.

(4) Must not result in the removal of more than 250m^2 of vegetation within the legal road or the formation width of the road in an overlay

(5) Standards E26.3.5.4(1)-(4) do not apply to vegetation alteration or removal required to maintain the visibility of road safety signage, vehicle sightlines, carriageway clearance heights and widths as follows:

(a) clearance of 4.5m height above the road carriage way or up to 0.5m above any traffic signal, or road safety and directional signage located above the road carriageway;

(b) clearance of a 0.5m width back from the road kerb;

(c) clearance of a 0.6m width back from the un-kerbed road; or

(d) clearance for any over dimension route requirement.

E26.3.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.3.7. Assessment – restricted discretionary activities

E26.3.7.1. Matters of discretion

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

(1) regional rules - vegetation management in rural zones, coastal areas, riparian areas and the Significant Ecological Areas Overlay that do not comply with the permitted activity standards [rp]:

(a) ecological values:

(i) the effects that the vegetation alteration or removal will have on ecological values, including on threatened species and ecosystems.

(aa) hazard mitigation:

(i) the role of the vegetation in avoiding or mitigating natural hazards and the extent to which the vegetation alteration or removal will increase any hazard risk.

(b) sediment, water quality and hydrology:

(i) the effects the vegetation alteration or removal will have on soil conservation, water quality and the hydrological function of the catchment.

(c) use:

(i) the extent to which the vegetation alteration or removal is necessary to provide for the functional and operational needs of infrastructure.

(d) methods and location:

(i) the minimisation of effects from alteration or removal of vegetation and land disturbance through alternative locations on the site and/or methods of undertaking the works.

(e) mitigation measures:

(i) the remedy or mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance.

(f) bonds and covenants:

(i) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion.

(g) Mana Whenua values:

(i) the effects on Mana Whenua values associated with a Significant Ecological Areas Overlay.

(2) district rules - vegetation management in the Outstanding Natural Features Overlay, Outstanding Natural Landscapes Overlay, Outstanding Natural Character Overlay and High Natural Character Overlay that do not comply with the permitted activity standards [dp]:

(a) hazard mitigation:

(i) the role of the vegetation in avoiding or mitigating natural hazards and the extent to which the vegetation alteration or removal will increase any hazard risk.

(b) landscape, natural features and natural character values:

(i) the effects the vegetation alteration or removal will have on landscape, natural features and natural character.

(c) amenity values:

(i) the effects the vegetation alteration or removal will have on the amenity values of any adjacent open space including the coast, parks, reserves and walkways.

(d) use:

(i) the extent to which the vegetation alteration or removal is necessary to provide for the functional and operational needs of infrastructure.

(e) methods and location:

(i) the minimisation of effects from alteration or removal of vegetation and land disturbance through alternative locations on the site and/or methods of undertaking the works.

(f) mitigation measures:

(i) the remedy or mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance.

(g) bonds and covenants:

(i) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion.

(h) Mana Whenua values:

(i) the effects on Mana Whenua values associated with an Outstanding Natural Features Overlay, Outstanding Natural Character Overlay, High Natural Character Overlay or the Outstanding Natural Landscapes Overlay.

E26.3.7.2. Assessment criteria

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

(1) regional rules - vegetation management in rural zones, coastal areas, riparian areas and the D9 Significant Ecological Areas Overlay that do not comply with the permitted activity standards [rp]:

(a) ecological values:

(i) the extent to which the vegetation alteration or removal is minimised and adverse effects on the ecological and indigenous biodiversity values of the vegetation are able to be avoided, remedied or mitigated;

(ii) whether vegetation removal will have an adverse effect on threatened species or ecosystems; and

(iii) the extent to which the proposal for vegetation alteration or removal has taken into account relevant objectives and policies in D9 Significant Ecological Areas Overlay, D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay and E15 Vegetation management and biodiversity.

(aa) hazard mitigation:

(i) the extent to which the vegetation alteration or removal will increase natural hazard risks.

(b) sediment, water quality and hydrology:

(i) the extent to which vegetation alteration or removal will adversely affect soil conservation, water quality and the hydrological function of the catchment and measures to avoid remedy or mitigate any adverse effects.

(c) use:

(i) whether the vegetation alteration or removal will improve the reliance and security of the network utility;

(ii) whether the vegetation alteration or removal is necessary for a structure that has a functional or operational need to be in the proposed location; and

(iii) the extent of the benefits derived from infrastructure.

(d) methods and location:

(i) whether there are practicable alternative locations and methods including consideration of an application to infringe development control where this would result in retention and enhancement of vegetation on the site; and

(ii) whether the effects from the alteration or removal of vegetation and land disturbance can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works.

(e) mitigation measures:

(i) the extent to which revegetation can remedy or mitigate adverse effects, including eco-sourcing and the ongoing maintenance of revegetation measures.

(f) bonds and covenants:

(i) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments.

(g) Mana Whenua values:

(i) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

(2) district rules - vegetation management in the Outstanding Natural Features Overlay, Outstanding Natural Landscapes Overlay, Outstanding Natural Character Overlay and High Natural Character Overlay that do not comply with the permitted activity standards [dp]:

(a) hazard mitigation:

(i) the extent to which the vegetation alteration or removal will increase natural hazard risks.

(b) landscape, natural features and natural character values:

(i) the extent to which vegetation alteration or removal will have adverse effects on the values identified for scheduled outstanding natural landscape, outstanding natural features, outstanding natural character and high natural character areas; and

(ii) the extent to which vegetation alteration or removal adversely affects landscape, natural features and natural character values particularly on adjacent public space including the coast, reserves and walkways and measures to avoid, remedy or mitigate any adverse effects.

(c) amenity values:

(i) the extent to which the vegetation alteration or removal will have adverse effects on the amenity values of any adjacent open space including the coast, parks, reserves and walkways and measures to avoid, remedy or mitigate any adverse effects.

(d) use:

(i) whether the vegetation alteration or removal will improve the reliance and security of the network utility;

(ii) whether the vegetation alteration or removal is necessary for a structure that has a functional or operational need to be in the proposed location; and

(iii) the extent of the benefits derived from infrastructure.

(e) methods and location:

(i) whether there are practicable alternative locations and methods including consideration of an application to infringe development control where this would result in retention and enhancement of vegetation on the site; and

(ii) whether the effects from the alteration or removal of vegetation and land disturbance can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works.

(f) mitigation measures:

(i) the extent to which revegetation can remedy or mitigate adverse effects, including eco-sourcing and the ongoing maintenance of revegetation measures.

(g) bonds and covenants:

(i) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments.

(h) Mana Whenua values:

(i) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

E26.3.8. Special information requirements

There are no special information requirements in this sub-section.

E26.4. Network utilities and electricity generation – Trees in roads and open space zones and the Notable Trees Overlay

E26.4.1. Objectives

The objectives for trees in roads and open space zones and the Notable Trees Overlay are located in D13 Notable Trees Overlay, E16 Trees in open space zones and E17 Trees in roads.

E26.4.2. Policies

The policies for trees in roads and open space zones and the Notable Trees Overlay are located in D13 Notable Trees Overlay, E16 Trees in open space zones and E17 Trees in roads.

E26.4.3. Activity table

Table E26.4.3.1 Activity table specifies the activity status of land use and development activities in the trees in roads and open space zones provisions and the Notable Trees Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- the activity status and rule applying to any particular tree is determined by the location of the trunk;
- all activities obtain the approval of the Tree Asset Manager, which in respect of roads is Auckland Transport and in respect of open space zones, owned by the Council, is the Auckland Council Parks Department;
- for the tree rules except where otherwise stated any square metre limit applies on a 'per project' basis; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.4.3.1 Activity table - Network utilities and electricity generation – Trees in roads and open space zones and the Notable Trees Overlay

Activity		Auckland wide-rules Trees		Overlay rules
		Trees in roads [dp]	Open space zones [dp]	Notable trees [dp]
Operation, maintenance, renewal, repair, construction and removal of network utilities and electricity generation facilities and, minor infrastructure upgrading				
(A79)	Biosecurity tree works	P	P	P
(A80)	Dead wood removal *if undertaken by a qualified arborist	P	P	P* C
(A81)	Emergency tree works	P	P	P
(A82)	Pest Plant Removal *of any tree less than 4m in height and less than 400mm in girth	P	P*	NA

(A83)	Tree trimming or alteration	P	P	P
(A84)	Tree trimming or alteration that does not comply with Standard E26.4.5.1 (Trees in streets and open space zones) or Standard E26.4.5.3 (Notable trees)	RD	RD	RD
(A85)	Tree trimming of branch diameters greater than 50mm of Notable Trees in accordance with the Electricity (Hazards from Trees) Regulations 2003 up to the growth limit zone	NA	NA	C
(A86)	Works within the protected root zone to enable by trenchless methods at a depth greater than 1m below ground level	NA	NA	P
(A87)	Works within the protected root zone that comply with Standard E26.4.5.2	P	P	NA
(A88)	Works within the protected root zone not otherwise provided for	RD	RD	RD
(A89)	Tree removal of Notable Trees	NA	NA	D
(A90)	Tree trimming, alteration or removal on roads adjoining rural zones and on roads adjoining the Future Urban Zone	P	NA	NA
(A91)	Tree alteration or removal of any tree less than 4m in height and/or less than 400mm in girth	P	P	NA
(A92)	Tree alteration or removal of any tree greater than 4m in height and/or greater than 400mm in girth	RD	RD	NA
(A93)	Tree trimming, alteration or removal not otherwise provided for	D	D	D

E26.4.4. Notification

(1) An application for resource consent for a controlled activity listed in Table E26.4.3.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Table E26.4.3.1 Activity table and which is not listed in E26.4.4(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.4.5. Standards

All activities listed as permitted in Table E26.4.3.1 Activity table must comply with the following permitted activity standards.

Trees in roads and open space zones

E26.4.5.1. Trees in roads and open space zones - tree trimming or alteration

(1) Tree trimming or alteration of trees in streets and open space zones must comply with the following standards:

(a) the maximum diameter of any branch removed must be no greater than 100mm;

(b) no more than 20 per cent of live growth of the tree must be removed which can be increased to 30 per cent under the direct supervision of a suitably qualified arborist;

(c) the natural shape, form and branch habit of the tree must be retained for trees in public open space;

(d) the natural shape, form and branch habit of the tree must be retained for trees in streets where practicable; and

(e) All works must be carried out in accordance with best arboricultural practice.

(2) The standards in E26.4.5.1(1) do not apply to tree trimming or alteration carried out:

(a) in order to comply with the Electricity (Hazards from Trees) Regulations 2003;

(b) by Council or its agent or the road controlling authority or its agent to maintain the visibility of road safety signage, maintain vehicle sightlines for traffic safety, maintain legal clearance height and width above the road carriage way including to:

(i) maintain a clearance of 4.5 m height above the road carriage way or up to 0.5m above any traffic signal, or road safety and directional signage located above the carriageway;

(ii) maintain the clearance of 0.5m width back from the road kerb;

(iii) maintain the clearance of 0.6m width back from the unkerbed road; or

(iv) maintain clearance requirements for over dimension routes;

(c) within the legal road or the formation width of the road where the road adjoins any rural zone for maintaining visibility.

(3) Any diseased tree material is to be treated in accordance with the Biosecurity Act 1993.

E26.4.5.2. Trees in roads and open space zones - works within the protected root zone

(1) For roots under 60mm:

(a) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone without direction and/or supervision of a qualified arborist.

(i) the surface area of a single excavation shall not exceed 1m^2;

(ii) works involving root pruning must be less than 35mm in diameter at severance;

(iii) works will disturb less than 10 per cent of the protected root zone; and

(iv) any machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.

(b) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone with direction and/or supervision of a qualified arborist:

(i) works must not disturb more than 20 per cent of the protected root zone;

(ii) works involving root pruning must not be on roots greater than 60mm in diameter at severance; and

(iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.

(c) excavation undertaken by trenchless methods must not be undertaken at a depth less than 800mm below ground level, and does not require the direction or supervision of a qualified arborist;

(d) replacement of structures kerbs, and hard surfaces must be done so that:

(i) the removal of the surface is carried out without damage to any tree roots; and

(ii) the machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.

(e) Standards E26.4.5.2(1)(a) - (d) above do not apply to any tree works undertaken inside infrastructure such as pipes and meter boxes.

(2) For roots greater than 60mm but less than 80mm:

(a) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone with direction and/or supervision of a qualified arborist:

(i) works must not disturb more than 20% of the protected root zone;

(ii) works involving root pruning must not be on roots greater than 80mm in diameter at severance;

(iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket;

(b) Standard E26.4.5.2(2)(a) above do not apply to any tree works undertaken inside infrastructure such as pipes and meter boxes.

Notable trees

E26.4.5.3. Notable trees - tree trimming or alteration

(1) Tree trimming or alteration of notable trees must meet the following standards:

(a) the maximum branch diameter must not exceed 50mm at severance;

(b) must not result in the removal of more than 10 per cent of live growth of the tree in any one calendar year;

(c) the trimming must retain the natural shape, form and branch habit of the tree.

(d) the works must meet best arboricultural practice

E26.4.5.4. Notable trees - works within the protected root zone to enable trenchless methods at a depth greater than 1m below ground level

(1) Excavation must be undertaken by hand-digging, air spade, hydro vac or drilling machine, within the protected root zone at a depth of 1m or greater.

(2) The surface area of a single excavation must not exceed 1m².

(3) Works involving root pruning must not be on roots greater than 35mm in diameter at severance.

(4) Works must not disturb more than 10 per cent of the protected root zone.

(5) Any machines must operate on top of paved surfaces and/or ground protection measures.

(6) Any machines used must be fitted with a straight blade bucket.

(7) All works must be undertaken under the direction of a qualified arborist.

E26.4.6. Assessment – controlled activities

E26.4.6.1. Matters of control

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

(1) for deadwood removal not undertaken by a qualified arborist:

(a) the extent of the alteration of the tree; and

(b) the method to be employed.

(2) for tree trimming of branch diameters greater than 50mm at severance in accordance with Electricity (Hazards from Trees) Regulations 2003 up to the Growth Limit Zone:

(a) the required Growth Limit Zone clearances required by the Electricity (Hazards from Trees) Regulations 2003;

(b) the extent of the alteration to the tree; and

(c) the method to be employed.

E26.4.6.2. Assessment criteria

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

(1) for deadwood removal not undertaken by a qualified arborist:

(a) criteria for the extent of the alteration of the tree and the method to be employed:

(i) the tree will not be unduly damaged or its health endangered through removal of deadwood;

(ii) the timing of the deadwood removal;

(iii) the size of the wounds; and

(iv) the position of the wounds.

(2) tree trimming of branch diameters greater than 50mm at severance in accordance with Electricity (Hazards from Trees) Regulations 2003 up to the Growth Limit Zone:

(a) that the trimming must not exceed the Growth Limit Zone clearances required by the Electricity (Hazards from Trees) Regulations 2003; and

(b) whether the trimming retains the natural shape, form and branch habit of the tree, as far as practicable.

E26.4.7. Assessment – restricted discretionary activities

E26.4.7.1. Matters of discretion

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

(1) trees in roads and open space zones:

(a) for tree trimming or alteration not meeting Standard E26.4.5.1;

(i) the methods proposed to reduce any adverse effects; and

(ii) the extent of the alteration of the tree or trees.

(b) for work within the protected root zone not otherwise provided for:

(i) the methods proposed to reduce any adverse effects of the works, including the depth of the works; and

(ii) the extent of area of the protected root zone or zones that is affected.

(c) tree alteration or removal of greater than 4m in height and trees 400mm in girth:

(i) the effect on the values of the tree or trees; and

(ii) any loss or reduction of amenity values provided by the tree or trees;

(iii) any mitigation proposed; and

(iv) the functional and operational requirements and benefits derived from infrastructure.

(2) Notable Tree Overlay:

(a) for tree trimming or alteration not meeting Standard E26.4.5.3:

(i) the methods proposed to reduce any adverse effects; and

(ii) the extent of the alteration of the tree or trees.

(b) for work within the protected root zone not otherwise provided for:

(i) the methods proposed to reduce any adverse effects of the works, including the depth of the works; and

(ii) the extent of area of the protected root zone or zones that is affected.

E26.4.7.2. Assessment criteria

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

(1) trees in roads and open space zones:

(a) the extent to which effects on the values of the tree or trees including any effects on the natural shape, form and branch habit and the root network can be minimised;

(b) the extent to which any impact on the immediate or long term health and stability of the tree or trees is able to be minimised or avoided;

(c) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed;

(d) the degree to which any proposed mitigation adequately responds to the effects on the tree or trees;

(e) the degree to which the proposal is consistent with best arboricultural practice guidelines for tree management;

(f) whether there is a need for the direction and supervision of a qualified arborist while the works are being carried out; and

(g) the extent to which functional and operational requirements make the works necessary.

(2) Notable Tree Overlay:

(a) the extent to which effects on the values of the tree or trees including any effects on the natural shape, form and branch habit and the root network can be minimised;

(b) the extent to which any impact on the immediate or long term health and stability of the tree or trees is able to be minimised or avoided;

(c) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed;

(d) the degree to which any proposed mitigation adequately responds to the effects on the tree or trees;

(e) the degree to which the proposal is consistent with best arboricultural practice guidelines for tree management;

(f) the need for the direction and supervision of a qualified arborist while the works are being carried out; and

(g) the functional and operational requirements and benefits derived from infrastructure.

E26.4.8. Special information requirements

There are no special information requirements in this sub-section.

E26.5. Network utilities and electricity generation – Earthworks all zones and roads

E26.5.1. Objectives

The objectives for earthworks are located in:

- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.5.2. Policies

The policies for earthworks are located in:

- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.5.3. Activity table

Table E26.5.3.1 Activity table specifies the activity status of land use and development activities to pursuant to section 9(3) of the Resource Management Act 1991.

- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.5.3.1 Activity table - Earthworks all zones and roads [dp]

Activity		Residential zones	Business zones and Business – City Centre Zone	Future Urban Zone and rural zones (excluding Rural – Rural Conservation)	Open space zones	Rural – Rural Conservation Zone and Open Space – Conservation Zone	Special Purpose – Quarry Zone	All other zones and roads
(A94)	Earthworks for maintenance, repair, renewal, minor infrastructure upgrading and service connections	P	P	P	P	P	P	P
(A95)	Earthworks up to 2500m^2 other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A96)	Earthworks up to 2500m^3 other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A97)	Earthworks greater than 2500m^2 other than for maintenance, repair,	RD	RD	RD	RD	RD	RD	RD

	renewal, minor infrastructure upgrading							
(A97A)	Earthworks greater than 2500m^3 other than for maintenance, repair, renewal, minor infrastructure upgrading	RD	RD	RD	RD	RD	RD	RD
(A98)	Earthworks not otherwise listed in this table	Refer to Table E12.4.1 Activity table – all zones and roads						
Earthworks - Lava caves, fossils and sub-fossils								
(A99)	Land disturbance that disturb known lava caves >1m diameter along any axis or fossils or subfossils	RD	RD	RD	RD	RD	RD	RD

Table E26.5.3.2 Activity table specifies the activity status of land use and development activities pursuant to section 9(2) of the Resource Management Act 1991.

- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.5.3.2 Activity table all zones and roads [rp]

Activity		Residential zones	Business zones and Business - City Centre Zones	Future Urban Zone and Rural zones (excluding Rural – Rural Conservation Zone)	Open space Zone	Rural - Rural Conservation Zone and Open Space - Conservation Zone	Special Purpose - Quarry Zone	All other zones and roads
(A100)	Earthworks for maintenance, repair, renewal, minor infrastructure upgrading, service connections	P	P	P	P	P	P	P
(A101)	Up to 10,000m^2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A102)	Greater than 10,000m^2 up to 50,000m^2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	C	C	C	C	C	C	C
(A103)	Greater than 50,000m^2 where land has a slope less than 10 degrees	RD	RD	RD	RD	RD	RD	RD

Activity		Residential zones	Business zones and Business - City Centre Zones	Future Urban Zone and Rural zones (excluding Rural – Rural Conservation Zone)	Open space Zone	Rural - Rural Conservation Zone and Open Space - Conservation Zone	Special Purpose - Quarry Zone	All other zones and roads
	outside the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading							
(A104)	Up to 2,500m^2 where the land has a slope equal to or greater than 10 degrees other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A105)	Up to 2,500m^2 within the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A106)	Greater than 2,500m^2 where the land has a slope equal to or greater than 10 degrees other than for maintenance, repair, renewal, minor infrastructure upgrading	RD	RD	RD	RD	RD	RD	RD
(A107)	Greater than 2,500m^2 within the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	RD	RD	RD	RD	RD	RD	RD
(A108)	General earthworks not otherwise listed in this table	Refer Table E11.4.1 Activity table – all zones and roads [rp]						
(A109)	Activities ancillary to erosion and sediment control	Refer Table E11.4.2 Activity table all zones and roads – diversion, damming and discharge of treated sediment laden water [rp]						

E26.5.4. Notification

(1) An application for resource consent for a controlled activity listed in Tables E26.5.3.1 and E26.5.3.2 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Table E26.5.3.1 and E26.5.3.2 and which is not listed in E26.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.5.5. Standards

E26.5.5.1. Accidental discovery rule

(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.

(2) For the purpose of this rule, “sensitive material” means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20 metres of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment;

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi;

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

Wait for and enable inspection of the site

(d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives, or.

(iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

(e) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of step E26.5.5.1(3)(f) are met.

Recommencement of work

(f) work within the area determined by the Council at step E26.5.5.1(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of the Unitary Plan – Section E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E26.5.5.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that:

- any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values; and

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) that there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014.

E26.5.5.2. General standards

All activities listed as permitted, controlled and restricted discretionary in Table E26.5.3.1 and E26.5.3.2 must comply with the following standards.

Regional [rp]

(1) Earthworks associated with the operation, repair, renewal, upgrading and maintenance of existing roads, will be undertaken within the legal road or the formation width of existing roads if this extends beyond the legal road width.

(2) Land disturbed for the operation, repair, renewal, upgrading or maintenance of utilities will be stabilised by re-vegetation, grassing or other suitable means as soon as practicable after completion of the works to avoid erosion and scouring.

(3) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters:

(a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) any conspicuous change in the colour or visual clarity;

(c) any emission of objectionable odour;

(d) the rendering of fresh water unsuitable for consumption by farm animals; or

(e) any significant adverse effects on aquatic life.

(4) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.

Note 1

Best practice in Auckland is generally deemed to be compliance with Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region or similar design.

(5) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.

(6) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time.

(7) Only cleanfill material may be imported and utilised as part of the land disturbance.

(8) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.

District [dp]

(9) Earthworks associated with the operation, repair, renewal, upgrading and maintenance of existing roads, will be undertaken within the legal road or the formation width of existing roads if this extends beyond the legal road width.

(10) Land disturbed for the operation, renewal, repair, upgrading or maintenance of utilities outside the formation width of existing roads or abutments, or within an overland flow path, will be reinstated to the

ground level prior to the works being undertaken as soon as practicable after completion of the works.

(11) Land disturbed for the operation, repair, renewal, upgrading or maintenance of utilities will be stabilised by re-vegetation, grassing or other suitable means as soon as practicable after completion of the works to avoid erosion and scouring.

(12) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to:

(a) operation, maintenance and repair (including network utilities);

(b) less than $5m^2$ or $5m^3$; for general earthworks;

(c) less than $10m^2$ or $5m^3$ for the installation of new network utilities;

(d) installation of fences and walking tracks;

(e) burial of marine mammals.

(13) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

(14) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

(15) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

(16) Only cleanfill material may be imported and utilised as part of the land disturbance.

(17) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

(18) Earthworks (including filling) within a 1% AEP flood plain (excluding road network activities):

(a) must not raise ground levels more than 300mm, to a total fill volume up to $10m^3$ which must not be exceeded through multiple filling operations; and

(b) must not result in any adverse changes in flood hazard beyond the site.

Note 1

This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.

(19) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

(20) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.

(21) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.

(22) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:

(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and

(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:

(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.5.5.2(22)(a) and (b) above.

(23) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:

(a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and

(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure.

(24) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not:

(a) create an unstable batter that will affect a transmission support structure; or

(b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001.

E26.5.6. Assessment – controlled activities

E26.5.6.1. Matters of control

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

(1) all regional controlled activities [rp]:

(a) compliance with the standards;

(b) the design and suitability of erosion and sediment control measures to be implemented;

(c) adverse effects of land disturbance and sediment discharge on water bodies, particularly sensitive receiving environments;

(d) the proportion of the catchment which is exposed;

(e) staging of works and progressive stabilisation;

(f) timing and duration of works;

(g) term of consent; and

(h) potential effects on significant ecological and indigenous biodiversity values.

E26.5.6.2. Assessment criteria

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

(1) all regional controlled activities [rp]:

(a) whether applicable standards are complied with;

(b) the proximity of the earthworks to any water body and the extent to which erosion and sediment controls and the proposed construction methodology will adequately avoid or minimise adverse effects on:

(i) water quality including of the Coastal Marine Area; and

(ii) ecological health including of the Coastal Marine Area.

(c) the extent to which the earthworks minimises soil compaction, other than where it benefits geotechnical or structural performance;

(d) the proximity of the earthworks to areas of significant ecological value and the extent the design, location and execution of the works provide for the maintenance and protection of these areas;

(e) whether monitoring the volume and concentration of sediment that may be discharged by the activity is appropriate within the scale of the proposed land disturbance; or

(f) whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works.

E26.5.7. Assessment – restricted discretionary activities

E26.5.7.1. Matters of discretion

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

(1) all regional restricted discretionary activities [rp]:

(a) compliance with the standards;

(b) the design and suitability of erosion and sediment control measures to be implemented;

(c) adverse effects of land disturbance and sediment discharge on water bodies, particularly sensitive receiving environments;

(d) effects on cultural and spiritual values of Mana Whenua including water quality, preservation of wāhi tapu, and kaimoana gathering;

(e) the proportion of the catchment which is exposed;

(f) staging of works and progressive stabilisation;

(g) timing and duration of works;

(h) term of consent;

(i) potential effects on significant ecological and indigenous biodiversity values;

(j) the treatment of stockpiled materials on the site including requirements to remove material if it is not to be reused on the site; and

(k) information and monitoring requirements.

(2) all district restricted discretionary activities [dp]:

(a) compliance with the standards;

(b) effects of noise, vibration, odour, dust, lighting and traffic on the surrounding environment;

(c) effects on the stability and safety of surrounding land, buildings and structures;

(d) effects on overland flow paths and flooding;

(e) protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;

(f) the treatment of stockpiled materials on the site including requirements to remove material if it is not to be reused on the site;

(g) staging of works and progressive stabilisation;

(h) information and monitoring requirements;

(i) timing and duration of works;

(j) term of consent;

(k) potential effects on significant ecological and indigenous biodiversity values;

(l) risk that may occur as a result of natural hazards;

(m) protection of or provision of network utilities and road networks.

(n) potential effects on the natural character and values of the coastal environment, lakes, rivers and their margins, where works encroach into riparian or coastal yards; and

(o) positive effects enabled through the land disturbance.

E26.5.7.2. Assessment criteria

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

(1) all regional restricted discretionary activities [rp]:

(a) whether applicable standards are complied with;

(b) the proximity of the earthworks to any water body and the extent to which erosion and sediment controls and the proposed construction methodology will adequately avoid or minimise adverse effects on:

(i) water quality including of the coastal marine area;

(ii) ecological health including of the coastal marine area;

(iii) riparian margins;

(iv) the mauri of water;

(c) the quality of taiāpure or mahinga mātaitai;

(d) the extent to which the earthworks minimises soil compaction, other than where it benefits geotechnical or structural performance;

(e) the proximity of the earthworks to areas of significant ecological value and the extent the design, location and execution of the works provide for the maintenance and protection of these areas;

(f) whether monitoring the volume and concentration of sediment that may be discharged by the activity is appropriate within the scale of the proposed land disturbance; or

(g) whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works.

(h) the extent to which appropriate methods are used to prevent the spread of total control pest plants or unwanted organisms (as listed under the Biosecurity Act 1993), such as kauri dieback disease.

(2) general district assessment criteria [dp]:

(a) whether applicable standards are complied with;

(b) the extent to which the earthworks will generate adverse noise, vibration, odour, dust, lighting and traffic effects on the surrounding environment and the effectiveness of proposed mitigation measures;

(c) whether the earthworks and any associated retaining structures are designed and located to avoid adverse effects on the stability and safety of surrounding land, buildings, and structures;

(d) whether the earthworks and final ground levels will adversely affect overland flow paths or increase potential volume or frequency of flooding within the site or surrounding sites;

(e) whether a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin has been provided and the effectiveness of the protocol in managing the impact on Mana Whenua cultural heritage if a discovery is made;

(f) whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works;

(g) the extent to which the area of the land disturbance is minimised, consistent with the scale of development being undertaken;

(h) the extent to which the land disturbance is necessary to provide for the functional or operational requirements of the network utility installation, repair or maintenance;

(i) the extent of risks associated with natural hazards and whether the risks can be reduced or not increased;

(j) whether the land disturbance and final ground levels will adversely affect existing utility services;

(k) the extent to which the land disturbance is necessary to accommodate development otherwise provided for by the Unitary Plan, or to facilitate the appropriate use of land in the open space environment, including development proposed in a relevant operative reserve management plan or parks management plan;

(l) for land disturbance near Transpower New Zealand Limited transmission towers:

(i) the outcome of any consultation with Transpower New Zealand Limited; and

(ii) the risk to the structural integrity of transmission lines; or

(m) the extent to which earthworks avoid, minimise, or mitigate adverse effects on any archaeological sites that have been identified in the assessment of effects.

E26.5.8. Special information requirements

There are no special information requirements in this sub-section.

E26.6. Network utilities and electricity generation – Earthworks overlays except Outstanding Natural Features Overlay

E26.6.1. Objectives

The objectives for earthworks are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay;
- D17 Historic Heritage Overlay;
- D18 Special Character Areas Overlay – Residential and Business
- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.6.2. Policies

The policies for earthworks are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay;

- D17 Historic Heritage Overlay;
- D18 Special Character Areas Overlay – Residential and Business
- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.6.3. Activity table

Table E26.6.3.1 Activity table specifies the activity status of land use and development activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991 in the:

- D9 Significant Ecological Areas Overlay; (SEA)
- D7 Water Supply Management Areas Overlay;(WSMA)
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay; (ONF) and (ONL)
- D11 Outstanding Natural Character and High Natural Character Overlay; (ONC) and (HNC)
- D17 Historic Heritage Overlay; (HH)
- D21 Sites and Places of Significance to Mana Whenua Overlay; (SSMW) and
- D18 Special Character Areas Overlay – Residential and Business (Special Character)

The acronyms in brackets after the overlays identified above (and the words "Special Character") are used to identify those overlays in the headings in Table E26.6.3.1

For Table E26.6.3.1 Activity table:

- additional controls apply for earthworks within the D26 National Grid Corridor Overlay; and
- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.6.3.1 Activity table - Earthworks in overlay areas except Outstanding Natural Features Overlay

Activity		SEA [rp]	ONC [dp]	WSMA [rp]	ONL and HNC [dp]	Historic Heritage [dp]	SSMW [dp]	Special Character [dp]
(A110)	Earthworks for maintenance, renewal and repair of network utilities and electricity generation activities RD* where archaeological controls apply as listed in Schedule 14	P	P	P	P	P RD*	P	P
(A111)	Earthworks for service connections P* where identified as a site exception in Schedule 12 RD* where archaeological controls apply as listed in Schedule 14	P	P	P	P	P RD*	D P*	P
(A112)	Earthworks for minor infrastructure upgrading P* within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14	P	RD P*	P	P	P RD*	P	P
(A113)	Earthworks for minor utility structures P* within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14	P	RD P*	P	P	P RD*	P	P*
(A114)	Earthworks for minor upgrading of road	P	P	P	P	P	P	P

	network activities within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14.1					RD*		
(A115)	Earthworks for network utilities and electricity generation facilities that do not comply with the standards in E26.6.5.2	RD	RD	RD	RD	RD	RD	RD
(A116)	Other earthworks up to 10m^2 and 5m^3 RD* where archaeological controls apply as listed in Schedule 14	P	P	P	P	P RD*	D	P
(A117)	Earthworks from 10m^2 to 2500m^2 and from 5m^3 to 2500m^3 *Earthworks greater than 5m^3 within the Isthmus C Special Character Overlay [3]	RD	RD	RD	RD	RD	D	RD D*
(A118)	Earthworks greater than 2500m^2 or 2500m^3	D	RD	D	RD	D	D	D
(A119)	Earthworks associated with temporary activities and land disturbance not otherwise listed in this table		Refer Table E11.4.3 Activity table overlays for regional overlays and Table E12.4.2 Activity table overlays (except Outstanding Natural Features Overlay) for district overlays.					

E26.6.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.6.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.6.5. Standards

E26.6.5.1. Accidental discovery rule

(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.

(2) For the purpose of this rule, “sensitive material” means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20 metres of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment;

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi; and

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

Wait for and enable inspection of the site

(d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives, or

(iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

(e) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of step E26.6.5.1(3)(f) are met.

Recommencement of work

(f) work within the area determined by the Council at step E26.6.5(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of the Unitary Plan – Section E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E26.6.5.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that:

- any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values.

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) that there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014.

E26.6.5.2. General standards

All activities listed as permitted, controlled or restricted discretionary in Table E26.6.3.1 Activity table must comply with the following standards.

Regional [rp]

Regional permitted activity standards for the Significant Ecological Areas Overlay and Water Supply Management Area Overlay

(1) Earthworks for network utilities outside the legal road or the formation width of the road shall be limited to the area and depth of the land previously disturbed or modified or within a width or depth not exceeding 2m either side of a National Grid structure or cable.

(2) Earthworks for network utilities (excluding road maintenance, repair and renewals, and minor infrastructure upgrading) within the legal road or the formation width of the road shall not exceed $10m^2$ and $5m^3$

(3) Earthworks for the minor upgrading of road network activities that exceed $10m^2$ or $5m^3$ shall not exceed an excavation depth of 0.6m, or the depth of land previously disturbed.

(4) Earthworks for service connections in SEAs shall be limited to the area and depth of earth previously disturbed or modified or shall not exceed $10m^2$ and $5m^3$

(5) After completion of the earthworks, the ground must be reinstated to at least the condition existing prior to any work starting.

(6) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters:

(a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) any conspicuous change in the colour or visual clarity;

(c) any emission of objectionable odour;

(d) the rendering of fresh water unsuitable for consumption by farm animals; or

(e) any significant adverse effects on aquatic life.

(7) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.

Note 1

Best practice in Auckland is generally deemed to be compliance with Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region or similar design.

(8) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.

(9) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time.

(10) Only cleanfill material may be imported and utilised as part of the land disturbance.

(11) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within a Significant Ecological Area Overlay shall be limited to the area of earth previously disturbed or modified.

(12) Earthworks associated with a temporary activity within a Significant Ecological Area Overlay shall be limited to the area of earthwork previously disturbed or modified.

(13) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.

District [dp]

District permitted activity standards for the Outstanding Natural Landscapes Overlay, Outstanding Natural Character and High Natural Character Overlay, Historic Heritage Overlay, Sites and Places of Significance to Mana Whenua Overlay and Special Character Areas Overlay – Residential and Business

(14) Earthworks for network utilities outside the legal road or the formation width of the road shall be limited to the area and depth of the land previously disturbed or modified or within a width or depth not exceeding 2m either side of a National Grid structure or cable.

(15) Earthworks for network utilities (excluding road maintenance, repair and renewals, and minor infrastructure upgrading) within the legal road or the formation width of the road shall not exceed $10m^2$ and $5m^3$

(16) Earthworks for the minor upgrading of road network activities that exceed $10m^2$ and $5m^3$ shall not exceed an excavation depth of 0.6m, or the depth of land previously disturbed and for the Sites and Places of Significance to Mana Whenua overlay, only to the depth of land previously disturbed.

(17) Earthworks for network utilities within the Historic Heritage Overlay must not:

(a) take place within 20m of any building or structure within the scheduled historic heritage place, except for road maintenance, repair, renewal and minor upgrading of road network activities (excluding bridges, retaining walls and tunnels); or

(b) take place within the protected root zone of any tree identified in Schedule 14.1 excluding features identified in the exclusions column of Schedule 14.1.

(c) *[deleted]*

(18) Earthworks for network utilities on a site or place of significance to Mana Whenua or site shall be limited to the area and depth of earth previously disturbed or modified.

(19) After completion of the earthworks, the ground must be reinstated to at least the condition existing prior to any work starting

(20) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to:

(a) operation, maintenance and repair (including network utilities);

(b) less than $5m^2$ or $5m^3$; for general earthworks;

(c) less than $10m^2$ or $5m^3$ for the installation of new network utilities;

(d) installation of fences and walking tracks;

(e) burial of marine mammals.

(21) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

(22) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

(23) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

(24) Only cleanfill material may be imported and utilised as part of the land disturbance.

(25) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

(26) Earthworks (including filling) within a 100 year AEP flood plain (excluding road network activities):

(a) must not raise ground levels more than 300mm, to a total fill volume up to $10m^3$ which must not be exceeded through multiple filling operations; and

(b) must not result in any adverse changes in flood hazard beyond the site.

Note 1

This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.

(27) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the

boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

(28) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.

(29) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.

(30) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:

(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and

(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:

(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.6.5.2(30)(a) and (b) above.

(31) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:

(a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and

(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure.

(32) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not:

(a) create an unstable batter that will affect a transmission support structure; or

(b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001.

(33) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities on a site or places of significance to Mana Whenua shall be limited to the area and depth of earth previously disturbed or modified.

(34) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the D17 Historic

Heritage Overlay must not extend more than 300 mm below the surface where archaeological controls apply (as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps).

(35) Earthworks/land disturbance for the planting of any tree within the D17 Historic Heritage Overlay must not be undertaken where archaeological controls apply (as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps) other than as a replacement for a pre-existing tree; and, within the area previously occupied by the root plate of the pre-existing tree.

E26.6.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.6.7. Assessment – restricted discretionary activities

E26.6.7.1. Matters of discretion

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

(1) all regional restricted discretionary activities [rp]:

(a) the matters set out in E26.5.7.1(1);

(b) the effects that the earthworks will have on ecological values, including on threatened species and ecosystems;

(c) the effects the vegetation alteration or removal will have on soil conservation, water quality and the hydrological function of the catchment;

(d) the necessity of the earthworks to provide for the functional and operational needs of infrastructure;

(e) the minimisation of effects from land disturbance through alternative locations on the site and/or methods of undertaking the works;

(f) the remedy or mitigation of adverse effects, including through revegetation, or restoration of other areas and ongoing maintenance;

(g) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion; and

(h) the effects on Mana Whenua values associated with a Significant Ecological Areas Overlay.

(2) all district restricted discretionary activities [dp]:

(a) the matters set out in E26.5.7.1(2);

(b) effects on the characteristics and qualities that contribute to the natural character and/or landscape values of the area;

(c) landscape, visual and amenity effects;

(d) modification to landform;

(e) Mana Whenua values;

(f) the mitigation of effects; and

(g) the necessity of the earthworks to provide for the functional and operational needs of infrastructure.

E26.6.7.2. Assessment criteria

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

(1) all regional restricted discretionary activities [rp]:

(a) the relevant assessment criteria in E26.5.7.2(1);

(b) the extent to which the earthworks are minimised and adverse effects on the ecological and indigenous biodiversity values of the vegetation are able to be avoided, remedied or mitigated;

(c) whether the earthworks will have an adverse effect on threatened species or ecosystems;

(d) the extent to which the earthworks will adversely affect soil conservation, water quality and the hydrological function of the catchment and measures to avoid remedy or mitigate any adverse effects;

(e) whether the earthworks will improve the reliance and security of the network utility;

(f) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location;

(g) the extent of the benefits derived from infrastructure;

(h) whether the effects from the earthworks can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works;

(i) the extent to which re-vegetation can remedy or mitigate adverse effects;

(j) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments; and

(k) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

(2) all district restricted discretionary activities [dp]:

(a) the relevant assessment criteria in E26.5.7.2(2);

(b) whether there are practicable alternative locations for the activity, building or structure outside of the overlay area;

(c) whether, taking into account the characteristics and qualities of the site of the proposed earthworks, that the proposed location has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values;

(d) whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:

(i) amenity values or views, both from land and sea;

(ii) landscape and natural character values; and

(iii) people's experience and values associated with an area, including the predominance of nature and wilderness values.

(e) whether the siting of the earthworks adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories;

(f) whether the earthworks will be visually obtrusive from any public road or public place, including from beaches and the sea;

(g) the extent of adverse visual or ecological effects from the proposed earthworks and landform modification;

(h) the extent to which the proposed earthworks will impact on Mana Whenua values;

(i) whether the earthworks will improve the reliance and security of the network utility;

(j) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location; and

(k) the extent of the benefits derived from infrastructure.

E26.6.8. Special information requirements

There are no special information requirements in this sub-section.

E26.7. Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay

E26.7.1. Objectives

The objectives for earthworks are located in:

- D10 Outstanding Natural Features Overlay; and
- E12 Land disturbance – District.

E26.7.2. Policies

The policies for earthworks are located in:

- D10 Outstanding Natural Features Overlay; and
- E12 Land disturbance – District.

E26.7.3. Activity table

Table E26.7.3.1 Activity table specifies the activity status of land use and development activities in the D10 Outstanding Natural Features Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.7.3.1 Activity table - Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay

Activity		Feature Code from Table D10.4.1 for activity tables applying to outstanding natural features									
		A1	A	V1	V2	B	C	D	E	F1	F2
(A110)	Earthworks for maintenance, renewal and repair of network activities and electricity generating facilities	P	P	P	P	P	P	P	P	P	P
(A111)	Earthworks for minor infrastructure upgrading P* within the legal road or the formation width of the road	P	P	RD P*	RD P*	RD	RD	RD	RD	RD	RD
(A112)	Earthworks for minor utility structures	P	P	RD	RD	RD	RD	RD	RD	RD	RD

	P* within the legal road or the formation width of the road			P*	P*						
(A113)	Earthworks for service connections	P	P	RD	RD	RD	RD	RD	RD	RD	RD
(A114)	Earthworks for minor upgrading of road network activities within the legal road or the formation width of the road	P	P	P	P	P	P	P	P	P	P
(A115)	Earthworks for network utilities and electricity generation facilities that do not comply with standards in E26.7.5.2	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD
(A116)	Earthworks for network utilities and electricity generating facilities activities not otherwise provided for	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD
(A117)	Land disturbance not otherwise listed in this table	Refer Table E12.4.3 Activity table Outstanding Natural Features Overlay									

E26.7.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.7.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.7.5. Standards

E26.7.5.1. Accidental discovery rule

(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.

(2) For the purpose of this rule, “sensitive material” means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20 metres of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment;

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi; and

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

Wait for and enable inspection of the site

(d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in

consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives, or

(iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

(e) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of step E26.7.5.1(3)(f) are met.

Recommencement of work

(f) work within the area determined by the Council at step E26.7.5.1(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of the Unitary Plan – Section E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E26.7.5.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that:

- any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values;

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) that there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014.

E26.7.5.2. General standards

All activities listed as permitted or restricted discretionary in Table E26.7.3.1 Activity table must comply with the following standards.

(1) Earthworks for network utilities outside the legal road or the formation width of the road shall be limited to the area and depth of the land previously disturbed or modified or within a width or depth not exceeding 2m either side of a National Grid structure or cable.

(2) Earthworks for network utilities (excluding road maintenance, repair and renewals, and minor infrastructure upgrading) within the legal road or the formation width of the road shall not exceed $10m^2$ and $5m^3$.

(3) Earthworks for the minor upgrading of road network activities that exceed $10m^2$ or $5m^3$ shall not exceed an excavation depth of land previously disturbed.

(4) After completion of the earthworks, the ground must be reinstated to at least the condition existing prior to any work starting.

(5) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to:

(a) operation, maintenance and repair (including network utilities);

(b) less than $5m^2$ or $5m^3$; for general earthworks;

(c) less than $10m^2$ or $5m^3$ for the installation of new network utilities;

(d) installation of fences and walking tracks;

(e) burial of marine mammals.

(6) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

(7) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

(8) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

(9) Only cleanfill material may be imported and utilised as part of the land disturbance.

(10) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

(11) Earthworks (including filling) within a 100 year AEP flood plain (excluding road network activities):

(a) must not raise ground levels more than 300mm, to a total fill volume up to $10m^3$ which must not be exceeded through multiple filling operations; and

(b) must not result in any adverse changes in flood hazard beyond the site.

Note 1

This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.

(12) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

(13) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.

(14) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.

(15) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:

(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and

(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:

(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.7.5.2(15)(a) and (b) above.

(16) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:

(a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and

(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure.

(17) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not:

(a) create an unstable batter that will affect a transmission support structure; or

(b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001.

E26.7.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.7.7. Assessment – restricted discretionary activities

E26.7.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) the matters set out in E26.5.7.1(2);

(b) the nature, form and extent of proposed works;

(c) the degree of geological modification;

(d) the need for, or purpose of, the proposed works;

(e) alternative methods and locations;

(f) protection or enhancement of the feature; and

(g) effects on Mana Whenua values.

E26.7.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(2) the relevant assessment criteria in E26.5.7.2(2);

(3) whether the nature, form and extent of the proposed works or activity adversely affects the feature or features for which the item was scheduled;

(4) whether the activity will interfere with natural processes e.g. hydrology or adverse effects on nature and form of sand dunes;

(5) whether the proposed works or activity cause adverse visual effects or adversely affect landscape values;

(6) the degree to which the feature or features have already been modified so that further modification will not cause significant additional loss of geological value;

(7) the extent to which the proposed works will protect the feature from further damage, such as erosion protection, or remediate it from previous damage. This excludes potential damage from the activity for which consent is sought;

(8) whether the proposed land disturbance is for an activity which has a functional or operational need to be in the location proposed; and

(9) the objectives and policies in D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay.

E26.7.8. Special information requirements

(1) An application for an activity must be accompanied by:

(a) a site plan showing location of the Outstanding Natural Feature and the location of the proposed activity.

E26.8. Network utilities and electricity generation – Historic Heritage Overlay

E26.8.1. Objectives

The objectives for this sub-section are located in D17 Historic Heritage Overlay.

E26.8.2. Policies

The policies for this sub-section are located in D17 Historic Heritage Overlay.

E26.8.3. Activity table

Table E26.8.3.1 Activity table specifies the activity status of land use and development activities in the D17 Historic Heritage Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- these rules apply to network utilities and electricity generation facilities within the Historic Heritage Overlay;
- these rules do not cover demolition, partial demolition or relocation of Scheduled Historic Heritage structures. If the activity affects the primary feature of a scheduled historic heritage place, the rules of D17 Historic Heritage Overlay apply. For the avoidance of doubt, the identification of primary features is provided for in D17 Historic Heritage Overlay.
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table; and
- In respect of network utilities, and electricity generation activities within this overlay, also refer to:
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.6.3.1 Activity table earthworks in overlay areas except Outstanding Natural Features Overlay.

Table E26.8.3.1 Activity table - Network utilities and electricity generation – Historic Heritage Overlay

Activity		Activity status
Network utilities and electricity generation facilities		
(A118)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P
(A119)	Minor infrastructure upgrading	P
(A120)	Minor upgrading of road network utilities	P
(A121)	Minor utility structure	P
(A122)	Service connections	P
(A123)	Antennas and aerials	P
(A124)	Distribution substations that meet Standard E26.2.5.1(2)	RD
(A125)	Small and community scale electricity generation facilities	RD

(A126)	Road network activities comprising road lighting and associated support structures	P
(A127)	Road network activities comprising traffic operation and safety signs, direction signs and road name signs	P
(A128)	Road network activities comprising traffic operational signals and associated cabinets, equipment and support structures, traffic monitoring equipment and support structures	P
(A129)	Temporary buildings, structures and signs	P
(A130)	Network utilities and electricity generation facilities that do not comply with permitted activity standards in E26.8.5.1	RD
(A131)	Network utilities and electricity generation facilities not otherwise provided for	D

E26.8.4. Notification

Refer to D17.5 for notification.

E26.8.5. Standards

All activities listed as permitted in Table E26.8.3.1 Activity table must comply with the following permitted activity standards.

E26.8.5.1. Permitted activity standards

(1) Where the scheduled historic heritage place affected by the proposed works is subject to additional archaeological controls (refer Schedule 14 Historic Heritage Schedule, Statements and Maps), the proposed works must not result in any earthworks

(2) Operation, maintenance, renewal and repair of network utilities and electricity generation facilities should not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage.

(3) Minor infrastructure upgrading must:

(a) not increase the size or alter the existing location of the existing footprint;

(b) not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage; and

(c) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(4) Minor upgrading of road network activities must:

(a) only occur within the legal road or the formation width of the road;

(b) not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure; and

(c) not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage.

(5) Road network activities involving the renewal or minor upgrading of road pavement (excluding footpaths), bridges, retaining walls and tunnels, within 20m of any building or structure included in the Schedule 14.1 Schedule of Historic Heritage, a vibration management plan must be prepared by a suitably qualified and experienced person to establish that vibration levels will meet E25.6.30 Vibration. The Plan must include the information set out in E26.8.8 and be provided to the Council no less than 5 days prior to the works commencing.

(6) Minor utility structures must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area;

(b) not exceed a maximum height of 0.9m and a maximum area of $0.5m^2$; and

(c) not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage

(7) Service connections must be not affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area.

(8) Antennas and aerials must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area; and

(b) not have a cross sectional dimension greater than 300mm

(9) Road network activities comprising traffic operation and safety signs, direction signs and road name signs must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule

of Historic Heritage) or a contributing property or feature in a historic heritage area;

(b) be co-located on an existing (non-heritage) structure; and

(c) where co-location is not possible, there shall be no more than one sign and support structure for regulatory control within any single road frontage within any individual scheduled historic heritage extent of place

(10) Temporary buildings, structures and signs must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area; and

(b) not be in place longer than either:

(i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or

(ii) 21 consecutive days in any 60 day period.

E26.8.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.8.7. Assessment – restricted discretionary activities

E26.8.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the known heritage values of a historic heritage place from the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;

(b) effects on the heritage and Mana Whenua values;

(c) effects on the setting of the historic heritage place, and on the inter-relationship between buildings, structures and features within the place;

(d) effects of the proposal on the overall significance of the place;

(e) effects on the inter-relationship between contributing places within a historic heritage area, including the views to, within or from the place or area;

(f) the purpose and necessity for the works and any alternatives considered;

(g) effects of the proposal on the long term viability and/or the ongoing functional use of the place;

(h) the mitigation of effects; and

(i) the functional or operation need for any infrastructure in the location proposed.

E26.8.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;

(b) whether the proposed works will maintain or enhance the heritage values of the place;

(c) whether the proposed works will compromise the ability to interpret features within the place and the relationship of the place to other scheduled historic heritage places;

(d) whether the proposed works, including the cumulative effects of proposed works, will result in adverse effects on the overall significance of the place such that it no longer meets the significance thresholds for which it was scheduled;

(e) the extent to which the activity, building or structure will impact on Mana Whenua values;

(f) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.8.8. Special information requirements

(1) The vibration management plan must include a description of the following:

(a) a description of the area affected by the works;

(b) a contact name and number of the works supervisor who can be contacted if any issues arise;

(c) a description of the works and its duration, anticipated equipment to be used and the processes to be undertaken; and

(d) a methodology for monitoring the proposed works to measure compliance with DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures in relation to the scheduled historic heritage building or structure.

E26.9. Network utilities and electricity generation – Special Character Areas Overlay – Residential and Business

E26.9.1. Objectives

The objectives for this sub-section are located in D18 Special Character Areas Overlay – Residential and Business.

E26.9.2. Policies

The policies for this sub-section are located in D18 Special Character Areas Overlay – Residential and Business.

E26.9.3. Activity table

Table E26.9.3.1 Activity table specifies the activity status of land use and development activities in the Special Character Areas Overlay – Residential and Business pursuant to section 9(3) of the Resource Management Act 1991:

- areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply and for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply;
- these rules do not cover total demolition, substantial demolition, relocation or removal of buildings in the Special Character Areas Overlay – Residential and Business. If the activity affects buildings other than accessory buildings in these overlays, the rules of D18 apply;
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table; and
- in respect of network utilities and electricity generation activities within this overlay, also refer to:
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.6.3.1 Activity table - earthworks in overlay areas except Outstanding Natural Features Overlay

Table E26.9.3.1 Activity table - Network utilities and electricity generation – Special Character Areas Overlay – Residential and Business

Activity		Special Character Areas Overlay - Residential Activity status	Special Character Areas Overlay - Business Activity status
Network utilities and electricity generation facilities			
(A132)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P
(A133)	Minor infrastructure upgrading	P	P
(A134)	Minor upgrading of road network activities	P	P
(A135)	Minor utility structure	P	P
(A136)	Service connections	P	P
(A137)	Antennas and aerials	P	P
(A138)	Distribution substations that meet Standard E26.2.5.1(2)	RD	RD
(A139)	Small and community scale electricity generation facilities	RD	RD
(A140)	Road network activities comprising road lighting and associated support structures	P	P
(A141)	Road network activities comprising traffic operation and safety signs, direction signs and road name signs	P	P
(A142)	Road network activities comprising traffic operational signals and associated cabinets, equipment and support structures, traffic monitoring equipment and support structures	P	P
(A143)	Temporary buildings, structures and signs,	P	P
(A144)	Network utilities and electricity generation facilities that do not comply with permitted activity standards in E26.9.5.1	RD	RD
(A145)	Network activities and electricity generation facilities not otherwise provided for	D	D

E26.9.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.9.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.9.5. Standards

All activities listed as permitted in Table E26.9.3.1 Activity table must comply with the following permitted activity standards.

E26.9.5.1. Permitted activity standards

(1) Minor infrastructure upgrading:

(a) maximum height no greater than 25m or 10 per cent in addition to the existing height of the structure whichever is the lesser;

(b) replacement pole diameter will be no greater than 20 per cent larger than that of the original pole;

(c) any new lines attached to existing poles shall be no higher than the maximum height of the existing lines; and

(d) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must comply with the following standards:

(a) the alteration, replacement or relocation of ancillary structures for road network activities:

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within 2m of the existing alignment or location.

(b) any support structure or pole which replaces an existing support structure or pole:

(iii) must not have a diameter or width that is greater than 20 percent larger than the existing support structure or pole; and

(iv) must not have a height greater than 25m or 10 percent in addition to the existing support structure or pole.

(c) all activities and works must only occur within the legal road or the formation width of the road.

(3) Antennas and aerials must:

(a) not have a cross sectional dimension greater than 300mm; and

(b) must not protrude above the roof line of the part of the building to which they are attached. Where attached to the front facade, the antenna or aerial must be attached so it has a maximum horizontal projection of 450mm from the face of the building and must be colour matched to the part of the building to which it is attached;

(c) E26.9.5.1(3)(b) does not apply where the antenna or aerial is not visible when viewed at a height 1.8m above street level from any part of any road which is located within the character overlay.

(4) Temporary buildings, structures and signs must:

(a) not be in place longer than either:

(i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or

(ii) 21 consecutive days in any 60 day period.

E26.9.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.9.7. Assessment – restricted discretionary activities

E26.9.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the on the special character values and context of the areas as identified in the special character area statements;

(b) effects on the on the special character qualities, design and architectural features of buildings;

(c) the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;

(d) the purpose and necessity for the works and any alternatives considered;

(e) the mitigation of effects; and

(f) the functional or operation need for any infrastructure in the location proposed.

E26.9.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) whether the proposed works will result in adverse effects (including cumulative adverse effects) special characteristics of the streetscape and area and the extent to which adverse effects are avoided, remedied or mitigated.

(b) whether the proposed works will maintain or enhance the special character qualities and the design and architectural features of buildings.

(c) whether design or location alternatives have been considered to minimise the adverse effects on the special characteristics of the streetscape, area or building

(d) whether the location and design of any attachments minimises effects on the building through the use of appropriate colour, design, form and location on the building

(e) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.9.8. Special information requirements

There are no special information requirements in this sub-section.

E26.10. Network utilities and electricity generation – Sites and Places of Significance to Mana Whenua Overlay

E26.10.1. Objectives

The objectives for this sub-section are located in D21 Sites and Places of Significance to Mana Whenua Overlay.

E26.10.2. Policies

The policies for this sub-section are located in D21 Sites and Places of Significance to Mana Whenua Overlay.

E26.10.3. Activity table

Table E26.10.3.1 Activity table specifies the activity status of land use and development activities in the Sites and Places of Significance to Mana Whenua Overlay pursuant to section 9(3) of the Resource Management Act 1991.

Table E26.10.3.1 Activity table - Network utilities and electricity generation – Sites and Places of Significance to Mana Whenua Overlay

Activity		Activity status
Network utilities and electricity generation facilities		
(A146)	Operation, maintenance, renewal, repair and removal of network utilities and electricity generation facilities	P
(A147)	Minor infrastructure upgrading	P
(A148)	Minor upgrading of road network activities within the legal road or the formation width of the road	P
(A149)	Network utilities and electricity generation facilities that do not comply with permitted activity standards E26.10.5.1	RD
(A150)	Network utilities and electricity generation facilities not otherwise provided for where the site is identified as a site exception in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule	RD
(A151)	Network utilities and electricity generation facilities not otherwise provided for where the site is not identified as a site exception in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule	D

E26.10.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.10.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.10.5. Standards

All activities listed as permitted in Table E26.10.3.1 Activity table must comply with the following permitted activity standards.

E26.10.5.1. Minor infrastructure upgrading

(1) Minor infrastructure upgrading must not increase the size or alter the existing location of the existing footprint within a site or place of significance and must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must not increase the size or alter the location of the existing footprint within a site or place of significance and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

E26.10.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.10.7. Assessment – restricted discretionary activities

E26.10.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(f) the effects of the proposal on the values and associations of Mana Whenua with the site or place including effects on the context of the local history and whakapapa;

(g) the nature, location, design and extent of the proposal;

(h) the purpose and necessity for the works and any alternatives considered; or

(i) the provisions of any relevant iwi planning document.

E26.10.7.2. Assessment criteria

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

(2) all restricted discretionary activities:

(a) Policies D21.3(1) - (3).

(b) The extent to which the proposal provides for the relationship of the site or place with Mana Whenua in the context of local history and whakapapa, if appropriate, through:

(i) the design and location of proposed structures;

(ii) landscaping and vegetation including removal and replanting; and

(iii) landform and modification;

(c) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.10.8. Special information requirements

There are no special information requirements in this sub-section.

PC 120 (see Modifications)

E26.11. Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay

E26.11.1. Objectives

The objectives for this sub-section are located in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.

E26.11.2. Policies

The policies for this sub-section are located in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.

E26.11.3. Activity table

Table E26.11.3.1 Activity table specifies the activity status of land use and development activities in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- these rules apply to network utilities and electricity generation facilities within the Volcanic Viewshafts and Height Sensitive Areas Overlay; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

PC 120 (see Modifications)

Table E26.11.3.1 Activity table - Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay

Activity		Activity status		
		Regionally Significant Volcanic Viewshaft	Locally Significant Volcanic Viewshaft	Height Sensitive Area
Network utilities and electricity generation activities that intrude into a scheduled viewshaft				
(A152)	Buildings and structures for network utilities and electricity generation facilities that do not intrude into a scheduled viewshaft	P	P	NA
(A153)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities and like for like replacement	P	P	P
(A154)	Minor infrastructure upgrading	P	P	P
(A155)	Minor upgrading of road network utilities	P	P	P
(A156)	Minor utility structure	P	P	P
(A157)	Service connections	P	P	P
(A158)	Antennas and aerials	P	P	P
(A159)	Small and community scale electricity generation facilities	RD	RD	RD

(A160)	Road network activities comprising road lighting and associated support structures	P	P	P
(A161)	Road network activities comprising traffic and direction signs and road name signs	P	P	P
(A162)	Road network activities comprising traffic safety and operational signals, traffic signals, traffic information signage and support structures	P	P	P
(A163)	Temporary contruction and safety structures	P	P	P
(A164)	Network utilities and electricity generation facilities that do not comply with permitted activity standards E26.11.5.1(1) - (7)	NC	RD	NC
(A165)	Network utilities and electricity generation facilities not otherwise provided for	NC	D	NC

E26.11.4. Notification

(1) Any application for resource consent for any non-complying activity in Table E26.11.3.1 Activity table must be publicly notified.

(2) Any application for resource consent for an activity listed in Table E26.11.3.1 Activity table and which is not listed in E26.11.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.11.5. Standards

All activities listed as permitted in Table E26.11.3.1 Activity table must comply with the following permitted activity standards.

E26.11.5.1. Permitted activity standards

(1) Height must be measured using the rolling height method.

(2) Minor infrastructure upgrading:

(a) maximum height no greater than 25m or 10 per cent in addition to the existing height of the structure whichever is the lesser;

(b) replacement pole diameter will be no greater than 20 per cent larger than that of the original pole;

(c) any new lines attached to existing poles shall be no higher than the maximum height of the existing lines; and

(d) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(3) Minor upgrading of road network activities must comply with the following standards:

(a) the alteration, replacement or relocation of ancillary structures for road network activities:

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within 2m of the existing alignment or location

(b) any support structure or pole which replaces an existing support structure or pole:

(i) must not have a diameter or width that is greater than 20 percent larger than the existing support structure or pole; and

(ii) must not have a height greater than 25m or 10 percent in addition to the existing support structure or pole.

(c) all activities and works must only occur within the legal road or the formation width of the road.

(4) Minor utility structures must not exceed a maximum height of 0.9m and a maximum area of $0.5m^2$

(5) Antennas and aerials must not have a cross sectional dimension greater than 300mm

(6) Temporary construction and safety structures and signs must be removed within 30 days or upon completion of the construction works.

(7) Road network activities must comply with the following standards:

(a) maximum height of 25m for road lighting and associated support structures; and

(b) maximum height of 5.3m for traffic and direction signs, road name signs, traffic safety and operational signals, traffic signals, traffic information signage and support structures including interactive warning signs, real time information signs, lane control signals, ramp signals, cameras, vehicle identification and occupancy counters.

E26.11.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.11.7. Assessment – restricted discretionary activities

E26.11.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the visual integrity of the view of the volcanic maunga from the identified viewing point or line;

(b) location, nature, form and extent of proposed works;

(c) mana whenua values associated with the maunga; and

(d) the functional or operation need for any infrastructure in the location proposed and any alternatives considered to achieve fulfil that need without the intrusion into the viewshaft or exceeding the maximum height limit of a height sensitive area.

E26.11.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

PC 120 (see Modifications)

(a) having regard to the viewshaft in Appendix 20 Volcanic Viewshafts and Height Sensitive Areas – Values Assessments, whether the nature, form and extent of the building adversely affects the visual integrity of the maunga;

(b) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure;

(c) whether there are practicable alternatives available that will not intrude, or will minimise the intrusion into the viewshaft or exceedance of the maximum height of a height sensitive area;

(d) whether the proposed building will impact on Mana Whenua values associated with the maunga; or

PC 120 (see Modifications)

(e) the relevant objectives and policies in B4 Natural heritage at B4.3 and in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.

E26.11.8. Special information requirements

There are no special information requirements in this sub-section.

E26.12. Network utilities and electricity generation – Auckland War Memorial Museum Viewshaft, Local Public Views, Ridgelines Overlays

E26.12.1. Objectives

The objectives for this sub-section are located in D15 Ridgeline Protection Overlay, D16 Local Public Views Overlay, D19 Auckland War Memorial Museum Viewshaft Overlay and D20A Stockade Hill Viewshaft Overlay.

E26.12.2. Policies

The policies for this sub-section are located in D15 Ridgeline Protection Overlay, D16 Local Public Views Overlay, D19 Auckland War Memorial Museum Viewshaft Overlay and D20A Stockade Hill Viewshaft Overlay.

E26.12.3. Activity table

Table E26.12.3.1 Activity table specifies the activity status of land use and development activities in the Ridgeline Protection Overlay, Local Public Views Overlay, Auckland War Memorial Museum Viewshaft Overlay and the Stockade Hill Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.
- the Auckland War Memorial Museum Viewshaft provisions do not apply to structures that do not exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps.

Table E26.12.3.1 Activity table - Network utilities and electricity generation – Auckland War Memorial Museum Viewshaft, Local Public Views, Ridgelines, Stockade Hill Viewshaft Overlays

Activity		Activity status		
Network utilties and electricity generation activities				
		Auckland War Memorial Museum Viewshaft	**Local Public Views and Stockade Hill Viewshaft Overlay**	**Ridgelines**
(A166)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P	P
(A167)	Minor infrastructure upgrading	P	P	P
(A168)	Minor upgrading of road network activities	P	P	P
(A169)	Minor utility structure	P	P	P
(A170)	Service connections	P	P	P
(A171)	Antennas and aerials	P	P	P

(A172)	Road network activities comprising road lighting and associated support structures	P	P	P
(A173)	Road network activities comprising traffic and direction signs, road name signs	P	P	P
(A174)	Road network activities comprising traffic signals and support structures	P	P	P
(A175)	Temporary construction and safety structures	P	P	P
(A176)	Small and community scale electricity generation facilities	NC	RD	RD
(A177)	Network activities and electricity generation facilities that do not comply with permitted activity standards RD* modified ridgelines NC* natural ridgelines	NC	RD	RD* NC*
(A178)	Network utilities and electricity generation facilities not otherwise provided for D* modified ridgelines NC* natural ridgelines	NC	D	D* NC*

E26.12.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.12.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.12.5. Standards

All activities listed as permitted in Table E26.12.3.1 Activity table must comply with the following permitted activity standards.

E26.12.5.1. Permitted activity standards

(1) Height must be measured using the rolling height method.

(2) Minor infrastructure upgrading in the Auckland War Memorial Museum Viewshaft Overlay and Natural Ridgelines Overlays must:

(a) not increase the size or alter the existing location of the existing footprint; and

(b) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(3) Minor infrastructure upgrading in the Local Public Views and Modified Ridgelines Overlays:

(a) maximum height no greater than 25m or 10 per cent in addition to the existing height of the structure whichever is the lesser;

(b) replacement pole diameter will be no greater than 20 per cent larger than that of the original pole;

(c) any new lines attached to existing poles shall be no higher than the maximum height of the existing lines;

(d) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(4) Minor upgrading of road network activities in the Auckland War Memorial Museum Viewshaft Overlay and Natural Ridgelines Overlays must:

(a) only occur within the legal road or the formation width of the road; and

(b) not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

(5) Minor upgrading of road network activities in the Local Public Views Overlay and Modified Ridgelines Overlays must comply with the following standards:

(a) the alteration, replacement or relocation of ancillary structures for road network activities:

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within 2m of the existing alignment or location.

(b) any support structure or pole which replaces an existing support structure or pole:

(i) must not have a diameter or width that is greater than 20 percent larger than the existing support structure or pole; and

(ii) must not have a height greater than 25m or 10 percent in addition to the existing support structure or pole.

(c) all activities and works must only occur within the legal road or the formation width of the road.

(6) Minor utility structures in the Auckland War Memorial Museum Viewshaft and Natural Ridgelines Overlays must not:

(a) exceed a maximum height of 0.9m and a maximum area of $0.5m^2$; and

(b) in the Auckland War Memorial Museum Viewshaft Overlay exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum.

(7) Antennas and aerials must not:

(a) not have a cross sectional dimension greater than 300mm; and

(b) in the Auckland War Memorial Museum Viewshaft Overlay exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum.

(8) Temporary construction and safety structures and signs must be removed within 30 days or upon completion of the construction works.

(9) Road network activities must comply with the following standards:

(a) maximum height of 25m for road lighting and associated support structures; and

(b) maximum height of 5.3m for traffic and direction signs, road name signs, traffic signals and support structures.

E26.12.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.12.7. Assessment – restricted discretionary activities

E26.12.7.1. Matters of discretion

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

(1) restricted discretionary activities in the Local Public Views Overlay:

(a) effects on the visual integrity of the view from the identified viewing point;

(b) location, nature, form and extent of proposed works;

(c) The functional or operation need for any infrastructure in the location proposed and any alternatives considered to fulfil that need without the intrusion into the viewshaft; and

(d) the relevant objectives and policies in D16 Local Public Views Overlay.

(2) restricted discretionary activities in the Ridgelines Protection Overlay:

(a) location, siting and design of buildings;

(b) effects on landscape values and visual amenity;

(c) mitigation of effects;

(d) the functional or operation need for any infrastructure in the location proposed and any alternatives considered; and

(e) the relevant objectives and policies in D15 Ridgeline Protection Overlay.

E26.12.7.2. Assessment criteria

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

(1) restricted discretionary activities in the Local Public Views Overlay:

(a) whether the nature, form and extent of the intrusion adversely affects the visual integrity of the viewshaft and its view;

(b) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure; and

(c) whether there are practicable alternatives available that will not intrude, or will minimise the intrusion into the viewshaft.

(2) restricted discretionary activities in the Ridgelines Protection Overlay:

(a) whether the siting, size and height of the building or structure adversely affects the form and integrity of the ridgeline;

(b) whether the building or structure can be located in a less prominent location;

(c) whether the building, including its design and materials, will be visually intrusive from a public place;

(d) whether there are adverse visual effects associated with the building or structure, such as landform modification associated with creating a building platform or access ways, or other servicing requirements;

(e) the extent to which existing vegetation can be retained and planting can be provided to ensure buildings will integrate with the form of the ridgeline; and

(f) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.12.8. Special information requirements

There are no special information requirements in this sub-section.

E26.13. Network utilities and electricity generation – Outstanding Natural Landscapes Overlay (excluding outstanding natural features) and Outstanding Natural Character and High Natural Character Overlay

E26.13.1. Objectives

The objectives for this sub-section are located in D10 Outstanding Natural Landscapes Overlay and D11 Outstanding Natural Character and High Natural Character Overlay.

E26.13.2. Policies

The policies for this sub-section are located in D10 Outstanding Natural Landscapes Overlay and D11 Outstanding Natural Character and High Natural Character Overlay.

E26.13.3. Activity table

Table E26.13.3.1 Activity table specifies the activity status of land use and development activities in the Outstanding Natural Landscapes Overlay and the Outstanding Natural Character and High Natural Character Overlay outside the coastal marine area (for the rules applying within the coastal marine area, refer to the coastal zone rules) pursuant to section 9(3) of the Resource Management Act 1991:

- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.
- in respect of network utilities, and electricity generation activities within this overlay, also refer to:
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.6.3.1 Activity table - earthworks in overlay areas except Outstanding Natural Features Overlay

Table E26.13.3.1 Activity table - Network utilities and electricity generation – Outstanding Natural Landscapes Overlay (excluding outstanding natural features) and Outstanding Natural Character and High Natural Character Overlay

Activity		Activity status		
Network utilties and electricity generation activities				
		High Natural Character	**Outstanding Natural Landscape areas**	**Outstanding Natural Character**
(A179)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P	P
(A180)	Underground network utilities	P	P	P
(A181)	Buildings and structures for network utilities and electricity	P	P	P

	generation facilities			
(A182)	Buildings and structures for network utilities and electricity generation facilities that do not comply with permitted activity standards E26.13.5.2	RD	RD	NC
(A183)	Network utilities within an existing building	P	P	P
(A184)	Minor infrastructure upgrading	P	P	P
(A185)	Service connections	P	P	P
(A186)	Antennas and aerials with a cross-sectional dimension that does not exceed 300mm	P	P	P
(A187)	Minor upgrading of road network utilities	P	P	P
(A188)	Road lighting and associated support structures	P	P	RD
(A189)	Traffic operation and safety signs, direction signs, road name signs	P	P	P
(A190)	Traffic operational signals and associated cabinets, equipment and support structures, traffic monitoring equipment and support structures	P	P	RD
(A191)	Temporary buildings, structures and signs	P	P	P
(A192)	Network utilities and electricity generation facilities that do not comply with permitted activity standards in E26.13.5.1	RD	RD	NC
(A193)	Network utilities and electricity generation facilities not otherwise provided for	D	D	NC

E26.13.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.13.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.13.5. Standards

All activities listed as permitted in Table E26.13.3.1 Activity table must comply with the following permitted activity standards.

E26.13.5.1. Minor infrastructure upgrading

(1) Minor infrastructure upgrading must not increase the size or alter the existing location of the existing footprint and must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

E26.13.5.2. Buildings and structures for network utilities and electricity generation facilities

(1) The gross floor area shall not exceed 50m^2 in high natural character and outstanding natural landscapes and 25m^2 in outstanding natural character areas.

(2) The maximum height shall not exceed 5m. This rule does not apply to temporary activities, road lighting, traffic and direction signs, road name signs, traffic safety and operational signals, traffic monitoring equipment, or the support structures for these activities.

(3) The exterior finish of the building or structure has a reflectance value of, or less than, 30 per cent and within Groups A, B or C as defined within the BS5252 standard colour palette. This rule does not apply to temporary activities, traffic and direction signs, road name signs, traffic safety and operational signals, aerials operated by a network utility operator and associated fixtures, galvanised steel poles, and GPS antennas.

E26.13.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.13.7. Assessment – restricted discretionary activities

E26.13.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the characteristics and qualities that contribute to the natural character and/or landscape values of the area;

(b) the setback from mean high water springs;

(c) architectural elements and design, including height, bulk, colour, reflectivity and materials;

(d) the cumulative effects of subdivision, use and development;

(e) landscape, visual and amenity effects;

(f) Mana Whenua values;

(g) the mitigation of effects;

(h) the functional or operation need for any infrastructure in the location proposed.

E26.13.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) whether there are practicable alternative locations for the activity, building or structure outside of the overlay area;

(b) whether, taking into account the characteristics and qualities of the site, the, activity, building or structure is located within an area that has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values;

(c) whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:

(i) amenity values or views, both from land and sea;

(ii) landscape and natural character values; and

(iii) people's experience and values associated with an area, including the predominance of nature and wilderness values.

(d) whether the siting of the activity, building or structure adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories.

(e) whether the activity, building or structure will be visually obtrusive from any public road or public place, including from beaches and the sea;

(f) the extent to which the location, scale, height, design, external appearance and overall form of the building or structure is appropriate to the rural and coastal context, and the colours and material used for

roofs, walls and windows is of low reflectivity and merges with the surrounding landscape;

(g) whether the activity, building or structure will result in adverse cumulative effects, having regard to other activities, buildings or use and development.

(h) the extent to which the activity, building or structure will impact on Mana Whenua values; or

(i) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.13.8. Special information requirements

There are no special information requirements in this sub-section.

E26.14. Network utilities and electricity generation – Outstanding Natural Features Overlay (excluding outstanding natural landscapes)

E26.14.1. Objectives

The objectives for this sub-section are located in D10 Outstanding Natural Features Overlay.

E26.14.2. Policies

The policies for this sub-section are located in D10 Outstanding Natural Features Overlay.

E26.14.3. Activity table

Table E26.14.3.1 Activity table specifies the activity status of land use and development activities in the Outstanding Natural Features Overlay above MHWS (for the rules applying to those overlays in the coastal marine area, refer to the coastal zone rules) pursuant to section 9(3) of the Resource Management Act 1991:

- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table;
- for a description of the features and feature codes refer to Section D10 Outstanding Natural Features Overlay;
- in respect of network utilities, and electricity generation activities within this overlay, also refer to
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.7.3.1 Network utilities and electricity generation – Earthworks in Outstanding Natural Features Overlay.

Table E26.14.3.1 Activity table - Network utilities and electricity generation – Outstanding Natural Features Overlay (excluding outstanding natural landscapes)

Activity		Feature Code from Table D10.4.1 for activity tables applying to outstanding natural features									
		A1	A	V1	V2	B	C	D	E	F1	F2
(A194)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P	P	P	P	P	P	P	P	P
(A195)	Service connections	P	P	RD	RD	RD	RD	RD	RD	RD	RD
(A196)	Minor utility structures P* within the legal road or the formation width of the road	P	P	RD P*	RD P*	RD	RD	RD	RD	RD	RD
(A197)	Minor infrastructure upgrading	P	P	RD	RD	RD	RD	RD	RD	RD	RD

	P* within the legal road or the formation width of the road			P*	P*						
(A198)	Minor upgrading of road network activities within the legal road or the formation width of the road	P	P	P	RD	RD	RD	RD	RD	RD	RD
(A199)	Pipe and cable bridges for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications	P	P	RD	RD	RD	RD	RD	RD	RD	RD
(A200)	Network utilities and electricity generation facilities that do not comply with permitted activity standards E26.14.5.1	RD	RD	RD	RD	NC	NC	RD	NC	NC	NC
(A201)	Network utilities and electricity generation facilities not otherwise provided for	P	RD	RD	RD	NC	NC	RD	NC	NC	NC

E26.14.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.14.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.14.5. Standards

All activities listed as permitted in Table E26.14.3.1 Activity table must comply with the following permitted activity standards.

E26.14.5.1. Permitted activity standards

(1) Minor infrastructure upgrading must not increase the size or alter the existing location of the existing footprint within a site or place of significance and is otherwise in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

(3) Network utilities and electricity generation facilities not otherwise provided for must comply with the relevant permitted activity standards in E26.2.5

E26.14.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.14.7. Assessment – restricted discretionary activities

E26.14.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) the nature, form and extent of proposed works;

(b) the degree of existing geological modification;

(c) the necessity of the works to provide for the functional and operational needs of infrastructure;

(d) alternative methods and locations;

(e) protection or enhancement of the feature; and

(f) effects on Mana Whenua values.

E26.14.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) the extent to which the nature, form and extent of the proposed use or development adversely affects the criteria or values for which the feature was scheduled taking into account all of the following;

(i) whether the use or development will result in increased erosion, of the feature;

(ii) whether the use or development will result in increased compaction or erosion of the feature, or changes to the vegetation will adversely affect the values for which the feature is scheduled;

(iii) whether the use or development will result in ground disturbance or earthworks that will affect the values for which the feature is scheduled; and

(iv) whether the use or development will interfere with natural processes associated with the feature.

(b) the extent to which the proposed use or development will cause adverse visual effects, or adversely affect landscape values associated with the feature;

(c) the extent to which the proposed use or development will cause any significant loss of geological value of a feature, taking into account the extent a feature has already been modified and whether further modification will cumulatively result in a significant loss of geological value;

(d) the extent to which modification of a feature is necessary to provide for the proposed use or development and the proposed structure has a functional or operational need to be in the location proposed;

(e) whether there are alternative methods and locations available to undertake the use or development that will not affect a scheduled feature;

(f) the extent to which the proposed works will protect the feature from damage, such as providing for erosion protection, or remediate previous damage, excluding any damage resulting from the use or development itself;

(g) the extent to which the proposed use or development will adversely affect Mana Whenua values;

(h) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.14.8. Special information requirements

(1) An application for an activity must be accompanied by:

(a) a site plan showing location of the outstanding natural feature and the location of the proposed activity.

E27. Transport

E27.1. Background

To support and manage the effects on the operation and development of an integrated transport network, this section:

- addresses the management of the location, number and design of parking, loading and access;
- provides for public transport facilities and walking and cycling facilities which may be located outside the road network (which is covered in Section E26 Infrastructure); and
- identifies the need to manage the effects of high trip generating activities.

The term ‘transport system’ encompasses both the physical infrastructure of the transport network and the wider environment or factors which can influence the operation of transport e.g. transport users and their behaviours. For the purpose of these transport provisions, the term ‘transport network’ is used in the context of managing effects or impacts on the operation of the ‘transport network’ as a physical resource. The transport network comprises the physical infrastructure or conduit along which transport modes move or travel along and this is made up of a series of links (where a sequence of continuous links form a route) and nodes which in totality form a network. The transport network also comprises a series of sub-networks or types which generally relate to a particular mode of travel or type of movement e.g. public transport network, freight network and walking and cycling networks. In regard to public transport networks, the network can also include the supporting services which utilise the physical network.

The current predominance of private vehicle travel and the accompanying demand for parking is recognised in terms of both the positive and adverse effects associated with accommodating parking.

Parking is an essential component of Auckland’s transport network and the management of parking can have major implications for the convenience, economic viability, design and layout of an area and the function of the transport network. It is important that parking is managed and provided in a manner that supports urban amenity, efficient use of land and the functional requirements of activities. The demand for parking can reflect the trip characteristics of a range of activities at different locations that occur at different times. It can also be managed to have a significant influence on reducing car use, particularly for commuter travel. This in turn reduces the growth in traffic, particularly during peak periods, and when supported by the provision of other transport modes achieves a more sustainable transport network. The management of parking supply includes regulation in areas to limit parking (maximums) and requiring resource consent for non-accessory parking.

A maximum limit has been set on the amount of parking that can be provided on a site in the Business – City Centre Zone and in the Centre Fringe Office Control as shown on the planning maps for office activities. Car parking is also limited for office activities in all zones, and for education facilities and hospitals in some zones.

The overall purpose of limiting parking through maximums is to manage potential parking oversupply and in turn reduce traffic congestion and provide opportunities to improve amenity in areas earmarked for intensification. Maximum parking rates have been set at a level which appropriately provides for the management on-site parking demands.

Accommodating growth in areas where land is scarce and a highly valued resource requires reconsideration of the use, and benefits and costs of on-site parking. The planning framework to facilitate this growth recognises that removing the requirement to provide parking will have direct land use benefits in regard to reducing development costs, improving housing affordability, optimising investment in parking facilities and supporting the use of public transport.

Standalone parking (non-accessory) facilities are provided for and will be individually assessed. This includes park-and-ride and other facilities that support public transport. Parking (non-accessory) may be appropriate to facilitate rationalisation of centre based parking resources to support activities in the centre and improve urban design outcomes.

To support walking and cycling, new buildings and developments are required to provide cycle parking as well as end-of-trip facilities. Off-road pedestrian and cycling facilities are also provided for to complement facilities located in the road network.

This section also addresses loading, the design of parking and loading, access from activities and developments to the road, and access around road/rail level crossings. These provisions support the movement of people, goods and services across the region.

Activities or subdivision which generate higher ~~amounts of traffic~~trip volumes by any mode, and which seek to locate outside of the most intensive centres and residential zones, are required to demonstrate how the proposal would integrate with the transport network. This includes managing the transport impacts of the proposal on the effective, efficient and safe operation of the local transport network.

E27.2. Objectives

(1) Land use and all modes of transport are integrated in a manner that enables:

(a) the benefits of an integrated transport network to be realised; and

(b) the adverse effects of traffic generation on the transport network to be managed.

(2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.

(3) Parking, including accessible car parking and loading is managed to support urban growth and a ~~the~~ quality compact urban form.

(4) Parking, including accessible car parking, loading and access is safe and efficient and, where parking is provided, it is commensurate with the character, scale and intensity and alternative transport options of the location.

(5) Pedestrian safety and amenity along public footpaths is prioritised.

(5A) Safe, and convenient on-site pedestrian access is provided to dwellings in residential zones.

(6) Road/rail crossings operate safely with neighbouring land use and development.

(7) Electric Vehicle Supply Equipment is enabled to facilitate use of electric vehicles.

(8) Enable car parking with electric vehicle charging stations in all zones.

E27.3. Policies

(1) Require subdivision, use and development which:

(a) generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network;

(b) are proposed outside of the following zones:

(i) the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone;

(ii) Residential – Terrace Housing and Apartment Buildings Zone;

(iii) the Centre Fringe Office Control as shown on the planning maps; or

(c) ~~do not already require an integrated transport assessment or have been approved based on an integrated transport assessment~~ [deleted]

to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development or undertaking improvements to the local transport network.

(2) Require major proposals for discretionary consent to prepare an integrated transport assessment including provision for pedestrians, cyclists, public transport users, freight and motorists.

Parking

(3) Manage the number, location and type of parking, including accessible car parking, and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:

(a) the safe, efficient and effective operation of the transport network;

(b) the use of more sustainable transport options including public transport, cycling and walking;

(c) the functional and operational requirements of activities;

(d) the efficient use of land;

(e) the recognition of different activities having different trip characteristics; ~~and~~

(f) the efficient use of on-street parking~~.~~, and

(g) full participation in society for people with disabilities that impact on mobility.

(4) Limit the supply of on-site parking in the Business – City Centre Zone to support the planned growth and intensification and recognise the existing and future accessibility of this location to public transport, and support walking and cycling.

(5) Limit the supply of on-site parking for office development in all locations to:

(a) minimise the growth of private vehicle trips by commuters travelling during peak periods; and

(b) support larger-scale office developments in the Business – City Centre Zone, Centre Fringe Office Control area, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Business Park Zone.

(6) Provide for flexible on-site parking in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of specified non-urban town and local centres and Mixed Use Zone adjacent to those specified centres) by not providing limits on parking for subdivision, use and development other than for office activities, education facilities and hospitals.

(a) [deleted]

(b) [deleted]

(6A) Encourage activities providing no or reduced on-site parking (other than other for accessible parking) where it will enable better built form outcomes.

(6B) Encourage the use of public transport, walking and cycling trips and manage effects on the safe and efficient operation of the transport network by limiting the supply of on-site parking for office activities, education facilities and hospitals in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone.

(7) [Deleted]

(8) [Deleted]

(9) Provide for flexible approaches to parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.

(10) Provide for non-accessory parking where:

(a) the proposal and the type of parking will reinforce the efficient use of land or planned growth and intensification provided for in this plan for the site or locality; and

(b) there is an undersupply or projected undersupply of parking to service the area having regard to all of the following:

(i) the efficient use of land to rationalise or consolidate parking resources in centres;

(ii) the availability of alternative transport modes, particularly access to the existing and planned public transport;

(iii) the type of parking proposed;

(iv) existing parking survey information; and

(v) the type of activities in the surrounding area and their trip characteristics.

(11) Discourage the development of long-term non-accessory parking in the Business – City Centre Zone and the Centre Fringe Office Control as shown on the planning maps to:

(a) recognise and support the high level of accessibility these areas have to the public transport; and

(b) minimise the growth in private vehicle trips by commuters during peak periods.

(12) Control the development of long-term non-accessory parking in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and in the Business – Mixed Use Zone so that the parking does not undermine:

(a) the efficient use of land or growth and intensification provided for in this plan for the site or locality; and

(b) the use of public transport in these zones.

(13) Provide for park-and-ride and public transport facilities which are located and designed to support the public transport network by:

(a) locating in proximity to public transport stations, stops and terminals;

(b) growing public transport patronage to assist in relieving congested corridors by encouraging commuters to shift to public transport;

(c) making public transport easier and more convenient to use, thereby attracting new users;

(d) improving the operational efficiency of the public transport network;

(e) extending the catchment for public transport into areas of demand where it is not cost-effective to provide traditional services or feeders;

(f) reinforcing existing and future investments on the public transport network; and

(g) providing free, secure and covered parking for bicycles.

(14) Support increased cycling and walking by:

(a) requiring larger non-residential developments and all residential developments without a dedicated garage or basement car parking space to provide secure and covered bicycle parking, which may be located within a dwelling;

(b) requiring end-of-trip facilities, such as showers and changing facilities, to be included in office, educational and hospital developments with high employee or student numbers; and

(c) providing for off-road pedestrian and bicycle facilities to complement facilities located within the road network.

Loading

(15) Require access to loading facilities to support activities and minimise disruption on the adjacent transport network.

(16) Provide for on-site or alternative loading arrangements, including on-street loading or shared loading areas, particularly in locations where it is desirable to limit access points for reasons of safety, amenity and road operation.

Design of parking and loading

(17) Require parking and loading areas to be designed and located to:

(a) avoid or mitigate adverse effects on the amenity of the streetscape and adjacent sites;

(b) provide safe access and egress for vehicles, pedestrians and cyclists;

(c) avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists; and

(d) in loading areas, provide for the separation of service and other vehicles where practicable having regard to the functional and operational requirements of activities.

(18) Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:

(a) the effective, efficient and safe operation of roads, in particular arterial roads;

(b) pedestrian safety and amenity, particularly within the centre zones and Business – Mixed Use Zone; and

(c) safe and functional access taking into consideration the number of parking spaces served by the access, the length of the driveway and whether the access is subject to a vehicle access restriction.

(19) Require park-and-ride, non-accessory parking and off-site parking facilities and their access points to:

(a) be compatible with the planning and design outcomes identified in this plan for the relevant zone;

(b) take into account the implementation of any relevant future transport projects or changes to the transport network identified in any statutory document (including the Long Term Plan or Regional Land Transport Plan) where implementation is likely;

(c) be accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths;

(d) provide an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this may include:

(i) maintaining an active frontage through sleeving and/or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;

(ii) appropriate screening, such as exterior panelling, for any parking building; and

(iii) planting and other landscaping.

(e) provide for any buildings to be adapted or readily dismantled for other uses if no longer required for parking. In particular, the floor-to-ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone; and

(f) be managed and operated so that the facility avoids adverse effects on the efficient, effective and safe operation of the transport network including:

(i) the safety of pedestrians and cyclists;

(ii) amenity for pedestrians;

(iii) queuing on the road and conflict at access points to the facility; and

(iv) the operation of public transport services and related infrastructure.

Access

(20) Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.

(20A) Require vehicle access to be designed and located to provide for low speed environments and for the safety of pedestrians and other users, and functional access for emergency responders.

(20AA) Provide for vehicles to cross a required primary pedestrian access so long as pedestrian safety is prioritised by design solutions such as:

(a) Minimising vehicle crossing points (such as by pairing or grouping crossings) and providing adequate pedestrian refuge space between crossing points;

(b) Using speed management measures to slow down vehicles;

(c) Using mountable kerbs to enable vehicle access to parking areas while discouraging vehicle access and parking over primary pedestrian access between vehicle crossing points; and

(d) Providing clear sightlines between pedestrian access and vehicle manoeuvring and parking areas.

(20B) Require pedestrian access, to be designed and located to provide for safe and convenient access, minimise potential conflicts between pedestrians and other users, and to provide functional access for emergency responders.

(21) Restrict or manage vehicle access to and from sites adjacent to intersections, adjacent motorway interchanges, and on arterial roads, so that:

(a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of people and goods on the road network; and

(b) any adverse effect on the effective, efficient and safe operation of the motorway interchange and adjacent arterial roads arising from vehicle access adjacent to a motorway interchange is avoided, remedied or mitigated.

(22) Restrict vehicle access across the Vehicle Access Restriction – General Control as shown on the planning maps within the Business – City Centre Zone to:

(a) give high priority to pedestrian movement, safety and amenity along the main pedestrian streets in the Business – City Centre Zone; and

(b) provide for continuity of building frontage and associated activities at street level.

(23) Provide for the continued use of existing vehicle access affected by the Key Retail Frontage Control as shown on the planning maps and Vehicle Access Restriction – General Control in the Business – City Centre Zone where the effects of the activity and use of the vehicle access are the same or similar in character, intensity and scale which existed on 30 September 2013.

(24) Control alterations to or rationalisation of existing vehicle access affected by the Key Retail Frontage Control and Vehicle Access Restriction – General Control in the Business – City Centre Zone where there is a change in the character, intensity or scale of the activity and use of the existing vehicle access.

(25) Discourage new vehicle access across the Key Retail Frontage Control in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:

(a) give high priority to pedestrian movement, safety and amenity; and

(b) provide for continuity of building frontage and associated activities at street level.

(26) Limit new vehicle access across the General Commercial Frontage Control as shown on the planning maps in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:

(a) support pedestrian safety and amenity; and

(b) provide for continuity of building frontage and associated activities at street level.

Sightlines to rail level crossings

(27) Limit the location of buildings and other visual obstructions within the sightline areas of road/rail level crossings.

(28) Discourage new road and pedestrian rail level crossings to ensure the safe, effective and efficient operation of the region’s rail network.

Access to rail level crossings

(29) Control vehicle access to sites adjacent to all road/rail level crossings to improve safety for road users on the approach to level crossings.

(30) Enable provision for Electric Vehicle Supply Equipment for new residential developments that provide carparking.

(31) Provide for car parking with electric vehicle charging stations in all zones where:

(a) adverse effects on the amenity of the streetscape are minimised.

E27.4. Activity table

Table E27.4.1 specifies the activity status of land use activities in all zones pursuant to sections 9(3) and 11 of the Resource Management Act 1991. A site may contain more than one of the listed activities.

These rules do not apply to precincts where there are corresponding transport and traffic provisions in the applicable precinct.

Note 1

All access to the State Highway network (including changes to existing access and subdivision or change in land use utilising an existing access) require the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989. This approval is separate and additional to any land use or subdivision consent approval required. Refer to the New Zealand Transport Agency's Auckland Office.

Table E27.4.1 Activity table

Activity		Activity status
(A1)	Parking, loading ~~and~~ access and Electric Vehicle Supply Equipment which is an accessory activity and complies with the standards for parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment.	P
(A2)	Parking, loading ~~and~~ access and Electric Vehicle Supply Equipment which is an accessory activity but which does not comply with the standards for parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment.	RD
(A3)	Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1	RD
(A4)	Use of an existing vehicle crossing (established or consented before 30 September 2013) where a Vehicle Access Restriction applies under Standards E27.6.4.1(1), E27.6.4.1(2) or E27.6.4.1(3) to service existing activities (established or consented before 30 September 2013)	P
(A5)	Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or	RD

	E27.6.4.1(3)	
(A6)	Use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in • Table H8.4.1 Activity table; • Table H9.4.1 Activity table; or • Table H10.4.1 Activity table;	RD
(A7)	Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and the establishment of the vehicle crossing is to: (a) relocate and/or amalgamate an existing vehicle crossing or crossings serving the site, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site; or (b) there is no other means of accessing a site.	RD
(A8)	Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and it is not provided for in this activity table	NC
(A9)	Any building or structure located within an area subject to Level Crossings with Sightlines Control as identified on the planning maps	RD
(A10)	Off-road pedestrian and cycling facilities	P
(A11)	Park-and-ride	RD
(A12)	Public transport facilities	RD
(A13)	Short-term and long-term non-accessory parking in the following zones: • Business – Metropolitan Centre Zone; • Business – Town Centre Zone; • Business – Local Centre Zone; and • Business – Mixed Use Zone.	RD
(A14)	Short-term non-accessory parking in the Business – City Centre Zone and Centre Fringe Office Control as shown on the planning maps	D
(A15)	Long-term non-accessory parking in these zones and locations: • Business – City Centre Zone; and • Centre Fringe Office Control as shown on the planning maps.	NC
(A16)	Off-site parking	D
(A17)	Construction of new road and pedestrian rail level crossings on the rail network	NC
(A18)	Electric vehicle charging stations that comply with the standards for electric vehicle charging stations in E27.6.8	P

(A19)	Electric vehicle charging stations that do not comply with the standards for electric vehicle charging stations in E27.6.8	RD
(A20)	Primary pedestrian access serving between 2 and 5 dwellings (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with standard E27.6.6	P
(A21)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with standard E27.6.6 * including dwellings as part of an integrated residential development	RD
(A22)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6 * including dwellings as part of an integrated residential development	RD
(A23)	Primary pedestrian access in residential zones (whether physically separated or not) that does not comply with: (a) The width, gradient, clear height, obstruction or slip resistance requirements of Standard E27.6.6(3); and/or (b) The emergency responder access requirements of Standard E27.6.6(4)	RD

E27.5. Notification

(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

(a) E27.4.1(A11) Park-and-ride (exceeding 200 parking spaces); or

(b) E27.4.1(A12) Public transport facilities.

(2) Any application for resource consent for activity that infringes the following standards will be considered without public notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

(a) Standard E27.6.4.1(2) Vehicle access restrictions; or

(b) Standard E27.6.4.1(3) Vehicle access restrictions.

(3) Any application for resource consent for vehicle access not meeting Standard E27.6.4.1(2) and Standard E27.6.4.1(3) Vehicle access restrictions may be limited notified.

(4) Any application for resource consent for an activity listed in Table E27.4.1 Activity table and which is not listed in E27.5(1), E27.5(2) or E27.5(3) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(5) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E27.6. Standards

All activities in Table E27.4.1 must comply with the following standards.

E27.6.1. Trip generation

(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:

(a) a new development or subdivision in Table E27.6.1.1;

(b) 100 v/hr (any hour) for activities not specified in Table E27.6.1.1 requiring a controlled or restricted discretionary land use activity consent in the applicable zone where there are no requirements for an assessment of transport or trip generation effects. This standard does not apply to development activities provided for as permitted in the applicable zone; or

(c) ~~a proposed subdivision of land which has capacity under this Plan to accommodate more than 100 dwellings~~[deleted]

resource consent for a restricted discretionary activity is required.

Table E27.6.1.1 New development and subdivision thresholds

Activity			**New development or subdivision**
(TA1)	Residential	Dwellings – threshold 1	40 dwellings
(T1)		Dwellings – threshold 2	100 dwellings
(T1A)		Integrated residential development – threshold 1	100 units
(T2)		Integrated residential development – threshold 2	500 units
(T2A)		Visitor accommodation – threshold 1	60 units

(T3)		Visitor accommodation – threshold 2	100 units
(T3A)		Residential subdivision – threshold 1	Capacity to accommodate more than 40 dwellings
(T3B)		Residential subdivision – threshold 2	Capacity to accommodate more than 100 dwellings
(T4)	Education facilities	Primary	167 students
(T5)		Secondary	333 students
(T6)		Tertiary	500 students
(T7)	Office		5,000 m^2 GFA
(T8)	Retail	Drive through	333 m^2 GFA
(T8A)		Retail activities (non-drive through)	1667m2 GFA
(T9)	Industrial activities	Warehousing and storage	20,000 m^2 GFA
(T10)		Other industrial activities	10,000 m^2 GFA

(2) Standard E27.6.1(1) does not apply where:

(a) a proposal is located in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, or Residential – Terrace Housing and Apartment Building Zone or Centre Fringe Office Control as shown on the planning maps;

(b) ~~development is being undertaken in accordance with a consent or provisions approved on the basis of an Integrated Transport Assessment where the land use and the associated trip generation and transport effects are the same or similar in character, intensity and scale to those identified in the previous assessment;~~[deleted]

(c) the activity is permitted in the H7 Open space zones; or

(d) there are requirements to assess ~~transport, traffic or~~ trip-generation effects for the activity in ~~the~~ any applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities

E27.6.2. Number of parking and loading spaces

(1) The number of parking spaces:

(a) must not exceed the maximum rates specified

(b) [Deleted]

(c) [Deleted]

which apply to the zone or location specified in Table E27.6.2.1, Table E27.6.2.2, Table E27.6.2.3 and Table E27.6.2.4.

(2) [Deleted]

(3) For the purposes of meeting the requirements of the vehicle parking rules, a parking space includes those provided for in a garage or car port or any paved area provided for the sole purpose of parking a motor vehicle.

(3A) Within the Centre Fringe Office Control area, the parking rates contained in Table E27.6.2.2 apply instead of those contained in Table E27.6.2.3 and Table E27.6.2.4.

Table E27.6.2.1 Maximum parking rates for the Business – City Centre Zone

Activity/site			**Business – City Centre Zone maximum rate**
(T11)	Dwellings	Dwellings <75m^2 GFA	0.7 per dwelling
(T12)		Dwellings ≥75 and < 90m^2 GFA	1.4 per dwelling
(T13)		Dwellings ≥90m^2 GFA	1.7 per dwelling
(T14)		Visitor spaces	0.2 per dwelling
(T15)	All other activities		1:200m^2 GFA

Table E27.6.2.2 Maximum parking rates for the Centre Fringe Office Control area as shown on the planning maps

Activity		**Centre Fringe Office Control as shown on the planning maps adjoining the Business – City Centre Zone Maximum rate**
(T16)	Offices	1 per 60 m^2 GFA
(T17)	All other activities	No minimum or maximum

(4) Table E27.6.2.3 sets out the parking rates which apply in the following zones and locations:

(a) Business – Metropolitan Centre Zone;

(b) Business – Town Centre Zone – excluding the following town centres where Table E27.6.2.4 applies: Helensville, Kumeu-Huapai, Pukekohe, Warkworth and Wellsford;

(c) Business – Local Centre Zone – excluding the following local centres where Table E27.6.2.4 applies: Karaka, Kaukapakapa, Leigh, Matakana, Riverhead, Snells Beach, Te Hana, Waimauku and Waiuku;

(d) Business – Mixed Use Zone (excluding where the Business – Mixed Use Zone is adjacent to the town centres or local centres identified in Standards E27.6.2(4)(b) and E27.6.2(4)(c) above); and

(e) Residential – Terrace Housing and Apartment Buildings Zone.

Table E27.6.2.3 Parking rates - area 1

Activity			**Applies to zones and locations specified in Standard E27.6.2(4)**	
			[Deleted]	**Maximum rate**
(T18)	Offices		[Deleted]	1 per 30 m^2 GFA
(T19)	Retail	Food and beverage (excluding taverns)	[Deleted]	No maximum
(T19A)		Trade suppliers, garden centres and large format retail (excluding supermarkets and department stores)	[Deleted]	No maximum
(T19B)		Marine retail, motor vehicle sales	[Deleted]	No maximum
(T20)		All other retail (including supermarkets, department stores and taverns)	[Deleted]	No maximum
(T20A)	Commercial services		[Deleted]	No maximum
(T21)	Entertainment facilities and community facilities Provided that, for places of worship, the "facility" shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces which do not have a separate use from the primary place of assembly shall be disregarded)		[Deleted]	No maximum
(T22)	Emergency services		[Deleted]	No maximum
(T23)	Care centres		[Deleted]	No maximum
(T24)	Education facilities	Primary and secondary	[Deleted]	0.5 per FTE employee plus 1 visitor space per classroom
(T25)		Tertiary	[Deleted]	0.5 per FTE employee plus 0.25 per EFT (equivalent full time) student the facility is

Activity			Applies to zones and locations specified in Standard E27.6.2(4)	
			[Deleted]	Maximum rate
				designed to accommodate
(T26)	Medical facilities	Hospital	[Deleted]	1 per 40 m^2 GFA
(T27)		Healthcare facilities	[Deleted]	No maximum
(T28)	Residential	All dwellings in the Terrace Housing & Apartment Buildings zone	[Deleted]	No maximum
(T29)		Dwellings – studio or 1 bedroom	[Deleted]	No maximum
(T30)		Dwellings – two or more bedrooms	[Deleted]	No maximum
(T31)		Visitor spaces	[Deleted]	No maximum
(T32)		Retirement villages	[Deleted]	No maximum
(T33)		Supported residential care	[Deleted]	No maximum
(T34)		Visitor accommodation	[Deleted]	No maximum
(T35)		Boarding houses	[Deleted]	No maximum
(T35A)		Minor dwellings	[Deleted]	No maximum
(T36)	All other activities		[Deleted]	No maximum

(4A) [Deleted]

(5) Table E27.6.2.4 sets out the parking rates which apply all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3.

Table E27.6.2.4 Parking rates - area 2

Activity				Applies to zones and locations specified in Standard E27.6.2(5)	
				[Deleted]	Maximum rate
(T37)	Residential	Residential – Mixed Housing Urban Zone	Dwellings - studio	[Deleted]	No maximum
(T38)			Dwellings - 1 bedroom	[Deleted]	No maximum

Activity				Applies to zones and locations specified in Standard E27.6.2(5)	
				[Deleted]	Maximum rate
(T39)			Dwellings - two or more bedrooms	[Deleted]	No maximum
(T39A)			Minor dwellings	[Deleted]	No maximum
(T41)		Residential – Mixed Housing Suburban Zone	Dwellings - studio	[Deleted]	No maximum
(T42)			Dwellings - 1 bedroom	[Deleted]	No maximum
(T43)			Dwellings - two or more bedrooms	[Deleted]	No maximum
(T43A)			Minor dwellings	[Deleted]	No maximum
(T44)		Sites within the D18 Special Character Areas Overlay – Residential and Business	Site area 500m^2 or less	[Deleted]	No maximum
(T45)			Site area greater than 500m^2	[Deleted]	As per the underlying zoning
(T46)		All other areas	Dwellings	[Deleted]	No maximum
(T46A)			Minor dwellings	[Deleted]	No maximum
(T47)		Conversion of dwelling into two dwellings (Sites within the D18 Special Character Areas Overlay – Residential and Business)		[Deleted]	No maximum
(T48)		Home occupations		[Deleted]	No maximum
(T49)		Retirement village		[Deleted]	No maximum
(T50)		Supported residential care		[Deleted]	No maximum
(T51)		Visitor accommodation		[Deleted]	No maximum
(T52)		Boarding houses		[Deleted]	No

Activity			Applies to zones and locations specified in Standard E27.6.2(5)	
			[Deleted]	Maximum rate
				maximum
(T53)	Offices		[Deleted]	Maximum of 1 per 30m^2 GFA
(T54)	Commercial services, excluding the following: veterinary clinics, storage and lockup facilities		[Deleted]	No maximum
(T55)	Retail	Motor vehicle sales	[Deleted]	No maximum
(T56)		Trade suppliers	[Deleted]	No maximum
(T57)		Large Format Retail (excluding supermarkets and department stores)	[Deleted]	No maximum
(T58)		All other retail (including food and beverage)	[Deleted]	No maximum
(T59)	Industrial activities and storage and lock-up facilities	Repair and maintenance services	[Deleted]	No maximum
(T60)		Warehousing, storage and lock up facilities	[Deleted]	No maximum
(T61)		All other industrial activities	[Deleted]	No maximum
(T62)	Entertainment facilities and community facilities provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces which do not have a separate use from the primary place of assembly shall be disregarded)		[Deleted]	No maximum
(T63)	Emergency services		[Deleted]	No maximum
(T64)	Care centres		[Deleted]	No maximum
(T65)	Educational facilities	Primary and secondary	[Deleted]	No maximum
(T66)		Tertiary	[Deleted]	No maximum
(T67)	Medical facilities	Hospitals not shown on the Parking Variation Control planning maps	[Deleted]	No maximum
(T68)		Grafton Hospital 2 Park Road, Grafton	[Deleted]	1 per 50m^2 GFA

Activity			Applies to zones and locations specified in Standard E27.6.2(5)	
			[Deleted]	Maximum rate
(T69)		Greenlane Clinical Centre 210 Green Lane West, Epsom	[Deleted]	No maximum
(T70)		Mt Albert 50 Carrington Road, Mt Albert	[Deleted]	No maximum
(T71)		Mercy Hospital 98 Mountain Road, Epsom	[Deleted]	No maximum
(T72)		Healthcare facilities	[Deleted]	No maximum
(T73)		Veterinary clinics	[Deleted]	No maximum
(T74)	Land used for organised sport and recreation		[Deleted]	No maximum
(T75)	Clubrooms		[Deleted]	No maximum
(T76)	Water transport	Land adjacent to a public boat launching ramp	[Deleted]	No maximum
(T77)		Marinas	[Deleted]	No maximum
(T78)		Minor ports at Gabador Place, Tamaki and Onehunga	[Deleted]	No maximum
(T79)	All other activities, except for activities within rural zones		[Deleted]	No maximum
(T80)	All other activities where located in rural zones		[Deleted]	No maximum

(6) Bicycle parking:

(a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; ~~and~~

(aa) for residential developments, the required secure long-stay bicycle parking must be located and designed in a manner that (is):

i) not part of any required outdoor living space

ii) sheltered from the weather;

iii) lockable and secure;

(bb) To avoid doubt, the required secure long-stay bicycle parking may be located within a dwelling.

(b) the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			**Visitor (short-stay) Minimum rate**		**Secure (long-stay) Minimum rate**
(T81)	Residential	All residential ~~D~~developments ~~of 20 or more dwellings~~	1 per 20 for developments of 20 or more dwellings		1 per dwelling without a dedicated garage or basement car parking space
(T82)		Visitor accommodation and boarding houses	1 space plus 1 space per 20 rooms/beds		1 per 10 FTE employees
(T83)		Retirement village and residential care	1 space plus 1 space per 30 units / apartments		1 per 10 FTE employees
(T84)	Offices		Up to 200m^2	Nil required	1 per 300m^2 of office
(T85)			Greater than 200m^2 up to 10,000m^2	1 space plus 1 space per 1,000m^2 above 1,000m^2	
(T86)			Greater than 10,000m^2	10 spaces plus 1 space per 2000m^2 above 10,000m^2	
(T87)	Retail	Food and beverage	Up to 350m^2 GFA	Nil required	1 per 300m^2 GFA
(T88)			Greater than 350m^2 GFA	1 per 350m^2 GFA	
(T89)		All other retail	Up to 500m^2 GFA	Nil required	1 per 300m^2 GFA of office
(T90)			Greater	1 per 500m^2	

Activity			Visitor (short-stay) Minimum rate		Secure (long-stay) Minimum rate
			than 500m^2 GFA up to 5000m^2 GFA	GFA	
(T91)			Greater than 5000m^2 GFA	1 per 750m^2 GFA	1 per 300m^2 GFA of office
(T92)	Industrial activities and storage and lockup facilities		1 space plus 1 space per 750m^2 GFA of office space		1 per 300m^2 GFA of office
(T93)	Care centres		1 space plus 1 space per 50 people to be accommodated		1 space per 10 FTE employees
(T94)	Educational facilities	Primary and intermediate schools	1 space plus 1 space per 400 students and FTE employees		1 per 30 students in Year 1 to 5 plus 1 per 15 students in Year 6 to 8 plus 1 per 20 employees
(T95)		Secondary schools	1 space plus 1 space per 400 students and FTE employees		1 per 15 students in Year 9 to 13 plus 1 per 20 FTE employees
(T96)		Tertiary education facilities	1 per 800 m^2 GFA office		1 per 20 EFT students and FTE employees on site at the peak times
(T97)	Medical facilities	Hospitals	1 per 30 beds		1 per 15 beds
(T98)		Healthcare services	1 space plus 1 space per 10 FTE practitioners		1 per 8 FTE practitioners
(T99)		Veterinary clinics	-		1 per 15 FTE employees
(T100)	Entertainment and community	Entertainment facilities	Either: 1 per 50 seats Or:		Either: 1 per 15 FTE employees

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
	facilities		2 spaces plus 1 space per 1500m^2 GFA	Or: 1 per 1500m2 GFA
(T101)		Major recreation facility	1 space plus 1 space per 1000m^2 GFA of office and other accessory activities	1 per 300m^2 GFA of office and other accessory uses
(T102)		Community facilities	1 per 200m^2 GFA	1 per 500 m^2 GFA
(T103)		Organised sport and recreational facility	3 per hectare distributed in groups of 3-5 racks	1 per hectare

Note: Further guidance on bicycle parking design can be found in the Auckland Code of Practice for Land Development and Subdivision 2022. Also see the Waka Kotahi Cycling Network Guidance Technical Note, Cycle Parking Planning and Design December 2022.

(7) End-of-trip facilities:

(a) the activities specified in Table E27.6.2.6 must provide end-of-trip facilities as listed below; and

(b) the following end-of-trip facilities requirements apply to new buildings and developments.

Table E27.6.2.6 Required end-of-trip facilities (intended for staff use)

Land use		GFA	No. of showers and changing facilities required
(T104)	Offices, education facilities, hospitals	Up to 500m^2	No requirement
(T105)		Greater than 500m^2 up to 2500m^2	One shower and changing area with space for storage of clothing
(T106)		Greater than 2500m^2 up to 7500m^2	Two showers and changing area with space for storage of clothing
(T107)		Every additional 7500m^2	Two additional showers and changing area with space for storage of clothing

(8) Number of loading spaces:

(a) all activities must provide loading spaces as specified in Table E27.6.2.7.

(b) in addition, where the only vehicle access for residential activities is from an arterial road as identified on the planning maps a small loading space must be provided in accordance with Table E27.6.2.7A.

Table E27.6.2.7 Minimum loading space requirements

Activity		GFA	Minimum rate
(T108)	Retail and industrial activities	Up to 300m^2	No loading required
(T109)		Greater than 300m^2 up to 5000m^2	1
(T110)		Greater than 5000m^2 up to 10,000m^2	2
(T111)		Greater than 10,000m^2	3 spaces plus 1 space for every additional 10,000m^2
(T112)	All other activities, except for activities within rural zones	Up to 5000m^2	No loading required
(T113)		Greater than 5000m^2 up to 20,000m^2	1
(T114)		Greater than 20,000m^2 up to 90,000m^2	2
(T115)		Greater than 90,000m^2	3 spaces plus space 1 for every additional 40,000m^2
(T116)	All other activities where located in rural Zones		No minimum rate

Table E27.6.2.7A Minimum small loading space requirements where residential activities only have vehicle access from an arterial road

Activity		GFA/ Number of dwellings	Minimum rate
(T111B)		Developments where all dwellings have individual pedestrian access directly from a public road	No loading space required
		Up to 9 dwellings without individual pedestrian access directly from a public road	No loading space required
		10 or more dwellings up to 5,000m^2 without individual pedestrian access directly from a public road	1*
		Greater than 5,000m^2	NA

* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions

(9) Fractional spaces:

(a) where the calculation of the permitted parking results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction

of one-half or more will be counted as one space. If there are different activities within a development, the parking permitted for each activity must be added together prior to rounding.

~~Note: Where parking is provided, parking spaces are to be provided for people with disabilities and accessible routes from the parking spaces to the associated activity or road as required by the New Zealand Building Code D1/AS1. The dimensions and accessible route requirements are detailed in the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001).~~

E27.6.3. Design of parking and loading spaces

E27.6.3.1. Size and location of parking spaces

(1) Every parking space must:

(a) comply with the minimum dimensions given in Table E27.6.3.1.1 and Figure E27.6.3.1.1; except accessible parking dimensions and accessible route requirements must be designed in accordance with the New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121- 2001); and

(b) be located on the same site as the activity to which it relates unless one of the following criteria is met:

(i) the parking is located in an H7 Open Space Zone and the reserve, park or recreation area consists of more than one adjoining Certificate of Title. In that case, the parking must be located within the same reserve, park or recreation area as the activity to which it relates; or

(ii) resource consent is granted to an alternative arrangement, such as shared parking, offsite parking, or non-accessory parking.

(c) [deleted]

(d) be kept clear and available at all times the activity is in operation, except where stacked parking is permitted by Standard E27.6.3.3(3) below; and

(e) be located outside any area designated for road widening; and

(f) parking located in part of any yard on the site (where it is permitted in the zone) must not:

(i) impede vehicular access and movement on the site; and

(ii) infringe any open space and landscape requirements for the relevant zone; and

(g) not to be sold or leased separately from the activity for which it provides parking as an accessory activity unless a resource consent is granted to an alternative arrangement such as shared parking or off-site parking.

Table E27.6.3.1.1 Minimum Car parking space and manoeuvring dimensions

Car parking angle		Width of parking space	Depth of parking space		Manoeuvring space[3]	Total
			From wall[1]	From kerb[2]		
(T117)	90 degrees (regular users)[4]	2.4	5.0	4.0	7.1	12.1
(T118)		2.5			6.7	11.7
(T119)		2.6			6.3	11.3
(T120)		2.7			5.9	10.9
(T121)	90 degrees (casual users)[4]	2.5	5.0	4.0	7.7	12.7
(T122)		2.6			7.0	12.0
(T123)		2.7			6.7	11.7
(T124)	75 degrees	2.5	5.2	4.2	6.3	11.5
(T125)		2.6			5.2	10.4
(T126)		2.7			4.2	9.4
(T127)	60 degrees	2.5	5.2	4.2	4.1	9.3
(T128)		2.6			3.5	8.7
(T129)		2.7			3.3	8.5
(T130)	45 degrees	2.5	5.0	4.2	3.0	8.0
(T131)		2.6			3.0	8.0
(T132)		2.7			3.0	8.0
(T133)	30 degrees	2.5	4.0	3.4	2.8	6.8
(T134)		2.6			2.8	6.8
(T135)		2.7			2.8	6.8
(T136)	0 degrees (parallel)[5]	6	2.4	2.1	3.7	-

Notes

All dimensions are in metres (m).

[1] Where a parking space adjoins a wall or high kerb that does not allow vehicles to overhang.

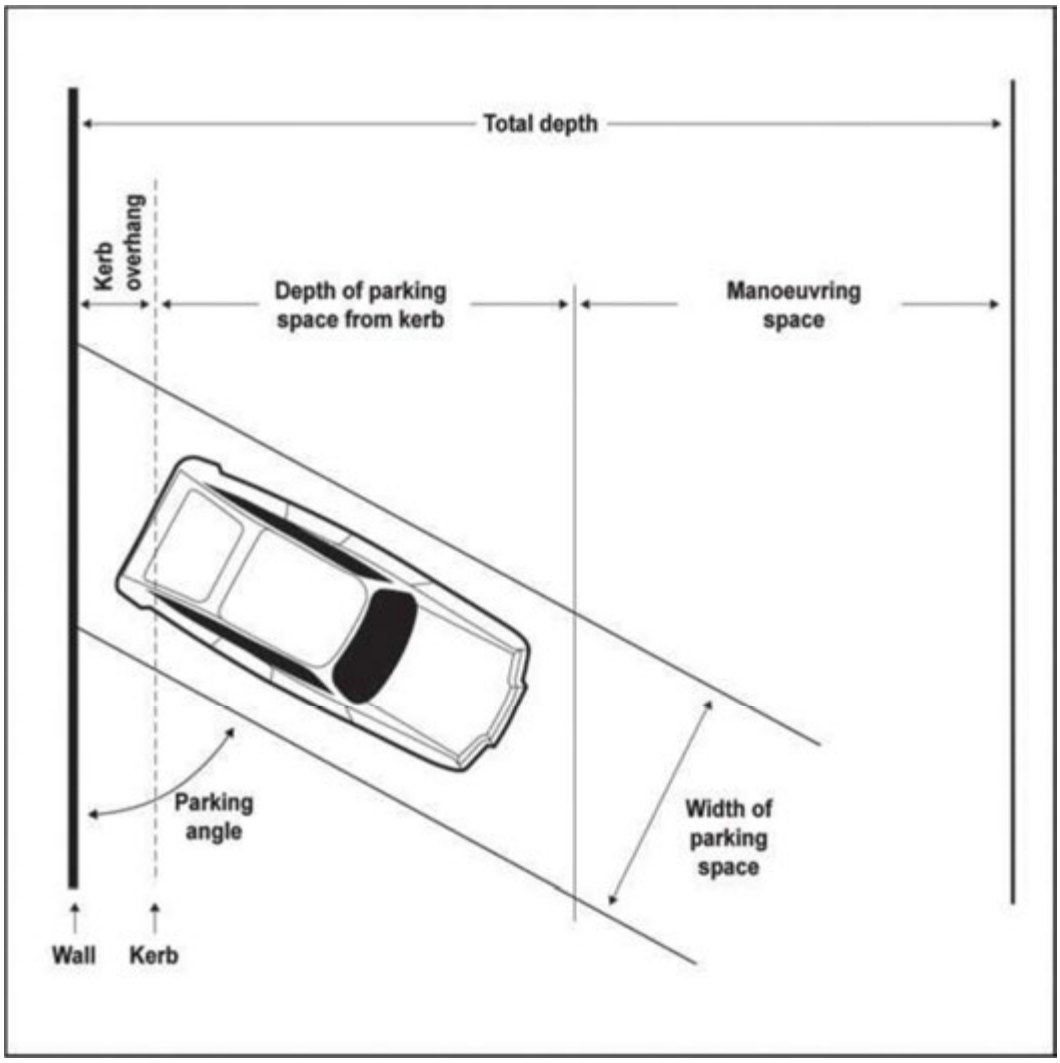
[2] Kerb overhang. Applies where a vehicle may overhang the end of a space, provided that the first 1m immediately behind the space is unobstructed and does not form part of another parking or loading space, or is not required as part of pedestrian walkway or footpath. Wheel stops are required where a parking space would otherwise overhang onto a pedestrian walkway or footpath.

[3] One way traffic is assumed for all angled parking spaces, excluding car parking at a 90 degree angle

[4] Regular users are people whose regular use gives them a familiarity with the parking area that permits smaller safe clearances about the parking spaces (for example residents, employees, long term parking users). Casual users are people, typically short-term visitors, who would not be familiar with the parking layout

[5] Where a parallel end space has direct access through the end of the space, the depth of space can be reduced to 5.4m

Figure E27.6.3.1.1 Minimum parking space and manoeuvring dimensions



E27.6.3.2. Size and location of loading spaces

(1) Every loading space must:

(a) comply with the minimum dimensions given in Table E27.6.3.2.1; and

(b) be located on the same site as the activity to which it relates and be available at all times while the activity is in operation; and

(c) be located outside any area designated for road widening; and

(d) comply with the following when any yard of a site is used to provide the loading space (where it is permitted within the zone):

(i) ensure that the footpath or access to the rear of the site or access to an adjacent property is not blocked at any time; and

(ii) the use of the loading space does not create a traffic hazard on the road at any time~~.~~; and

(e) have a maximum crossfall of 1:50 (2%) in all directions.

Table E27.6.3.2.1 Minimum loading space dimensions

Activity		Length of loading space (m)	Width of loading space (m)
(T137)	Industrial activities	11	3.5
(T137A)	Activities requiring a small loading space under Standard E27.6.2(8)(b)	6.4	3.5
(T138)	All other activities	8	3.5
(T139)	All sites and developments designed to accommodate articulated vehicles	18	3.5

E27.6.3.2(A) Number and Design of Accessible Parking

(1) Accessible parking must be provided for all new buildings, extension to existing buildings and changes of activity from non-residential to residential land uses, in accordance with E27.6.3.2(A)(2) to (5) below

(2) For residential developments where car parking is provided on site, accessible parking spaces must be provided for developments of 10 or more dwellings.

(3) For all non-residential developments, accessible parking must be provided when car parking is provided on-site.

(4) Accessible parking is not required to be provided where no car parking is provided on site, except for the following activities in the following zones where accessible parking must be provided even when there is no car parking on-site:

Column A Zones where activities listed in column B must provide accessible car parks	**Column B** Activities that must provide accessible car parks where located in any of the zones listed in column A
Business - General Business Business - Business Park Business - Heavy Industry Business - Light Industry Zone Future Urban Zone Residential - Large Lot Residential - Rural and Coastal Settlement Residential – Mixed Housing Urban Residential – Mixed Housing Suburban Residential – Single House Zone All Special Purpose Zones	Care centres Cemeteries Community facilities Educational facilities including Tertiary Educational facilities Hospital and Healthcare facilities Organised sport and recreation Recreation facilities

(5) Where accessible parking is required to be provided on-site in accordance with E27.6.3.2 (A) (1) to (4) above, the required number of accessible parking spaces must be calculated as set out in E27.6.3.2(A) (6) and (7).

(6) For non-residential land uses, the required number of accessible parking spaces is to be determined using Steps 1 to 3 below:

Step 1 - For non-residential land uses in the following Business Zones:

(i) Business – City Centre Zone;
(ii) Business – Metropolitan Centre Zone;
(iii) Business – Town Centre Zone;
(iv) Business – Local Centre Zone;
(v) Business – Mixed Use Zone;
(vi) Business – Neighbourhood Centre Zone.

Use Table E27.6.2.1 (maximum parking rates for the Business – City Centre), Table E27.6.2.2 (maximum parking rates for the Centre Fringe Office Control area) or Table E27.6.2.3 (maximum parking rates area 1) to determine theoretical demand where a maximum parking rate is stipulated that results in a lesser parking requirement to that based on the Parking Demand Guidelines in Appendix 23.

For other non-residential land uses in the above Business zones and in all other Zones - use the Parking Demand Guidelines in Appendix 23 to determine the theoretical parking demand.

Step 2 - Use Table 1 – Number of accessible parking spaces – Non-Residential, below to determine the required number of accessible car park spaces for non-residential land uses based on either the number of parking spaces that are existing or proposed to be provided or the theoretical parking demand for non-residential land uses calculated in step 1, whichever is the higher.

Table 1 - Number of accessible parking spaces – Non-Residential land uses

Total number of parking spaces provided or theoretical parking spaces, whichever is the higher	Number of accessible parking spaces
1- 20	Not less than 1
21 - 50	Not less than 2
For every additional 50 parking spaces or part of a parking space	Not less than 1

Step 3 – Provided that the number of accessible car parks calculated using Table 1 shall not be less than presently exist on the site.

(7) For dwellings in all zones (including dwellings in the residential component of mixed use developments) which provide car parking, the required number of accessible parking spaces provided must be in accordance with Table 2 below:

Table 2 - Number of accessible parking spaces – Dwellings

Number of dwellings	Number of accessible parking spaces
10 - 20	Not less than 1
21 - 50	Not less than 2
For every additional 50 dwellings	Not less than 1

(8) For retirement villages, supported residential care, visitor accommodation and boarding houses
The same method for calculating the required number of onsite accessible parking spaces for non-residential uses in (6) applies.

(9) Accessible car parks must be marked as accessible and connected by an accessible route to the building, unit(s) or facility they serve, except that:
   (a) for residential developments where an accessible car park is located within a garage, carport or parking pad that directly adjoins the dwelling it serves, the space may be, but is not required to be, marked as accessible; and
   (b) for accessible parking spaces in grouped or communal areas of residential developments that do not directly adjoin the dwellings they serve, such spaces must be marked as accessible, and may include

additional signage indicating private allocation to specific dwellings. The marking for these residential parking spaces may be supplemented beyond standard accessible parking markings to clearly indicate their residential and private/allocated nature.

For all non-residential developments, or non-residential components of mixed-use developments, standard accessible parking markings must be used.

Note 1: Refer to NZS 4121:2001 – Design for Access and Mobility - Buildings and Associated Facilities for information on marking / signage of accessible car parks.

Note 2: For accessible parking dimensions and accessible route requirements, see standard E27.6.3.1(1)(a).

Note 3: Accessible parking spaces provided in communal parking areas must be marked, however for the avoidance of doubt can be allocated to individual units and do not need to be held in common.

(10) The requirements of this standard E27.6.3.2(A) do not apply to activities within I208 Port Precinct.

Note: Accessible parking requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted.

E27.6.3.3. Access and manoeuvring

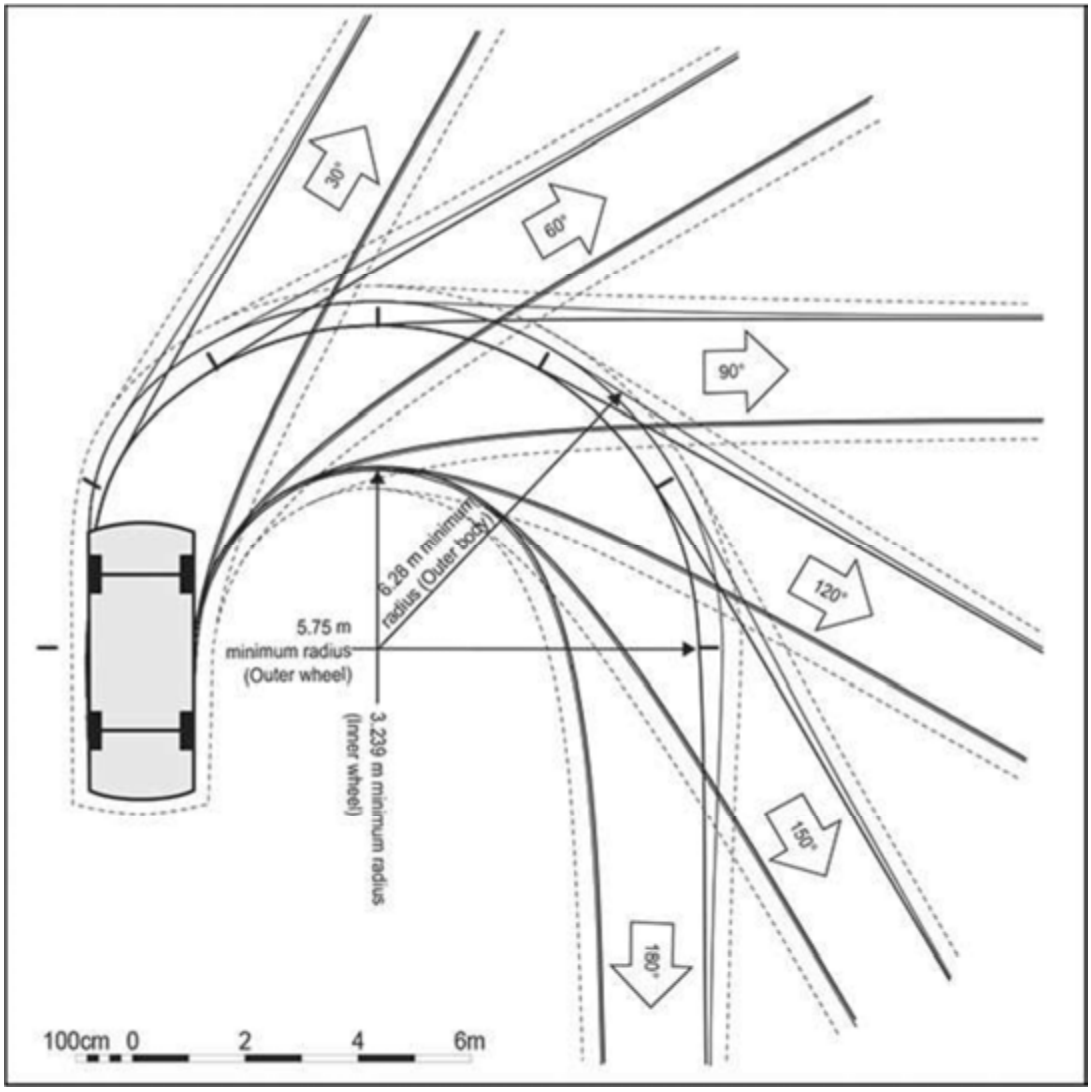
(1) Every parking space must have driveways and aisles for entry and exit of vehicles to and from the road, and for vehicle manoeuvring within the site. Access and manoeuvring areas must accommodate the 85 percentile car tracking curves in Figure E27.6.3.3.1

(2) For every loading space accommodating heavy vehicles the access and manoeuvring areas associated with that loading space must comply with the tracking curves set out in the NZTA guidelines: RTS 18: NZ on-road tracking curves (2007).

(2A) For every small loading space required by Table E27.6.3.2.1.(T137A) the access and manoeuvring areas associated with that loading space must accommodate the 6.4m van tracking curves set out in Figure E27.6.3.3.3.

(3) Where a dwelling provides more than one parking space, these may be stacked. Stacked parking means access is required through another parking space.

Figure E27.6.3.3.1 85 percentile car tracking curve



Note 1

The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.2

Figure E27.6.3.3.2 Key for 85 percentile car tracking curve

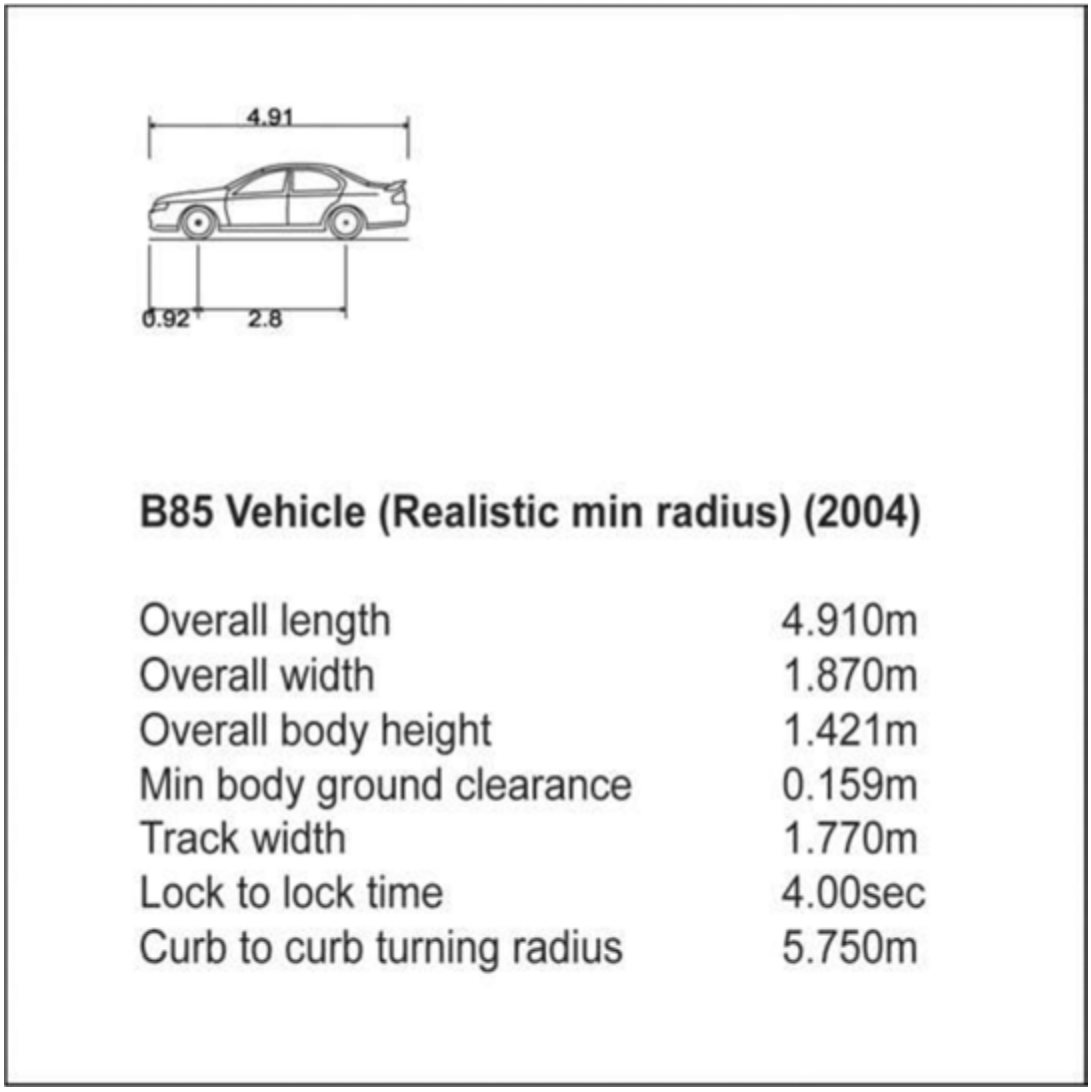
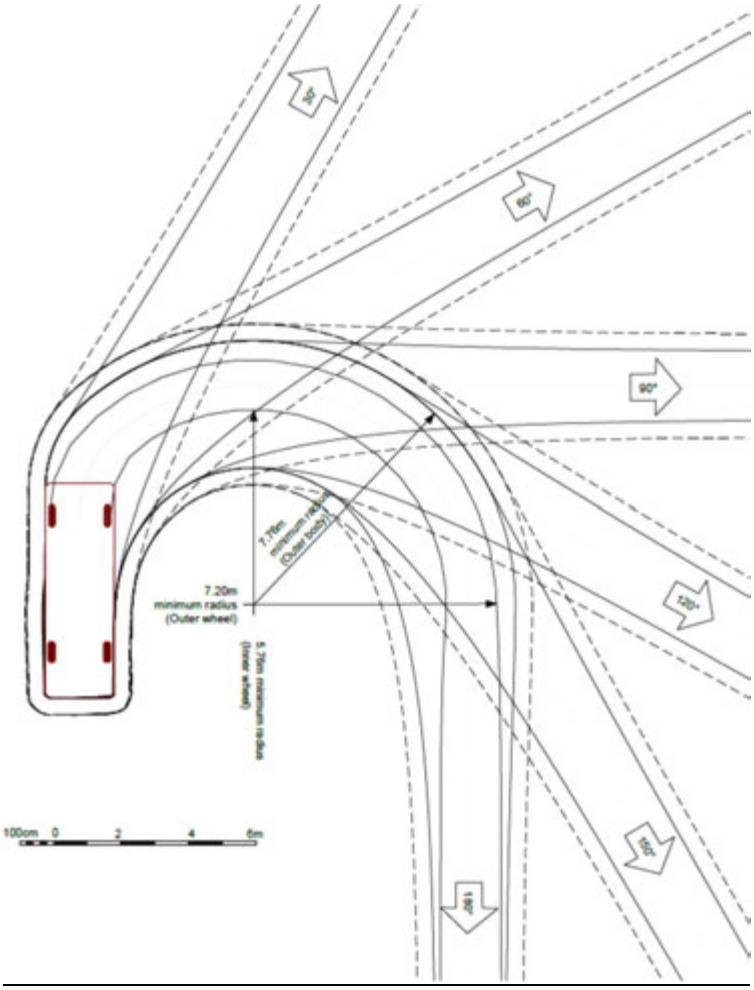
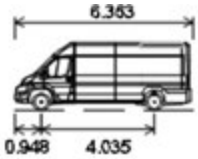


Figure E27.6.3.3.3 - 6.4m van tracking curve



Note 1: The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.4

Figure E27.6.3.3.4 Key for 6.4m van tracking curve



Delivery Van

Overall Length	6.363m
Overall Width	2.050m
Overall Body Height	2.432m
Min Body Ground Clearance	0.206m
Track Width	1.810m
Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	7.200m

E27.6.3.4. Reverse manoeuvring

(1) Sufficient space must be provided on the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply:

(a) four or more parking spaces are served by a single access;

(b) there is more than 30m between the parking space and the road boundary of the site; or

(c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1

(2) Where E27.6.3.4(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.

(a) Heavy vehicle access and manoeuvring areas associated with access required by the above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).

E27.6.3.5. Vertical clearance

(1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:

(a) 2.1m where access and/or parking for cars is provided for residential activities;

(b) 2.3m where access and/or parking for cars is provided for all other activities;

(c) 2.5m where access and/or accessible parking ~~for people with disabilities~~ is provided and/or required; ~~or~~

(ca) 2.8m where loading is required for residential activities denoted with an asterisk (*) in Table E27.6.2.7A;

(cb) 3.8m where heavy vehicle access in Standard E27.6.3(2) is provided; or

(d) 3.8m where loading is required in Table E27.6.2.7.

E27.6.3.6. Formation and gradient

(1) Except for Standard E27.6.3.6(2) below, the whole area of parking and loading spaces, and manoeuvring areas and aisles must be formed, drained, provided with an all-weather surface to prevent dust and nuisance, and be marked out or delineated. This must be done before the activity to which those parking and loading spaces relate commences, and maintained for as long as that activity is continued.

(2) Parking and loading spaces and manoeuvring areas and aisles do not need to be provided with an all-weather surface in the following zones:

(a) Rural – Rural Conservation Zone;

(b) Rural – Rural Coastal Zone;

(c) Rural - Mixed Rural Zone; and

(d) Rural – Rural Production Zone.

(3) The gradient for the surface of any parking space must not exceed:

(a) 1 in 25 in any direction for accessible spaces for people with disabilities; or

(b) 1 in 20 (five per cent) in any direction for other spaces.

(4) The gradient for the manoeuvring area must not exceed 1 in 8.

E27.6.3.7. Lighting

(1) Lighting is required where there are 10 or more parking spaces which are likely to be used during the hours of darkness. The parking and manoeuvring areas and associated pedestrian routes must be adequately lit during use in a manner that complies with the rules in Section E24 Lighting.

(2) Lighting is required, in residential zones to primary pedestrian access, vehicle access, parking and manoeuvring areas, where any of the following apply:

(a) There are four to nine dwellings accessible from a primary pedestrian access which is not adjacent to a vehicle access;

(b) There are 10 or more parking spaces; or

(c) There are 10 or more dwellings.

Lighting must be provided during the hours of darkness in a manner that complies with the rules in Section E24 Lighting.

E27.6.4. Access

E27.6.4.1. Vehicle Access Restrictions

(1) Vehicle Access Restrictions apply and new vehicle crossings must not be constructed to provide vehicle access across that part of a site boundary which is subject to:

(a) a Vehicle Access Restriction – General Control as shown on the planning maps in the Business – City Centre Zone; or

(b) a Key Retail Frontage Control as shown on the planning maps;

infringing this standard is a non-complying activity unless the application involves:

(i) the use of an existing vehicle crossing to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in:

- Table H8.4.1 Activity table;
- Table H9.4.1 Activity table; or
- Table H10.4.1 Activity table;

(ii) the construction of a new vehicle crossing and the establishment of the vehicle crossing is to relocate and/or amalgamate an existing vehicle crossing or crossings serving the site, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site; or there is no other means of accessing a site

where Standards E27.6.4.1(1)(b)(i) and E27.6.4.1(1)(b)(ii) apply the activities require a restricted discretionary activity consent.

(2) Standard E27.6.4.1(3) below applies in any of the following circumstances:

(a) a new vehicle crossing is proposed;

(b) a new activity is established on a site;

(c) there is a change of type of activity; or

(d) a building(s) is constructed, or additions to buildings that are not permitted activities in:

- Table H8.4.1 Activity table;
- Table H9.4.1 Activity table;

- Table H10.4.1 Activity table;
- Table H11.4.1 Activity table;
- Table H12.4.1 Activity table;
- Table H13.4.1 Activity table;
- Table H14.4.1 Activity table; or
- Table H15.4.1 Activity table

except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.

(3) Vehicle Access Restrictions apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which:

(a) is located within 10m of any intersection as measured from the property boundary, illustrated in Figure E27.6.4.1.1;

(b) is subject to the following types of Vehicle Access Restriction as identified on the planning maps in the zones listed in Table E27.6.4.1.1;

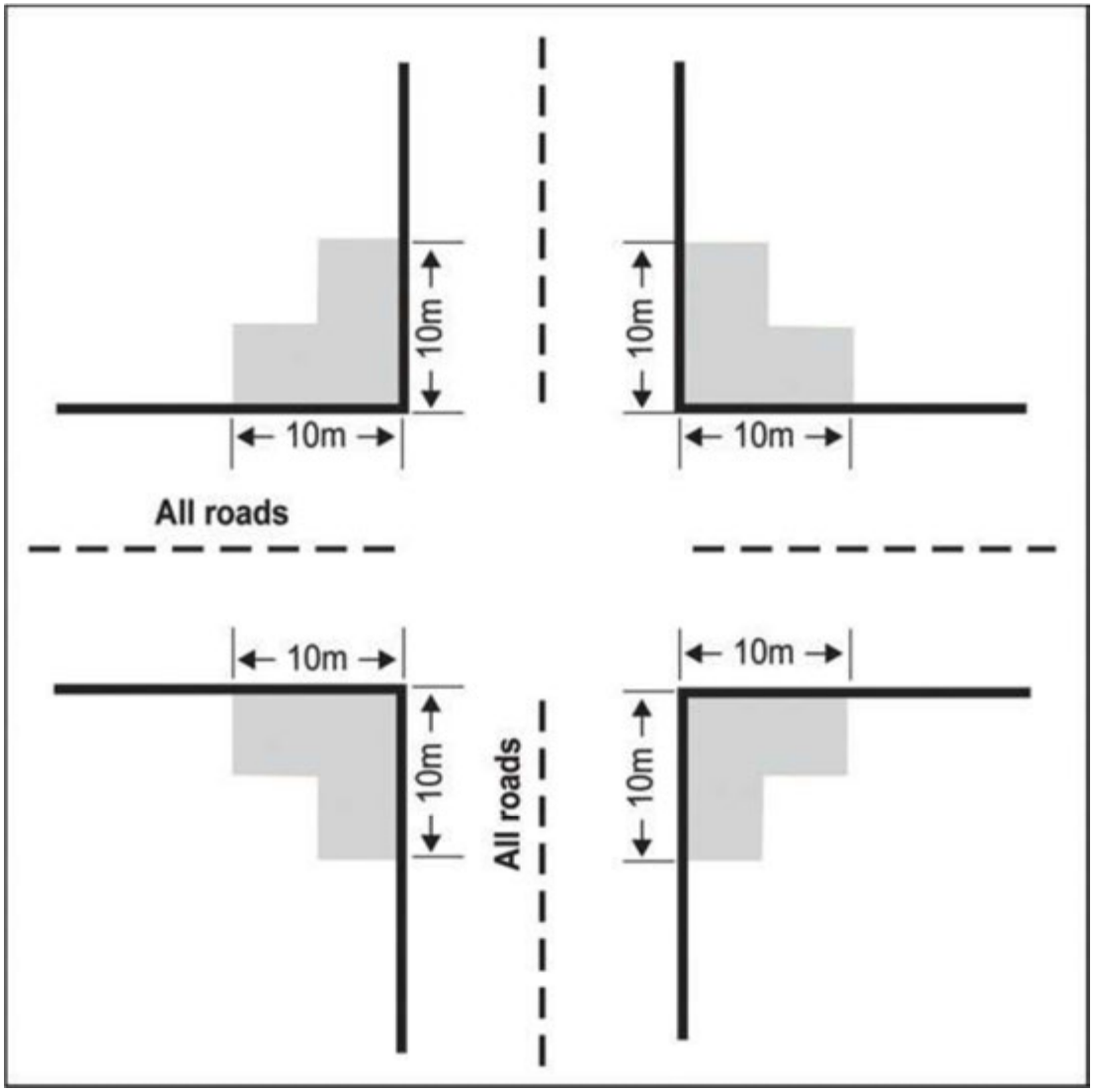
(c) has frontage to an arterial road as identified on the planning maps; or

(d) is located closer than 30m from a railway level crossing limit line.

Table E27.6.4.1.1 Types of Vehicle Access Restrictions

Type of Vehicle Access Restriction		Zone
(T140)	Vehicle Access Restriction General Control	All zones except the Business – City Centre Zone which is covered in Standard E27.6.4.1(1)(a)
(T141)	Vehicle Access Restriction Motorway Interchange Control	All zones
(T142)	Vehicle Access Restriction Level Crossing Control	All zones

Figure E27.6.4.1.1 Vehicle crossing restrictions 10m



E27.6.4.2. Width and number of vehicle crossings

(1) The maximum number of vehicle crossings permitted for any site and separation distance between crossings is specified in Table E27.6.4.2.1.

Table E27.6.4.2.1 Maximum number of vehicle crossings and separation distance between crossings

Location		Maximum number of vehicle crossings per road frontage of the site	Minimum separation from crossings serving adjacent sites	Minimum separation between crossings serving same site
(T143)	That part of a site subject to: • a Vehicle Access Restriction General Control in the Business – City Centre Zone • a Key Retail Frontage Control as shown on the planning maps	No crossings permitted	No crossings permitted	No crossings permitted
(T144)	That part of a site subject to: • a Vehicle Access Restriction under Standards E27.6.4.1(2) and E27.6.4.1(3) (see additional limitation below for site at 71-75 Grafton Road) • a General Commercial Frontage Control as shown on the planning maps	1 per 50m of frontage or part thereof	2m Where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width of 6m at the property boundary, no minimum separation distance will apply	6m
(T145)	Site at 71-75 Grafton Road	1 - located within the area identified on Figure E27.6.4.2.1	No limitation	Only one crossing permitted
(T146)	All other sites	1 per 25m of frontage or part thereof	2m Where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width	6m

			of 6m at the property boundary, no minimum separation distance will apply	

Figure E27.6.4.2.1 Location of vehicle crossing at 71-75 Grafton Road

(2) The width of a vehicle crossing(s) must meet the minimum width and not exceed the maximum width as specified in Table E27.6.4.3.2.

(3) With the exception of vehicle crossings on unsealed roads, all vehicle crossings must be designed and constructed to maintain the level, colour, and materials of the footpath to clearly identify to vehicles that pedestrians have priority.

(4) Vehicle crossings on unsealed roads:

(a) where the vehicle crossing is served by an access steeper than 1 in 8, the vehicle crossing must be sealed for 6m between the site boundary and the unsealed road.

(b) vehicle crossings not covered by Standard E27.6.4.2(3)(a) above must be formed using materials similar to the existing road surface or better.

(5) Where a vehicle crossing is altered or no longer required, the crossing, or redundant section of crossing, must be reinstated as berm and/or footpath and the kerbs replaced. The cost of such work will be borne by the owner of the site previously accessed by the vehicle crossing.

Note 1 – Any new vehicle crossing or alteration of an existing vehicle crossing (e.g. replacement, widening or relocation) will require vehicle crossing approval from Auckland Transport as road controlling authority.

E27.6.4.3. Width of vehicle access, ~~and~~ queuing and speed management requirements

(1) Every on-site parking and loading space must have vehicle access from a road, with the vehicle access complying with the following standards ~~for width~~:

(a) passing bays are provided in accordance with Table E27.6.4.3.1; and

(b) meeting the minimum formed access width specified in Table E27.6.4.3.2~~.~~; and

(c) meeting the minimum speed management measure spacing specified in Table E27.6.4.3.3.

(2) Access must be designed so that vehicles using or waiting to use fuel dispensers, ticket vending machines, remote ordering facilities and devices, entrance control mechanisms, or other drive-through facilities do not queue into the adjoining road reserve or obstruct entry to or exit from the site.

Table E27.6.4.3.1 Passing bay requirements

Zone		Length of access	Width of access	Maximum intervals between passing bays	Passing bay width
(T147)	Rural	Exceeds 100m	Less than 5.5.m	100m	Increase formed width of access to 5.5m over a 15m length (to allow two vehicles to safely pass each other)
(T148)	All other zones	Exceeds 50m		50m	Increase formed width of access to 5.5m over 7m with 45^{O} tapers

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Number of parking spaces served	Minimum width of crossing at site boundary[1]	Maximum width of crossing at site boundary[1]	Minimum formed access width
(T149)	Residential zone	Serves 1 or 2 parking spaces	2.75m	3.0m	2.5m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3m
(T150)		Serves 3 to 9 parking spaces	3.0m (one way)	3.5m (one way)	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T151)		Serves 10 or more parking spaces	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) The formed width is permitted to be narrowed to 2.75m if there are clear sight lines along the entire access and passing bays at 50m intervals are provided. ~~1.0m pedestrian access for rear sites which may be located within the formed driveway~~
(T152)	Centres, Mixed Use and all	Serves nine or less	3.0m (one way)	3.5m (one way)	3.0m provided it is contained within a corridor clear of buildings

	other zones not listed below	parking spaces			or parts of a building with a minimum width of 3.5m
(T153)		Serves 10 or more parking spaces or three	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) 1.5m pedestrian access for rear sites
(T154)	General Business, Business Park or Industrial zones	Serves nine or less parking spaces	3.7m (one way)	4.0m (one-way)	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T155)		Serves 10 or more parking spaces	6.0m (two-way)	7m (two-way)*	6.0m (providing for two-way movements)
(T156)	Rural zones		3.0m	6.0m*	No minimum specified

[1] Width of crossing at site boundary excludes any adjacent pedestrian access.

* Provided that a maximum width of 9.0m is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles

Note 1

Minimum vehicle crossing widths to the State Highway network may be greater than those above. All access to the State Highway network requires the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989. Applicants are advised to contact the New Zealand Transport Agency's Auckland Office.

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

Table E27.6.4.3.3 Speed management requirements

Activity		Length of vehicle access	Location of minimum speed management measures
(T156A)	Vehicle access serving four or more dwellings in	Exceeds 30m	Within10m of the site's boundary with the legal road; and Thereafter, not more than 30m spacing between speed management measures.

	Residential zones		

Note: Where heavy vehicle access and speed management measures are required, the design of speed management measures should include consideration of heavy vehicle requirements.

E27.6.4.4. Gradient of vehicle access

(1) The gradient of the access must not be steeper than specified in Table E27.6.4.4.1:

Table E27.6.4.4.1 Gradient of vehicle access

Access type		Maximum gradient
(T156A)	Vehicle access serving one residential rear site	1 in 4 (25 per cent)
(T157)	Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)
(T158)	Vehicle access used by heavy vehicles	1 in 8 (12.5 per cent)
(T159)	Vehicle access serving all other activities	1 in 6 (16.7 per cent)

Note 1

For curved ramps and driveways, the gradient is measured along the inside radius (refer to Figure E27.6.4.4.1).

(2) To avoid the underside of the car striking the ground, as illustrated in Figure E27.6.4.4.2, access with a change in gradient exceeding 1 in 8 (greater than 12.5 per cent change) at the summit or a 1 in 6.7 (15 per cent change) at a sag must include transition sections to achieve adequate ground clearance, refer to Figure E27.6.4.4.3. Typically, a transition section requires a minimum length of 2m.

(3) All vehicle access must be designed so that where the access adjoins the road there is sufficient space onsite for a platform so that vehicles can stop safely and check for pedestrians and other vehicles prior to exiting. This is illustrated in Figure E27.6.4.4.4. The platform must have a maximum gradient no steeper than 1 in 20 (5 per cent) and a minimum length of 4m for residential activities and 6m for all other activities.

Figure E27.6.4.4.1 Curved ramp diagram

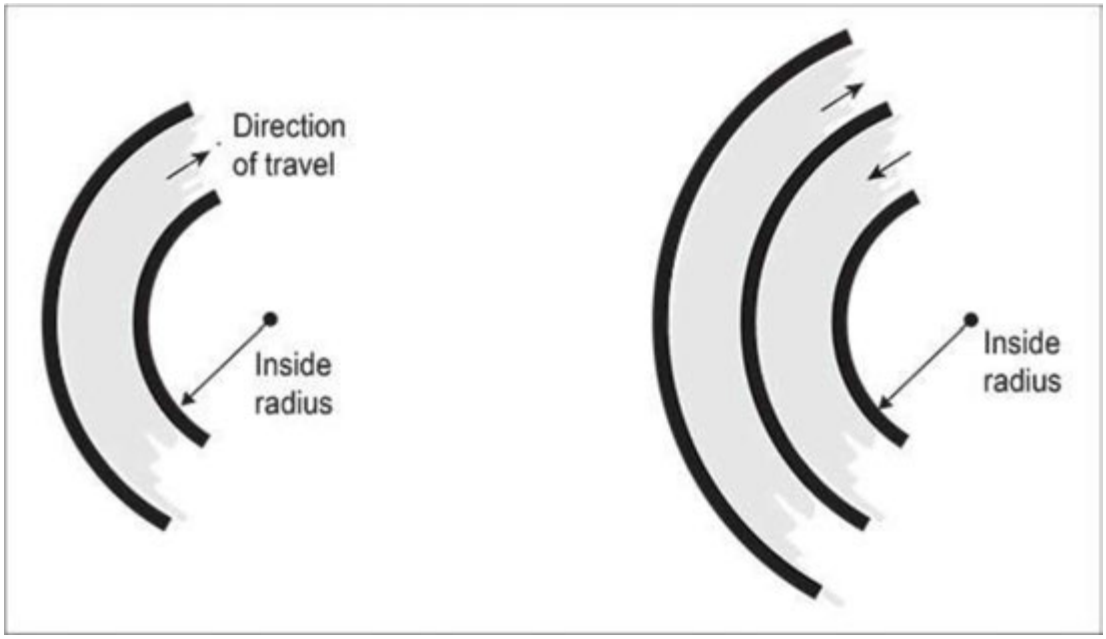
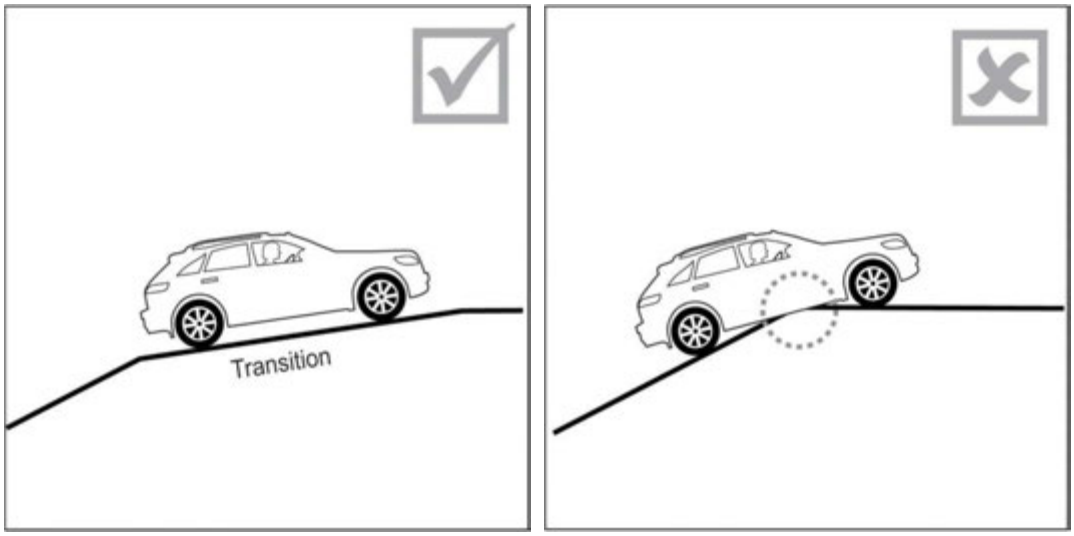
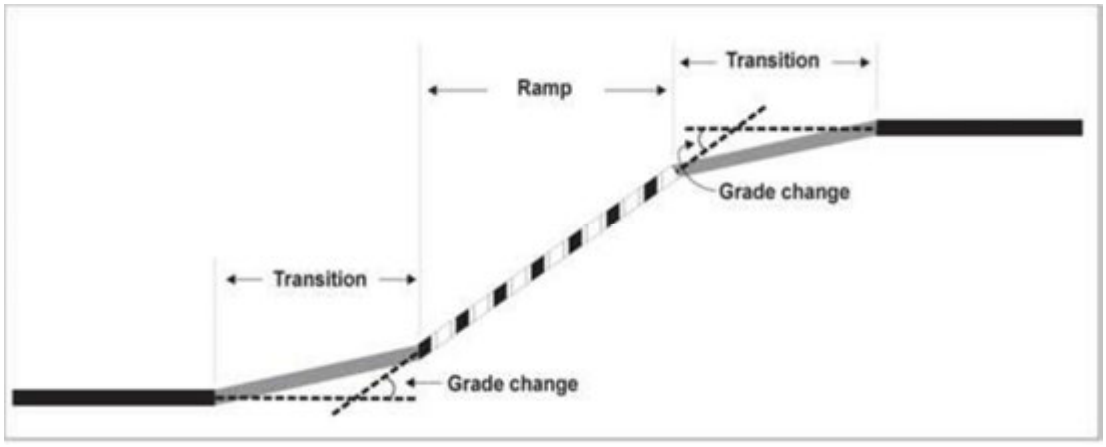


Figure E27.6.4.4.2 Illustrating the benefit of transitions



Correct Incorrect

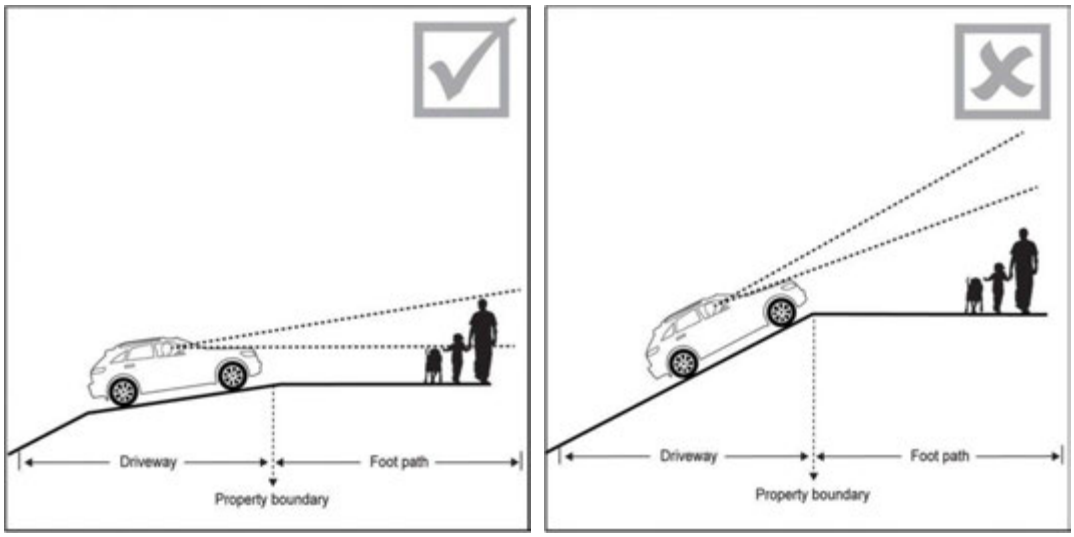
Figure E27.6.4.4.3 Gradient transition



Note 1

The gradient change is determined by subtracting one gradient from the adjacent gradient, both expressed as percentages; if this is greater than a 12.5 per cent change, then a gradient transition will be required.

Figure E27.6.4.4.4 Illustrating the benefits of a level platform



Correct Incorrect

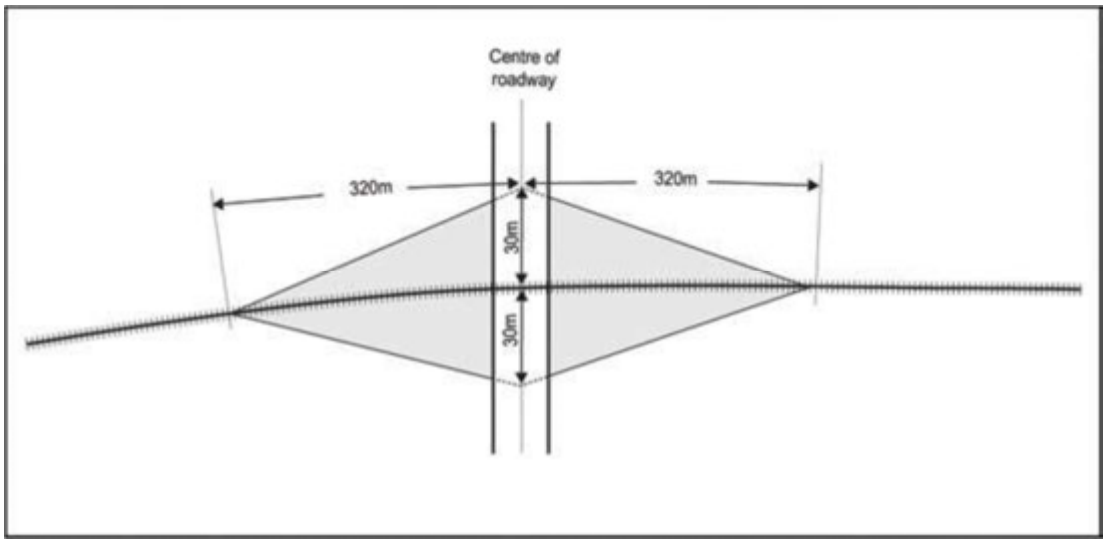
E27.6.4.5. Sightlines for road/rail level crossings

(1) Sites subject to sightlines for level crossings are identified on the planning maps by the Level Crossings with Sightline Control. If alarms and/or barrier arms are subsequently installed at a level crossing with Stop or Give Way signs, the Approach sight triangle in Figure E27.6.4.5.1 below ceases to apply.

(2) Approach sight triangles (refer to Figure E27.6.4.5.1)

(a) on sites adjacent to the Level Crossings with Sightline Control buildings and other visual obstructions, cannot be located within the approach sight triangles identified on the planning maps.

Figure E27.6.4.5.1 Approach sight triangles for rail level crossings with 'stop' or 'give way' signs

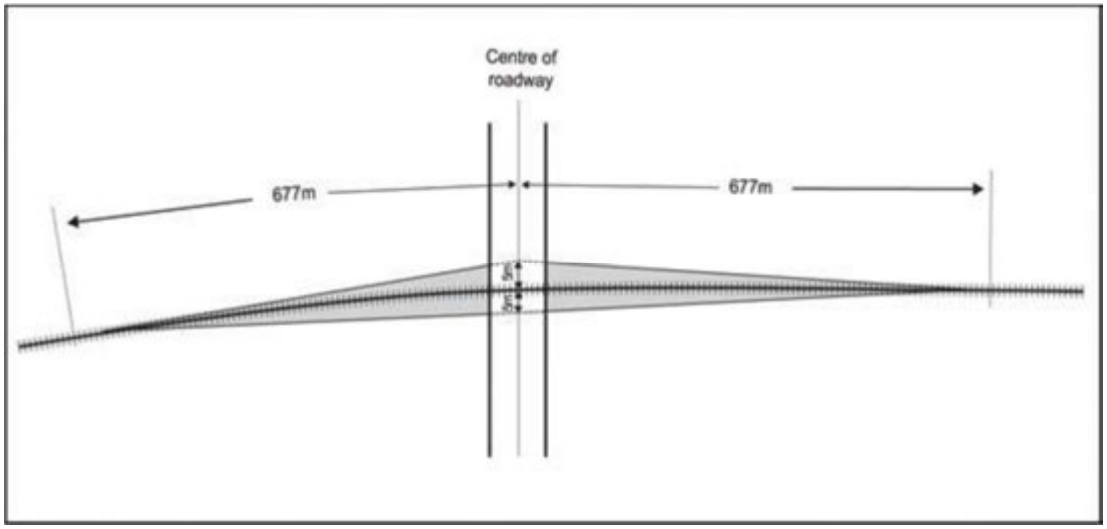


(b) the approach sight triangles are calculated by reference to Figure E27.6.4.5.1. For a single set of railway tracks, the sight triangles are defined by a triangle taken 30m from the outside rail and 320m along the railway track. For each additional set of tracks, 25m is added to the 320m along the railway track.

(3) Restart sight triangles (see Figure E27.6.4.5.2)

(a) on sites adjacent to the Level Crossings with Sightline Control, buildings and other visual obstructions, cannot be located within the restart sight triangles identified on the planning maps. The restart triangle applies to all level crossings.

Figure E27.6.4.5.2 Restart sight site triangles for rail level crossings



(b) the restart sight triangles are calculated by reference to Figure E27.6.4.5.2. For a single set of tracks, the sight triangles are defined by a triangle taken 5m from the outside rail and 677m along the railway track. For each additional set of tracks, 50m is added to the 677m along the railway track.

E27.6.5. Design and location of off-road pedestrian and cycling facilities

(1) The design and location of the proposed facility shall provide connections to existing pedestrian and cycling routes and facilities.

(2) The width of the path is designed to accommodate the anticipated number and type of users.

(3) The surface of the path is designed to safely provide for the anticipated number and type of users.

E27.6.6 Design and location of pedestrian access in residential zones

Purpose: to provide for on-site pedestrian safety and convenience.

(1) This standard applies to development of two or more dwellings in residential zones.

(2) For the purposes of this standard and standard E38.8.1.2 (Access to rear sites), and the associated provisions and related assessment criteria, “physically separated” means separation of primary pedestrian access from vehicle access, parking and manoeuvring areas by way of:

(a) 150mm high, non-mountable vertical kerbs to primary pedestrian access;

(b) Minimum 1 m wide landscape buffer between primary pedestrian access and vehicle access, manoeuvring or parking areas; or

(c) wheel stops or similar barriers positioned to avoid vehicle access onto or over an adjacent primary pedestrian access.

(3) Primary pedestrian access must be provided to each dwelling. The primary pedestrian access requirements specified in Table E27.6.6.1 apply for the full length of the pedestrian access:

Table E27.6.6.1

	Number of Dwellings (excluding dwellings that directly front and have direct pedestrian access from a road)	**Primary Pedestrian Access Adjacent to Vehicle Access and Parking Area**	**Primary Pedestrian Access Not Adjacent to Vehicle Access or Parking Area or Pedestrian Only Access**
(T160)	2-5 dwellings	(i) No requirement. Pedestrian access may share the vehicle access space.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.
(T161)	6-19 dwellings	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.4m. (iii) Free of permanent obstructions with minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.

		E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	
(T162)	20+ dwellings	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.8m. (iii) Free of permanent obstructions with minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.

(4) Clear Width / Height Requirements for emergency responders

Purpose: to provide access for emergency responders.

(a) Where primary pedestrian access is adjacent to a vehicle access on the same site, no additional clear width/height requirement applies beyond the primary pedestrian access requirements in E27.6.6(3).

(b) Where primary pedestrian access is not adjacent to a vehicle access as described in (a), the following further requirements apply in addition to those in E27.6.6(3):

- Minimum clear width of 3m;
- Minimum clear height of 2.1m;
- The clear width may include the minimum formed primary pedestrian access width of 1.8m required in E27.6.6(3), but shall be free of

permanent obstructions and spaces within which vehicles may park with the exception of:

- Soft/frangible landscape treatment with a maximum mature height of 600mm;
- Wall-mounted, fence-mounted or building-mounted lighting infrastructure.

Note 1: Works within the legal road, such as connections to public footpaths, require prior approval from Auckland Transport as the road controlling authority. This approval is separate and additional to any land use or subdivision approval required.

Note 2: E27.6.6(4) is intended to provide access for emergency responders. Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements

E27.6.7 Provision for electric vehicle charging

Purpose: to ensure that any undercover car parks for new dwellings (except new detached dwellings) are provided with the capability to install Electric Vehicle Supply Equipment.

(1) Any new dwellings with undercover car parking (with the exception of new detached dwellings) must provide each undercover car park with the capability to install Electric Vehicle Supply Equipment with sufficient space for the necessary conduit, circuit and metering between the car park and an electrical distribution board on the same building storey, or ground level if the undercover car park is at ground level.

(2) For developments requiring resource consent, compliance with this standard may be through one of the following:

(a) Resource consent drawings showing schematically the space identified for future Electric Vehicle Supply Equipment as required by (1); or

(b) An appropriate condition of resource consent (offered by the applicant and agreed by the Council) requiring that a detailed plan or plans be provided and certified by Council prior to the lodgement of any building consent application, showing the space identified for future Electric Vehicle Supply Equipment as required by (1).

(3) For developments not requiring resource consent, compliance with this standard must be demonstrated at building consent stage through building consent drawings showing the space identified for future Electric Vehicle Supply Equipment as required by (1).

(a) This standard does not apply to any car parking permanently allocated to visitors.

Refer to the following standards and guidelines:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018

- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use

- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications

- WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2

E27.6.8 Electric vehicle charging stations

(1) Any building or structure for EV charging must:

(a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and

(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.

E27.7. Assessment – controlled activities

There are no controlled activities in this section.

E27.8. Assessment – restricted discretionary activities

E27.8.1. Matters of discretion

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

(1) park-and-ride:

(a) effect on the transport network;

(b) location, design and external appearance; and

(c) compatibility with surrounding activities.

(2) public transport facility:

(a) effect on the transport network;

(b) location, design and external appearance; and

(c) compatibility with surrounding activities.

(3) non-accessory parking:

(a) effect on the transport network;

(b) location, design and external appearance;

(c) compatibility with surrounding activities; and

(d) availability of parking.

(4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1, with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network.

(4A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network relating to active (walking and cycling) and public transport modes.

(5) any activity or development which provides more than the maximum permitted number of parking spaces under Standard E27.6.2(1):

(a) adequacy for the site and the proposal;

(b) effects on intensification; and

(c) effects on the transport network.

(5A) any activity or development that provides fewer than the required number of accessible parking spaces under Standard E27.6.3.2(A):

(a) adequacy of the proposal relative to demand for accessible parking;

(b) site limitations that restrict provision of required spaces;

(c) alternative proposals for accessible parking.

(6) [Deleted]

(7) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7):

(a) adequacy for the site and the proposal.

(8) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(a) adequacy for the site and the proposal; and

(b) effects on the transport network.

(9) any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3, ~~and~~ E27.6.4.4:

(a) adequacy for the site and the proposal;

(aa) site limitations;

(ab) effects on the function and the safe and efficient operation of the transport network;

(aaa) adequacy of emergency responder access;

(b) design of parking, loading and access;

(ba) effects on pedestrian safety and accessibility;

(c) effects on pedestrian and streetscape amenity; and

(d) effects on the transport network.

(10) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network; and

(b) street and pedestrian amenity.

(11) construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network; and

(b) building frontage, pedestrian priority, pedestrian safety, street and pedestrian amenity.

(12) construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(2) and Standard E27.6.4.1(3):

(a) adequacy for the site and the proposal;

(b) design and location of access;

(c) effects on pedestrian and streetscape amenity; and

(d) effects on the transport network.

(13) any building or structure located within a sightline area applying to a road/rail level crossing with sightline standards under Standard E27.6.4.5:

(a) effects on the transport network.

(14) any activity or development which infringes the standard for design and location of off-road pedestrian and cycling facilities under Standard E27.6.5:

(a) location, design and external appearance; and

(b) compatibility with surrounding activities.

(15) Any activity or development which does not meet the requirements for electric vehicle supply equipment under Standard E27.6.7;

(a) adequacy for the site and the proposal;

(ab) site limitations; and

(b) alternative proposals.

(16) Activity A21: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with standards E27.6.6:

(a) Pedestrian safety, convenience and accessibility

(b) Design and layout of pedestrian access.

(17) Activity A22: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, and which is not physically separated for all or part of its length:

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics and context

(c) Design and layout of dwellings in relation to pedestrian and vehicle access.

(d) Design and layout of pedestrian access and vehicle access and parking areas.

(18) Activity A23: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3):

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics

(c) The nature and extent of any obstruction(s) and any reduced clear height

(d) Design and layout of pedestrian access, including the adequacy of emergency responder access.

(19) Activity A23: Any activity or development which infringes the standard in Standard E27.6.6(4):

(a) The adequacy of emergency responder access.

(16) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8:

(a) The extent and effect of non-compliance with the standard;

(b) Location and design; and

(c) Visual and streetscape amenity.

E27.8.2. Assessment criteria

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

(1) park-and-ride and public transport facility:

(a) effect on the transport network:

(i) the extent to which any proposed facility is located and designed to support the public transport system by:

- locating in close proximity to public transport stations, stops and terminals;
- growing public transport patronage, especially to assist in relieving congested corridors by encouraging commuters to shift to public transport for their travel;
- making public transport easier and more convenient to use, thereby attracting new users;
- improving the operational efficiency of the public transport system and ferry services;
- extending the catchment for public transport into areas of low demand where it is not cost-effective to provide traditional services or feeders;
- reinforcing existing and future investments on the public transport system and ferry public transport services; and
- providing free, secure and covered parking for cycles.

(ii) the extent to which the scale, design, management and operation of the facility and its access points have an adverse effect on the effective, efficient and safe operation of the transport network, including:

- the safety of pedestrians and cyclists;
- amenity for pedestrians;
- avoiding queuing onto the road and conflict at access points to the facility;
- avoiding generating high volumes of traffic onto local roads or areas with high pedestrian amenity; and
- the operation of public transport services and related infrastructure.

(b) location, design and external appearance:

(i) the location, design and external appearance of any park-and-ride or public transport facility:

- compatible with and meets the planning and design outcomes identified in this Plan for the site and / or location generally;
- provides appropriate screening on the facade of any building so vehicles are not visible from the public realm;

- is accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths; and
- provides an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this includes:
    - maintaining an active frontage through sleeving and/ or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
    - planting and other landscaping;
    - provides for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.

(c) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses.

This includes:

- ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting;
- ensuring that the design and operation of any park-and-ride or public transport facility meets the rules in Section E25 Noise and vibration.

(2) non-accessory parking:

(a) effect on the transport network:

(i) the scale, design, management and operation of the facility and its access points will not have an adverse effect on the effective, efficient and safe operation of the transport network, including:

- the safety of pedestrians and cyclists;
- amenity for pedestrians;
- avoiding queuing onto the road and conflict at access points to the facility;
- the operation of public transport services and related infrastructure; and

- the effect of additional parking on trip generation from the site including during peak commuter times.

(b) location, design and external appearance:

(i) the location, design and external appearance of any non-accessory parking facility:

- compatible with and meets the planning and design outcomes identified in this Plan for the site and / or location generally;
- provides appropriate screening on the facade of any building so vehicles are not visible from the public realm;
- is accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths;
- provides an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this includes:
  - maintaining an active frontage through sleeving and / or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
  - planting and other landscaping;
  - provides for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.

(c) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses.

This includes:

- ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting;
- ensuring that the design and operation of any park-and-ride or public transport facility meets the rules in Section E25 Noise and vibration.

(d) availability of parking:

(i) the availability of alternative parking in the surrounding area, including on street and public parking;

- the availability of parking provision in the immediate vicinity to accommodate existing and future parking demands from surrounding activities;
- the extent to which the demand for the additional parking cannot be adequately addressed by management of existing or permitted parking; or
- the extent to which the provision of additional parking is informed by the findings of a Comprehensive Parking Management Plan or similar analysis of area based parking supply and demand.

(3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1, with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) the effects on the function and the safe and efficient operation of the transport network ~~including pedestrian movement~~ with consideration of all modes of transport, particularly at peak ~~traffic~~ times;

(b) the implementation of mitigation measures proposed to address adverse effects which may include, but are not limited to, the following measures:

i. ~~such as~~ travel planning,

ii. providing alternatives to private vehicle trips including accessibility to public transport,

iii. staging development,

iv. providing or contributing to improvements to the local transport network across all modes; ~~or~~

(c) the trip characteristics of the proposed activity on the site.

(3A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) the effects on the function and the safe and efficient operation of the transport network as they relate to active modes (walking and cycling) and public transport infrastructure, particularly at peak times; and

(b) the assessment criteria at E27.8.2(3)(b) and (c) above apply, but with consideration of the implementation of mitigation measures and trip characteristics focused on active modes (walking and cycling) and public transport infrastructure; and

(c) for the purpose of assessing E27.8.2(3A) a) and b) only*, the local transport network refers to the area in the immediate vicinity of the site.

For the purpose of this assessment, public transport infrastructure includes infrastructure associated with public transport stops, and excludes bus lanes. Any mitigation measures must relate to the effects of the proposal on the environment, demand on public transport infrastructure and active mode journeys from the site.

* Note: this does not alter the meaning of 'local transport network' in any other context.

(4) any activity or development which provides more than the maximum permitted number of parking spaces under Standard E27.6.2(1):

(a) the effects of the parking on the intensification provided for in this Plan in the following zones and locations: Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Mixed Use Zone and the Centre Fringe Office Control area;

(b) the trip characteristics of the proposed activities on the site requiring additional parking spaces;

(c) the effects of the vehicle movements associated with the additional parking spaces on the safe and efficient operation of the adjacent transport network, including public transport and the movements of pedestrians, cyclists and general traffic. This includes considering the effect of additional parking on trip generation from the site during peak commuter times;

(d) the availability of alternative parking in the surrounding area, including on street and public parking, to provide the additional parking sought for the proposal;

(e) the availability of parking provision in the immediate vicinity to accommodate parking demands from surrounding activities;

(f) the adequacy and accessibility of public transport and its ability to serve the proposed activity;

(g) mitigation measures to provide the additional parking which may include measures such as by entering into a shared parking arrangement with another site or sites in the immediate vicinity; or

(h) the extent to which the demand for the additional parking can be adequately addressed by management of existing or permitted parking. Depending on number of additional parking spaces proposed, the number of employees, and the location of the site, this may be supported by a travel plan outlining measures and commitments for the activity or activities on-site to minimise the need for private vehicle use and make efficient use of any parking provided.

(4A) any activity or development that provides fewer than the required number of accessible parking spaces under Standard E27.6.3.2.(A):

(a) the extent to which the amount of accessible parking proposed is sufficient to meet the likely demand, having regard to:

(i) the nature of the proposed activities, including the interaction between activities on the site;

(ii) the availability of and accessibility of the site by public transport; and

(iii) the trip characteristics of the proposed activities on the site requiring accessible parking spaces;

(b) the extent to which it is physically practicable to provide the required accessible parking spaces on the site including in terms of topography, site shape and dimensions, and the existing location of buildings, and whether accessible parking can be accommodated in existing building(s) when a change of use is proposed;

(c) he availability and capacity of alternative accessible parking in the immediate vicinity, including

(i) on street and other publicly accessible car parking;

(ii) within other sites with surplus capacity, including whether the use of the alternative car parks is secured through an appropriate legal agreement; and

(iii) whether an accessible route from the alternative location to the application site is present;

(5) [Deleted]

(6) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7):

(a) sufficient provision is made for cyclists and active modes and changes in demand for such facilities can be accommodated if the operation or use changes over time, having regard to:

(i) the nature of the operation and the likely demand for long and short-term cycle parking and end-of-trip facilities;

(ii) the extent to which the bicycle parking facilities are designed and located to match the needs of the intended users;

(iii) the extent to which adequate alternative, safe and secure bicycle parking and end of trip facilities (such as showers and lockers), that meet the needs of the intended users, are available in a nearby location that is readily accessible;

(iv) the extent to which the parking can be provided and maintained in a jointly used bicycle parking area; or

(b) the provision made for cyclists and active modes is:

(i) readily accessible, secure, provides adequate protection from weather, and is designed for safety; and

(ii) practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.

(7) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(aa) the extent to which it is physically practicable to provide the required loading space(s) on site in terms of the characteristics of the site, including its location in relation to the transport network, site dimensions, topography, and existing development;

(a) effects of the loading arrangements proposed for the site, including the non-provision of any required loading space, on the safe and efficient operation of the adjacent transport network;

(b) the specific business practice, operation or type of customer associated with the proposed activities;

(c) the extent to which an accessible and adequate on-street loading space is available nearby or can be created while having regard to other demands for kerbside use of the road;

(d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity and its use shared. or

(e) the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan.

(8) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3, E27.6.4.2, E27.6.4.3, ~~and~~ E2~~6~~7.6.4.4:

(a) effects on the safe and efficient operation of the adjacent transport network having regard to:

(i) the effect of the modification on visibility and safe sight distances;

(ii) existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;

(iii) existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; ~~or~~

(iv) existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways.; and

(b) effects on pedestrian amenity or the amenity of the streetscape, having regard to:

(i) the effect of additional crossings or crossings which exceed the maximum width; or

(ii) effects on pedestrian amenity and the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.

(c) the practicality and adequacy of parking, loading and access arrangements having regard to:

(i) site limitations, configuration of buildings and activities, user requirements and operational requirements;

(ii) the ability of the access to accommodate the nature and volume of traffic and vehicle types expected to use the access. This may include considering whether a wider vehicle crossing is required to:

- comply with the tracking curve applicable to the largest vehicle anticipated to use the site regularly;
- accommodate the traffic volumes anticipated to use the crossing, especially where it is desirable to separate left and right turn exit lanes;
    - the desirability of separating truck movements accessing a site from customer vehicle movements;
    - the extent to which reduced manoeuvring and parking space dimensions can be accommodated because the parking will be used by regular users familiar with the layout, rather than by casual users, including the number of manoeuvres required to enter and exit parking spaces;

    Note: Parking spaces for regular users can be designed to undertake more than one manoeuvre to enter and exit parking spaces in accordance with AS/NZS 2890.1: 2004 Off-Street Parking.

(iii) any use of mechanical parking installation such as car stackers or turntables does not result in queuing beyond the site boundary; or

(iv) any stacked parking is allocated and managed in such a way that it does not compromise the operation and use of the parking area.

(e) The safety and functionality of emergency responder access.

(9) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network:

(i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:

- visibility and safe sight distances;
- existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
- proximity to and operation of intersections;
- existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in the this Plan; or
- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.

(b) street and pedestrian amenity:

(i) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or

(ii) the extent to which the existing crossing is to be upgraded as a part of the development so as to improve the visual amenity of the street.

(10) construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network:

(i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:

- visibility and safe sight distances;
- existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
- proximity to and operation of intersections;
- existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; or
- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.

(b) street and pedestrian amenity:

(i) whether the new crossing is part of a site redevelopment that increases the proportion of a site's frontage developed as an active edge;

(ii) whether the new crossing enhances, or at least maintains, the appeal of the street as an environment where pedestrians have priority and are likely to enjoy spending time in;

(iii) whether any new or relocated crossing should be is accompanied by mitigation measures to enhance overall pedestrian amenity this could include:

- a reduction in overall vehicle crossing width;
- weather protection for pedestrians;
- significant enhancement to the visual interest of the site's frontage visible from the street; or
- where appropriate, significant improvement in the width and or quality of the footpath.

(11) construction or use of a vehicle crossing where a Vehicle Access Restriction applies:

(a) this applies where a Vehicle Access Restriction is identified in Standard E27.6.4.1(2) and Standard E27.6.4.1(3), other than a Vehicle Access Restriction Level Crossing or a Vehicle Access Restriction Motorway Interchange:

(i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:

- visibility and safe sight distances;
- existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
- proximity to and operation of intersections;
- existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan;
- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways;

(ii) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or

(iii) the practicability and adequacy of the access arrangements considering site limitations, arrangement of buildings and activities, user requirements and operational requirements, proximity to and operation of intersections, having regard to:

- the extent to which the site can reasonably be served by different access arrangements including:
  - access from another road;
  - shared or amalgamated access with another site or sites;
  - via a frontage road, such as a slip lane or service road; or
- the extent to which the need for access can reasonably be avoided by entering into a shared parking and/or loading arrangement with another site or sites in the immediate vicinity.

(b) for any proposed access within a Vehicle Access Restriction Motorway Interchange Control:

(i) the intensity, scale and traffic generating nature of activities on the site are such that any adverse effects on the safe and efficient operation of the motorway interchange are avoided, remedied or mitigated; or

(ii) the extent to which, when considered against other access opportunities for the site, comparable or better outcomes are achieved in terms of effects on the safe and efficient operation of the interchange.

(c) for any proposed access within a Vehicle Access Restriction Level Crossing Control:

(i) effects on the safe and efficient operation of the level crossing; or

(ii) the practicability and adequacy of the access arrangements having regard to site limitations, arrangement of buildings and activities, user requirements and operational requirements.

(12) any building or structure located within a sightline area applying to a road/rail level crossing with sightline standards under Standard E27.6.4.5:

(a) effects on the safety of the level crossing for vehicles and pedestrians; or

(b) effects on visibility and safe sight distances.

(13) any activity or development which infringes the standard for design and location of off-road pedestrian and cycling facilities under Standard E27.6.5:

(a) location, design and external appearance:

(i) the location, design and external appearance of any off-road pedestrian and cycling facility:

- is legible and designed to provide for safe and convenient access for users, including safe connections with the existing pedestrian and cycling network and public transport;
- creates minimal adverse effect on the vegetation, landform and character of the surrounding environment.

(b) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses. This includes ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting.

(14) any activity or development which infringes the standards for electric vehicle supply equipment under Standard E27.6.7:

(a) the practicability and adequacy of the electric vehicle supply equipment arrangements considering:

(i) site limitations, arrangement of buildings and activities and operational requirements;

(ii) the extent to which the site can reasonably be served by different electric vehicle supply equipment arrangements

(15) Activity A21: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with standard E27.6.6:

(a) The practicality and safety of the location of primary pedestrian access having regard to:

(i) the extent to which the primary pedestrian access is located to provide a safe and convenient and continuous connection from the road to the front door of the dwelling(s);

(ii) the extent to which the design incorporates Crime Prevention Through Environmental Design principles;

(b) The extent to which private and communal outdoor living space is separated from driveways and shared parking areas with appropriate fencing or other appropriate design techniques, to minimise the risk of children playing in vehicle access areas;

(c) The extent to which appropriate secondary pedestrian access:

(i) is provided within the development, including between parking areas, dwellings, and any communal site facilities, to provide for safe and convenient access for residents, and to provide a safe and convenient connection from any associated carparking area to the front door of the dwelling;

(ii) is safely accommodated in basement parking areas, while recognising space limitations and constraints; and

(iii) safely accommodates different users and abilities including minimisation of gradients and steps.

(16) Activity A22: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6:

(a) Policy E27.3.(20AA)

(b) The criteria set out in E27.8.2.(15) above as relevant

(c) The safety and practicality of primary pedestrian access where it is not physically separated from vehicle access, having regard to:

(i) site characteristics, including topography, configuration of buildings and activities, user requirements and operational requirements;

(ii) the number of parking spaces served by the vehicle access and volume of vehicle traffic;

(iii) the extent to which the site's layout and design minimises the need for vehicles to cross primary pedestrian accesses to gain access to garages, individual parking pads or spaces in grouped parking areas;

(iv) the safety of pedestrians where a primary pedestrian access crosses trafficable areas or vehicles must cross a primary pedestrian access, considering the design of the crossing, visibility between drivers and pedestrians, and vehicle speeds;

(v) where vehicles are proposed to cross a primary pedestrian access to access a car parking space, the extent to which:

- the number of crossing points is minimised, including through the use of paired/grouped crossing points;
- there are spaces between crossing points to allow for pedestrians using primary pedestrian access to safely pause while vehicles enter/exit parking spaces;
- the proximity of vehicle crossing points warrants the use of a continuous mountable kerb between crossing points, while ensuring that the extent of mountable kerb does not compromise pedestrian safety;
- the primary pedestrian access maintains uniform height and surface treatment along its length, indicating pedestrian priority;
- the primary pedestrian access is horizontally separated from parking spaces to provide intervisibility between

pedestrians on the path and vehicles manoeuvring out of parking spaces; and

- whether other physical design measures can be used to ensure pedestrian safety and to restrict vehicles parking or manoeuvring over a primary pedestrian access.

(17) Activity A23: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3):

(a) Whether the proposed design of the primary pedestrian access will meet the safety and practical needs of a range of users, taking into account:

(i) the number of units served and the site's characteristics, including all weather use, the transportation of rubbish bins and household items and the ability for cyclists to safely access any private and shared cycle storage areas;

(ii) the extent to which the design incorporates Universal Design principles, including where the primary pedestrian access is not adjacent to vehicle access and includes steps, whether a footpath and/or ramps as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities can be provided;

(iii) the extent to which the location and nature of any obstruction(s) or reduced clear height would adversely affect the practicality and safety of pedestrian access;

(iv) the safety and functionality of emergency responder access.

(18) Activity A23: Any activity or development which infringes the standard in Standard E27.6.6(4):

(a) The safety and functionality of emergency responder access.

(b) The ability for the building(s) to be accessed by emergency responder vehicles and equipment.

(15) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8:

(a) The effects on streetscape and visual amenity; and

(b) Mitigation to manage adverse effects on streetscape and visual amenity effects.

E27.9. Special information requirements

(1) Parking plans submitted to Council must show:

(a) the locations and dimensions of any pillars and/or other structures that may restrict parking space, or inhibit access and manoeuvring, as well as clearances between parking spaces and vehicle tracking curves and those pillars and/or other structures; and

(b) the proposed gradients of parking, manoeuvring and access areas

New Zealand Standard for Off-Street Parking - Parking Facilities Part 1: Off-Street Car Parking (AS/NZS 2890.1 2004) may assist applicants in designing parking areas.

(2) Travel plan:

(a) a travel plan may be required as part of an assessment of environmental effects where a proposal exceeds the trip generation threshold or provides more parking than the maximums specified. A travel plan will not be required where the infringement of the parking maximums is minor in relation to the scale of the activity and associated parking proposed.

(3) Applications for off-site parking must include information to demonstrate that:

(a) the proposal provides off-site parking which is related exclusively to the parking associated with activities located on other donor site(s) in the area;

(b) the off-site parking arrangements will be formalised on the land titles of all sites involved, including extinguishing the ability to provide accessory parking on the donor site(s); and

(c) the parking has been transferred from the donor site(s) and the donor site(s) are permitted by the parking standards of this Plan to provide the number of parking spaces proposed.

(4) The Council may require applications which affect the transport network, including proposals which exceed the trip generation threshold, to include a transport assessment prepared by suitably qualified transport planner or traffic engineer.

(5) Any new activity or change to an existing activity, which is not specifically provided for in the activity tables in the applicable zone or is a non-complying land use activity, and which will generate 100 vehicles or more (any hour) may need to include an Integrated Transport Assessment prepared in accordance with the Auckland Transport Integrated Transport Assessment Guidelines in force at the time of the application.

E38. Subdivision – Urban

E38.1. Introduction

Subdivision is the process of dividing a site or a building into one or more additional sites or units, or changing an existing boundary location.

Objectives, policies and rules in this section apply to subdivision in all zones except for the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural - Waitākere Foothills Zone, Rural - Waitākere Ranges Zone, Future Urban Zone, and Special Purpose – Quarry Zone which are located in E39 Subdivision – Rural.

E38.2. Objectives

(1) Land is subdivided to achieve the objectives of the residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.

(2) Land is subdivided in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment.

(3) Land is vested to provide for esplanades reserves, roads, stormwater, infrastructure and other purposes.

(4) Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development.

(5) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.

(6) Subdivision has a layout which is safe, efficient, convenient and accessible.

(7) Subdivision manages adverse effects on historic heritage or Maori cultural heritage.

(8) Subdivision maintains or enhances the natural features and landscapes that contribute to the character and amenity values of the areas.

(9) Subdivision to protect indigenous vegetation or wetlands is provided for in the residential zones.

(10) Subdivision:

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(a) within urban and serviced areas, does not increase the risks of adverse effects to people, property, infrastructure and the environment from natural hazards;

[new text to be inserted]

(b) avoids, where possible, and otherwise mitigates, adverse effects associated with subdivision for infrastructure or existing urban land uses; and

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(c) maintains the function of flood plains and overland flow paths to safely convey flood waters, while taking into account the likely long term effects of climate change.

[new text to be inserted]

E38.3. Policies

(1) Provide for subdivision which supports the policies of the Plan for residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.

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(2) Require subdivision to manage the risk of adverse effects resulting from natural hazards in accordance with the objectives and policies in E36 Natural hazards and flooding, and to provide safe and stable building platforms and vehicle access.

(3) Require subdivision design to respond to the natural landscapes by:

(a) avoiding building platforms and, where practicable, infrastructure, on identified or dominant ridgelines on sites zoned Residential – Large Lot Zone or Residential – Rural and Coastal Settlement Zone;

(b) locating and designing roads, access and infrastructure in a manner which minimises earthworks; and

(c) locating roads and development to follow land contours.

(4) Require subdivision to be designed to retain, protect or enhance scheduled features including those in the Historic Heritage Overlay and Sites and Places of Significance to Mana Whenua Overlay.

(5) Provide for subdivision of residential zoned sites containing indigenous vegetation scheduled in the D9 Significant Ecological Areas Overlay where the significant ecological area is to be protected, and enable the same or a similar number of sites to be created as would be enabled if the site did not contain a significant ecological area.

(6) Provide for subdivision around existing development, and where it enables creation of sites for uses that are in accordance with an approved land use resource consent and where there is compliance with Auckland-wide and zone rules.

(7) Provide for minor boundary adjustments which enable a more efficient and effective use of land where there is compliance with Auckland-wide and zone rules.

(8) Avoid subdivision of minor dwellings or converted dwellings not complying with minimum lot size.

(9) Require any staged subdivision to be undertaken in a manner that promotes efficient development.

(10) Require subdivision to provide street and block patterns that support the concepts of a liveable, walkable and connected neighbourhood including:

(a) a road network that achieves all of the following:

(i) is easy and safe to use for pedestrians and cyclists;

(ii) is connected with a variety of routes within the immediate neighbourhood and between adjacent land areas; and

(iii) is connected to public transport, shops, schools, employment, open spaces and other amenities; and

(b) vehicle crossings and associated access designed and located to provide for safe and efficient movement to and from sites and minimising potential conflict between vehicles, pedestrians, and cyclists on the adjacent road network.

(11) Require subdivision to be designed to achieve a high level of amenity and efficiency for residents by:

(a) aligning roads and sites for maximum sunlight access where topography and parent site shape allows; and

(b) aligning sites to the road to maximise opportunities for buildings fronting the road.

(12) Limiting rear sites to places where the site topography, existing boundaries, natural features, or scheduled places will prevent the creation of front sites.

(13) Require subdivision to deliver sites that are of an appropriate size and shape for development intended by the zone by:

(a) providing a range of site sizes and densities; and

(b) providing for higher residential densities in locations where they are supportive of pedestrians, cyclists, public transport and the viability and vibrancy of centres.

(14) Encourage the design of subdivision to incorporate and enhance land forms, natural features, and indigenous trees and vegetation.

(15) Encourage shared vehicle access by way of rear lanes where appropriate to avoid the proliferation of vehicle crossings that:

(a) creates adverse effects on the safety of the road and footpath;

(b) limits opportunities to plant street trees; or

(c) creates inefficiencies in the provision of on-street car parking or areas for bus stops.

(16) Require shared vehicle access to be of a width, length and form that:

(a) encourages low vehicle speed environments; and

(b) provides for the safety of users of the access and the adjoining road network.

(17) Require sufficient road reserves to accommodate the needs of:

(a) different types of transport modes;

(b) stormwater networks;

(c) network utilities; and

(d) lighting, street furniture, landscaping and reticulated infrastructure in a way that will not create future safety and maintenance issues.

Recreation and Amenity Spaces

(18) Require subdivision to provide for the recreation and amenity needs of residents by:

(a) providing open spaces which are prominent and accessible by pedestrians;

(b) providing for the number and size of open spaces in proportion to the future density of the neighbourhood; and

(c) providing for pedestrian and/or cycle linkages.

Infrastructure

(19) Require subdivision to provide servicing:

(a) to be coordinated, integrated and compatible with the existing infrastructure network;

(b) to enable the existing network to be expanded or extended to adjacent land where that land is zoned for urban development; and

(c) to enable electricity and telecommunications services to be reticulated underground to each site wherever practicable.

(20) Require sites capable of containing a building, in areas where service connections are available to a public reticulated network, to connect to the following networks:

(a) wastewater;

(b) stormwater; and

(c) potable water.

(21) Require sites capable of containing a building, in areas with no reticulated water supply, stormwater or wastewater network, to be of a size and shape that provides for:

(a) the treatment and disposal of stormwater in a way that does not lead to significant adverse off-site effects including degraded water quality, erosion, land instability, creation or exacerbation of flooding;

(b) management of wastewater via:

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(i) an on-site wastewater treatment system, or

(ii) approval to connect to a private wastewater network; and

(c) potable water.

(22) Require subdivision to be designed to manage stormwater:

(a) in accordance with any approved stormwater discharge consent or network discharge consent;

(b) in a manner consistent with stormwater management policies in E1 Water quality and integrated management;

(c) by applying an integrated stormwater management approach to the planning and design of development in accordance with stormwater management policies in E1 Water quality and integrated management;

(d) to protect natural streams and maintain the conveyance function of overland flow paths;

(e) to maintain, or progressively improve, water quality;

(f) to integrate drainage reserves and infrastructure with surrounding development and open space networks; and

(g) in an integrated and cost-effective way.

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(23) Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure including reverse sensitivity effects, which may compromise the operation and capacity of existing or authorised infrastructure.

Esplanade Reserves and Strips

(24) Require esplanade reserves or strips when subdividing land adjoining the coast and other qualifying water-bodies.

(25) Avoid reducing the width of esplanade reserve or strip, or the waiving of the requirement to provide an esplanade reserve or strip, except where any of the following apply:

(a) safe public access and recreational use is already possible and can be maintained for the future;

(b) the maintenance and enhancement of the natural functioning and water quality of the adjoining sea, river or other water body will not be adversely affected;

(c) the land and water-based habitats on, and adjoining, the subject land area will not be adversely affected;

(d) the natural values, geological features and landscape features will not be adversely affected;

(e) any scheduled historic heritage places and sites and places of significance to Mana Whenua will not be adversely affected;

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(f) it can be demonstrated that the reduced width of the esplanade reserve or strip is sufficient to manage the risk of adverse effects resulting from natural hazards, taking into account the likely long term effects of climate change;

(g) it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural character and amenity of the coastal environment;

(h) a reduced width in certain locations can be offset by an increase in width in other locations or areas which would result in a positive public benefit, in terms of access and recreation;

(i) restrictions on public access are necessary to ensure a level of security for business activities in limited circumstances having regard to the policies in B8.4 relating to public access and open space in the coastal marine area; or

(j) direct access to the sea or other water body is required for a business activity in limited circumstances.

(26) Require esplanade reserves rather than esplanade strips unless any of the following apply:

(a) land has limited conservation and recreational value;

(b) conservation and historic heritage values that are present can be adequately protected in private ownership;

(c) the opportunity to acquire an esplanade reserve is unlikely to arise but continuity of access is desirable;

(d) creation of esplanade strips can secure public benefits and resource management objectives without alienating land from private ownership;

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(e) land is subject to natural hazards or stability issues taking into account the likely long term effects of climate change; or

(f) a marginal strip of at least 20 metres under the Conservation Act 1987 has not been set aside on land that is Treaty Settlement Land.

Subdivision Variation Control identified in the planning maps

(27) Manage the existing pattern and density of subdivision in locations identified in the Subdivision Variation Control shown on the planning maps to protect their low density character.

(28) Avoid subdivision that detracts from the natural landscape qualities which are defined by the low density settlement pattern.

(29) Manage subdivision of land where there are known infrastructure constraints.

Subdivision in Special Character Areas Overlay – Residential and Business

(30) Maintain the distinctive pattern of subdivision as identified in the character statements for special character areas.

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[new text to be inserted]

E38.4. Activity table

Tables E38.4.1 to E38.4.5 specify the activity status of subdivision pursuant to section 11 of the Resource Management Act 1991.

For subdivision within the D26 National Grid Corridor Overlay, the activity status for subdivision in the urban zones as listed in Tables E38.4.1 to E38.4.5 below will apply unless there are different provisions in D26 National Grid Corridor Overlay in which case the overlay provisions will take precedence.

For subdivision in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural - Waitākere Foothills Zone, Rural - Waitākere Ranges Zone, Future Urban Zone, and Special Purpose – Quarry Zone see E39 Subdivision – Rural.

The activities listed in Table E38.4.1 Subdivision for specific purposes may only comprise a specific element of a subdivision activity. The other elements of a subdivision may also be listed in Tables E38.4.2, E38.4.3, E38.4.4, and E38.4.5. Where the proposed subdivision activity fits into activities listed in Table E38.4.1 Subdivision for specific purposes and those listed in tables E38.4.2, E38.4.3, E38.4.4, and/or E38.4.5 then the activity status listed for each activity in each table also applies.

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[new text to be inserted]

Table E38.4.1 Activity table - Subdivision for specific purposes

	Activity	Activity status
(A1)	Lease in excess of 35 years of a building or part of a building where a cross-lease, company lease, or unit title subdivision is not involved	P
(A2)	Subdivision for a network utility	P
(A3)	Conversion of a cross lease to a fee simple title	C
(A4)	Cross lease, company lease, unit title and strata-title subdivision	C
(A5)	Amendments to a cross lease or unit title, including additions and alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners	C
(A6)	Boundary adjustments which do not exceed 10 per cent of the net site area of each site	C
(A7)	Subdivision of a site with two or more zones or subdivision along an undefined zone boundary	RD
(A8)	Subdivision establishing an esplanade reserve	RD
(A9)	Subdivision establishing an esplanade strip	D
(A10)	Any reduction or waiver of esplanade reserves or strips	D
(A11)	Subdivision of land within any of the following natural hazard areas: • 1 per cent annual exceedance probability floodplain; • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; • coastal erosion hazard area; or • land which may be subject to land instability.	RD
(A12)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(A13)	Any subdivision listed in this activity table not meeting the permitted, controlled, or restricted discretionary activities standards in E38.7 Standards for subdivision for specific purposes	D

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Table E38.4.2 Activity table - Subdivision in residential zones

	Activity	Activity status
(A14)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1	RD
(A15)	Subdivision around existing buildings and development complying with Standard E38.8.2.2	RD
(A16)	Vacant sites subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.3	RD
(A17)	Vacant sites subdivision involving parent sites of less than 1ha not complying with Standard E38.8.2.3.	D
(A18)	Vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3.1	D
(A19)	Vacant sites subdivision involving parent sites of 1ha or greater not complying with Standard E38.8.3.1	NC
(A20)	Subdivision of sites identified in the Subdivision Variation Control complying with Standard E38.8.2.4	RD
(A21)	Subdivision of sites identified in the Subdivision Variation Control not complying with Standard E38.8.2.4	NC
(A22)	Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay complying with Standard E38.8.2.5	RD
(A23)	Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay not complying with Standard E38.8.2.5	NC
(A24)	Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business complying with Standard E38.8.2.6	RD
(A25)	Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business not complying with Standard E38.8.2.6	NC
(A26)	Subdivision of a minor dwelling from the principal dwelling where the proposed sites comply with the minimum site size requirement for subdivision in the applicable zone	RD
(A27)	Subdivision of a minor dwelling from the principal dwelling where the proposed sites do not comply with the minimum site size requirement for subdivision in the applicable zone	Pr
(A28)	Subdivision of a converted dwelling established from the conversion of a principal dwelling existing as at 30 September 2013 where the proposed sites comply with	RD

	the minimum site size requirement for subdivision in the applicable zone	
(A29)	Subdivision of a converted dwelling established from the conversion of a principal dwelling existing as at 30 September 2013 where the proposed sites do not comply with the minimum site size requirement for subdivision in the applicable zone	Pr
[new text to be inserted]	**[new text to be inserted]**	**[new text to be inserted]**
[new text to be inserted]	**[new text to be inserted]**	**[new text to be inserted]**
(A30)	Any subdivision listed in this activity table not meeting E38.6 General standards for subdivision	D
(A31)	Any subdivision listed in this activity table not meeting the standards in E38.8 Standards for subdivision in residential zones	D
(A32)	Any subdivision not otherwise provided for in Tables E38.4.1 and E38.4.2	D

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Table E38.4.3 Activity table - Subdivision in business zones

	Activity	Activity status
(A33)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.9.2.1	RD
(A34)	Subdivision around existing buildings and development complying with Standard E38.9.2.2	RD
(A35)	Vacant sites subdivision complying with Standard E38.9.2.3	RD
(A36)	Vacant sites subdivision not complying with Standard E38.9.2.3	NC
(A37)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(A38)	Any subdivision listed in this activity table not meeting standards in E38.9 Standards for subdivision in the business zones	D
(A39)	Any subdivision not otherwise provided for in Tables E38.4.1and E38.4.3	D

Table E38.4.4 Activity table - Subdivision in open space zones

	Activity	Activity Status
(A40)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.10.1.1	RD
(A41)	Subdivision around existing buildings and development complying with Standard E38.10.1.2	RD
(A42)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(A43)	Any subdivision not otherwise provided for in Tables E38.4.1and E38.4.4	D

Table E38.4.5 Activity table - Subdivision in all other zones excluding those covered by E39 Subdivision - Rural

	Activity	Activity status
(A44)	Any subdivision not meeting the standards in E38.6 General standards for subdivision	D
(A45)	Subdivision not otherwise provided for in Table E38.4.1	D

E38.5. Notification

(1) An application for resource consent for a controlled activity listed in Table E38.4.1 Activity table - Subdivision for Specific Purposes will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Tables E38.4.1 to E38.4.5 Activity tables and which is not listed in E38.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E38.6. General standards for subdivision

All subdivision listed in Tables E38.4.1 to E38.4.5 Activity tables must comply with the standards set out in E38.6 General standards for subdivision unless otherwise specified, as well as the standards in E38.7 Standards for subdivision for specific purposes to E38.10 Standards for subdivision in open space zones as relevant.

E38.6.1. Site size and shape

(1) Except where the purpose of the site is for a network utility (including a site to be vested in Council), sites must meet one of the following:

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones;

(b) be in accordance with an approved land use resource consent; or

(c) be around an existing lawfully established development.

E38.6.2. Access and entrance strips

(1) All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:

(a) are being created for reserves and network utilities; or

(b) will be amalgamated with another site that already has legal and physical access to a road.

(2) Entrance strips must be less than 7.5 metres wide unless otherwise stated.

E38.6.3. Services

(1) For all proposed sites capable of containing a building, or for cross lease or unit title, strata title, company lease, each lot must be designed and located so that provision is made for the following services:

(a) collection, treatment and disposal of stormwater;

(b) collection, treatment and disposal of wastewater;

(c) water supply;

(d) electricity supply; and

(e) telecommunications.

(2) Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.

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[new text to be inserted]

E38.6.4. Staging

(1) Where a subdivision is to be carried out in stages, the applicant must provide adequate detail of the proposed timetable and sequencing of the staging at the time they apply for the overall subdivision consent. This must include all of the following:

(a) the time period over which the development is likely to take place;

(b) the areas of land subject to the proposed stages; and

(c) the balance area of the site remaining after the completion of each stage.

E38.6.5. Overland flow paths

(1) All subdivision must be designed to incorporate overland flow paths on the site.

(2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.

E38.6.6. Existing vegetation on the site

(1) All subdivision plans, excluding subdivision plans for boundary adjustments, must show any of the following features that exist on, or on the boundary of, the land being subdivided:

(a) any areas identified as Significant Ecological Area in the Significant Ecological Areas Overlay; or

(b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.

E38.7. Standards for subdivision for specific purposes

E38.7.1. Standards – specific purposes permitted activities

Subdivision listed as permitted activities in Table E38.4.1 Subdivision for specific purposes must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.7.1 Standards – specific purposes permitted activities.

E38.7.1.1. Lease in excess of 35 years of a building or part of a building where a cross lease, company lease or unit title subdivision is not involved:

(1) The subject building must be lawfully established.

(2) The boundaries of the proposed sites must follow existing or proposed walls, ceilings and floors.

(3) The scheme plan must show the proposed sites in relation to the exterior of the building and provide upper and lower elevations in terms of a datum to be established.

(4) Each lease area must have either frontage to a legal road or allow for access through common areas to a legal road.

E38.7.1.2. Subdivision for a network utility

(1) The network utility activity must:

(a) be a permitted activity pursuant to E26 Infrastructure; or

(b) have all resource consents or notices of requirements approved.

(2) A covenant or consent notice will be required to state that land that is no longer required for the network utility after it disestablishes must be amalgamated with the adjoining land.

(3) The balance sites must comply with the relevant overlays, Auckland-wide and zone standards, other than the minimum site size, unless resource consent has been granted for any infringements.

(4) Sites must have access to a legal road through an appropriate legal mechanism.

E38.7.2. Standards – specific purposes controlled activities

Subdivision listed as controlled activities in Table E38.4.1 Subdivision for specific purposes must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.7.2 Standards – specific purposes controlled activities.

E38.7.2.1. Boundary adjustments which do not exceed 10 per cent of the net site area of each site

(1) All sites prior to the boundary adjustment must be contained within the same zone.

(2) All service connections and on-site infrastructure must be located within the boundary of the site they serve, or have legal rights provided by an appropriate legal mechanism.

E38.7.2.2. Conversion of a cross-lease to a fee simple title

(1) All existing development must meet one of the following:

(a) comply with the relevant overlays, Auckland-wide and zone rules;

(b) be in accordance with an approved resource consent;

(c) have existing use rights;

(d) be in accordance with an approved building consent,

(e) have a code of compliance certificate, or

(f) have a certificate of acceptance.

(2) All service connections and on-site infrastructure must be located within the boundary of the site they serve, or have legal rights provided by an appropriate legal mechanism.

E38.7.2.3. Cross lease, company lease, unit title and strata-title subdivision; and Amendments to a cross lease or unit title, including additions and alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners

(1) All buildings must meet one of the following:

(a) have existing use rights;

(b) comply with the relevant Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

(2) All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.

(3) Subdivision consent affecting a building or any part of a building and any proposed covenant, unit or accessory unit boundary, must not result in any infringements of any relevant overlays, Auckland-wide and zone rules.

(4) Parking spaces must not be created as principal units, unless provided for by a resource consent. Instead parking spaces must be created as accessory units or common areas when associated with an approved use or activity.

(5) All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.

E38.7.3. Standards – specific purposes restricted discretionary activities

Subdivision listed as restricted discretionary activities in Table E38.4.1 Subdivision for specific purposes must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.7.3 Standards – specific purposes restricted discretionary activities.

E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary

(1) Where a site has two or more zones the lot boundaries of the subdivision must follow, as near as possible to, the zone boundaries.

(2) Where a proposed site is located entirely within a single zone, the proposed site must comply with the relevant subdivision standards for that zone.

(3) The lots created must comply with the overlay, Auckland-wide and zone rules applying to that particular part of the site.

E38.7.3.2. Subdivision establishing an esplanade reserve

(1) Any subdivision involving the creation of sites less than 4 hectares and the proposed site adjoins the line of mean high water springs or the bank of a river or stream 3 metres or more in width or any lake, must provide a minimum 20 metre wide esplanade reserve in accordance with section 230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.

(2) The width of any esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water spring, or the bank of a river or stream or margin of any lake.

(3) Standards E38.7.3.2(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20 metres has been set aside under the Conservation Act 1987.

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E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain

(1) Each proposed site within the one per cent floodplain that is to contain a more vulnerable activity must meet one of the following:

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones; or

(b) be in accordance with a land use consent that authorises development or building in the floodplain.

[new text to be inserted]

E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in E38.7.3.4(a) to (c) below are located outside of any land that may be subject to coastal erosion or coastal storm inundation:

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones;

(b) access to all proposed building platforms or areas; and

(c) on-site private infrastructure required to service the intended use of the site.

E38.8. Standards for subdivisions in residential zones

Subdivision listed in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision in E38.6 General standards for subdivision and E38.8.1 General standards in residential zones.

E38.8.1. General standards in residential zones

E38.8.1.1. Site shape factor in residential zones

(1) Access and manoeuvring must meet the requirements of E27 Transport.

(2) All vacant sites must be able to contain a rectangle of 8 metres by 15 metres except the Residential - Terrace Housing and Apartment Buildings Zone must contain a rectangle of 15 metres by 20 metres, to accommodate a building that complies with all applicable standards of the zone and is located outside:

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(a) the 1 per cent annual exceedance probability floodplain;

[new text to be inserted]

(b) the coastal erosion hazard area;

[new text to be inserted]

(c) the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; and the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;

(d) land which may be subject to land instability;

[new text to be inserted]

(e) the protected root zone of trees identified in the Notable Trees Overlay;

(f) areas identified as significant ecological areas, outstanding natural features, outstanding natural landscapes, outstanding natural character areas or high natural character areas in the Significant Ecological Areas Overlay, the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, or the Outstanding Natural Character and High Natural Character Overlay.

(g) areas identified as scheduled historic heritage places, or sites and places of significance to Mana Whenua in the Historic Heritage Overlay or the sites and Places of Significance to Mana Whenua Overlay;

(h) network utilities, including private and public lines;

(i) right-of-way easements;

(j) area of esplanade reserves required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve;

(k) yard setback requirements of the zone including riparian, lakeside or coastal protection yards; and

(l) the National Grid Yard.

E38.8.1.2. Access to rear sites

(1) A single jointly owned access lot or right-of-way easement must not serve more than ten proposed rear sites.

(2) Vehicle access to proposed sites without direct vehicular access to a formed legal road must be by way of an entrance strip, jointly owned access lot or right-of-way easement over adjoining land, or by a combination of these mechanisms, provided the total width and other dimensions of the access comply with the standards in Table E38.8.1.2.1 Access to rear sites below.

Table E38.8.1.2.1 Access to rear sites

	Total number of rear sites served		
	1	**2 – 5**	**6 - 10**
Minimum legal width	3.0m	3.5m	6.~~5~~9m
Minimum formed width	2.5m	3.0m	5.5m
Minimum service strip	0.5m	0.5m	1.0m
Maximum length	50m	50m	100m Note 1
Maximum gradient	1 in 4	1 in 5	
Minimum vertical clearance from buildings or structures	3.8m		
Minimum inside turning radius for bends	6.5m		

Note 1

~~For accessways greater than 50 metres in length speed management measures should be considered.~~

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

(3) Accessways serving six ~~or more~~ to ten rear sites must provide separated pedestrian access~~, which may be located within the formed driveway~~.

(4) The pedestrian access required by E38.8.1.2(3) must meet all of the following:

(a) have a minimum width of 1.4m ~~metre~~;

(b) can include the service strip; ~~and~~

(c) be ~~distinguished~~ physically separated from the vehicle carriageway ~~through the use of a raised curb or different surface treatment.~~; and

(d) have a maximum gradient not exceeding the vehicle access gradient standard in Table E38.8.1.2.1.

Note: See the definition of "physically separated" in standard E27.6.6(2).

(5) Accessways exceeding 30m in length must meet the speed management measures specified by Table E27.6.4.3.3.

E38.8.2. Standards – residential restricted discretionary activities

Subdivision listed as a restricted discretionary activity in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions, E38.8.1 General standards in residential zones and E38.8.2 Standards – residential restricted discretionary activities as relevant.

E38.8.2.1. Subdivision in accordance with an approved land use resource consent

(1) Any subdivision relating to an approved land use consent must comply with that resource consent.

E38.8.2.2. Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must meet one of the following:

(a) have existing use rights;

(b) comply with the relevant overlay, Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

E38.8.2.3. Vacant sites subdivisions involving parent sites of less than 1 hectare

(1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development.

(2) Site sizes for proposed sites must comply with the minimum net site areas specified in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare below.

Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare

Zone	Minimum net site area for vacant proposed sites
Residential - Terrace Housing and Apartment Buildings Zone	1,200m^2
Residential - Mixed Housing Urban Zone	300m^2
Residential - Mixed Housing Suburban Zone	400m^2
Residential - Single House Zone	600m^2
Residential - Large Lot Zone	4,000m^2
Residential - Rural and Coastal Settlement Zone	2,500m^2

E38.8.2.4. Subdivision of sites identified in the Subdivision Variation Control

(1) E38.8.2.3 Vacant sites subdivision involving parent sites of less than 1 hectare and E38.8.3.1 Vacant sites subdivision involving parent sites of 1 hectare or greater do not apply to sites identified in the Subdivision Variation Control in the planning maps.

(2) Proposed sites identified in the Subdivision Variation Control in the planning maps must comply with the minimum net site area in Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control

Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control

Area	Minimum net site area
Beachlands	700m²
Bombay	800m^2 for proposed sites serviced by a private wastewater network 2,500m^2 for proposed sites serviced by on-site wastewater systems
Buckland	800m²
Clarks Beach	800m²
Eastern Whangaparaoa Peninsula	700m²
Glenbrook Beach	800m²
Herald Island	800m²
Maraetai/Omana Beach	700m²
Patumahoe	800m²

Point Wells	1,000m²
Waiau Beach	800m²
Waimauku	800m² for proposed sites serviced by a private wastewater network 2,500m² for proposed sites serviced by on-site wastewater systems
Parau	4,000m²
Huia	4,000m²
Little Huia	4,000m²
Karekare	4,000m²
Piha	4,000m²
Bethells/ Te Henga	4,000m²
Cornwallis	4,000m²
Snells Beach	1,000m²
I458 Beachlands South Precinct: Large Lot Zone in Sub-precinct D, Coastal	1,000m²

E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay

(1) The subdivision scheme plan must identify the following areas:

(a) the indigenous vegetation scheduled in the Significant Ecological Areas Overlay and to be marked for protection; and

(b) the areas available for residential subdivision.

(2) The following standards apply to the areas available for residential subdivision:

(a) the total number of lots created must not exceed the total number of lots which could be created over the net site area of the parent site subject to meeting Table E38.8.2.3.1 Minimum net site area for subdivision involving parent sites of less than 1 hectare or Table E38.8.3.1.1 Minimum net site area for subdivision involving parent sites of 1 hectare or greater;

(b) residential lots to be created must be located entirely within the areas available for residential subdivision;

(c) the minimum net site areas in Table E38.8.2.3.1 Minimum net site area for subdivision involving parent sites of less than 1 hectare or Table E38.8.3.1.1 Minimum net site area for subdivision involving parent sites of 1 hectare or greater do not apply to the area available for

residential development of the parent site outside the Significant Ecological Areas Overlay as determined under E38.8.2.5(1)(b) above;

(d) a plan showing the proposed development on the areas available for residential subdivision must be provided;

(e) the proposed development must meet the relevant standards in the residential zones; and

(3) The indigenous vegetation area scheduled in the Significant Ecological Areas Overlay must be legally protected and maintained in accordance with the process outlined in Appendix 15 Subdivision information and process; and

(4) The subdivision resource consent must be made subject to a consent condition which requires that the subdivision scheme plan creating the sites is to be deposited after, and not before, the protective covenant has been registered against the title of the site containing the covenanted indigenous vegetation, or area of restoration planting to be protected, as applicable.

E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

(1) Proposed sites identified in the Special Character Areas Overlay – Residential and Business must comply with the minimum net site area in Table E38.8.2.6.1 Special Character Overlay – Residential and Business subdivision controls.

(2) Proposed sites identified in the Special Character Areas Overlay – Residential and Business that are not listed in Table E38.8.2.6.1 must comply with the relevant minimum net site area for that site's zone in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls

Special Character Areas Overlay – Residential and Business – Sub area	Minimum net site area
Isthmus A	400m^2 or 500m^2 where the site does not comply with the shape factor
Isthmus B1 and B3	1,000m^2
Isthmus B2	600m^2
Isthmus C1	400m^2 or 500m^2 where the site does not comply with the shape factor
Isthmus C2	600m^2

Isthmus C2a (refer to Figure E38.8.2.6 below)	1,000m^2 on sites identified in Figure E38.8.2.6 below
North Shore Area A*	450m^2
North Shore Area B*	500m^2
North Shore Area C*	600m^2

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*The maps showing North Shore Area A, North Shore Area B, and North Shore Area C can be found in Schedule 15 Special Character Schedule, Statements and Maps.

Figure E38.8.2.6 Isthmus C2a sites

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[new text to be inserted]

E38.8.3. Standards – residential discretionary activities

Subdivision listed as a discretionary activity in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions, E38.8.1 General standards in residential zones and E38.8.3 Standards – residential discretionary activities, as relevant.

E38.8.3.1. Vacant sites subdivision involving parent sites of 1 hectare or greater

(1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development.

(2) Site sizes for proposed vacant sites subdivision in the Residential - Large Lot Zone, Residential - Rural and Coastal Settlement Zone and Residential - Terrace Housing and Apartment Buildings Zone, must meet the minimum net site area for subdivision in the relevant zone as set out in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare above.

(3) For other residential zones, each vacant site must comply with the minimum net site area in Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent sites of 1 hectare or greater.

(4) The minimum average net site area calculated over the total of all sites created must comply with Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent site of 1 hectare or greater.

Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent sites of 1 hectare or greater

Zone	Minimum Net Site Area	Minimum Average Net Site area	Maximum Average Net Site area
Single House Zone	480m²	600m²	720m²
Mixed Housing Suburban Zone	320m²	400m²	480m²
Mixed Housing Urban Zone	240m²	300m²	360m²

(5) When calculating the minimum average net site area for the purpose of Standard E38.8.3.1(3), any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table E38.8.3.1.1 Minimum net site areas for subdivision involving parent sites of 1 hectare or greater must be included in the

averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

(6) For all subdivision on a parent site greater than 1 hectare where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

E38.9. Standards for subdivisions in the business zones

Subdivision listed in Table E38.4.3 Subdivision in business zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivision and E38.9.1 General standards for business zones.

E38.9.1. General standards for business zones

E38.9.1.1. Site shape factor in business zones

(1) All vacant sites must be able to contain a rectangle with an area equal to half the area of the site where the longer sides are no greater than twice the length of the shorter sides to accommodate a building that complies with all applicable controls of the zone and is located outside all of the following:

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(a) the 1 per cent annual exceedance probability floodplain;

[new text to be inserted]

(b) the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;

[new text to be inserted]

(c) the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;

(d) the coastal erosion hazard area:

(e) land which may be subject to land instability;

[new text to be inserted]

(f) the protected root zone of trees identified in the Notable Trees Overlay;

(g) areas identified as significant ecological areas, outstanding natural features, outstanding natural landscapes, outstanding natural character areas or high natural character areas in the Significant Ecological Areas Overlay, the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, or the Outstanding Natural Character and High Natural Character Overlay.

(h) areas identified as scheduled historic heritage place, or sites and places of significance to Mana Whenua in the Historic Heritage

Overlay or the Sites and Places of Significance to Mana Whenua Overlay;

(i) private and public network utilities;

(j) private and public stormwater and wastewater lines;

(k) building line restrictions;

(l) right-of-way easements;

(m) area of esplanade reserves required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve;

(n) yard setback requirements of the zone including riparian, lakeside or coastal protection yards; and

(o) National Grid Yard (Uncompromised) (except that if the subdivision is for an activity sensitive to the National Grid, the building platform must not be located within the National Grid Yard (Uncompromised or Compromised).

E38.9.1.2. Parking areas

(1) Where parking spaces are permitted in association with a development or proposed as part of a development, where resource consent has been obtained and any such development is subdivided under the Unit Titles Act 2010, the parking spaces must be:

(a) held together with the principal units; or

(b) form a part of the common property.

(2) Any parking spaces identified as a principal unit must be tied to the approved land use by way of a legal instrument on the title.

(3) Discretion may be applied where specific approval has been granted by resource consent for shared car parking with other development within close proximity to the site.

(4) This standard does not apply to buildings or land used exclusively for car parking.

E38.9.1.3. Signs and billboards

(1) Where signs or billboards have been approved on a building with resource consent and the development is subdivided under the Unit Titles Act 2010, the signs or billboards must not be created as principal units on the survey plan. The sign or billboard must be identified as an accessory unit or alternatively form a part of the common property.

E38.9.2. Standards – business restricted discretionary activities

Subdivision listed as a restricted discretionary activity in Table E38.4.3 Subdivision in business zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions, E38.9.1 General standards in business zones and E38.9.2 Standards – business restricted discretionary activities, as relevant.

E38.9.2.1. Subdivision in accordance with an approved land use resource consent

(1) Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans.

E38.9.2.2. Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must:

(a) have existing use rights;

(b) comply with the relevant overlay, Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

E38.9.2.3. Vacant sites subdivision

(1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings.

(2) Site sizes for proposed sites must comply with the minimum net site areas specified in Table E38.9.2.3.1 Minimum net site size and frontage for vacant site subdivision below.

(3) Rear sites must not exceed 20 per cent of the total number of proposed sites.

(4) Entrance strips and accessways for rear sites must comply with Table E27.6.4.3.2 Vehicle crossing and vehicle access widths.

Table E38.9.2.3.1 Minimum net site size and frontage for vacant site subdivision

Standard	Business - City Centre Zone	Business - Metropolitan Centre Zone	Business - Town Centre Zone	Business - Local Centre Zone	Business - Neighbourhood Centre Zone
Minimum net site size	200m^2	200m²	200m²	200m²	200m²
Minimum frontage	10m for sites over 2,000m^2	10m for sites over 2,000m^2	10m for sites over 2,000m^2	N/A	N/A
Standard	**Business - Mixed Use Zone**	**Business - General Business Zone**	**Business - Business Park Zone**	**Business - Light Industry Zone**	**Business - Heavy Industry Zone**
Minimum net site size	200m²	200m²	1,000m²	1,000m²	2,000m²
Minimum average site size	N/A	N/A	N/A	2,000m²	5,000m²
Minimum frontage	N/A	N/A	10m	20m	20m

E38.10. Standards for subdivision in open space zones

E38.10.1. Standards – open space restricted discretionary activities

Subdivision listed in Table E38.4.4 Subdivision in open space zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.10.1 Standards – open space restricted discretionary activities as relevant.

E38.10.1.1. Subdivision in accordance with an approved land use resource consent

(1) Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans.

E38.10.1.2. Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must meet one of the following matters:

(a) have existing use rights;

(b) comply with the relevant overlay, Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

E38.11. Assessment – controlled activities

E38.11.1. Matters of control

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

(1) all controlled activities:

(a) compliance with an approved resource consent except for boundary adjustment subdivision;

(b) the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;

(c) the effects of infrastructure provision; and

PC 120 (see Modifications)

[new text to be inserted]

(d) the effects on historic heritage and cultural heritage items.

E38.11.2. Assessment criteria

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

(1) all controlled activities:

(a) compliance with an approved resource consent except for boundary adjustment subdivision:

(i) refer to Policy E38.3(6);

(b) the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:

(i) the extent to which the design, size, shape, gradient and location of any site including access, existing buildings, manoeuvring areas and outdoor living space affect the safety of pedestrians and cyclists and other users of the space or access;

(ii) whether the sites created are able to accommodate development in accordance with the relevant Auckland-wide and zone rules; and

(iii) refer to Policy E38.3(1), (10) and (22);

(c) the effects of infrastructure provision:

(i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and

PC 120 (see Modifications)

(ii) refer to Policy E38.3(17); and

[new text to be inserted]

(d) the effects on historic heritage and cultural heritage items;

(i) whether the protection or avoidance of any Scheduled Historic Heritage Place, or Site and Places of Significance to Mana Whenua is ensured; and

(ii) refer to Policy E38.3(4).

E38.12. Assessment – restricted discretionary activities

E38.12.1. Matters of discretion

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

PC 120 (see Modifications)

(1) subdivision of a site within the 1 per cent annual exceedance probability floodplain:

(a) the effects of the hazard on the intended use of the site or sites created by the subdivision and the vulnerability of the uses to flood hazard events.

(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal storm inundation events.

(3) subdivision of a site in the coastal erosion hazard area:

(a) the effects of the erosion on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal erosion.

(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment:

(a) the effects of remediating the land instability hazard and the effect of the hazard on the intended use.

(5) subdivision establishing an esplanade reserve:

(a) the effect of the design, purpose and location of any esplanade reserve established by subdivision in terms of public access, and the conservation of coastal and/or riverbank ecological values, natural values, geological features and landscape features.

(6) subdivision around existing buildings and development; and subdivision in accordance with an approved land use resource consent:

(a) the effect of the design and layout of the proposed sites created.

(7) all other restricted discretionary activity subdivisions:

(a) the effect of the design and layout of sites to achieve the purposes of the zone or zones and to provide safe legible and convenient access to a legal road;

(b) the effect of infrastructure provision and management of effects of stormwater

(c) the effect on the functions of floodplains and provision for any required overland flow paths:

PC 120 (see Modifications)

[new text to be inserted]

(d) the effect on historic heritage and cultural heritage items:

(e) the effect of the layout, design and pattern of blocks and roads in so far as they contribute to enabling a liveable, walkable and connected neighbourhood;

(f) the effect of layout and orientation of blocks and sites on the solar gain achieved for sites created, if relevant;

(g) the effects arising from any significant increase in traffic volumes on the existing road network;

(h) the visual effect on landscape and on topographical features and vegetation arising from subdivision of sites zoned Residential - Large Lot Zone and Residential - Rural and Coastal Settlement Zone;

(i) the provision made for the incorporation and enhancement of land forms, natural features and indigenous trees and vegetation;

PC 120 (see Modifications)

[new text to be inserted]

(j) the effect on recreation and open space.

(k) the effect of the design and layout of sites on transport infrastructure and facilities within roads.

(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay:

(a) the matters in E38.12.1(7); and

(b) the effects on the significant ecological area.

(9) subdivision of sites identified in the Subdivision Variation Control:

(a) the matters in E38.12.1(7); and

(b) the effects of the pattern and density of subdivisions on the low-density settlement pattern of those areas.

PC 120 (see Modifications)

[new text to be inserted]

E38.12.2. Assessment Criteria

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

PC 120 (see Modifications)

(1) subdivision of a site within the one per cent annual exceedance probability floodplain:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to flood hazard events:

(i) whether measures are proposed to ensure the long term protection of flood plain conveyance functions;

(ii) whether the location and design of development including building platforms and access ways are located to avoid the hazard;

(iii) the extent to which changes to the landform and the design of mitigation structures/features are necessary for the subdivision; and

(iv) refer to Policy E38.3(2).

(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal storm inundation events:

(i) whether the location and design of development including proposed and existing building platforms and access ways include the ability to relocate uses within the proposed site area, taking into account in urban and serviced areas a 1 metre rise in sea levels;

(ii) whether the use of defences to protect the land and any buildings or structures on the land from coastal storm inundation are necessary;

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(iii) whether there is any residual risk posed by coastal storm inundation to the site(s) associated with any existing or proposed coastal defences;

(iv) whether there are effects on landscape values resulting from associated built and/or land form modifications required to provide for the intended use of the site; and

(v) refer to Policy E38.3(2).

(3) subdivision of a site in the coastal erosion hazard area:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal erosion:

(i) whether public access to the coast is affected;

(ii) the extent to which the installation of hard protection structures to be utilised to protect the site or its uses from coastal erosion hazards over at least a 100 year timeframe are necessary; and

(iii) refer to Policy E38.3(2).

(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment:

(a) the effects of remediating the land instability hazard and the effect of the hazard on the intended use:

(i) the extent to which the proposed sites are stable and suitable;

(ii) the extent to which the site instability will affect the intended use, including the provision for onsite infrastructure (where applicable) and accessways; and

(iii) refer to Policy E38.3(2).

(5) subdivision establishing an esplanade reserve:

(a) the effect of the design, purpose and location of any esplanade reserve established by subdivision in terms of public access, and the conservation of coastal and/or riverbank ecological values, natural values, geological features and landscape features:

(i) the extent to which the design purpose and location of the esplanade reserve enables public access and the conservation of coastal and/or riverbank ecological values, natural values, geological features and landscape features; and

(ii) refer to Policies E38.3(24), (25) and (26).

(6) subdivision around existing buildings and development, and subdivision in accordance with an approved land use resource consent:

(a) the effect of the design and layout of the proposed sites created:

(i) whether the design and layout of the proposed sites create result in new or increased non-compliance with Auckland-wide and zone rules;

(ii) whether there is appropriate provision made for infrastructure;

(iii) whether there is appropriate creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and

(iv) refer to Policies E38.3(1) and (6).

(7) all other restricted discretionary activity subdivisions:

(a) the effect of the design and layout of sites to achieve the purposes of the zone or zones and to provide safe legible and convenient access to a legal road;

(i) refer to Policies E38.3(1), (10), (12) and (13).

(b) the effect of infrastructure provision and management of effects of stormwater

(i) whether there is appropriate provision of and adequate access to existing and new infrastructure, and provision of appropriate management of effects of stormwater;

(ii) the extent to which drainage reserves are integrated into the layout of the subdivision and neighbourhood;

(iii) whether the design and implementation of any necessary physical works including those associated with site preparation works, infrastructure and access are carried out in accordance with recognised best engineering practice or in accordance with Section 2 - Earthworks and Geotechnical Requirements of the Auckland Council Code of Practice for Land Development and Subdivision Version 1.6 dated 24 September 2013.

(iv) refer to Policies E38.3(19) to (23).

(c) the effect on the functions of floodplains and provision for any required overland flow paths:

(i) refer to Policy E38.3(2).

(d) the effect on historic heritage and cultural heritage items:

(i) the extent to which any sites identified in the Historic Heritage Overlay, or Sites and Places of Significance to Mana Whenua Overlay are protected or avoided; and

(ii) refer to Policy E38.3(4).

(e) the effect of the layout, design and pattern of blocks and roads in so far as they contribute to enabling a liveable, walkable and connected neighbourhood;

(i) refer to Policy E38.3(10).

(f) the effect of layout and orientation of blocks and sites on the solar gain achieved for sites created, if relevant;

(i) refer to Policy E38.3(11).

(g) the effects arising from any significant increase in traffic volumes on the existing road network;

(i) refer to Policies E38.3(15) to (17).

(h) the visual effect on landscape and on topographical features and vegetation arising from subdivision of sites zoned Residential - Large Lot Zone and Residential - Rural and Coastal Settlement Zone;

(i) refer to Policy E38.3(3).

(i) the provision made for the incorporation and enhancement of land forms, natural features and indigenous trees and vegetation;

(i) refer to Policy E38.3(14).

(j) the effect on recreation and open space:

(i) the extent to which reserves and open space are provided and their integration with the surrounding open space network and suitability for the intended function and future requirements of the area;

(ii) refer to Policy E38.3(18).

(k) the effect of the design and layout of sites on transport infrastructure and facilities within roads

(i) refer to Policy E38.3(15); and

(ii) the extent to which the location and design of driveways and vehicle crossings compromises access to and the operation of transport infrastructure and facilities in roads including on-street

parking, bus stops, street trees, network utilities and stormwater infrastructure.

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[new text to be inserted]

(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay:

(a) the matters in E38.12.1(7);

(i) the assessment criteria listed in E38.12.2(7); and

(b) the effects on the significant ecological area:

(i) whether the legal protection proposed for the significant ecological area is appropriate;

(ii) whether there are positive effects associated with the protection of the significant ecological area; and

(iii) refer to Policy E38.3(5).

(9) subdivision of sites identified in the Subdivision Variation Control

(a) the matters in E38.12.1(7): and

(i) the assessment criteria listed in E38.12.2(7); and

(b) the effects of the pattern and density of subdivisions on the low-density settlement pattern of those areas:

(i) refer to Policies E38.3(27), (28) and (29).

PC 120 (see Modifications)

[new text to be inserted]

E38.13. Special information requirements

PC 120 (see Modifications)

There are no special information requirements in this section.

[new text to be inserted]

J1. Definitions

All provisions in this section are regional policy statement, regional coastal plan, regional plan and district plan provisions **[rps/rcp/rp/dp]**.

J1.1. Interpreting the definitions

The meaning of the provisions in the Plan must be ascertained from all relevant text in the Plan and in the light of the purpose of the Resource Management Act 1991 and any relevant objectives and policies in the Plan.

Words and phrases used in the Plan have the meaning set out in their definitions in this chapter unless the context otherwise requires.

Words and phrases that are defined in the Resource Management Act 1991 have the meaning set out in that Act except where expressly provided for otherwise in this chapter or elsewhere in the Plan.

Words in the singular include the plural and words in the plural include the singular.

Where a list is preceded by the word “includes”, that list is not limited to the matters listed.

Where a list is preceded by the word “excludes”, that list is limited to the matters listed.

This chapter does not apply to designations included in the Plan.

J1.1.1. Using Nesting Tables

There are five nesting tables which gather specific land use activities into general groups: Commerce, Community, Industry, Residential and Rural. Within each table, activities are listed with the more general on the left and the more specific on the right. For example, in the Commerce nesting table, retail is the more general activity which includes food and beverage, large format retail and trade suppliers as more specific activities. Those more specific components may also include more specific activities.

Where an activity table for an overlay, zone, Auckland-wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.

J1.1.2. Application of Nesting Tables

(1) Where an activity is included in a nesting table, the class or activity status of that activity in any activity table also applies to the nested activities set out to the right of that activity in the nesting table, unless an activity table expressly provides otherwise for a particular overlay, zone, Auckland-wide or precinct.

(2) Where a specific activity is nested under a general activity, then:

(a) any standard in an overlay, zone, Auckland-wide or precinct for that specific activity will apply despite the class or activity status of the general activity; and

(b) any standard for the general activity will also apply to the specific activity where there is no corresponding standard for the specific activity.

J1.2. Abbreviations and acronyms

Celsius	C
Cubic metres	m^3
Cubic metres per second	m^3/s
Decibel	dB
Gross domestic product	GDP
Kilometre(s)	km
Litres	l
Metre(s)	m
Millimetres	mm
Square metres	m^2
Tonnes	t
Vehicles per hour	v/hr

AEP

Annual exceedance probability

AFA

Average floor area

ANNA

Aircraft noise notification area

AIAL

Auckland International Airport Limited

ARI

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Average rain index

ASAN

Activities sensitive to aircraft noise

BPO

Best practicable option

CFA

Calculated floor area

COC

Certificate(s) of Compliance

CMCA

Common marine and coastal area

CMA

Coastal marine area

FAR

Floor area ratio

GIS

Geospatial information system

GFA

Gross floor area

GMO

Genetically modified organisms

HAIL

Hazardous activities and industries list

HANA

High aircraft noise area

HH

Historic heritage

HSNO

Hazardous Substances and New Organisms Act 1996

HNC

High natural character

HNZPT

Heritage New Zealand/Pouhere Taonga

ITA

Industrial or trade activities

LUC

Land use capability

MANA

Moderate aircraft noise area

MHWS

Mean high water springs

MTFAR

Maximum total floor area ratio

NESETA

National Environmental Standards for Electricity Transmission Activities

NESTF

National Environmental Standards for Telecommunication Facilities

NZCPS

New Zealand Coastal Policy Statement 2010

NZECP 34

New Zealand Electrical Code of Practice for Electrical Safe Distances

NZTA

New Zealand Transport Agency

POAL

Ports of Auckland Limited

ONC

Outstanding natural character

ONF

Outstanding natural feature

ONL

Outstanding natural landscape

RCA

Road controlling authority

RMA

Resource Management Act 1991

RL

Reduced level

RPS

Regional policy statement

RUB

Rural urban boundary

SEA

Significant ecological areas

SMAF

Stormwater management area: flow

SSMW

Sites and places of significance to Mana Whenua

VTA

Vertebrate toxic agent

VOC

Volatile organic compound

WSMA

Water supply management area

J1.3. Nesting Tables

Table J1.3.1 Commerce

Commercial activities	Offices		
	Retail	Food and beverage	Bars and taverns
			Restaurants and cafes
			Drive-through restaurant
		Dairies	
		Show home	
		Large format retail	Supermarket
			Department store
		Trade supplier	
		Service station	
		Markets	
		Marine retail	
		Motor vehicle sales	
		Garden centres	
	Commercial services	Veterinary clinic	
		Funeral director premise	
		Commercial sexual services	
	Entertainment facilities		

Table J1.3.2 Community

Care centres	
Cemeteries	
Community facilities	
Correction facilities	Justice facilities
	Community correction facilities
Education facilities	Community use of education and tertiary education facilities
Emergency services	
Healthcare facilities	

Hospitals	
Informal recreation	
Motorsport activities	
Organised sport and recreation	
Public places	Public open spaces
Recreation facilities	
Showgrounds	
Temporary activities	Temporary military training activities
Tertiary education facilities	Community use of education and tertiary education facilities

Table J1.3.3 Industry

Industrial activities	Freight depots	Warehousing and storage	
	Industrial laboratories		
	Manufacturing	Light manufacturing and servicing	
	Repair and maintenance services		
	Waste management facilities	Refuse transfer station	Recycling facility
	Rail siding		
	Bus depots		
	Storage and lockup facilities		
	Wholesalers		

Table J1.3.4 Infrastructure

Infrastructure	Network utilities	Roads
		Road network activities
		Service connections
		Minor infrastructure upgrading
		Minor utility structure
		Substations
		Gas distribution regulator stations
		Airports
		Aerials

		Antenna
	Electricity generation activities	Large scale wind farms
		Research and exploratory-scale investigations for renewable electricity generation activities
		Small scale energy generation

Table J1.3.5 Residential

Dwellings	
Home occupations	
Visitor accommodation	
Camping grounds	
Boarding houses	Student accommodation
Integrated residential development	
Retirement village	
Supported residential care	

Table J1.3.6 Rural

Rural commercial services	Animal breeding or boarding
Farming	Horticulture
	Free-range poultry farming
	Poultry hatcheries
	Conservation planting
Produce sales	
Intensive farming	Intensive poultry farming
Forestry	
Quarries – farm or forestry	
Equestrian centres	
Rural industries	
On-site primary produce manufacturing	
Post-harvest facilities	

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[new text to be inserted]

J1.4. Definitions

A

Access site

Any separate site used primarily for access to a site or to sites having no legal frontage.

Excludes:

- sites 5m or more in width that are not legally encumbered to prevent the construction of buildings.

Accessible car park

Has the same meaning as in the National Policy Statement on Urban Development 2020, May 2022 except that the requirement for marking is subject to the provisions of this plan.

Accessory activities

Activities located on the same site as the primary activity, where the activity is incidental to, and serves a supportive function of the primary activity.

Includes:

- permitted car parking.

Accessory building

Buildings used in a way that is incidental to the use of any other buildings on that site, or on a vacant site, a building that is incidental to any use which may be permitted on that site.

Excludes:

- dwellings.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Activities sensitive to aircraft noise

Any dwellings, boarding houses, marae, papakāinga, integrated residential development, retirement villages, supported residential care, care centres, education facilities, tertiary education facilities, hospitals, and healthcare facilities with an overnight stay facility.

Activities sensitive to air discharges

Activities sensitive to reduced air quality.

Includes:

- dwellings;

- care centres;
- hospitals;
- healthcare facilities with an overnight stay facility;
- educational facilities;
- marae;
- community facilities;
- entertainment facilities; and
- visitor accommodation.

Activities sensitive to hazardous facilities and infrastructure

Activities sensitive to hazardous facilities and infrastructure are:

- visitor accommodation;
- care centres;
- hospitals;
- healthcare facilities;
- educational facilities;
- tertiary education facilities;
- community facilities;
- marae;
- retirement villages;
- organised sport and recreation;
- recreation facilities;
- entertainment facilities;
- dwellings; and
- boarding houses.

Activities sensitive to noise

Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities and healthcare facilities with an overnight stay facility.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Activities sensitive to the National Grid

Any dwellings, papakāinga, visitor accommodation, boarding houses, integrated residential development, retirement villages, supported residential care, education facilities, hospitals and healthcare facilities and care centres.

Adaptive management approach

A systematic, iterative process of decision making in the face of uncertainty, with an aim of reducing uncertainty over time through system monitoring and changes to management in response to the results of monitoring.

Aftercare

Aftercare (or post-closure care) activities involve any operation, maintenance and monitoring associated with the management of closed (and closed parts of) managed fills and landfills. Aftercare is on-going until the closed managed fill and landfill no longer poses any unacceptable risk to human health or the environment.

Includes:

- groundwater and surface water management;
- leachate management;
- gas management;
- stability management;
- cover and surface vegetation maintenance;
- environmental nuisance control;
- monitoring; and
- site security and access.

Agrichemicals

Any substance, whether inorganic or organic, artificial or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture or related activity, to eradicate, modify or control flora and fauna. For the purposes of this definition, it includes agricultural compounds, but excludes fertilisers, vertebrate pest control products and oral nutrition compounds.

Aircraft operations

Includes:

- the landing and take-off of any aircraft at an airport or airfield;

- the taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the airport to another; and
- aircraft flying along any flight path.

Aircraft noise notification area

The area generally between the 55 dB Ldn and 60 dB Ldn future noise contours as shown in on the Aircraft Noise Overlay map for Auckland International Airport.

Airport

Any defined area of land or water intended or designated to be used either wholly or partly for the landing, departure, movement, or servicing of aircraft, and includes land wholly or partly connected with such activities or their administration, or used for the wider operations and activities to meet the needs of passengers, visitors and employees and businesses located at the airport.

Excludes:

- private helipads used by the occupiers of a property on a non-commercial basis; and
- rural airstrips.

Airport authority

The person or body responsible for establishing, maintaining, operating, or managing an airport or aerodrome. Airport operator has the same meaning.

Airport Noise Boundary

The 55 dB Ldn and 65 dB Ldn lines shown, on the Aircraft Noise Overlay maps for North Shore Airport, Whenuapai Airbase and Kaipara Flats Airfield.

Air show

A sequence of aircraft operations of a maximum of three days in duration, occurring at a frequency not exceeding one per year, which is organised to provide a spectacle for members of the public.

Airspace restriction designation

The area shown in the planning maps under Designations and referred to in the relevant airport designation.

Amateur radio configuration

Antenna, aerials and associated support structures which are owned and operated by licensed amateur radio operators.

Ancillary farming earthworks

Disturbance of soil, earth or substrate land surfaces ancillary to farming.

Includes:

- land preparation and cultivation (including establishment of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops (farming);
- burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993;
- irrigation and land drainage; and
- maintenance and construction of facilities, devices and structures typically associated with farming activities including but not limited to farm tracks, driveways and unsealed parking areas, stock races, silage pits, farm drains, farm effluent ponds, and feeding lots, fencing, crop protection and sediment control measures.

Ancillary forestry earthworks

Disturbance of soil, earth or substrate land surfaces ancillary to forestry.

Includes:

- land preparation for the establishment, planting and growing operations, and harvesting of forestry including establishment of erosion and sediment control measures; and
- construction and maintenance of infrastructure and facilities typically associated with forestry including but not limited to tracks, roads and landings, and related erosion and sediment control measures.

Animal breeding or boarding

Breeding, boarding or day care centres for domestic pets or working dogs.

This definition is nested within the Rural nesting table.

Animal feedlots

Intensive feeding of livestock on food other than pasture grasses.

Includes:

- covered feedlots;

- uncovered feedlots; and
- standoff pads.

Excludes:

- concentrated but temporary wintering of stock as part of normal farming operations, such as using animal feedpads and standoff pads.

Annual exceedance probability

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

The probability of exceeding a given threshold within a period of one year. It can be applied to any type of risk. For example in relation to flooding, a one per cent AEP flood plain is the area that would be inundated in a storm event of a scale that has a one per cent or greater probability of occurring in one year.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Equivalent average return intervals (ARI) are:

- one per cent AEP = 100 year ARI.
- two per cent AEP = 50 year ARI.
- 10 per cent AEP = 10 year ARI.
- 20 per cent AEP = 5 year ARI.
- 50 per cent AEP = 2 year ARI.

Antenna

Any telecommunications, radio communications device including dish, aerials (any array of rods, wires and tubes) or panels, or broadcasting equipment that receives or transmits signals.

Includes the following ancillary components which are not subject to antenna size limits in the infrastructure rules:

- radio frequency units or similar devices;
- lightning rods, shrouds and ancillary equipment, such as amplifiers, controller boxes and tilt motors; and
- Global Positioning System (GPS) antennas.

Excludes:

- supporting masts or other structures.

Aquifer

A permeable water bearing geological formation capable of yielding, storing, receiving or transmitting water at a sufficient rate to be a practical water supply.

Archaeological investigations

Recovery of information from an archaeological site using archaeological techniques. These include invasive/destructive methods such as excavation or sampling, and non-invasive, repeatable methods such as survey, recording or remote sensing.

Archaeological site

Has the same meaning as in Heritage New Zealand Pouhere Taonga Act 2014.

Artificial crop protection structures

Open structures that are used to protect crops from damage.

Includes:

- bird netting; and
- wind-break netting.

Excludes:

- greenhouses.

Artificial watercourse

Constructed watercourses that contain no natural portions from their confluence with a river or stream to their headwaters.

Includes:

- canals that supply water to electricity power generation plants;
- farm drainage canals;
- irrigation canals; and
- water supply races.

Excludes:

- naturally occurring watercourses.

Automotive and marine suppliers

A business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft.

Includes:

- boats and boating accessories;
- trucks, cars and motorcycles;
- auto parts and accessories;

- trailers and caravans; and
- tyres and batteries.

Average floor area

The average of the horizontal areas measured at 1.5m above all floor levels from the external faces of the building, including all voids and the thickness of external and internal walls, except:

- for sites with a gross site area of 2,000m² or less, where the horizontal area at any floor level totals less than 20 per cent of the site area, the horizontal area at that level shall be deemed to be 20 per cent of the site area for the purpose of calculating average floor area; and
- for sites with a gross site area greater than 2,000m², where the horizontal area at any floor level totals less than 400m², the horizontal area at that level shall be deemed to be 400m2 for the purpose of calculating average floor area.

Excludes:

- basement space;
- approved through site links and works of art; and
- any entrance foyer/lobby or part of it including any void forming an integral part of it, provided that entrance foyer/lobby is publicly accessible, accessed directly from a street or public open space and has an overhead clearance of at least 6m.

Average recurrence interval

Average time between rainfall or flow rates which exceed a certain magnitude.

B

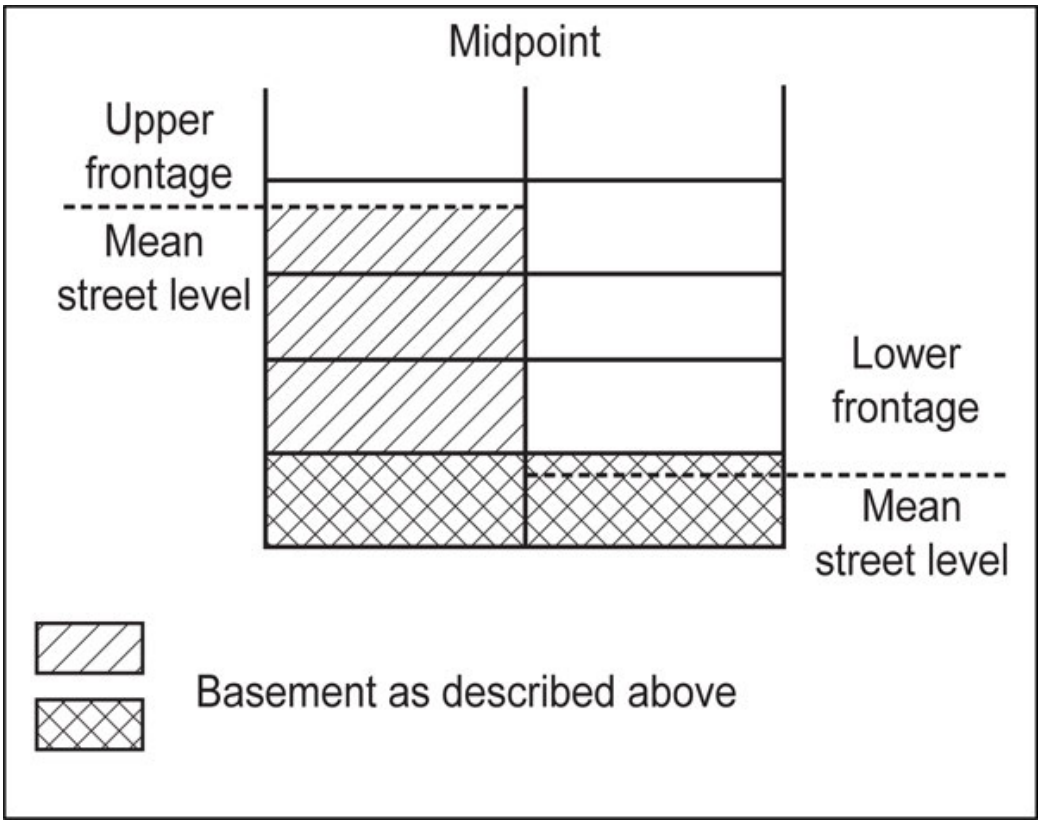
Base flow

The part of river flow derived from groundwater seeping into the river.

Basement

Any floor level of a building where the greater part of the volume of that floor level is below the mean street level of the frontage of the building. Where a building has two or more frontages, the basement includes any floor level used for parking, manoeuvring, or access where the greater part of that floor level is below the mean street level of the upper frontage to the midpoint of the site measured horizontally between the upper frontage and the lower frontage (see Figure J1.4.1 Basement).

Figure J1.4.1 Basement



Best practicable option

Has the same meaning as in section 2 of the Resource Management Act 1991.

Billboard

Any sign, message or notice conveyed using any visual media which is used to advertise any business, service, good, products, activities or events that are not directly related to the primary use or activities occurring on the site of the sign.

Includes:

- the sign and any associated frame and supporting device, whether permanent, temporary or moveable, whose principal function is to support the message or the notice.

Excludes:

- stencil signage or similar markings;
- a poster or poster signage as defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- a banner or flag situated on or over a road or public place;

- real estate signage or directional real estate signage;
- vehicle signage as defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- community event signage as defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- regional and major event signage defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- any election sign as defined and controlled by the Auckland Transport Election Signs Bylaw 2013.

Biodiversity offset

Compensation for significant residual adverse biological effects arising from subdivision, use and development.

Biosecurity tree works

The alteration or removal of any tree or vegetation infected by an unwanted organism as defined in the Biosecurity Act 1993 as part of a disease eradication or control programme within an infected area.

Biosolids

Sewage or sewage sludge derived from a sewage treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land and does not include products derived from industrial wastewater treatment plants.

Boarding house

Has the same meaning as section 66B of the Residential Tenancies Act 1986.

Bore

Any drilled hole that has been constructed to provide access to groundwater. For example, for monitoring of ground or groundwater conditions, taking of groundwater or the discharge of stormwater. This includes piezometers, other than piezometers that are constructed into structures such as dams or the refuse in landfills.

Boundary adjustment

A subdivision of existing sites that:

- maintains the same number of sites following subdivision as existed prior to it;

- alters the boundaries between two or more contiguous sites, and
- may result in any one or more of the sites becoming larger or smaller.

Brownfield

Any already urbanized land to be redeveloped, often for more intensive or different land use.

Building

Any permanent or temporary structure.

On land for the purposes of district plan provisions, “building” includes the following types of structures listed in Table J1.4.1, only where they meet the qualifying dimensions or standards:

Table J1.4.1: Buildings

Type of structure	Qualifying dimension or standard (for height the rolling height method is to be used)
Decks, steps or terraces	Over 1.5m in height
Fences or walls	Over 2.5m in height
Flagpoles, masts or lighting poles	Over 7m higher than its point of attachment or base support or Has a width at any point exceeding 1.2m
Grandstands, stadia or other structures that provide seating or standing accommodation (whether or not open or covered or enclosed)	Over 1m in height
Retaining walls or breastwork	Over 1.5m in height or Located within 1.5m of the boundary of a road or public place
Satellite dishes	Over 1m diameter
Stacks or heaps of materials	Over 2m in height and In existence for more than one month
Free-standing signs	Over 1.5m in height
Swimming pools, spa pools, swirl pools, plunge pools or hot tubs	Over 1m in height from ground level, inclusive of the height of any supporting structure or More than 25,000l capacity
Tanks including retention tanks other than Rainwater tanks excluded below.	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
Verandahs and bridges over any public open	Above ground level

space	
In an Open Space Zone: Bicycle stand/parking structures Board walks Boxing or edging Drinking and water fountains Gates, bollards and chains Rubbish and recycling bins Seating and tables Stairs	Over 1.5m in height from ground level, inclusive of the height of any supporting structure
Type of structure	**Qualifying dimension or standard (for height either the average ground level or rolling height method)**
Structures used as a dwelling, place of work, place of assembly or storage, or structures that are in a reserve or camping ground	Over 1.5m in height and In use for more than 32 days in any calendar year

and excludes the following types of structures:

- any scaffolding or falsework erected temporarily for construction or maintenance purposes;
- roads, road network structures, manoeuvring areas, parking areas (other than parking buildings) and other paved surfaces;
- any film set, stage or similar structures less than 5m in height that exist for less than 30 consecutive days; and
- aerials and water overflow pipes.

Rainwater tanks in the following zones and overlays:

- Single House Zone
- Large Lot Zone
- Rural and Coastal Settlement Zone
- Mixed Housing Suburban Zone
- Mixed Housing Urban Zone
- Terrace Housing and Apartment Buildings Zone
- Special Character Areas Overlay - Residential and Business
- Rural Production Zone
- Mixed Rural Zone

- Rural Coastal Zone
- Rural Conservation Zone
- Countryside Living Zone
- Waitākere Foothills Zone
- Waitākere Ranges Zone
- Special Purpose - Māori Purpose Zone

Note: For the avoidance of doubt, rainwater tanks outside of the above listed zones and overlay are NOT exempt from the definitions of 'buildings.'

Note: Rainwater tanks remain defined as a building under the Building Act. A building consent may still be required under the Building Act.

In the coastal marine area for the purposes of the regional coastal plan, "building" includes any covered or partially covered permanent or temporary structure, whether or not it is enclosed.

Building coverage
The part of the net site area covered by buildings.

Includes:
- overhanging or cantilevered parts of buildings
- any part of the eaves or spouting that projects more than 750mm horizontally from the exterior wall of the building
- accessory buildings.

Excludes:
- uncovered swimming pools
- pergolas
    - uncovered decks
- open structures that are not buildings.

Building line restriction

A line shown on the title and on the survey plan to:

- create a new boundary for the purpose of assessing yards; and
- to prevent buildings being erected between the building line restriction and the relevant site boundary.

Building suppliers

A business primarily engaged in selling materials for use in the construction, modification, cladding, fixed decoration or outfitting of buildings.

Includes:

- glaziers;
- locksmiths; and
- suppliers of:
    - awnings and window coverings;
    - bathroom, toilet and sauna installations;
    - electrical materials and plumbing supplies;
    - heating, cooling and ventilation installations;
    - kitchen and laundry installations, excluding standalone appliances;
    - paint, varnish and wall coverings;
    - permanent floor coverings;
    - power tools and equipment;
    - safes and security installations; or
    - timber and building materials.

This definition is nested within the Commerce nesting table.

Bus depots

Sites for bus parking, servicing and repair.

Includes:

- accessory administrative offices and facilities.

This definition is nested within the Industry nesting table.

Business activities

Commercial and industrial activities.

Business zones

Means:

- Business – City Centre Zone;
- Business – Metropolitan Centre Zone;
- Business – Town Centre Zone;

- Business – Local Centre Zone;
- Business – Neighbourhood Centre Zone;
- Business – Mixed Use Zone;
- Business – General Business Zone;
- Business – Business Park Zone;
- Business – Heavy Industry Zone; and
- Business – Light Industry Zone.

C

Camping ground

Site where the primary use is short term accommodation where the following apply:

- used by two or more groups of people living independently of each other;
- where the continuous term of occupancy of each independent group of people never exceeds 50 days in any one calendar year;
- where rent, hire, donation, or other reward is usually collected;
- which may accommodate tents, caravans, or mobile camping vehicles; and
- which may include cabins or other structures or shelters, some or all of which would not normally comply with the New Zealand Building Code for residential buildings.

Includes shared or communal:

- entrances;
- water supplies;
- cook houses;
- sanitary fixtures and conveniences;
- parking areas;
- recreation areas;
- use of other premises and equipment; and
- identified overnight campervan and non-serviced camping areas.

This definition is nested within the Residential nesting table.

PC 120 (see Modifications) **[new text to be inserted]**

Capital works dredging

Excavating material from the bed of the coastal marine area and removing the excavated material, where the excavation is for the purpose of providing increased water depths beyond existing approved levels or beyond natural levels where there is no existing approved level.

Care centre

Facility used for any one or more of the following:

- children, in addition to the children of the person in charge, aged six years or younger are educated and cared for, and includes: childcare centres, crèches, kindergartens, kōhanga reo, playcentres and play groups;
- early childhood learning services;
- children, in addition to the children of the person in charge, aged five years or older and are cared for out of school hours;
- elderly people are cared for during the day; and
- people with disabilities (including mental health, addiction, illness or intellectual disabilities) are cared for during the day.

Excludes:

- supported residential care.

This definition is nested within the Community nesting table.

Carriageway

The part of a driveway or road formed for the movement of motor vehicles.

Catchpit

An inlet to a stormwater system incorporating a grate and small chamber to separate gross solids from stormwater prior to connection to a pipe.

Cemetery

Place used for human burial and cremation.

Includes:

- accessory retail;
- crematoria;
- interment and re-interment;
- funeral services and receptions;
- mausoleums;

- administration offices and meeting rooms;
- vehicle parking; and
- landscaping.

Excludes:

- urupā.

This definition is nested within the Community nesting table.

Centre zones

Means:

- Business – City Centre Zone;
- Business – Metropolitan Centre Zone;
- Business – Town Centre Zone;
- Business – Local Centre Zone; and
- Business – Neighbourhood Centre Zone.

Changeable message signage

Has the same meaning as in the Auckland Transport, Auckland Council Signage Bylaw 2015.

Channel clearance

The clearance of vegetation and debris from river channels and river mouths to maintain efficient water flow, reduce the risk of flooding and erosion, maintain structures, remove plant pest species and remove hazards for navigational uses.

Includes:

- clearing, cutting or realigning rivers and streams;
- maintenance of land drainage and stormwater systems; and
- maintenance and clearing of road and drainage and water tables.

Excludes:

- mangrove removal, other than mangroves in channels.

Cleanfill

Facility where cleanfill material is accepted for deposit.

Excludes:

- storage and use of cleanfill material within an earthworks site for the purpose of engineering contours for specific activities;
- placement of cleanfill material associated with road construction and road maintenance activities; and
- onsite storage and use of overburden or aggregate by-product that is cleanfill material associated with mineral extraction activities.

Cleanfill material

Means natural material such as clay, gravel, sand, soil and rock which has been excavated or quarried from areas that are not contaminated with manufactured chemicals or chemical residues as a result of industrial, commercial, mining or agricultural activities.

Excludes:

- hazardous substances and material (such as municipal solid waste) likely to create leachate by means of biological breakdown;
- product and materials derived from hazardous waste treatment, stabilisation and disposal practices;
- materials such as medical and veterinary waste, asbestos, and radioactive substances;
- soil and fill material which contain any trace element specified in Table E30.6.1.4.2 at a concentration greater than the background concentration in Auckland soils specified;
- sulfidic ores and soils;
- combustible components;
- more than 5% by volume of inert manufactured materials (e.g. concrete, brick, tiles); and
- more than 2% by volume of attached biodegradable material (e.g. vegetation).

Clubrooms

Premises which are set aside for the use, convenience and enjoyment of a group associated with the particular public open space, sport, recreational or community organisation and may be licensed to hold a club licence under the Sale and Supply of Alcohol Act 2012.

Includes:

- the emergency services component associated with surf lifesaving clubs.

Coastal cell

A stretch of coast, typically bounded by rock headlands, where there is no significant net loss of sediment by waves and currents.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Coastal erosion hazard area

Any land which is:

(a) within a horizontal distance of 20m landward from the top of any coastal cliff with a slope angle steeper than 1 in 3 (18 degrees); or

(b) at an elevation less than 7m above mean high water springs if the activity is within:

(i) Inner Harbours and Inner Hauraki Gulf: 40m of mean high water springs; or

(ii) Open west, outer and Mid Hauraki Gulf: 50m of mean high water springs; or

(c) within a lesser distance from the top of any coastal cliff, or mean high water springs, than that stated in (a) and (b), where identified in a site-specific coastal hazard assessment technical report prepared by a suitably qualified and experienced professional to establish the extent of land which may be subject to coastal erosion over at least a 100 year time frame.

[new text to be inserted]

Coastal marine area

Has the same meaning as in the Resource Management Act 1991 except where the line of mean high water springs crosses a river specified in Appendix 7 Coastal Marine Area boundaries, the landward boundary must be the point defined in the appendix.

Coastal marine area depositing of material

The placement of sand, shell, shingle or other natural material in the coastal marine area where the intended design purpose is associated with a beneficial end use.

Includes:

- beach replenishment;
- environmental enhancement;
- restoration or enhancement of natural coastal defences from coastal hazards; or

- where the material is a result of river mouth dredging; to maintain or gain access to an existing lawful structure or dredging to clear the exit of any lawful stormwater outfall or pipe.

Excludes:

- depositing dredged material or solid matter for reclamation purposes;
- disposal of waste or other matter; and
- hard protection structures.

Coastal marine area disturbance

Disturbance of the foreshore and seabed.

Includes:

- excavation, drilling and tunnelling.

Excludes

- common marine and coastal area mineral extraction;
- dredging;
- coastal marine area depositing of material; and
- disposal of material in the coastal marine area.

Coastal marine area structure

Any building, equipment, device or other facility made by people and which is fixed to land, including the foreshore and seabed covered by water.

Includes:

- wharves;
- jetties;
- seawalls;
- buildings, or other structures built on piles, wharves or jetties;
- moorings;
- ramps;
- rafts;
- breakwaters, groynes and other wave attenuation devices;
- infrastructure including bridges, tunnels, pipelines, cables and transmission lines laid on, over (including in the air space above) or under the foreshore or seabed;
- marine and port facilities; and

- marine and port accessory structures and services.

Excludes:

- signs.

Coastal protection yard

A yard measured in a landward direction from mean high water springs.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Coastal storm inundation 1 per cent annual exceedance probability (AEP) area

The area of coastal land subject to inundation caused by high sea level elevations during storm events, where the sea level elevation is of such height as to have a one per cent chance of being equalled or exceeded in any year. This includes wave set up for open coastal areas and excludes wave set up for inner harbours and estuaries. Wave run up is not included.

The Coastal storm inundation 1 per cent AEP area is:

- the area shown in the Council's publicly available online GIS viewer as the modelled extent of affected land for a 100 year return period (Average Recurrence Interval); or
- as identified in a site-specific technical report prepared by a suitably qualified and experienced professional.

Note: The Coastal Storm Inundation maps included in the Council's GIS viewer represent the area of inundation indicated in the tables of the report: Stephens, S., Wadhwa, S., and Tuckey, B., (2016) Coastal inundation by storm-tides and waves in the Auckland Region, prepared by NIWA and DHI for Auckland Council, Auckland Council Technical Report TR2016/17). These maps may be amended should more updated information be made available.

PC 120 (see Modifications)

Coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area

The area inundated during a coastal-storm inundation 1 per cent AEP event plus an additional one metre of sea-level rise relative to the present-day mean sea level.

The area of coastal storm inundation 1 per cent AEP plus 1m sea level rise is defined as:

- the area shown in the Council's publicly available online GIS viewer as the modelled extent of affected land for a 100 year return period (Average Recurrence Interval) plus 1m sea level rise; or
- as identified in a site-specific technical report prepared by a suitably qualified and experienced professional.

Coastal zones

Means:

- Coastal – General Coastal Marine Zone;
- Coastal – Marina Zone;
- Coastal – Mooring Zone and moorings outside the Coastal – Mooring Zone;
- Coastal – Minor Port Zone;
- Coastal – Ferry Terminal Zone;
- Coastal – Defence Zone; and
- Coastal – Coastal Transition Zone.

Combined sewer network

A network which is designed to convey wastewater and stormwater in the same pipe.

Commercial activities

The range of commercial activities including offices, retail and commercial services providers.

Commercial services

Businesses that sell services rather than goods. For example: banks, real estate agents, travel agents, dry cleaners and hair dressers.

Commercial sexual services

Has the same meaning as in section 4 of the Prostitution Reform Act 2003 No. 28

This definition is nested within the Commerce nesting table.

Common marine and coastal area

Has the same meaning as in the Marine and Coastal Area (Takutai Moana) Act 2011.

Common marine and coastal area mineral extraction

Removal of sand, shell, shingle and other natural material from the common marine and coastal area under sections 12(2)(b) and 12(4)(b) of the Resource Management Act 1991.

Excludes:

- excavation of material undertaken as part of extraction activities.

Community correction facility

Buildings and land used for administrative and non-custodial services. Services may include probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, and offices may be used for the administration of and a meeting point for community work groups.

Community facilities

Facilities for the well-being of the community, generally on a not for profit basis.

Includes:

- arts and cultural centres (including art galleries and museums);
- places of worship;
- community centres;
- halls;
- libraries;
- marae;
- Citizens Advice Bureau;
- community correction facilities; and
- justice facilities.

Excludes:

- entertainment facilities;
- care centres; and
- healthcare facilities.

This definition is nested within the Community nesting table.

Community scale electricity generation

Systems or equipment that generate electricity from renewable sources for an immediate community, or connection into a distributed energy network.

Includes:

- photovoltaic systems;
- biomass;
- wind generation; and
- hydro generation.

Community use of education and tertiary education facilities

The use of any school or tertiary education facility for community purposes not directly associated with the primary education function of the school facility.

Includes:

- classes;
- meetings of community groups;
- church services;
- places of worship;
- private functions;
- social, leisure and recreational use;
- licensed premises; and
- associated parking.

This definition is nested within the Community nesting table.

Comprehensive development signage

Has the same meaning as in the Auckland Transport, Auckland Council Signage Bylaw 2015.

Conservation planting

Planting principally for:

- soil and water conservation;
- waste water disposal or purification;
- landscape preservation or enhancement;
- preservation for particular historic or archaeological value; and
- conservation for scientific or ecological value.

Includes:

- planting trees; and
- tending trees.

Excludes:

- growing trees for timber production.

Contiguous vegetation

Vegetation with a continuous or near continuous canopy, or sub canopy or ground cover and any adjacent individual plants or groups of plants that connect to the continuous area in terms of species, structure or ecological gradient. It does not include vegetation planted as a crop, garden or pasture or the understorey in forests.

Contributing buildings, structures or features

Buildings, structures or features within the extent of a scheduled historic heritage area that have heritage value or make a contribution to the significance of the area.

Corner site

A site which is located on the corner of two intersecting roads.

Refer to Figure J1.4.8 Site.

Cultivation

Preparing soil for the planting of seeds or plants.

Includes:

- discing;
- hoeing;
- mould boarding;
- ploughing;
- ripping; and
- turning and lifting.

Excludes:

- direct drilling of seed and no-tillage practice;
- harrowing; and
- forestry.

Culvert

A structure with an inlet from and an outlet to a lake, river, stream or the coastal marine area, designed to enable access across a river, such as a road or stock crossing.

D

Dairy effluent

Effluent from dairy cows kept in a confined area.

Includes:

- associated process water;
- washwater; and
- dairy sludge.

Dairy sludge

The accumulated organic solids from dairy oxidation ponds, barrier ditches, storage ponds, wintering barns or hard-stand areas.

Dam

A structure which, either:

- permanently impounds surface water; or
- temporarily impounds surface water as its primary function, and includes weirs but excludes culverts, rain gardens and culvert headwalls.

Damming

The activity of impounding surface water (and any substances dissolved in, suspended in or otherwise combined with the water) with any structure. This excludes water held in tanks, rain gardens, culverts and culvert headwalls and reclamation or drainage which results in the creation of dry land.

Dead wood removal

The alteration or removal of dead trees, dead wood and dead vegetation provided that it does not involve the trimming, alteration or partial or complete removal of any other live protected trees or vegetation and is carried out in accordance with the currently accepted arboricultural practice.

Declamation

Permanent removal of land so that the area becomes part of the coastal marine area.

PC 120 (see Modifications) **[new text to be inserted]**

Demolition

The destruction or damage, in whole or in part, of any building or structure.

Department store

A shop that retails a wide variety of goods, other than food or groceries, but the variety is such that no predominant product line can be determined. These units have predominant retail sales in clothing and at least three of the following six product groups:

- furniture;
- kitchenware, china, glassware and other housewares;
- textile goods;
- electrical, electronic and gas appliances;
- perfumes, cosmetics and toiletries; or
- sporting goods.

The products primary to these headings, as well as other products, are normally sold by or displayed in separate departments or sections.

This definition is nested within the Commerce nesting table.

Detailed site investigation (contaminated land)

An investigation that:

- is done by, or is done under the management of, a suitably qualified and experienced person;
- is done in accordance with the Contaminated Land Management Guidelines No. 5 – Site Investigation and Analysis of Soils, Wellington, Ministry for the Environment (2011);
- is reported on in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- results in a report that is certified by a suitably qualified and experienced person.

Discharge system

In respect of rural production discharges, means a system used to discharge liquid contaminants and includes any facilities and devices used to collect, store or treat the liquid.

Diversion of stormwater

Altering the natural course of stormwater flow, primarily through recontouring land or the establishment of impervious surfaces and associated drainage.

Domestic type wastewater

Wastewater originating from toilets, urinals, kitchens, bathrooms, showers, baths, basins and laundries from dwellings, commercial, industrial or other premises. It excludes wastewater from commercial laundries, schools, cafes and restaurants, trade waste and industrial or trade process wastewater or wash water.

Drilling

A method of boring into the ground mainly by rotation, percussion, or washing action.

Excludes:

- excavation of pits by digging, blasting or other forms of excavation, driven posts or driven solid piles.

Drive-through restaurant

Any land and/or building on or in which food and beverages are prepared, served and sold to the public inclusive of a facility designed to serve customers in their vehicles, for the consumption on or off the premises and may include an ancillary cafe and/or playground area.

Dry proofing

Sealing a building to prevent flood waters entering the building.

Dune stabilisation

Soft engineering works to stabilise dunes.

Includes:

- revegetation;
- wind fencing; and
- dune reshaping.

Excludes:

- hard protection structures.

Dwelling

Living accommodation used or designed to be used for a residential purpose as a single household residence contained within one or more buildings, and served by a food preparation facility/kitchen.

A food preparation facility/kitchen includes all of the following:

- means for cooking food, food rinsing, utensil washing and waste water disposal; and
- space for food preparation (including a suitable surface) and food storage including a refrigerator or a perishable food storage area capable of being cooled.

PC 120 (see Modifications)

[new text to be inserted]

This definition is nested within the Residential nesting table.

E

Earthworks

Disturbance of soil, earth or substrate land surfaces.

Includes:

- blading;
- boring (greater than 250mm diameter) ;
- contouring;
- cutting;
- drilling (greater than 250mm diameter);
- excavation;
- filling;
- ripping;
- moving;
- placing;
- removing;
- replacing;
- trenching; and
- thrusting (greater than 250mm diameter).

Excludes:

- ancillary forestry earthworks; and

- ancillary farming earthworks.

Easement

A specified area of land over which another party has reserved a right of access or use.

Education facility

Facility used for education to secondary level.

Includes:

- schools and outdoor education facilities; and
- accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above.

Excludes:

- care centres; and
- tertiary education facilities.

This definition is nested within the Community nesting table.

Electric Vehicle Supply Equipment:

Electric Vehicle Supply Equipment for car parks includes the power outlets, wiring, cable trays, circuits, metering, electrical distribution boards and communications technology required to connect a type 2 (7 kilowatt, 32 Amp) electric vehicle charger with the electricity network and enable smart electrical load management.

Emergency services

Places occupied by organisations that respond to and deal with accidents, emergencies, or urgent problems such as fire, illness, or crime.

Includes:

- police, fire and ambulance stations;
- surf lifesaving activities;
- administration related to emergency services;
- vehicle and equipment storage and maintenance; and
- personnel training.

Excludes:

- healthcare facilities;
- hospitals; and

- private security companies.

This definition is nested within the Community nesting table.

Emergency tree works

The alteration or removal of any tree or vegetation immediately necessary to avoid any actual and imminent threat to the safety of persons or damage to property or to maintain or restore utility services.

End-of-trip facilities

Facilities provided for cyclists, walkers and runners at the end of their trip.

Includes:

- cycle parking and/or storage;
- lockers;
- toilets;
- showers; and
- changing areas.

Entertainment facility

Facility used for leisure or entertainment.

Includes:

- nightclubs;
- theatres; and
- concert venues.

This definition is nested within the Commerce nesting table.

Entrance strip

All that part of a site extending from the road frontage to a point at which it becomes over 7.5m wide, measured at right angles to its course. “Course” is deemed to mean the bisection of the directions of the boundaries forming the side of the entrance strip. Refer to Figure J1.4.8 Site.

Ephemeral stream

Stream reaches with a bed above the water table at all times, with water only flowing during and shortly after rain events. This category is defined as those stream reaches that do not meet the definition of permanent river or stream or intermittent stream.

Equestrian centre

Facility used for:

- paid lessons in horse riding; and
- training, racing or showing horses competitively.

Includes:

- accessory retail;
- accessory restaurants and cafes; and
- animal feedlots.

Excludes:

- pony clubs.

This definition is nested within the Rural nesting table.

Equivalent runoff

The same stormwater runoff volumes and rates from a site as would be achieved by a specified percentage of impervious surface on that site with the remainder covered in grass. The equivalent runoff is achieved by using stormwater runoff mitigation techniques and devices to reduce volumes and runoff rates to the required equivalent level.

Exfiltration

Leakage from a reticulated wastewater network or combined sewer system.

Excludes:

- planned or unforeseen discharges from pump stations or overflow points.

Experimental aquaculture activities

Aquaculture activities that test new species, including polyculture, and or new technology or techniques.

F

Farming

Land used for horticulture, beekeeping, or raising, caring, breeding and grazing of livestock.

Includes:

- arable, pastoral, and other forms of farming;
- keeping or training horses and facilities accessory to keeping or training horses, such as: agistment, arenas (e.g. for dressage), breeding, sand rolls, stables, provided they are not open to the public;
- conservation planting;
- viticulture;
- equestrian activities; and
- free-range poultry farming.

Excludes:

- intensive farming;
- any form of racing, show jumping, or other activity which the general public may attend free of charge, or by payment of an entrance fee;
- equestrian centres;
- forestry;
- rural commercial activities; and
- rural industries.

This definition is nested within the Rural nesting table.

Farming and agriculture supplier

A business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry.

Includes:

- equestrian and veterinary suppliers;
- farming and horticultural equipment suppliers;
- seed and grain merchants; and
- stock and station outlets.

Feedpad

An area of artificially sealed land used principally for feeding animals.

Ferry terminal

Facility located on land and within the coastal marine area that provide in an integrated manner for the transfer of passengers to and/or from ferry services.

Includes:

- areas for bus parking;
- areas of park and ride;
- passenger waiting areas;
- shelters;
- transport related signs;
- devices and facilities to enable the movement, circulation and security of pedestrians:
- ticketing and other passenger facilities (including but not limited to end of trip facilities):
- information kiosks:
- accessory food and beverage:
- offices associated with ferry terminal facilities and services: or
- accessory retail.

Fertiliser

Any substance or biological compound described as able to sustain or increase the growth, productivity or quality of plants or, indirectly, animals through the application of nutrients or additives to plants or soils in solid or fluid form.

Excludes:

- products discharged or applied as part of a waste treatment process;
- substances containing human faecal matter, biosolids, pathogens, or any other agent that could transmit disease or pests; and
- plant growth regulators that modify the physiological functions of plants.

Finished floor level

The level of the finished top surface of the bottom floor of a building.

Floodplain

The area of land that is inundated by runoff from a specified rainfall event, with an upstream catchment generating $2m^3/s$ or greater of above ground flow, taking into account:

- any increases in impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan;
- the effects of climate change over a 100 year timeframe in respect of the frequency and duration of rain fall events and a 1m sea level rise; and
- assuming that primary drainage is not blocked.

Excludes the following areas:

- constructed depressions or pits within the Special Purpose - Quarry Zone

Note: The Council holds publicly available information showing the modelled extent of floodplains, developed at a catchment level, in its GIS viewer for the one per cent annual exceedance probability (AEP) rainfall event (the floodplain maps). The floodplain maps are indicative only. A party will usually be required to provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the frequency, extent, depth and flow characteristics of the floodplain specific to their property and development proposal.

Site assessments will need to take account of impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan, and recognition should be given to any existing or planned flood attenuation works either existing or planned in an integrated catchment (or stormwater) management plan.

Council will continually update the floodplain maps to reflect the best information available.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

PC 120 (see Modifications)

Flood tolerant activity

Flood tolerant activities for the purpose of the Plan are:

- informal recreation and leisure;
- organised sports and recreation including park fields structures;
- public amenities;
- farming and intensive farming and artificial crop protection structures and crop support structures;
- forestry;
- mineral extraction;
- car parking and loading areas; and
- buildings for network utilities.

Floor area ratio

Floor area ratio (FAR) is the relationship between gross floor area and site area, and is expressed by the formula:

- floor area ratio = gross floor area/site area.

For the purpose of calculating FAR, site area excludes:

a) any portion of a site affected by a building line restriction

b) any part of a site which is made up of an interest in any airspace above or subsoil below a road.

Food and beverage

Premises where the primary business is selling food or beverages for immediate consumption on or off site.

Includes:

- restaurants and cafes;
- food halls; and
- take-away food bars.

Excludes:

- retail shops; and
- supermarkets.

This definition is nested within the Commerce nesting table.

Forestry

Growing trees to produce timber, or where the land cover is principally timber tree species. Forest has a corresponding meaning.

Includes:

- clearing understorey;
- harvesting trees;
- portable sawmills;
- planting trees;
- tree alteration;
- replanting trees;
- thinning trees; and
- accessory vegetation removal.

Excludes:

- planting or growing fruit, citrus, nut, or other food producing trees (refer to farming).

This definition is nested within the Rural nesting table.

Formed (in relation to road)

Construction of the road and includes gravelling, metalling, sealing or permanently surfacing the road and includes construction of all or part of the legal road.

Fossil or sub-fossil

An object easily seen without magnification constituting the remains or traces of a non-human organism that lived in New Zealand prior to European settlement, irrespective of how it is preserved; including (but not limited to) the whole organism or parts of it, or trace evidence of its behaviour.

Free-range poultry farming

Places where poultry are housed in either stationary, permanent or moveable structures or buildings, which enable them to have access to the outdoors.

This definition is nested within the Rural nesting table.

Free standing sign

Any sign placed or mounted on the ground and independent of any other building or structure for its support.

Includes:

- any footpath sign.

Freight depot

Facility used for receiving, despatching or consolidating goods in transit by road, rail, air or sea.

Includes:

- carriers' depots;
- courier services;
- mail distribution centres; and
- trucking depots.

Excludes:

- composting plants; and
- refuse transfer stations.

This definition is nested within the Industry nesting table.

Freshwater system

The beds, banks, margins, flood plains and waters of rivers and natural lakes and wetlands, and groundwater systems together with their natural functioning and interconnections.

Frontage

The boundary line on which the site adjoins a road, and any state highway excluding motorways.

Front boundary

The boundary line on a site which adjoins a road.

Excludes:

- Boundary lines which adjoin motorways or pedestrian access ways, whether or not they are further classed as a road.
- Any boundary on a rear site.

Front site

A site that is not a rear site.

Refer to Figure J1.4.8 Site.

Front yard

The area along the full length of a front boundary of a site that is between:

- the front boundary of that site;
- a building line restriction or a designation for road widening purposes; and
- a line parallel to that front boundary, restriction or designation.

Refer Figure J1.4.7 Yards.

Fuel storage system

A system in which at least one of the following is underground:

- a storage tank for aviation kerosene, diesel, kerosene, lubricating oil or petroleum;
- the whole of the tank’s accessory equipment; or
- part of the tank’s ancillary equipment.

Functional need

The need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment.

Funeral director's premises

Facility used for holding funerals.

Includes:

- mortuary facilities; and
- funeral chapels.

This definition is nested within the Commerce nesting table.

G

Garden centre

Shop for the sale of plants, trees or shrubs.

Includes the sale of:

- landscaping supplies;
- bark and compost; and
- statuary and ornamental garden features

provided that their sale is accessory to the sale of plants, trees or shrubs.

This definition is nested within the Commerce nesting table.

Gas distribution regulator station

Those parts of works or gas installations, being a building, structure or enclosure incorporating fittings, valves and other ancillary equipment that are used principally for the purposes of the control of the distribution of gas.

Genetically modified organism

Unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material:

- have been modified by in vitro techniques; or

- are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques.

This does not apply to genetically modified products that are not viable and are no longer genetically modified organisms, or products that are dominantly non-genetically modified but contain non-viable genetically modified ingredients, such as processed foods.

Genetically modified veterinary vaccine

A veterinary vaccine that is a genetically modified organism as defined in this Plan.

Genetically modified organism field trials

The carrying out of outdoor trials, on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be released, but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of the trials.

Genetically modified organism release

To allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987. A release may be without conditions under section 34 of the Hazardous Substances and New Organisms Act 1996 or subject to conditions set out in section 38A of Hazardous Substances and New Organisms Act 1996.

Genetically modified medical applications

The manufacture, trialling or use of viable and/or non-viable genetically modified organisms for medical purposes recognised as medicines under the Medicines Act 1981 and approved as safe to use by the Ministry of Health, including EPA approved releases, except for the outdoor cultivation of pharmaceutical producing organisms.

Geological feature

Landform created through geologic processes such as erosion, weathering, deposition and plate tectonics, or exposures of rock or other geological material.

Girth

The circumference of the trunk of a tree measured at 1.4m above natural ground level. For trees with multiple trunks, such as Pōhutukawa, the girth measurement is the collective measurement of all trunks with a circumference of 250mm or more.

Greenfield

Land identified for future urban development that has not been previously developed.

Greenhouse

Facility used for growing plants inside.

Includes:

- glasshouses;
- plastic houses;
- shade houses; and
- tunnel houses.

Excludes:

- domestic greenhouses accessory to dwellings; and
- outdoor crop support structures.

Greenhouse nutrient solution

The liquid that provides plants in a soil-less growing system with water and nutrients.

Green waste

Vegetative garden waste material.

Includes:

- grass clippings;
- branches;
- weeds; and
- leaves.

Gross floor area

- For all purposes other than for the calculation of floor area ratio (FAR):

  the sum of the area of all floors of all buildings measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two adjoining activities, but excluding:

  - car parking;
  - loading docks and spaces;

- vehicle access aisles and manoeuvring areas/ramps;
- cycle parking and end of trip facilities;
- plant and equipment rooms and enclosures;
- floor space in open or roofed outdoor areas, external balconies, or porches, provided no more than 50 per cent of the perimeter of these areas is enclosed. In this context the perimeter of an area is 'enclosed' where a parapet is 1.2m or higher, or a railing is less than 50 per cent open and 1.4m or higher;
- voids; and
- publicly accessible pedestrian circulation space between individual tenancies.

For the purposes of calculating floor area ratio (FAR):

the sum of the total floor area of all buildings on a site as measured:

- from the exterior faces of the exterior walls; or
- from the centre lines of walls separating two buildings or tenancies; or
- from the exterior edge of the floor, if there are no walls to measure; or
- in accordance with any specific exemptions applying to a historic heritage or special character building.

Includes, except where more specific elements are excluded:

- elevator shafts, stairwells and lobbies at each floor, including external entrances/breezeways;
- floor area in interior balconies and mezzanines;
- floor area in terraces (open or roofed), external balconies, porches if they are more than 75 per cent enclosed;
- voids except as otherwise provided, where vertical distance between storey levels exceeds 6m, the gross floor area of the building or part of the building so affected must be taken as the volume of that airspace in m^3 divided by 3.6; and
- all other floor area not specifically excluded.

Excludes:

- basement areas used for parking including manoeuvring areas, access aisles and access ramps;
- plant areas within the building;
- basement areas for stairs, escalators and elevators essential to the operation of a through site link or servicing a floor used primarily for parking and loading;
- open or roofed outdoor areas, external balconies, porches, provided no more than 75 per cent of the perimeter of these areas is enclosed;

- any entrance foyer/lobby or part of it including any void forming an integral part of it. The entrance foyer/lobby must be publicly accessible, accessed directly from a street or public open space and have an overhead clearance of at least 6m;
- non-habitable floor space in rooftop structures;
- required off-street loading spaces; and
- publicly accessible pedestrian circulation space between individual tenancies.

Gross stormwater pollutants

Pollutants such as litter, plastics and other coarse material that may become entrained in stormwater flows.

Ground level

The finished level of the ground at the time of the completion of the most recent subdivision in which additional sites were created, unless stated otherwise in the subdivision consent, except that where no such subdivision has occurred since 31 January 1975, ground level must be deemed to be the finished level of the ground on 23 November 2013.

In relation to the measurement of the girth of a tree, ground level must be taken from the uphill side of the tree trunk.

Groundwater diversion

Significantly changing the permeability of the aquifer and/or rerouting the ambient groundwater flow regime by draining, piping or physically impeding the flow of groundwater.

H

Habitable room

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.

Hard protection structure

Includes:

- seawalls;

- rock revetments;
- groynes;
- breakwaters;
- stop banks
- retaining walls; or
- comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a coastal hazard, including erosion.

Hazardous facility

Facility where hazardous substances are used, stored or disposed of on a site (but does not include where they are stored in or on vehicles being used in transit on public or private roads or in the strategic transport corridor for the transport of hazardous substances) unless excluded below.

Excludes:

- installations where the combined transformer oil capacity of the electricity transformers is less than 1,000l;
- fuel in mobile plant, motor vehicles, boats and small engines;
- gas and oil pipelines, including associated equipment, that are part of a network utility service;
- hazardous activities not involving hazardous substances;
- retail outlets selling domestic scale usage of hazardous substances, such as supermarkets, department stores, hardware shops, pharmacies, garden centres;
- the accessory use and storage of hazardous substances in minimal domestic scale quantities;
- activities involving Hazardous Substances and New Organisms sub-classes 1.4, 1.5, 1.6, 6.1D, 6.1E, 9.1D and 9.2D;
- the temporary storage, handling and distribution of national or international cargo in the port precinct designed for carriage in a ship;
- trade waste sewers;
- waste treatment and disposal facilities;
- vehicles applying agrichemicals and fertilisers for their intended purpose; and
- marine transport vessels.

Hazardous substance

Substances defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.

In addition includes any substance with one or more of the following intrinsic properties:

- radioactivity; and
- high BOD5 more than 10,000mg/l.

Hazardous waste

Wastes exhibiting hazardous characteristics, such as explosiveness, flammability, a capacity to oxidise, corrosiveness, toxicity, or ecotoxicity, or which generate a substance with one or more of these properties on contact with air or water, which require special care from creation to eventual disposal.

Healthcare facility

Facilities used for providing physical or mental health or welfare services.

Includes:

- medical practitioners;
- dentists, and dental technicians;
- opticians;
- physiotherapists;
- medical social workers and counsellors;
- midwives;
- paramedical practitioners;
- alternative therapists;
- providers of health and well-being services;
- diagnostic laboratories; and
- accessory offices.

This definition is nested within the Community nesting table.

Heavy vehicle:

A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

Height

Height is the vertical distance between the highest part of a building or structure and a reference point. The reference point outside the coastal marine area is ground level unless otherwise stated in a rule. The reference point inside the coastal marine area is mean sea level. Height rules or standards are always a maximum unless otherwise stated in a rule or standard.

The exclusions below apply both outside and inside the coastal marine area.

Any reference in the exclusions below to 'zones' includes a reference to any precinct that applies to relevant parts of those zones. The exclusions apply to any such precinct, unless a specific exclusion is varied by the precinct.

Excludes:

- In all zones, projections (other than those listed in (2)-(4) below) that are up to:

  a) 2m in width on any elevation; and

  b) 1.5m above the maximum permitted activity height or the height in relation to boundary standard for the site, whichever is the lesser height;

In all zones:

(a) Steeples, spires, minarets and similar structures on places of worship that do not exceed 2m in width on any elevation or 4m above the maximum permitted activity height for the site;

(b) Chimneys that do not exceed 1.1m in width on any elevation or that do not exceed 1.5m above the permitted activity height for the site;

(c) Flagpoles, masts, lighting poles, aerials or antennas that do not exceed:

  i. One third of the maximum permitted activity height for the site; or

  ii. 300mm in diameter; or

  iii. The footprint of the building

(d) Handrails or transparent safety barriers that do not exceed 1.5m above the permitted activity height for the site;

(e) Solar panels and solar hot water heating systems;

(f) Guy wires.

The following projections:

- lift wells;
- lift towers;
- elevator and stair bulkheads;

- roof water tanks;
- machinery rooms;
- plant, including cooling towers, air-conditioning units, including any access walkways and any screening directly associated with the plant;

Provided that:

a) in business zones, Terraced Housing and Apartment Building zone and the special purpose zones:

   i. the projection does not exceed the greater of either 3m above maximum permitted activity height for the site or an additional 20% of the maximum permitted activity height for the site, up to a maximum of 6m; and

   ii. the cumulative area of the projections does not exceed an area measured in a horizontal plane equal to 15% of the area of the roof to the storey immediately below such structures.

b) In all other zones:

   i. The projection does not exceed 1.5m above the maximum permitted activity height for the site: and

   ii. The cumulative area of the projections does not exceed an area measured in a horizontal plane equal to 10% of the area of the roof to the storey immediately below such structures.

In the Coastal – Minor Port Zone, Coastal – Ferry Terminal Zone, Coastal – Defence Zone, industrial zones, Port precinct (including the Auckland War Memorial Museum Viewshaft Overlay) and Gabador Place precinct:

- Cranes;
- Derricks;
- Cargo stacking and lifting devices;
- Conveyors.

Outside the coastal marine area there are two techniques available for measuring height:

(a) the rolling height method where height is measured as the vertical distance between ground level at any point and the highest part of the building or structure immediately above that point. The rolling height method is illustrated in Figure J1.4.2 Height – rolling height method below; and

(b) the average ground level method where height is measured as the vertical distance between the highest part of the building or structure and the average ground level, being the average level of the ground measured at 1m intervals at

the external foundations of the building walls or the base of the structure, provided that no part of the building or structure exceeds the maximum permitted height for the site by 2m if measured using the rolling height method. The average ground level method is illustrated in Figure J1.4.3 Height – average ground level method below.

Inside the coastal marine area, height is the vertical distance between the highest part of the building or structure and mean sea level.

Figure J1.4.2 Height - rolling height method

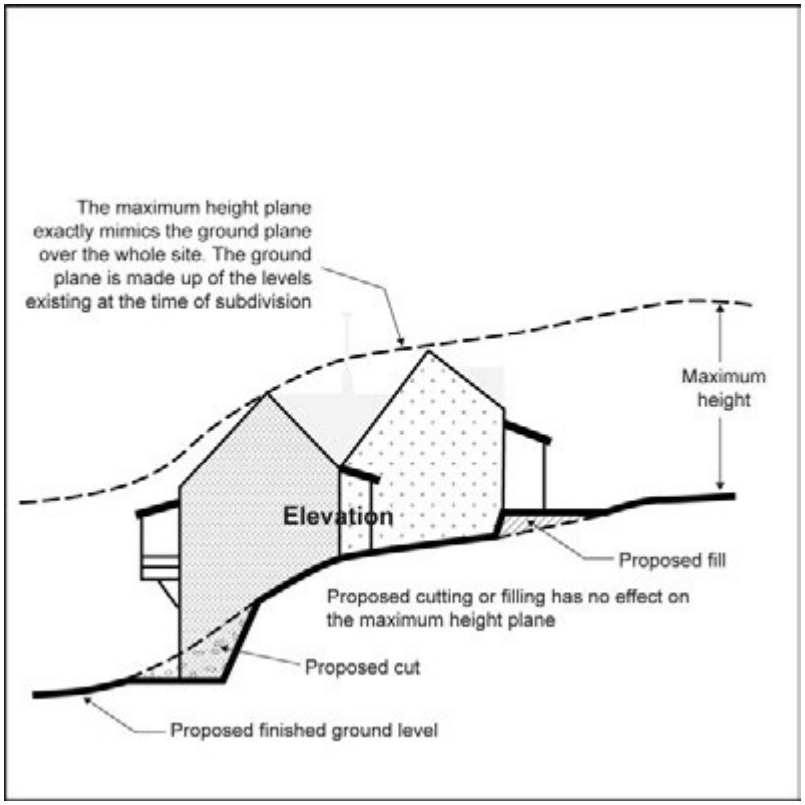
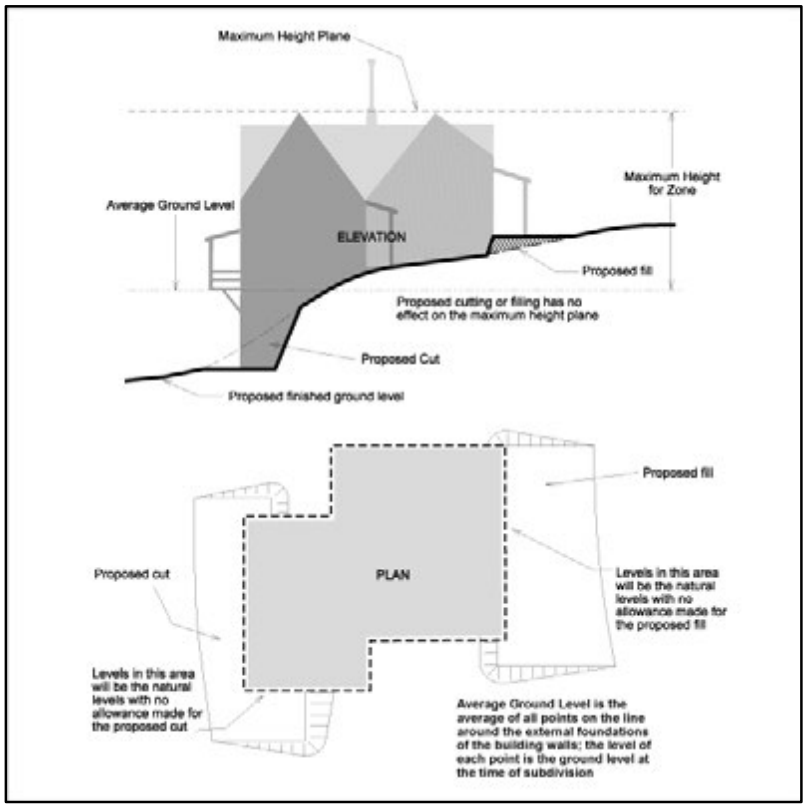


Figure J1.4.3 Height - average ground level method



Height in relation to boundary

The height of a building relative to its distance from the boundary of a site. The allowable height increases as the distance from the boundary increases up to the maximum height allowed.

High aircraft noise area

The area generally within the 65dB L_{dn} future noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

High contaminant generating car park

Formal vehicle parking areas on a site (including that which is an accessory activity to the main use of the site) that are:

- exposed to rainfall; and
- designed for a total of more than 30 vehicles.

The parking area include associated accessways (manoeuvring, entries and exits) but excludes any parking or accessways located within an industrial and trade activity area.

High use road

A road, motorway or state highway that carries more than 5000 vehicles per day, excluding cycle lanes, footpaths and ancillary areas that do not receive stormwater runoff from the road carriageway.

Hire premises

Facility used for the hiring of machinery and equipment.

Includes:

- servicing and maintenance of hire equipment; and
- storing of hire equipment.

Excludes:

- premises for the hire or loan of books, video, DVD, and other similar home entertainment items.

This definition is nested within the Commerce nesting table.

Home occupation

Place where an occupation, business or homestay activity occurs which is secondary to the use of the site as a dwelling.

Excludes:

- produce sales.

This definition is nested within the Residential nesting table.

Horse racing activities

Means the racing of horses, equestrian activities and includes training, stabling, care, farrier's shops and workshops, sales and auction of horses and bloodstock, totalisator agency premises and associated veterinarian services.

Horticulture

Production of flowers, fruit, vegetables, and grains.

Includes:

- greenhouses;
- plant nurseries; and
- orchards.

Excludes:

- forestry;
- garden centres; and
- intensive farming.

This definition is nested within the Rural nesting table.

Hospital

Facility that provide for the medical, or surgical or psychiatric care and treatment of persons.

Includes:

- accessory offices;
- accessory retail including pharmacies, food and beverage, and florists;
- accessory commercial services including banks and dry cleaners;
- ambulance facilities and first aid training facilities;
- conference facilities;
- helicopter facilities;
- hospices;
- hospital maintenance and service facilities, including kitchens and laundries;
- medical research and testing;
- mortuaries;
- rehabilitation facilities;
- supported residential care; and
- training.

This definition is nested within the Community nesting table.

Houseboat

Any vessel or floating structure designed, fitted and used primarily for a residential purpose, as opposed to transport or recreation.

Impact and vibratory piling

Underwater piling in the coastal marine area using impact and vibratory methods.

Excludes:

- vibrated casings required to support bored piling methods.

Impervious area

An area with a surface which prevents or significantly retards the soakage of water into the ground.

Includes:

- roofs;
- paved areas including driveways and sealed/compacted metal parking areas, patios;
- sealed and compacted metal roads; and
- layers engineered to be impervious such as compacted clay.

Excludes:

- grass and bush areas;
- gardens and other vegetated areas;
- porous or permeable paving and living roofs;
- permeable artificial surfaces, fields or lawns;
- slatted decks;
- swimming pools, ponds and dammed water; and
- rain tanks.

Impervious layer

A layer of material, including but not limited to buildings, concrete, asphalt and compacted earth, which is designed to minimise the downward infiltration of water and to prevent human contact with the underlying soil.

Industrial activity

The manufacturing, assembly, packaging or storage of products or the processing of raw materials and other accessory activities.

Excludes:

- mineral extraction activities.

This definition is nested within the Industry nesting table.

Industrial laboratory

Facility used for scientific, industrial, or medical research and monitoring

Excludes:

- the manufacture, or production of radioactive material.

This definition is nested within the Industry nesting table.

Industrial or trade activity

Has the same meaning as industrial or trade process under section 2 of the Resource Management Act 1991 but does not include a production land activity.

Industrial or trade activity area

The area of land or coastal marine area where a particular industrial or trade activity is being undertaken, which may result in the discharge of environmentally hazardous substances associated with that activity onto or into land or water.

The calculation of the industrial or trade activity area must be based upon the following areas:

- all roof areas onto which environmentally hazardous substances generated by the activity are deposited;
- all outdoor storage, handling or processing areas of materials and/or products that may contribute to the quality or quantity of environmentally hazardous substance discharges (including occasional or temporary use of areas);
- the area at risk from failure of the largest unbunded container used for the activity that may contribute to the quality or quantity of environmentally hazardous substance discharges: and
- all areas (including roofs) that contribute runoff to the Industrial or trade activity area.

The calculation of the industrial or trade activity area excludes the following areas:

- all areas that discharge lawfully into an authorised trade waste system;
- areas that are not used for or affected by the industrial or trade activity;
- all indoor or roofed areas which do not discharge onto or into land or water; and
- areas used for the storage of inert materials, provided that if suspended solids are generated by the materials and entrained in stormwater, the stormwater from such storage areas is treated in accordance with the best practicable option or is otherwise lawfully authorised.

Industrial zones

Means:

- Business - Heavy Industry Zone; and
- Business - Light Industry Zone.

Infiltration

Groundwater entering the stormwater or wastewater network.

Informal recreation

A pastime, leisure, sport or exercise activity that occurs on an ad-hoc basis or irregularly and contributes to a person's enjoyment and/or relaxation.

Excludes:

- regular organised sport and recreation.

This definition is nested within the Community nesting table.

Information facility

Permanent or temporary facility or structure for the primary purpose of storing and displaying information relating to particular features and resources of educational, ecological, marine, scientific, safety or heritage value about a particular site or sites.

Includes:

- interpretative signs;
- way finding signs;
- park information signs.

Excludes:

- billboard signs.

This definition is nested within the Community nesting table.

Infrastructure

Infrastructure has the same meaning as in section 2 of the Resource Management Act 1991 and also means:

- bulk storage for wholesale or distribution purposes of natural or manufactured gas over 15 tonnes, or petroleum over 1 million litres;
- storage and treatment facilities for a water supply distribution system;
- storage, treatment and discharge facilities for a drainage or sewerage system;
- municipal landfills;
- national defence facilities; and
- facilities for air quality and meteorological services.

Integrated catchment management plan

A plan for the management of stormwater and/or wastewater discharges, diversions and associated activities within the catchment prepared in accordance with previous regional plans and identifies:

- the stormwater or wastewater issues facing the catchment and the range of effects from those discharges, diversions and associated activities;
- strategic objectives for the management of stormwater and wastewater discharges, diversions and associated activities within the catchment;
- a range of management options and the preferred management approach for avoiding, remedying or mitigating environmental effects and risks;
- roles and responsibilities for implementation of the management approach;
- tools to support implementation of the management approach; and
- a process for review.

Integrated Māori development

An integrated development comprising one or more activities on Māori Land, Treaty Settlement Land or in the Māori Purpose Zone.

The activities provided for may include, but are not limited to:

- marae;
- papakāinga;
- urupā
- wānanga
- care centres, including kohanga reo;
- cultural activities;
- dwellings;
- commercial activities;
- tourism activities;
- educational facilities;
- healthcare services;
- community facilities; and
- organised sport and recreation.

Integrated residential development

A residential development on sites greater than 2,000m^2 which includes supporting communal facilities such as recreation and leisure facilities, supported residential care, welfare and medical facilities (inclusive of hospital care), and other non-residential activities accessory to the primary residential use. For the avoidance of doubt this would include a retirement village.

Integrated retail development

An integrated and comprehensively designed development that may include internalized and/or street facing activities, and:

- is operated by a single management entity;
- comprises a wide range of predominantly retail activities, with at least two large format retail outlets;
- is at least 5000m^2 gross floor area; and
- provides for shared accessory car parking for all tenancies.

Intensive farming

Intensive growing of fungi, livestock, or poultry within a building or structure or on animal feed lots with:

- limited or no dependence on natural soil quality on the site; and
- food required to be brought to the site.

Includes:

- intensive pig farming;
- intensive poultry farming; and
- animal feedlots.

Excludes:

- free-range poultry and pig farming;
- a kennel for a single dog or one bitch with pups;
- a shelter for a single animal on a chain;
- a shelter for any other single animal that is kept as a household pet;
- greenhouses; and
- shelters for working dogs.

This definition is nested within the Rural nesting table.

Intensive poultry farming

Raising or keeping poultry for human consumption or egg production, where the predominant productive processes are carried out primarily within buildings.

Excludes:

- free-range poultry farming.

Intermittent stream

Stream reaches that cease to flow for periods of the year because the bed is periodically above the water table. This category is defined by those stream reaches that do not meet the definition of permanent river or stream and meet at least three of the following criteria:

(a) it has natural pools;

(b) it has a well-defined channel, such that the bed and banks can be distinguished;

(c) it contains surface water more than 48 hours after a rain event which results in stream flow;

(d) rooted terrestrial vegetation is not established across the entire cross-sectional width of the channel;

(e) organic debris resulting from flood can be seen on the floodplain; or

(f) there is evidence of substrate sorting process, including scour and deposition.

Iwi planning document

Documents developed by whānau, hapū or iwi which are recognised by the relevant whānau, hapū or iwi as a planning document and has been lodged with the Council.

Includes:

- iwi management plans.

J

Justice facilities

Facility used for judicial, court, or tribunal purposes, and/or activities including collection of fines and reparation, administration and support, together with custodial services as part of the operation of New Zealand's justice system.

L

Lakeside yard

Means the area around a lake measured horizontally and at right angles from the top of the bank.

At Lake Pupuke, any land which lies between Lake Pupuke and a line which is measured horizontally and at right angles to the lake edge (according to the 5.73m contour which has been accepted as mean winter lake level) for 30m in a landward direction.

- The lakeside yard for Lot 1 DP 49189 (being 27 Lake View Rd) must be all that land on the lakeward side of a line originating at a point 30m from the lake edge on the north western boundary, and terminating at a point 20m from the lake edge on the south eastern boundary.
- The lakeside yard for lot 18 DP 47080 (being 29 Lake View Road) must be all that land on the lakeward side of a line originating at a point 40m from the lake edge on the promontory on the south eastern boundary, and terminating at a point 15m from the lake edge on the north western boundary.
- The lakeside yard for lot 17 DP 47080 (being 31 Lake View Road) must be all that land on the lakeward side of a line originating at a point 15m from the lake edge on the south eastern boundary, and terminating at a point 27m from the lake edge on the north western boundary.
- The lakeside yard for Lot 1 DP 187562 (being 33/35A Lake View Rd) must be all that land on the lakeward side of a line originating at a point 30m from the lake edge on the north-western boundary, and terminating at a point 27m from the lake.

Land containing elevated levels of contaminants

Land that contains contaminants at levels exceeding the controls for in-situ soil and fill material in rule E30.6.1.4. This excludes stormwater treatment devices.

Land containing elite soil

Land classified as Land Use Capability Class 1 (LUC1). This land is the most highly versatile and productive land in Auckland. It is:

- well-drained, friable, and has well-structured soils;
- flat or gently undulating; and
- capable of continuous cultivation.

Includes:

- LUC1 land as mapped by the New Zealand Land Resource Inventory (NZLRI);

- other lands identified as LUC1 by more detailed site mapping;
- land with other unique location or climatic features, such as the frost-free slopes of Bombay Hill;
- Bombay clay loam;
- Patumahoe clay loam;
- Patumahoe sandy clay loam; and
- Whatitiri soils.

Land containing prime soil

Land identified as land use capability classes two and three (LUC2, LUC3) with slight to moderate physical limitations for arable use.

Factors contributing to this classification are:

- readily available water;
- favourable climate;
- favourable topography;
- good drainage; and
- versatile soils easily adapted to a wide range of agricultural uses.

Land disturbance

The disturbance of the surface of land by earthworks, ancillary farming earthworks, or ancillary forestry earthworks.

PC 120 (see Modifications)

Land which may be subject to land instability

Any land with one of the following characteristics:

(a) Where the land which is underlain by Allochthonous soils has slope angles greater than or equal to 1 vertical to 7 horizontal;

(b) Where the land which is underlain by Holocene or Pleistocene sediments which has a slope angle greater than or equal to 1 vertical to 4 horizontal;

(c) Where the land is underlain by any other soil type and has a slope angle greater than or equal to 1 vertical to 3 horizontal;

(d) On sloping sites where fill greater than 600mm depth has been placed in uncontrolled conditions or not to engineered (certified) standards and where the original underlying natural terrain gradient was greater than or equal to:

(i) 1 vertical to 7 horizontal for slope comprising Allochthonous soils;

(ii) 1 vertical to 4 horizontal for slopes comprising Holocene or Pleistocene soils; or

(iii) 1 vertical or 3 horizontal for slopes comprising any other soil types;

(e) Within a horizontal distance of 2.5 times the cliff vertical height behind the base of any natural cliff; or

(f) Within a horizontal distance of 2 times the cliff vertical height in front of the base of any natural cliff.

Note

A natural cliff may be considered to be any slope with a vertical height of greater than 3.5m and a gradient equal to or greater than 1 vertical to 1 horizontal (45-degrees). The vertical height of the cliff must only be measured over that part of the cliff where the slope gradient is equal to or greater than 45 degrees.

Geological conditions, including soil types not mapped in the Plan and soil conditions as referred to in the above definition may be identified at a regional level through the following sources:

- *reference to information in GNS Sciences Qmaps;*
- *Geology of Auckland (compiled by Edbrooke for IGNS 2001);*
- *property files material and reports held by Council; and*
- *by a suitably qualified professional.*

Landfill

Facility where household, commercial, municipal, industrial and hazardous, or industrial waste is accepted for disposal.

Landscaped area

PC 120 (see Modifications)

In relation to any site, means any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:

- One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:

  (a) ornamental pools;

  (b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;

  (c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;

- non-permeable pathways not exceeding 1.5m in width;
- permeable artificial lawn in the residential zones, except:

  (a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;

  (b) Permeable artificial lawn must:

  - be permeable;
  - resembles grass in colour including a mix of natural looking green tones;
  - have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;
  - is resistant to ultra violet degradation, weathering and ageing during its normal service life; and
  - is recyclable.

- Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.

Excludes any area which:

- falls within the definition of building coverage;
- is part of a non-permeable pathway that is greater than 1.5m in width;
- is used for the parking, manoeuvring or loading of motor vehicles.

Landscape supplier

Facility used for the sale of goods for permanent exterior installation or planting.

Includes suppliers of:

- bark and compost;
- clothes hoists and lines;
- conservatories, sheds and other outbuildings;
- firewood;
- garden machinery;
- outdoor recreational fixtures and installations;
- monumental masonry;
- patio furniture and appliances;
- paving and paving aggregates;
- statuary and ornamental garden features; and
- swimming pools and spa pools.

This definition is nested within the Commerce nesting table.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Land use capability (LUC) classes

These classes describe land according to physical factors and land use, ranging from LUC 1 to 8. They are mapped in the "NZ Land Resource Inventory" and a full description of the land use classes are found in "Land Use Capability Survey Handbook. A New Zealand handbook for the classification of land 3rd edition 2009".

Large format retail

Any individual shop tenancy with a floor area greater than 450m^2, where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy.

Excludes:

- food and beverage;
- garden centres;
- marine retail;
- motor vehicle sales; and
- trade suppliers.

This definition is nested within the Commerce nesting table.

Large-scale wind farm

Buildings, structures, access tracks and turbines used to generate electricity from wind and convey the electricity to an associated substation in order to supply the wholesale electricity market.

Lawfully established aquaculture activities

Aquaculture activities consented and operational at 30 September 2013.

Leachate

Liquid that has percolated through, or emerged from, solid waste and contains dissolved or suspended liquids, solids or gases.

PC 120 (see Modifications)

Less vulnerable activities

Means activities listed in the following nesting tables:

- Commerce;
- Community, excluding care centres, and healthcare facilities with overnight stay facilities;
- Industry; and
- Rural.

Level of fouling

Expressed in the international Level of Fouling (LOF) - A scale used to assess the level of macrofouling on vessels, ranging from 1 to 5 based on the percentage macrofouling cover.

- 1 = Slime layer fouling only. Nil macrofouling cover.
- 2 = Light fouling. Hull covered in biofilm and 1-2 very small patches of macrofouling. 1 – 5 per cent macrofouling cover.
- 3 = Considerable fouling. Presence of biofilm, and macrofouling still patchy but clearly visible. 6 – 15 per cent macrofouling cover.
- 4 = Extensive fouling. Presence of biofilm, and abundant fouling assemblages consisting of more than one species. 16 – 40 per cent macrofouling cover.
- 5 = Very heavy fouling. Diverse assemblages covering most of visible hull surfaces. 41 – 100 per cent macrofouling cover.

Licensed premises

Places where liquor is sold.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Light manufacturing and servicing

Places where articles, goods or produce are made, prepared and/or repaired for sale or rent and the light manufacturing and servicing activity is contained entirely within a building, does not require the use, storage or handling of hazardous substances requiring separate resource consent and does not require any air discharge consent.

Excludes:

- sales or servicing of motor vehicles.

This definition is nested within the Industry nesting table.

Light spill

Light from both direct and indirect sources, which falls outside an artificially lit area. Measurement of both the horizontal and vertical components is required.

Livestock

Animals raised for food or other products, or kept for use, especially farm animals.

Includes:

- meat and dairy cattle;
- pigs;
- poultry;
- deer;
- horses;
- goats; and
- sheep.

Long-term parking (non-accessory)

Where:

(a) the parking is for public use on a long stay basis in excess of 240 minutes (4 hours) between 7am and 6pm Monday to Friday inclusive, but excluding public holidays; and

(b) the parking may also be used outside the times and days set out in (a) above.

Lux

The unit of illumination, being one lumen per m^2.

M

Maintenance dredging

Excavating material from the bed of the coastal marine area and removing the excavated material, where the excavation is for the purpose of removing accumulated sediment so that the seabed is returned to previously approved levels.

Mana Whenua

Māori with ancestral rights to resources in Auckland and responsibilities as kaitiaki over their tribal lands, waterways and other taonga. Mana Whenua are represented by iwi authorities.

Mana Whenua cultural heritage

PC 120 (see Modifications)

In a Plan context, this includes sacred sites and places and the cultural landscape context in which sites and places are located. Mana Whenua cultural heritage includes:

- archaeology of Māori origin;
- wāhi (location, locality, place);
- wāhi tapu (sacred ancestral sites and places of significance to iwi, hapū or whānau);
- sites and places are significant to Mana Whenua for the tangible and intangible values they hold;
- Māori cultural landscapes;
- wāhi pakanga (battle site);
- wāhi tohi (ritual site);
- urupā (Māori burial ground);

- tō waka (waka portage);
- rākau pito and wāhi pito (tree marking the burial site of a placenta or umbilical cord);
- taonga (a treasured item, it can be tangible or intangible); and
- cultural and spiritual associations with these areas, features or sites.

Managed fill

Facility where managed fill material is accepted for deposit.

Managed fill material

Managed fill material is:

- contaminated soil and other contaminated materials;
- natural materials such as clay, gravel, sand, soil, rock; or
- inert manufactured materials such as concrete and brick: and

That does not contain:

- hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown;
- products or materials derived from hazardous waste treatment stabilisation or disposal practices;
- materials such as medical and veterinary waste, asbestos, or radioactive substances;
- combustible components; or
- more than 2 per cent by volume of incidental or attached biodegradable materials (e.g. vegetation).

Mangrove removal

Partially or wholly removing, burying or clearing mangroves.

Includes:

- pruning mangrove branches;
- pulling out mangrove seedlings;
- removing mangroves at the trunk; and
- removing mangrove root systems.

Mangrove seedling

A mangrove with:

- a single supple stem and is no more than 60cm tall; and
- shows no reproductive capability.

Manufacturing

Making items by physical labour or machinery.

Includes:

- assembly of items.

This definition is nested within the Industry nesting table.

Māori cultural activities

Activities undertaken in accordance with tikanga, including ceremonial, ritual, transferring marking areas or boundaries, or recreational activities.

Marae

Facilities used for the provision of a focal point for social, cultural, and economic activity for Māori and the wider community.

Can include one or more of the following:

- marae ātea (sacred courtyard);
- wharenui/wharehui (main building or meeting house);
- wharemoe (sleeping house);
- kāuta (kitchen, cookhouse, cooking shed);
- wharekai (dining hall);
- māra kai (food garden):
- accessory dwellings (including kaumatua housing);
- whare oranga (Healthcare centre);
- kōhanga reo (Care centre);
- wānanga (Education facility);
- papa tākaro (organised sport and recreation);
- overnight accommodation of visitors; and
- events and gatherings.

Excludes:

- industry.

Māori land

PC 120 (see Modifications)

Has the same meaning as section 129 of Te Ture Whenua Maori Act 1993.

[new text to be inserted]

Marina

A facility for the accommodation of vessels.

Includes:

- berths;
- gangways;
- moorings;
- piers;
- piles;
- pontoons;
- wave attenuation devices;
- land-based areas for parking and land-based vessel storage; and
- associated facilities and servicing.

Marina berths

Structures used to berth a vessel.

Includes:

- pontoons;
- piers;
- gangways;
- piles; and
- other accessory fixtures.

Marine and port activities

Activities associated with:

- the navigation, anchoring, mooring, berthing, manoeuvring, refuelling, storage, servicing, maintenance and repair of vessels;
- embarking and disembarking of passengers;
- loading, unloading and storage of cargo and containers;

- operation, maintenance, repair, cleaning, and refuelling of associated plant and equipment;
- educational activities associated with these activities; and
- the use of buildings and structures associated with these activities, including accessory offices, seafood processing and parking.

Marine and port accessory structures and services

Structures and services accessory to marine and port activities and marine and port facilities.

Includes:

- fenders;
- piles;
- pontoons;
- gangways;
- handrails;
- hardstands;
- wash-down facilities;
- ramps and other boat launching facilities;
- canopies;
- lighting poles and fittings;
- refuse facilities;
- dinghy racks;
- dinghy locker and storage facilities;
- power and telecommunication cables;
- water and sewer reticulation;
- floating oil booms and barriers;
- fuelling and sewage pumpout facilities; and
- navigational aids.

Marine and port facilities

Facilities and structures that are associated with marine and port activities and serve more than an accessory role.

Includes:

- drydocks;

- travel lifts;
- shiplifts;
- cranes;
- cargo stacking and lifting devices;
- conveyors;
- derricks;
- gantries;
- landings;
- wharves;
- jetties;
- piers; and
- dolphin structures (a structure that extends above the water level and is not connected to land above mean high water springs other than for access purposes, and is used for the berthing of vessels).

Excludes:

- buildings.

Marine industry

The manufacturing, servicing, repair, transportation, storage of boats and accessory equipment.

Includes:

- accessory offices; and
- training facilities.

Marine retail

The sale or hire of boats, wholesale and retail sale of fish, and accessory goods and services

Includes:

- accessory offices.

This definition is nested within the Commerce nesting table.

Marine seismic survey

A method of exploration geophysics that uses active acoustic sources to estimate the structure, stratigraphy and properties beneath the sea floor. The method generates a controlled sound wave from an acoustic source, and detects returned sound energy

though an array of acoustic receivers that may be either towed behind the vessel or combined with seismographs placed upon the sea floor.

Maritime passenger facility

Structure associated with maritime passenger operations.

Excludes:

- buildings.

Maritime passenger operations

Activities associated with ferries, water taxis and charter boat services.

Includes:

- passenger and tourist operations;
- berthing and maintenance of passenger vessels;
- vehicular ferry operations;
- ancillary administration activities including ticket sales; and
- associated freight movement and storage.

Mast

Means either the primary structure that antennae, dishes, and aerials are fixed to or an HF vertical antenna. The mast may be a guyed pole mast, a self-supporting pole mast, a guyed lattice mast, or a self–supporting lattice mast.

Includes:

- any poles subsidiary to the primary mast.

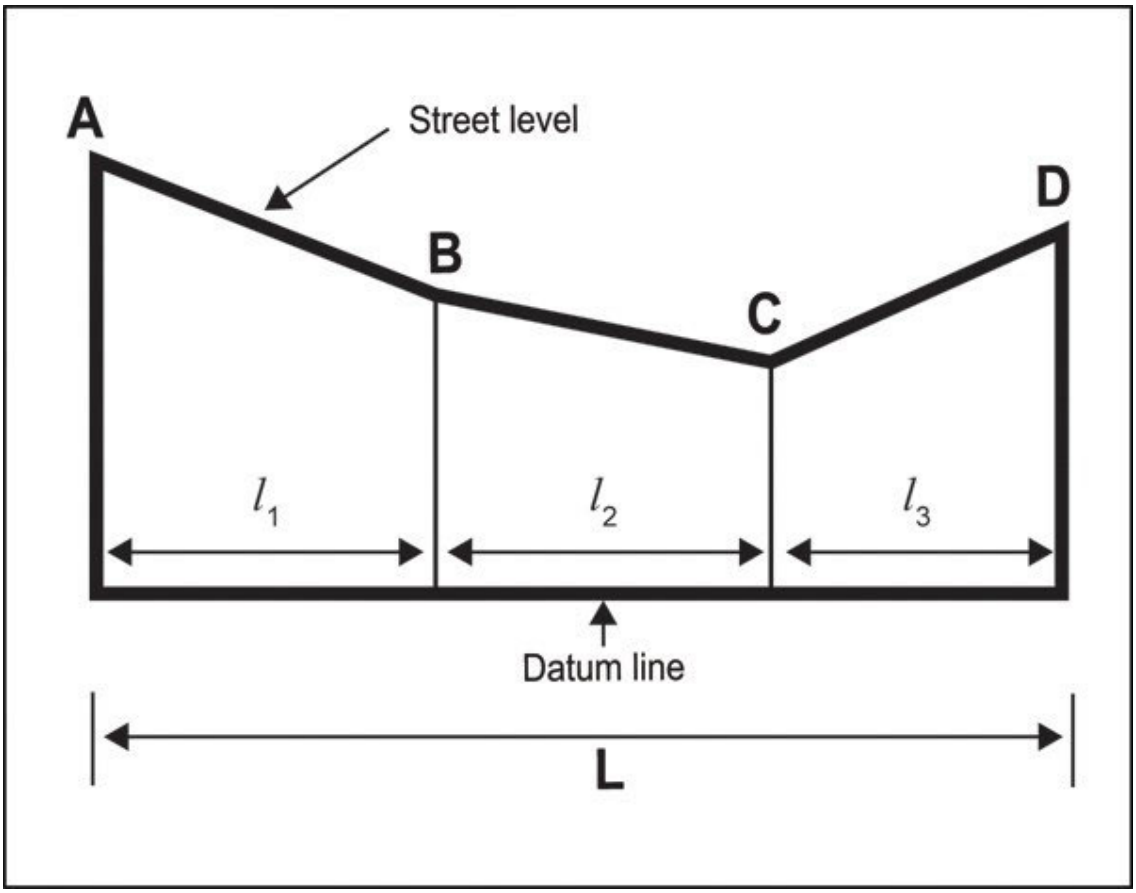
Mean high water springs

The highest level that spring tides reach on average over an 18.6 year tidal cycle. There is no single definitive method that can be used to establish mean high water springs and the method used depends on the particular issue under consideration and natural characteristics of the location. Further advice on methods of measurement can be found at Ministry for the Environment and Land Information New Zealand websites.

Mean street level

The average level of all points on the surface of the street measured at the centre line of the street parallel to the street boundary of the site. Figure J1.4.4 Mean street level below and the following formula illustrate how mean street level should be calculated.

Figure J1.4.4 Mean street level



(A, B, C and D represent the street levels at given points where the street gradient changes. L represents the length of the boundary).

$$MSL = \frac{\left(\frac{A+B}{2} \times l_1\right) + \left(\frac{B+C}{2} \times l_2\right) + \left(\frac{C+D}{2} \times l_3\right)}{L}$$

$$l_1 + l_2 + l_3 = L$$

The following qualifications apply:

(a) For a through site, the mean street level at each frontage applies for half the distance between those frontages.

(b) For a corner site, the mean street level is the average of all points measured at the centre lines of the streets parallel to all street boundaries of the site.

(c) Where a site has three frontages or more it shall be treated as a through site in accordance with (a) above, between the highest and lowest frontages.

Metal thermal spraying

Spraying a fine metallic material onto a surface, in a molten or semi-molten state, to form a coating.

Includes:

- molten metal flame spraying;
- electric arc spraying;
- powder flame spraying; and
- plasma arc spraying.

Mineral

Has the same meaning as in the Crown Minerals Act 1991.

Mineral exploration

Has the same meaning as in the Crown Minerals Act 1991.

Mineral extraction activities

Activities carried out at a quarry.

Includes:

- blasting;
- excavating minerals;
- processing minerals by crushing, screening, washing, or blending;
- storing, distributing and selling mineral products;
- accessory earthworks;
- removing and depositing overburden;
- treating stormwater and waste water;
- landscaping and rehabilitation of quarries;
- cleanfill and managed fills;
- recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt;
- accessory activities and accessory buildings and structures such as laboratories; and
- workers accommodation.

Excludes:

- common marine and coastal area mineral extraction.

Mineral prospecting

Has the same meaning as in the Crown Minerals Act 1991.

Minor Dwelling

A dwelling that is secondary to the principal dwelling on the site.

Minor reclamation

A reclamation created adjoining an existing reclamation as part of maintenance, repair or upgrading a reclamation's seawall.

Includes:

- the "standing up" of a sloping seawall or bund to a more vertical form; and
- the reconstruction of an existing vertical seawall.

Minor utility structure

Any aboveground box-like structure or enclosure associated with a network utility or that receives or transmits to or from any part of a network utility.

Includes:

- electricity junction pillars;
- transformers;
- switchgear;
- gas infrastructure;
- telecommunications plinths and pillars;
- water infrastructure;
- cabinetry for stormwater/wastewater networks;
- electricity storage; and
- link pillars.

Moderate aircraft noise area

The area generally between the 60dB Ldn and 65dB Ldn future noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

Mooring

Any weight, pile or article placed in, or on the foreshore or seabed or bed of any lake, river or stream to secure a vessel, raft, aircraft, or floating structure.

Includes:

- any float, wire, rope, or other device attached or connected to such a weight, pile or article.

Excludes:

- an anchor normally removed with a vessel, raft, aircraft, or floating structure when it leaves a site or anchorage; and
- the non-permanent laying and relaying of buoys.

PC 120 (see Modifications)

More vulnerable activities

Means activities listed in the residential nesting table and also includes care centres, and healthcare facilities with overnight stay facilities.

Motorsport activities

Motor vehicle racing activities, including any practice activities or any demonstration of the following on sealed or unsealed surfaces:

- car, truck and motorbike racing;
- speedway racing;
- go kart racing;
- jet sprint racing;
- motocross racing;
- vehicle drifting events;
- 4-wheel drive vehicle racing;
- radio controlled car racing;
- any other activities where demonstrations or tricks are performed involving motor vehicles;
- administration and meeting rooms to support motor sport activities;
- parking for motorsport activities; and
- landscaping, barriers and structures which protect or screen motorsport activities.

This definition is nested within the Community nesting table.

Motor vehicle sales

The sale or hire of motor vehicles and caravans.

Includes:

- accessory offices.

This definition is nested within the Commerce nesting table.

Moving aerial or antenna

A moving aerial or antenna is one that has a visible moving or spinning part where that part;

- has a dimension greater than 60cm in diameter; and
- rotates at more than 2 revolutions per minute or changes direction more than once every minute.

Municipal water supply

Water taken and distributed through a reticulated network for supply to urban communities.

Mustelid farming

Intensive farming where the main purpose is farming one or more fitches, mustelids (including ferrets, weasels and stoats) or possums, within the confines of a building, dwelling house, enclosure, or structure.

N

National Grid

The assets owned or operated by Transpower New Zealand Limited.

National Grid Substation Corridor

The area identified on the planning maps which is within:

- 12m of the site boundary of a National Grid substation;
- the road carriageway (excluding footpath, berms, kerbs and the road verge) on roads identified on the planning maps.

National Grid Corridor Overlay

The area identified on the planning maps which is within:

- the National Grid Yard
- the National Grid Substation Corridor
- the National Grid Subdivision Corridor.

National Grid Subdivision Corridor

The area which is within a variable width area extending each side of the centre line of a National Grid overhead line as identified on the planning maps.

National Grid support structure

A tower or pole comprising part of the National Grid that supports conductors as part of a transmission line. For the purpose of defining the National Grid Yard and the rules in this Plan, measurements are taken horizontally from the outer visible edge of the foundation of the support structure at existing ground level.

National Grid Yard

Includes:

- The area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- The area located 12 metres either side of the centreline of any overhead National Grid line.

  The National Grid Yard is identified on the planning maps as National Grid Yard (Compromised) or National Grid Yard (Uncompromised).

Natural background levels

Concentrations of chemical constituents which occur in soil and ground water at a specific locality due to natural lithological and hydrogeochemical processes.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Natural Stream Management Area

Area of rivers and streams and associated riparian vegetation identified in the Natural Stream Management Areas Overlay that meets the following criteria:

(a) have predominantly indigenous riparian vegetation cover along a length (reach) of at least 600m and:

  (i) an average total width of vegetation cover of 80m i.e. an average width of 40m on either side; or

(ii) a minimum total width of vegetation cover of 10m from the stream edge for a length not exceeding 10 per cent of the total reach; and

(b) where there are cleared areas for tracks and stream crossings or formed carriageways, these are included in the measurements of vegetation length and width but excluded from the provisions of the Natural Stream Management Areas Overlay.

For the purpose of the Natural Streams Management Areas, predominantly indigenous vegetation means areas of vegetation where the canopy is intact and is dominated by indigenous species, and contains a regenerating understory. It includes strands of predominant kanuka and manuka, and areas of wetland vegetation. It can include areas with exotic species in the canopy or emergent above the canopy, as long as they do not comprise more than 25 percent of the canopy composition.

Navigational aid

Any device to assist navigation of vessels and aircraft.

Includes:

- beacons;
- buoys;
- fog signal apparatus;
- lights;
- markers;
- radio devices;
- signs; or
- aeronautical navigational aids including runway lighting.

Excludes:

- lighthouses.

Nearest equivalent roadside monitoring site

A roadside monitoring site that is located on the State Highway being assessed or on another State Highway or local road with comparable traffic flow and dispersion characteristics.

Net internal floor area

The floor space between the finished surfaces of internal walls between rooms.

Excludes:

- balconies or decks;
- parking; and
- Garages.

Net site area

The total area of a site excluding:

- any area subject to a road widening designation;
- any part of an entrance strip;
- any legal right of way; and
- any access site.

Network utilities

Any activity relating to any or all of the following:

- distribution or transmission of natural or manufactured gas petroleum or geothermal energy by pipeline;
- telecommunications, or radio communications or broadcasting;
- transformation, transmission, or distribution of electricity;
- transmission and distribution of water, (whether treated or untreated), for supply including irrigation;
- stormwater drainage or sewerage reticulation systems;
- railway lines, tramways and roads;
- airports as defined by the Airport Authorities Act 1966, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990;
- lighthouse, navigation aids and beacons;
- meteorological services; and
- a project or work described as a network utility operation by regulations made under the Resource Management Act 1991.

Includes:

- all structures necessary for operation; and
- the operation and maintenance of the network.

New aquaculture

Aquaculture activities not consented and operational at 30 September 2013.

Noise event

An event that exceeds the general noise controls for a site (or area within the coastal marine area) either in level or duration.

Noise (rating) level

A noise level for comparison with the noise limit following measurement and assessment in accordance with New Zealand Standard 6801:2008 Acoustics - Measurement of environmental sound and New Zealand Standard 6802:2008 Acoustics - Environmental noise.

Noise sensitive space

Any indoor space within an activity sensitive to noise excluding any bathroom, water closet, laundry, pantry, walk in wardrobe, corridor, hallway, lobby, stairwell, clothes drying area, kitchens not part of a dwelling, garage or other space of a specialised nature occupied neither frequently nor for extended periods.

Non-accessory parking

Parking which is provided as a principal activity on the site and is not accessory to any of the approved activities on the site. The parking may be:

- available to members of the public for a charge or fee; and
- reserved or leased.

Includes:

- short term parking (non-accessory); and
- long term parking (non-accessory).

Excludes:

- permitted accessory parking to other land uses; and
- off-site parking.

Non-contributing buildings, structures or features

Buildings, structures or features within the extent of a scheduled historic heritage area that make little or no contribution to, or detract from, the values for which the area has been scheduled.

Notional boundary

A line 20m from any side of a building containing an activity sensitive to noise, or the legal boundary where this is closer to the building.

O

Obstacle limitation surfaces

Defined surfaces in the airspace above and adjacent to the aerodrome necessary to enable an aircraft to maintain a satisfactory level of safety while manoeuvring at a low altitude in the vicinity of the aerodrome. The obstacle limitation surfaces comprise of:

- approach slopes;
- horizontal surface;
- transitional surfaces;
- conical surface; and
- procedure turning area surfaces.

Offal

Dead animal matter resulting from normal farm operations.

Includes:

- carcasses.

Office

Activity conducted within a building and focusing on business, government, professional, medical, or financial services and includes the personal service elements of these activities offered to consumers or clients where visits by members of the public are accessory to the main use.

This definition is nested within the Commerce nesting table.

Office furniture, equipment and system suppliers

A business primarily engaged in selling goods for office-type use or consumption.

Includes:

- computers and related equipment;
- copiers, printers and facsimile machines;
- integrated telephone systems and equipment; and
- office furniture, equipment and utensils.

This definition is nested within the Commerce nesting table.

Off-road pedestrian and cycling facilities

Sections of Auckland's public walkway and cycleway network that are not located within the road network or the Strategic Transport Corridor Zone.

Off-site parking

Parking on a site which is dedicated to the use of an activity taking place on another site. It provides parking which would have otherwise been permitted on that other site or sites.

Off-stream dam

Any structure which impounds surface water but which is not located on the bed of a lake or any river or stream.

On-site primary produce manufacturing

Rural facilities used for manufacturing goods from primary produce grown on the same site or:

- on other sites in the same ownership; or
- on other sites leased by the owner of the primary site.

This definition is nested within the Rural nesting table.

On-stream dam

Any structure which impounds surface water which is located on the bed of a lake or any river or stream.

Operational need

The need for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.

Open space zones

Means:

- Open Space - Conservation Zone;
- Open Space - Informal Recreation Zone;
- Open Space - Sport and Active Recreation Zone;

- Open Space - Civic Spaces Zone; and
- Open Space - Community Zone.

Organised sport and recreation

Activities that require physical effort and skills, are competitive, occur on a regular basis, have formal rules, referees and officials, and are organised within formal structures.

The activity typically involves the following:

- use of sport and recreation structures;
- exclusive use of public open space during the course of the activity;
- participants and spectators;
- use of clubrooms, changing facilities;
- training and practice sessions;
- payment of money to conduct activity;
- organised by a club, sporting body or group;
- booking and recording system of scheduled hours per week of each sports filed by the owner or administrator of the sports field.

Includes, but is not limited to:

- team sports; and
- competitive sports.

This definition is nested within the Community nesting table.

Outdoor burning

Burning of materials in the open.

Includes:

- single chamber incinerators; and
- backyard incinerators.

Outdoor living space

Outdoor area which is:

- clear of any parking or manoeuvring area; and
- set aside for the exclusive use of the occupants of the dwelling to which they relate.

All outdoor living spaces must be clear of any buildings, except for the following:

- pools;

- rainwater tanks less than 1m in height if located outside of required 20m2 minimum dimension 4m area
- Rainwater tanks within the required 20m^2, minimum dimension 4m area if located wholly below ground level;
- building eaves;
- pergolas, lattice fences or similar open structures; and
- decks and terraces.

Outfall

The endpoint of any pipe, conduit, or drain from which discharges enter a receiving environment.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Overland flow path

Low point in terrain, excluding a permanent watercourse or intermittent river or stream, where surface runoff will flow, with an upstream contributing catchment exceeding 4,000m^2.

Excludes the following areas:

- constructed depressions and pits within Special Purpose - Quarry Zone.

Note

The Council holds publicly available information showing the modelled Overland Flow Paths in its GIS viewer for specific properties. The Overland Flow Path map is indicative only. A party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the location, depth or flow characteristics of the Overland Flow Path.

Council will continually update the Overland Flow Path map to reflect the best information available.

Overland stormwater

Stormwater flowing over the ground and excluding stormwater from impervious surfaces and buildings.

P

Pacific oyster reef

Where Pacific oyster shells have accumulated together into a consolidated formation that changes the seabed profile and reduced water depth from previous levels.

Park-and-ride

Parking which is purpose designed and provided specifically for users of a public transport network who travel by private vehicle to the park and ride parking area, and then transfer to public transport to continue their journey.

Includes:

- pedestrian and cyclist facilities.

Parks infrastructure

General infrastructure located in Open Space zones to support management of, and access to open space

Includes:

- buildings for storage and maintenance purposes;
- entry gates;
- track marking bollards;
- traffic management infrastructure such as bollards and chains;
- non-boundary post and rail fences;
- farm fencing or similar fencing;
- foot bridges and/or boardwalks;
- culverts;
- subsoil drainage;
- minor storm water management devices e.g. rain gardens; and
- porous paving.

Parks maintenance

Maintenance and repair undertaken within parks and cemeteries.

Includes:

- maintenance and repair of any buildings and structures;
- maintenance and repair of footpaths (concrete, gravel and shell);
- track and trail maintenance and repair including re-metalling and re-surfacing of bush tracks;
- clearing or reforming drainage channels;
- re-topsoiling, reseeding, sandslitting for parks sports fields and parks;

- weed management;
- grass mowing;
- replacement, repairs, maintenance or upgrading of existing bridges, boardwalks, and culverts;
- resealing and sealing metal parking and access drives and internal park roads;
- maintenance of jetties and boat ramps;
- ecosystem restoration by replanting and re-vegetation; and
- maintenance and construction of sand carpet surfaces.

Particulate

A complex mixture of extremely small particles and liquid droplets, made up of a number of components including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles (also known as particulate matter or PM).

Includes:

- PM10: and
- PM2.5

Pedestrian access way

Has the same meaning as access way in section 315 of the Local Government Act 1974.

Pedestrian circulation space

Pedestrian circulation space is a covered area within a building which is accessible to the public during trading hours of business and:

(a) contains a minimum horizontal measurement of 5m; and

(b) has a minimum vertical dimension of 2.5m between the finished ceiling and the floor of the pedestrian area, and which is unobstructed and clear of buildings, retail kiosks and retail display cases.

Includes:

- escalators, ramps and stairs within the pedestrian circulation space;
- decorative features such as fountains and planting within the pedestrian circulation space; and
- stages or display areas for free public entertainment associated with any integrated retail development.

Excludes:

- seating areas for food courts/eating area;

- any space leased for retail display or sales purposes; and
- any space for entertainment which is either leased or subject to a charge.

Pedestrian and cycle overpass or underpass

Fully enclosed walkway or cycleway which is constructed over or under a road or other public space with the authority of the road controlling authority. It excludes the use of airspace over roads and subsoil space below the road for the purpose of increasing the floor area of a building on adjoining sites.

Permanent river or stream

The continually flowing reaches of any river or stream.

Pest plant removal

The alteration or removal of any tree or vegetation listed as a plant pest within the Auckland Regional Pest Management Strategy or the National Pest Plant Accord (excluding research organisms) under the Biosecurity Act 1993.

Excludes:

- the removal of notable trees.

Petroleum

Has the same meaning as in the Crown Minerals Act 1991.

Pig equivalent

A pig equivalent equates to a 50kg pig.

Pig keeping

Keeping, raising or breeding on one site not more than:

- five pigs which have been weaned; or
- two sows whose progeny are not retained on the site beyond the weaner stage.

PM2.5

Particulate matter with an aerodynamic diameter of 2.5 microns or less.

PM10

Particulate matter with an aerodynamic diameter of 10 microns or less.

Post-harvest facility

Building operated by any number of growers and used for the storage, packing, washing, inspecting and grading of eggs, fruit, vegetables, or other (natural and unprocessed) primary produce brought to the post-harvest facility from a range of locations, and includes all activities that are an integral aspect of post-harvest operations.

Includes:

- use of the site for the collection and distribution of horticultural products;
- slicing and dicing agricultural products in preparation for distribution to retail outlets, including the disposal of associated waste material from these activities;
- preparation and shrink wrapping horticultural products in preparation for distribution to retail outlets;
- collection and distribution of agricultural products including the cross loading of trucks used in the collection and delivery of horticultural products; and
- the on-site servicing and maintenance of vehicles and equipment associated with the activities.

Excludes:

- on-site primary produce manufacturing; and
- rural industries.

Poultry

Domestic fowl kept in captivity to produce meat, eggs, or other products or for sale.

Includes:

- chickens;
- ducks;
- geese;
- guinea fowl;
- pigeons;
- turkeys;
- peacocks;
- doves;
- pheasants;
- swans; and
- quail.

Poultry hatchery

Place where fertile eggs are incubated and hatched in controlled environment cabinets.

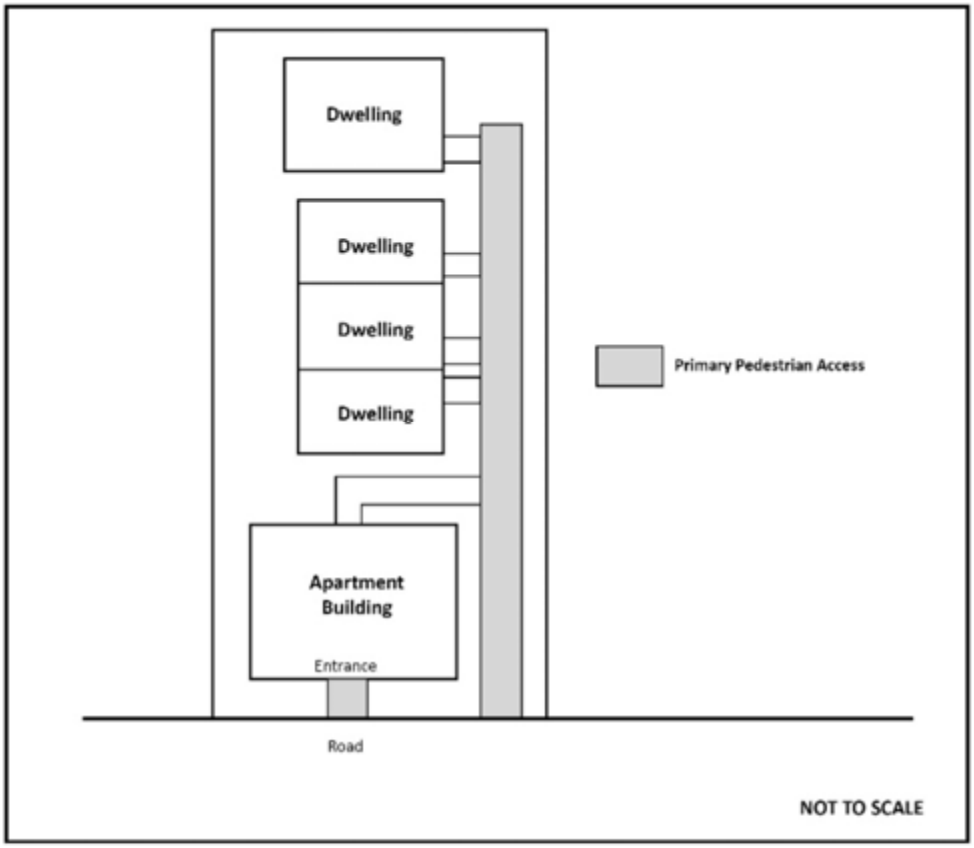
Preliminary site investigation (contaminated land)

An investigation that:

- is done by, or is done under the management of, a suitably qualified and experienced person;
- is reported on in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- results in a report that is certified by a suitably qualified and experienced person.

Primary Pedestrian Access:

The main pedestrian route serving two or more dwellings in any residential zone, including any segment that serves only the final dwelling, providing pedestrian and micro-mobility access from the road to the individual paths accessing the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).



Produce sales

Place where farm produce or handcrafts produced on the site are sold.

Includes:

- sale of plants; and
- sale of food from ‘occasional food premises’ as defined in section 2 of the Food Hygiene Regulations 1974.

This definition is nested within the Rural nesting table.

Protected New Zealand object

Has the same meaning as section 2 of the Protected Objects Act 1975.

Protected root zone

The circular area of ground around the trunk of a protected tree, the radius of which is the greatest distance between the trunk and the outer edge of the canopy. For columnar crown species the protected root zone is half the height of the tree.

Figure J1.4.5 Protected root zone A

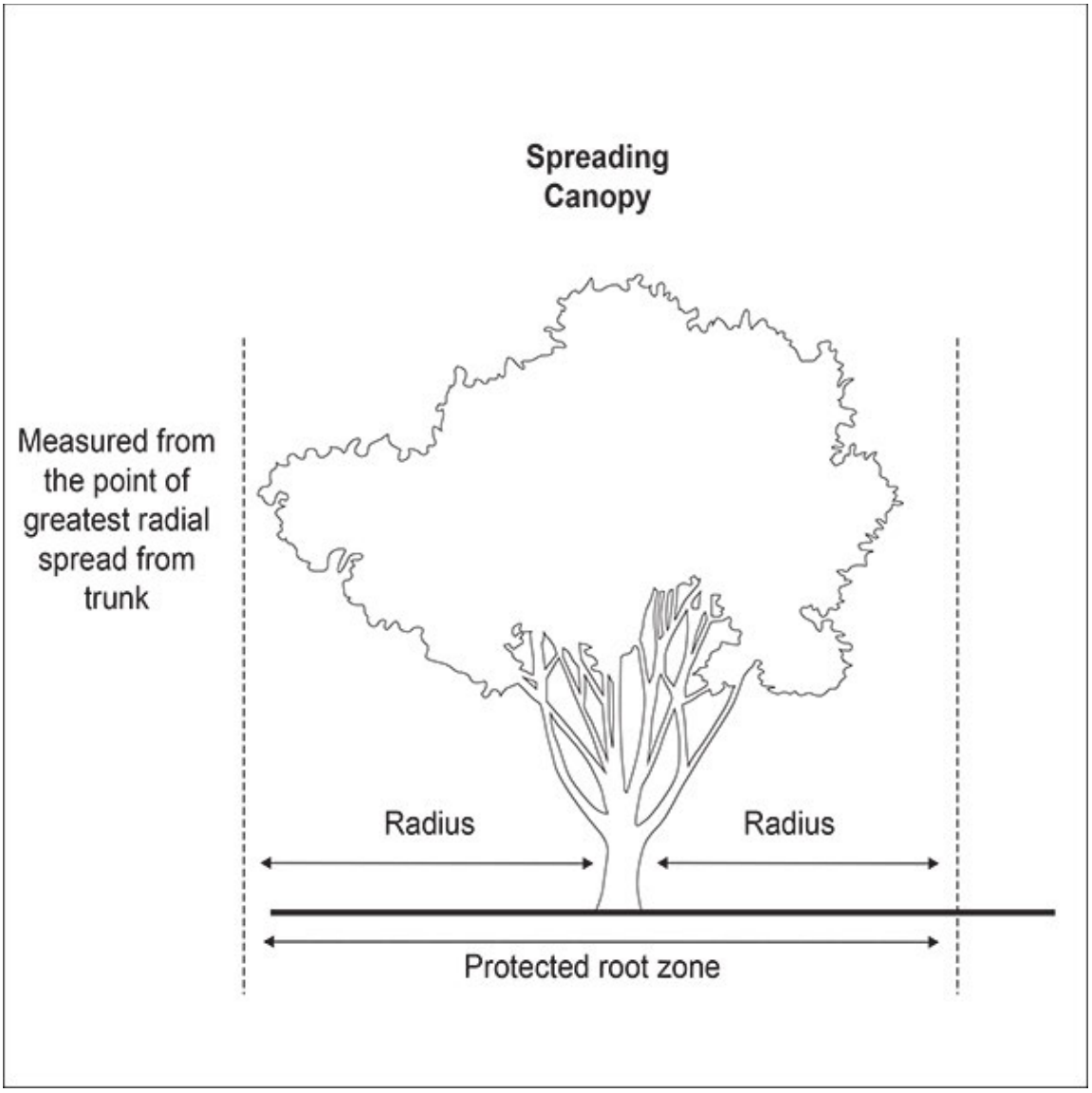
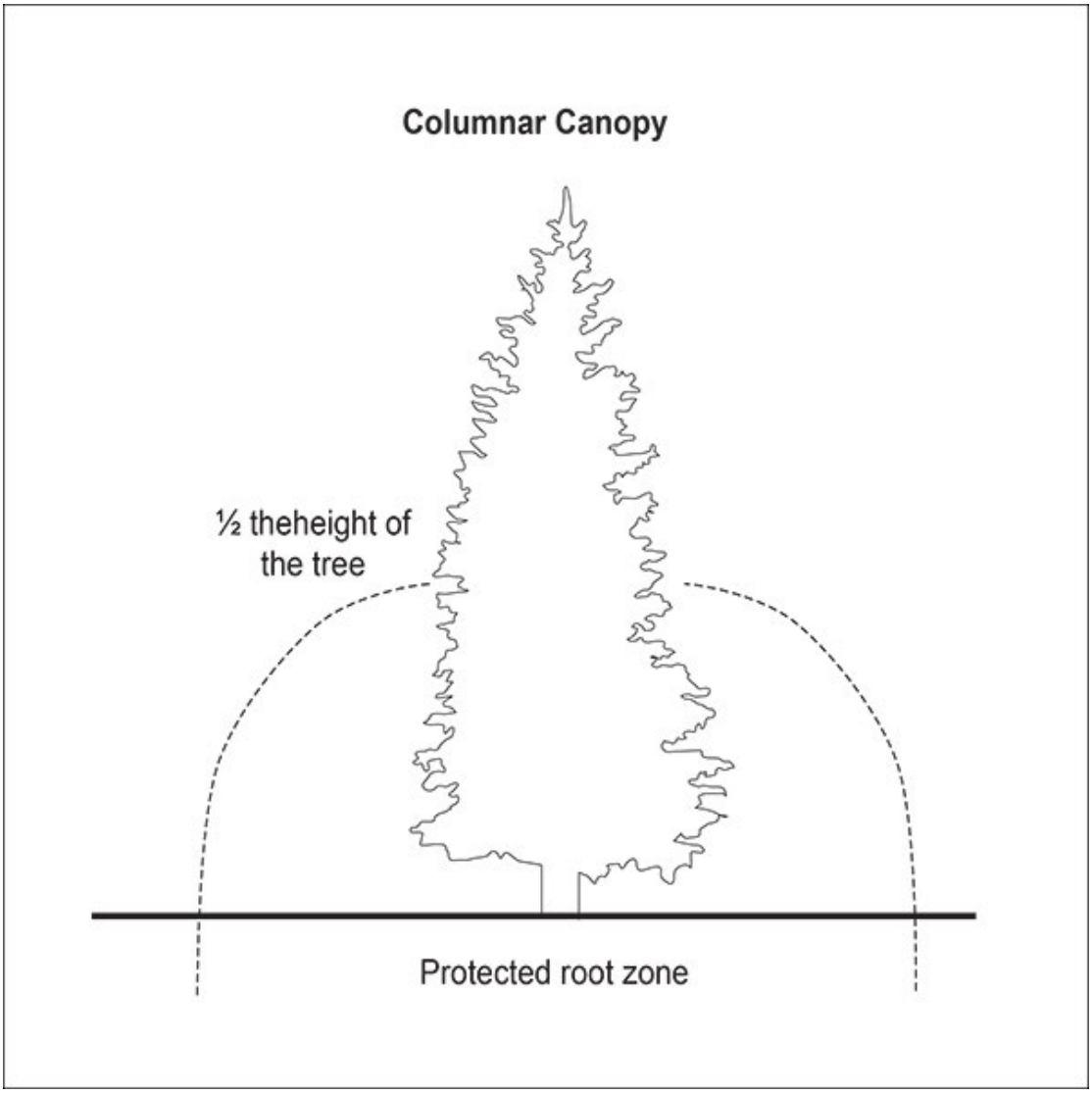


Figure J1.4.6 Protected root zone B



Public amenities

Facilities established for the convenience and amenity of the public.

Includes:

- landscaping and planting;
- public toilets;
- seating and picnic tables;
- bicycle stands and cycle parking structures;
- fountains;

- drinking fountains;
- rubbish bins;
- directional signage and information boards;
- barbeques;
- lighting;
- shelters;
- changing facilities; and
- playgrounds and playground equipment.

Public memorial

A sign, plate or monument that contains commemorative inscription for the purpose of remembering or celebrating the deceased or an event in history

Includes:

- plaques; and
- memorials.

Public place

Has the same meaning as defined in the Trading and Events in Public Places Bylaw 2015:

- any place that, at any material time, is owned, managed, maintained or controlled by the council or council controlled organisation and is open to or, being used by the public, whether free or on payment of a charge. It includes any road, footpath, public square, grass verge, berm, public gardens, reserves and parks, beaches, wharves, breakwaters, ramps and pontoons, foreshore and dunes, access ways, recreational grounds and sports fields.

Public transport facility

Facility for the transfer of passengers on/off and between public transport services.

Includes:

- areas for bus parking;
- passenger waiting areas;
- shelters;
- ticketing and other passenger facilities, including end-of-trip facilities;
- information kiosks;

- transport related signs;
- bus layovers and drive rest facilities;
- offices supporting the operation, maintenance and security of the facilities;
- devices and facilities to enable the movement, circulation and security of pedestrians;
- accessory food and beverages and other accessory retail; and
- ferry terminal facilities

Excludes:

- servicing and repair of buses.

Q

Qualified arborist

A person holding a minimum of a level 4 NZQA advanced certificate in arboriculture or equivalent arboricultural qualification.

Quarries - farm or forestry

The extraction of minerals for uses accessory to farming, horticulture, conservation forestry or forestry, where:

- the quarried material is used only on the property of extraction;
- no extracted material, including any aggregate is removed from the property of origin; and
- there are no retail or other sales of quarried material.

Includes:

- extraction of material for use on the property of origin, for:
    - farm and forestry tracks;
    - access ways; and
    - hardstand areas.

This definition is nested within the Rural nesting table.

R

Rainwater tank

A tank used for collecting and storing rainwater.

Note: If a rainwater tank is to be used for firefighting please refer to the Firefighting Water Supplies Code of Practice as mandated by the Fire and Emergency New Zealand Act)

Rear site

A site with frontage of less than 7.5m to a legal road or private road.

Refer to Figure J1.4.8 Site.

Rear yard

The area along the full width of a site that is between the rear boundary and a line parallel to that boundary.

Includes:

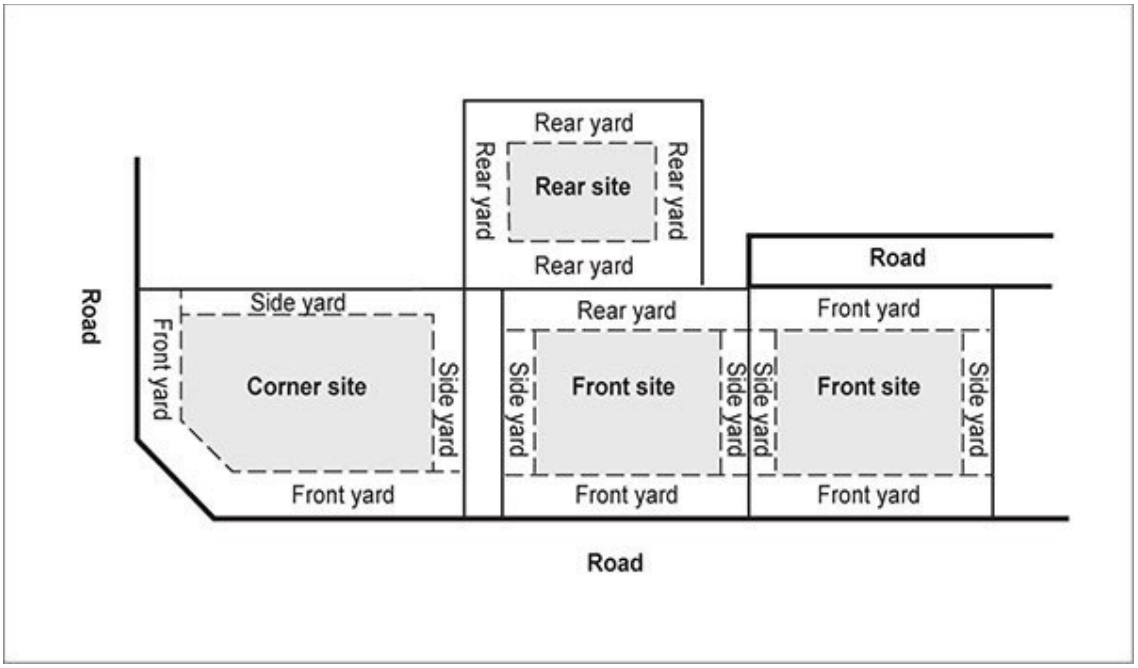
- all yards on a rear site.

Excludes:

- all yards on a corner site.

Refer to Figure J1.4.7 Yards.

Figure J1.4.7 Yards



Receiving waters

Water in the coastal marine area or in a body of fresh water.

Includes:

- rivers;
- streams;
- lakes;
- groundwater aquifers; and
- modified natural watercourses.

Excludes:

- any artificial watercourse, such as an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canals.

Reclamation

Permanent filling of the coastal marine area or the bed of any lake, wetland river or stream to create dry land.

Includes:

- filling associated with piping a stream.

Excludes:

- piles;
- pylons;
- boat ramps;
- rubble mound breakwaters;
- filling behind seawalls (unless the purpose of the seawall and filling is primarily for the purpose of creating land);
- beach nourishment where the newly created land is still subject to the ebb and flow of the tide;
- any area of surface water impounded by a dam; and
- culverts parallel to the direction of water flow.

Recreation facility

A facility where the primary purpose is to provide for sport and recreation activities.

Includes:

- recreation centres;
- aquatic facilities, swimming pools, both indoor and outdoor;
- fitness centres and gymnasiums; and

- indoor sports centres.

Recreational trail

A sealed or unsealed pathway or greenway that is used for informal or organised purposes such as footpaths, cross country mountain biking, bridle trails, fitness trails, off road cycleways and walkways.

Redevelopment of a road

Works that involve the reconstruction of the road carriageway and incorporate the addition of more than 1,000m^2 of new road impervious surfaces.

Redevelopment of impervious area

The replacement or reconstruction of a site's impervious area, excluding:

(a) maintenance or repairs, such as:

(i) pothole repairs to parking areas, driveways and paving; and

(ii) painting of roofing and exterior cladding;

(b) resurfacing that does not involve re-direction of existing stormwater flows or drainage networks; and

(c) trenching and resurfacing associated with the installation, maintenance, repair and replacement of underground equipment, infrastructure or underground utility works.

Refuse transfer station

Facilities used for receiving, storing, collecting, processing and transferring waste materials not generated on-site and may include a recycling station.

This definition is nested within the Industry nesting table.

Remedial action plan (contaminated land)

A remedial action plan:

- prepared by, or prepared under the management of, a suitably qualified and experienced person;

- prepared in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment 2011; and
- certified by a suitably qualified and experienced person.

Repair and maintenance services

Servicing, testing or repairing vessels, vehicles or machinery.

Includes:

- automotive mechanics;
- panel beating; and
- devanning, storage and testing of LPG cylinders.

This definition is nested within the Industry nesting table.

Research and exploratory-scale investigations for renewable electricity generation activities

Undertaking monitoring and measuring activities of solar, wind, hydro-electricity or geothermal energy sources for potential renewable electricity generation activities.

Residential zones

Means:

- Residential - Large Lot Zone;
- Residential - Rural and Coastal Settlement Zone.
- Residential - Single House Zone;
- Residential - Mixed Housing Suburban Zone;
- Residential - Mixed Housing Urban Zone; and
- Residential - Terrace Housing and Apartment Buildings Zone;

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Restaurant and cafe

Facilities used for selling food for consumption on the premises.

This definition is nested within the Commerce nesting table.

Retail

Selling goods to the general public.

This definition is nested within the Commerce nesting table.

Reticulated

A system of pipes, lines and cables and accessory development owned and operated by a network utility operator to supply gas, telecommunications, power, water, or stormwater or wastewater drainage.

Retirement village

A managed comprehensive residential development used to provide accommodation for aged people,

Includes:

- the use or development of any site(s) containing two or more units that provides accommodation, together with any services or facilities, predominantly for persons in their retirement, which may also include their spouses or partners; and
- recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities accessory to the retirement village.

Excludes:

- dwellings.

This definition is nested within the Residential nesting table.

Riparian margin

An area of land immediately adjacent to a permanent or intermittent river or stream.

Riparian yard

The area along the top of a permanent or intermittent river or stream measured horizontally and at right angles from the top of the bank.

River or stream

A continually or intermittently flowing body of fresh water, excluding ephemeral streams, and includes a stream or modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal except where it is a modified element of a natural drainage system).

River mouth dredging

Clearing, cutting or realigning a river channel, river mouth or watercourse used for drainage purposes.

Road

Has the same meaning as in section 315 of the Local Government Act 1974 but also includes motorways as defined in section 2(1) of the Government Roading Powers Act 1989.

Road ancillary area

Paved area that is not part of the road carriage way, carries very low traffic loads and is not high contaminant generating areas, but which is required for the safe and efficient functioning of the road network.

Includes:

- access to road infrastructure, signage and utility services;
- maintenance lanes;
- emergency stopping areas and lanes;
- vehicle pull over or rest areas; and
- maintenance and service vehicle access and stopping areas.

Road controlling authority

Has the same meaning as section 5 of the Land Transport Management Act 2003.

Road network activities

Road infrastructure and transport services provided within the road including:

- footpaths, footways and footbridges, bridges for roads, tunnels, retaining walls for roads both above and below the road;
- road verges and berms;
- site access including vehicle crossings;
- road carriageways;
- road pavements;
- cycle facilities;
- road lighting and support structures;
- traffic operation and safety signs, direction signs, road name signs;

- road safety devices including interactive warning signs, road markings, rumble strips, barriers, fences, speed tables and speed cushions, traffic separators, bus friendly vertical deflection devices;
- ancillary equipment and structures associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets;
- traffic control devices including traffic islands, pedestrian crossings and roundabouts and intersection controls, traffic and cycle monitoring devices, traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals;
- devices and structures to implement regulatory controls (no-stopping, no-overtaking, parking control, buslane controls, vehicle restrictions) including speed limit and parking restriction signs, parking meters and pay and display kiosks, speed cameras and red light/traffic cameras and on street parking areas;
- road drainage devices including culverts, sub-soils, catchpits, watertables, manholes, inlets, outlets, flumes;
- scour and erosion control devices;
- stormwater management devices including rain gardens, wetlands, stormwater treatment areas and ponds; and
- noise attenuation walls or fences;
- devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification, and infra-red vehicle occupancy counters), lane control signals, ramp signals, variable messaging signs, CCTV cameras, incident detection, emergency telephones, cables and ducting.

Runoff

The uncontrolled flow or channelling of stormwater away from a site as a result of the rate of application being greater than the soil's capacity for absorption.

Rural airstrip

Any area of land in any rural zone that aircraft (including helicopters) use for take-off and landing for the purpose of servicing rural land.

Includes:

- aerial topdressing, pest control and aerial spraying;
- forestry;
- fencing;
- delivery of farm supplies and equipment;
- the collection of farm produce.

Excludes:

- airfields;
- airports;
- aerodromes; and
- any activity located in a rural zone for which resource consent is required.

Rural commercial services

Commercial services that:

(a) have, as their principal function, a clear connection to, or provide services to:

(i) rural production activities; or

(ii) aquaculture activities; and

(b) involve the sale of:

(i) rural produce and other products produced by a handcraft industry or home occupation on the same site; or

(ii) rural services that support rural production activities or aquaculture; and

(c) may have some form of accessory depot, office, base, or storage area, from which the activity is normally operated or commenced.

Includes:

- farm visits;
- laboratories and research facilities associated with rural production activities;
- rural topdressing, pest control and spraying services;
- servicing, assembling or repair of agricultural or aquaculture machinery or equipment;
- the services of a trenchers, post rammers, or fencing contractors; or
- aquaculture equipment storage or maintenance.

Excludes:

- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site;
- stock yards that are accessory to farming carried out on the same site;
- shops for sale or hire of goods;
- freight or transportation services;

- storage of vehicles or equipment for hire;
- sale yards;
- sawmills and portable sawmills;
- grain silos or feed mills;
- aquaculture equipment storage or maintenance;
- meat or poultry processing;
- dairy factories;
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- packing sheds.

This definition is nested within the Rural nesting table.

Rural industries

Industries that:

(a) have, as their principal function, a clear connection to, or provide services to:

(i) rural production activities; or

(ii) aquaculture activities; or

(b) use raw materials derived from:

(i) rural production activities;

(ii) aquaculture activities, or

(iii) the natural resources on the site other than topsoil or aggregate; and

(c) may have some form of:

(i) processing facility;

(ii) accessory depot; or

(iii) base or storage area, from which the activity is normally operated or started.

Includes:

- freight or transportation services;
- storage of vehicles or equipment for hire;
- sale yards;
- sawmills other than portable sawmills;

- grain silos or feed mills;
- meat or poultry processing;
- dairy factories; and
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site.

Excludes:

- home occupations;
- shops (sale or hire of goods);
- rural topdressing, pest control and spraying services;
- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- stock yards that are accessory to farming carried out on the same site.

This definition is nested within the Rural nesting table.

Rural tourist and visitor activities

Recreation activities or pursuits:

(a) derived from and interacting with the rural environment or communities, including their history; and

(b) functionally dependent on the natural or rural environment.

Includes:

- paint ball games;
- bush walks;
- tree top walking;
- bird watching, including viewing birds in aviaries;
- outdoor obstacle courses;
- mini-golf;
- sculpture parks; and
- sale of souvenirs and goods accessory to the activity.

Excludes:

- zoological parks;
- gun clubs;
- archery;

- golf driving ranges; and
- sports focused on motor vehicles.

Rural production activities

Activities that involve the production of primary products such as those from farming, intensive farming, horticultural, or forestry activities, and which have a functional need for a rural location.

Rural zones

Means:

- Rural – Rural Production Zone;
- Rural – Mixed Rural Zone;
- Rural – Rural Coastal Zone;
- Rural – Rural Conservation Zone;
- Rural – Countryside Living Zone;
- Rural – Waitākere Foothills Zone; and
- Rural – Waitākere Ranges Zone.

S

Satellite town

Town in the region which functions semi-independently from the Auckland metropolitan area, providing a full range of services and employment opportunities to the surrounding rural areas. It applies to the towns of Pukekohe and Warkworth.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Secondary flow path

The route over land that stormwater will follow when the reticulated stormwater system reaches capacity or is blocked.

Secondary treatment

Treated effluent to a standard of 20g/m^3 5-day biochemical oxygen demand and 30g/m^3 total suspended solids or better.

Sediment control

Measures to prevent or minimise the discharge of sediment that has been eroded.

Sediment Control Protection Area

(a) 100m either side of a foredune or 100m landward of the coastal marine area (whichever is the more landward of mean high water springs); or

(b) 50m landward of the edge of a lake, river or stream, or the edge of a wetland of 1,000m^2 or greater.

Sensitive receiving environment

Area where wastewater, stormwater or other discharges are likely to have adverse impacts on important natural or human uses or values in marine, freshwater, and terrestrial environments.

Separate phase hydrocarbons

Hydrocarbons at concentrations that exceed the capacity of the soil to absorb and retain them such that they are able to be mobilised by natural forces or ground disturbance associated with a proposed activity.

Separate phase liquid contaminants

Contaminants at concentrations that exceed the capacity of soil to absorb and retain them such that they are able to be mobilised by natural forces or ground disturbance associated with a proposed activity.

Service connection

Part or all of any structure, pipe, equipment or cable that relates to:

- radio communication or telecommunication lines; or
- wastewater or stormwater treatment or disposal; or
- water, gas or electricity;

and which serves a dwelling or other building or the occupants of that dwelling or building.

Service station

A facility where the primary business is selling motor vehicle fuels.

Includes the following accessory activities:

- retail;
- car wash facilities;
- mechanical repair, servicing and testing of motor vehicles and domestic equipment;
- sale of lubricating oils, kerosene, LPG, or spare parts and accessories for motor vehicles; and
- trailer hire.

This definition is nested within the Commerce nesting table.

PC 120 (see Modifications)

[new text to be inserted]

Sewage

Has the same meaning as in the Resource Management (Marine Pollution) Regulations 1998.

Sewage sludge

Un-stabilised organic solid material generated by the treatment of sewage and wastewater.

Short-term parking (non-accessory)

Where:

(a) the parking is for public use on a casual and short stay basis between 7am and 6pm Monday to Friday inclusive, but excluding public holidays;

(b) any pricing schedule severely penalises parking exceeding 240 minutes (4 hours) during the time periods set out in clause (a) above; and

(c) the parking may also be used on a longer stay basis outside the times and days set out in clause (a) above.

Show home

Building erected to display the design, construction materials, building techniques, or fittings available to potential buyers.

Includes:

- office facilities accessory to the show home; and
- outside living areas and gardens.

This definition is nested within the Commerce nesting table.

Showgrounds

Facilities used for concerts, festivals, carnivals, exhibitions, boat shows and trade shows.

This definition is nested within the Community nesting table.

Side or rear building facade

A building façade that is not a street facing building façade.

Side yard

The area along the full length of a side boundary of a site that is between the side boundary and a line parallel to that boundary.

Includes:

- any boundary of a corner site not facing a street.

Excludes:

- any portion of a site comprising a front or rear yard.

Refer to Figure J1.4.7 Yards.

Sign

A visual device which can be seen from a public open space (including the coastal marine area) or an adjoining property, to attract people's attention by:

- providing directions;
- giving information; and
- advertising products, businesses, services, events or activities.

Includes:

- the frame, supporting device and any associated ancillary equipment whose principal function is to support the message or notice;
- murals, banners, flags, posters, balloons, blimps, light projections, footpath signs, hoardings, projections of lights; and
- signs affixed to or incorporated within the design of a building.

Sign height

The distance from the lowest point of the sign to the highest point of the sign. In the case of a free standing billboard it is the distance from ground level immediately below the billboard to the top of the billboard.

Silage

Any plant material harvested while green for fodder and kept succulent by partial fermentation.

Excludes:

- baleage;
- hay; and
- wrapped silage.

Silage leachate

The liquids generated from the biological processes that occur when vegetative matter is preserved as silage, or when soluble components are dissolved out of silage by percolating or infiltrating rainwater, surface water or groundwater.

Excludes leachate from the making of baleage or hay.

Silage storage facility

Land or structures, on which silage is stored, processed or directly utilised. Bales of plant material completely encapsulated in plastic are not considered a ‘silage storage facility‘.

Single chamber incinerator

A single chamber appliance used primarily for destroying waste through combustion.

Site

Any area of land which meets one of the descriptions set out below:

(a) an area of land which is:

(i) comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or

(ii) contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;

being in any case the smaller area of clauses (i) or (ii) above; or

(b) an area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:

(i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or

(ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or

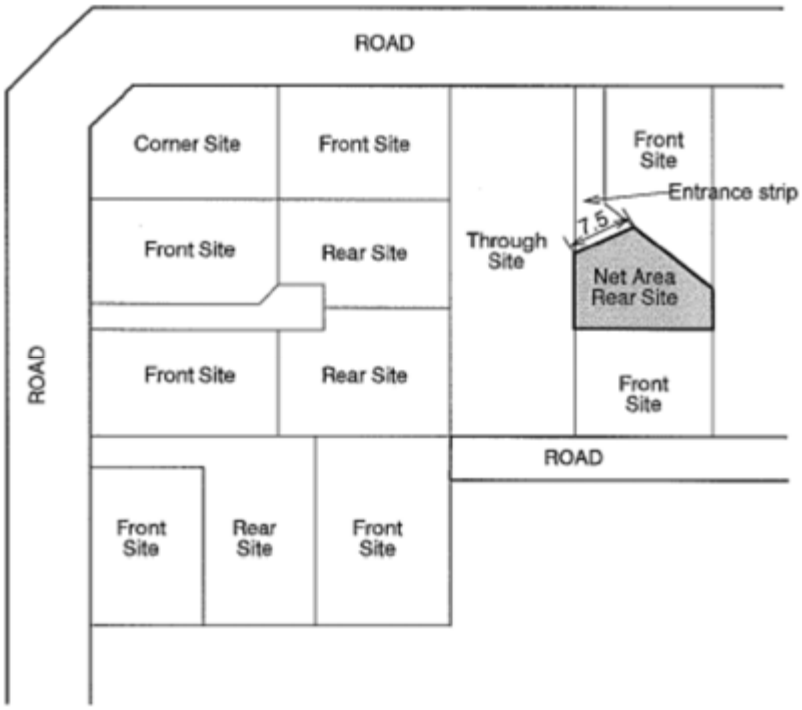
(c) an area of land which is:

(i) partly made up of land which complies with clauses (a) or (b) above; and

(ii) partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;

Except in relation to each description that in the case of land subdivided under the Unit Titles Act 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.

Figure J1.4.8: Site



See also: entrance strip, rear site, access site, front site, corner site and through site.

Site management plan (contaminated land)

A site management plan:

- prepared by, or prepared under the management of, a suitably qualified and experienced person;
- prepared in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- certified by a suitably qualified and experienced person.

Site validation report (contaminated land)

A site validation report:

- prepared by, or prepared under the management of, a suitably qualified and experienced person;
- prepared in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- certified by a suitably qualified and experienced person.

Sleeping area

Area that is specifically designed and constructed within activities sensitive to noise that provide for sleep but are not residential bedrooms. These areas include rooms such as hospital wards, sleeping areas in care centres and studio apartments.

Small scale electricity generation

Systems or equipment that:

- generate electricity from renewable sources to meet on-site energy requirements and/or connect into a distributed energy network.

Includes:

- roof-top wind turbines with a maximum blade diameter of 2.5m; and
- photovoltaic systems.

Excludes:

- hydro generation.

Speed Management Measures:

The application of engineering and other physical measures to a vehicle access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network.

Includes:

- speed humps
- raised tables
- side islands
- lane narrowing
- chicanes
- lateral shifts
- surface treatments
- landscaping.

Sport and recreation structure

Accessory structure required to undertake a sport or recreational activity associated with a park or sports field.

Includes:

- goal posts;
- courts;
- artificial playing surfaces;
- fences;
- scoreboards (fixed or moveable);
- floodlight poles and transformers;
- fences associated with the sport e.g. ball nets, crowd control, safety barriers;
- sideline shelters;
- site screens;
- cricket nets;
- skate parks;
- cycle parking structures;
- basketball bowls;
- horse jumps;
- BMX tracks and jump structures;
- mountain bike downhill structures; and

- public address systems.

Excludes:

- clubrooms.

Standoff pad

An area of sealed or unsealed land, excluding paddocks, where farmed animals are regularly held or fed.

Storage and lockup facility

Business that provides facilities to the public for storing possessions.

This definition is nested within the Industry nesting table.

Stormwater

Rainfall runoff from land, including constructed impervious areas such as roads, pavement , roofs and urban areas which may contain dissolved or entrained contaminants, and which is diverted and discharged to land and water.

Stormwater management devices

A device or facility used to reduce stormwater runoff volume, flow and/or contaminant loads prior to discharge.

Includes:

- rain gardens;
- porous or permeable paving;
- infiltration trenches;
- swales;
- sand filters;
- green roofs;
- wetlands;
- ponds; and
- proprietary devices.

Stormwater network

A system of stormwater pipes, open channels, devices and associated ancillary structures used for the purpose of conveying, diverting, storing, treating, or discharging stormwater.

Excludes:

- roads and drainage networks that are for the purpose of road drainage such as road water table drains.

Stormwater network discharge consent

A resource consent for the diversion and discharge of stormwater for a stormwater network applied for and held by a stormwater network utility operator.

Street facing building façade

A wall or façade of a building that faces, directly or obliquely, the front boundary or boundaries of the site. In the case of a curved or circular wall or building it must be 45 degrees either side of that point of the wall that is nearest to the front boundary.

Street furniture

Bus shelters, phone booths or permanent public seating placed in the road reserve.

Streetscape

The visual elements of a street, including the road, footpaths, trees, landform, open space and interface to adjoining buildings that combine to form the street's character.

Student accommodation

Living accommodation, primarily used or designed to be used by registered students or guests of a tertiary education facilities or education facilities and which is served by one or more communal living areas, including kitchens.

This definition is nested within the Residential nesting table.

Substation

Those parts of works or electrical installations being a building, structure or enclosure incorporating fittings and other ancillary equipment that are used principally for the purpose of the control of the distribution and/or transmission of electricity.

Suitably qualified and experienced person

A person who can provide sufficient evidence to demonstrate their suitability and competence.

Suitably qualified on-site wastewater system provider

For the purposes of the on-site and small scale wastewater treatment and disposal provisions, a suitably qualified on-site wastewater service provider means:

A provider (including an individual contractor, professional person or company) who can demonstrate all the qualities of a “suitably qualified and experienced person” in the field of on-site and small scale wastewater treatment and disposal systems. This includes on-site wastewater system designers, installers and maintenance contractors.

Surf lifesaving activity

Place occupied by surf lifesaving organisations that provides for the prevention of and response to accidents, emergencies or urgent problems within the coastal environment.

Includes:

- administration relevant to surf lifesaving organisations;
- vehicle and equipment storage and maintenance;
- personnel training, development and short-term accommodation; and
- public education programmes.

Supermarket

An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of:

(a) domestic supplies, fresh food and groceries, such as:

- fresh meat and produce;
- chilled, frozen, packaged, canned and bottled foodstuffs and beverages;
- general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and cigarettes, magazine and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and

(b) non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to):

- barbecue and heating fuels;

- audio visual products;
- electrical appliances;
- clothing and footwear;
- furniture; and
- office supplies.

For the purposes of this definition, retail floor space is that area of the premises to which the public has access for the purpose of shopping, together with any area:

- taken up for the purpose of display of goods; and
- any counter areas used by or occupied exclusively by staff members whilst actively engaged in serving the public.

This area does not include floor space used for:

- storerooms;
- back of house including delivery areas;
- trolley storage areas;
- entrance lobbies;
- behind counter areas; and
- checkouts.

This definition is nested within the Commerce nesting table.

Supported residential care

Facilities used to provide accommodation and full-time care for aged, or disabled people (including mental health, addiction, illness or intellectual disabilities). The facility must be certified under the Health and Disability Services (Safety) Act 2001 and comply with the Health and Disability Sector Standards 2001.

Includes:

- a rest home defined in section 58(4) of the Health and Disability Services (Safety) Act 2001; and
- accessory nursing and medical care.

Excludes:

- hospitals.

This definition is nested within the Residential nesting table.

Surface water

Any freshwater waterbody located above the ground surface.

Includes:

- lakes;
- rivers;
- streams;
- springs;
- water impounded by dams; and
- wetlands.

Surf break

Has the same meaning as in the New Zealand Coastal Policy Statement 2010.

Suspected harmful aquatic organisms

Suspected harmful aquatic organisms include any organisms suspected of meeting one of the following criteria:

(a) designated by Ministry of Primary Industry as a marine pest;

(b) listed as an “unwanted organisms” under the Biosecurity Act 1993; or

(c) designated as pests in the relevant pest management plan prepared under the Biosecurity Act 1993.

T

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Telecommunication kiosk

Any structure intended for public use to facilitate telecommunication and include boxes or booths for telephone, video or internet services.

Temporary activity

An activity that:

- is outside the normal expected use of a site (or area within the coastal marine area); and
- has a start and end date and time.

Includes:

- filming activities at temporary locations and activities accessory to that filming activity;
- activities accessory to a building or construction project, such as scaffolding, fencing, offices or storage sheds;
- Council HazMobile collections;
- carnivals;
- concerts;
- fairs;
- festivals and events;
- public meetings;
- parades;
- special events;
- sporting events;
- overflow parking;
- temporary military training (land based only);
- emergency response training, including live burns carried out by Fire and Emergency New Zealand; and
- structures accessory to temporary activities.

Excludes:

- markets;
- temporary military training activities within the coastal marine area;
- temporary structures within the coastal marine area; and
- temporary signs.

Temporary military training activity

A temporary activity undertaken for defence purposes. Defence purposes are those in accordance with the Defence Act 1990.

Excludes:

- underwater explosives training exercises involving divers.

This definition is nested within the Community nesting table.

Tenancy

One area of occupancy of a retail or office activity that is created by freehold, leasehold, licence or any other arrangement to occupy.

Tertiary education facility

Facility used for education at a post-secondary level, and associated secondary-tertiary programs (section 31A-L of the Education Act 1989).

Includes:

- universities;
- polytechnics and institutes of technology;
- teachers' and other specialist colleges;
- any other institution within the meaning of section 159 of the Education Act 1989; and
- accessory accommodation, administrative, cultural, health, retail and communal facilities.

Through site

A site, other than a corner site, with two or more road frontages.

Refer to Figure J1.4.8 Site.

Total gross heat release

Total units of energy in megawatts (MW) required to operate all combustion appliances on a site.

Trade supplier

A supplier in one or more the categories listed below, engaged in sales to businesses and institutional customers but may also include sales to the general public:

- automotive and marine suppliers;
- building suppliers;
- catering equipment suppliers;
- farming and agricultural suppliers;
- garden and patio suppliers;
- hire premises (except hire or loan of books, video, DVD and other home entertainment items);
- industrial clothing and safety equipment suppliers;
- landscape suppliers; and
- office furniture, equipment and systems suppliers.

This definition is nested within the Commerce nesting table.

Transport equipment

Equipment located within state highways and rail corridors to facilitate the movement of vehicles, goods, and pedestrians.

Includes:

- parking control devices;
- passenger shelters;
- quantity and conveyance infrastructure related to the transport network.;
- real time passenger information displays;
- road signage;
- artworks;
- street and rail furniture;
- street lights;
- tidal flow mechanisms and stormwater management arrangements and structures;
- toll and ticketing infrastructure;
- traffic and pedestrian monitoring cameras;
- traffic and rail lights and associated control structures;
- underpasses and overpasses; and
- ventilation structures.

Transport storage yard

Area for storage of materials related to transport activities or transport equipment, including but not limited to equipment, raw products and machinery.

Travel plan

A plan which sets out how travel demand is to be managed for a particular site or proposal to:

- maximise the efficient use of transport systems; and
- promote the use of more sustainable and active modes of transport such as public transport, walking and cycling, and carpooling as alternatives to sole occupancy private cars.

A travel plan includes:

- a description of the site and the proposal;

- details of the physical infrastructure that is or will be established on the site to support the use of walking and cycling, public transport, carpooling;
- details of how the travel plan is to be communicated, promoted, implemented and monitored;
- information about the amount and nature of any onsite parking and how is to be managed to support efficient use and promote alternatives; and
- expected outcomes.

Note

Best practice guidance on the preparation of a travel plan can be provided by Auckland Transport.

A travel plan is also sometimes referred to as a travel demand management plan.

Treated effluent

Dairy effluent that has been treated through a minimum specification two-pond treatment system.

Treaty settlement land

Property which is either:

- vested with claimant groups by the Crown as a result of Treaty settlement legislation and final deeds of settlement; or
- acquired by a claimant group from the Crown pursuant to a right of first refusal process provided that the properties were specifically identified by reference to site or title in Treaty settlement legislation enacted prior to the date on which the Unitary Plan became operative as Right of First Refusal land for that claimant group.

Includes:

- cultural redress properties;
- commercial redress properties including:
    - properties returned via deferred selection,
    - properties transferred to other iwi, hapū or whānau entities associated or affiliated with the claimant group; and
    - properties transferred to a company in which the claimant group holds a controlling interest.

Excludes:

- unspecified properties within geographic areas over which claimant groups have been awarded Right of First Refusal in Treaty settlement legislation;

- any properties over which claimant groups have been awarded Right of First Refusal in Treaty settlement legislation enacted after the date on which the Unitary Plan became operative;
- properties covered by Statutory Acknowledgement or Deed of Recognition but not owned by claimant groups;
- properties in which the claimant group, or an iwi, hapū or whānau entity associated or affiliated with the claimant group, no longer retains a legal freehold interest;
- properties leased by the claimant group to an unrelated entity for a term which, including renewals, is or could be more than 35 years; and
- properties transferred to a company in which the claimant group has a minority interest.

Trenching

Excavating trenches for services including gas, electricity, water, and drainage and transport equipment.

U

Underwater blasting

Blasting undertaken underwater in the coastal marine area for construction, demolition, dredging or other purposes.

Underwater explosives training

Activities undertaken for defence purposes in accordance with the Defence Act 1990 that involve the release of explosives by divers.

Unenclosed substations

A substation incorporating an uncovered equipment yard or other elements not fully enclosed within a roofed building or structure.

Unformed road

Land that was legally established as a road prior to 1996 but which is not formed or maintained by Auckland Transport as a public road.

Uniformity ratio

The ratio of the minimum illuminance to the average illuminance.

Unit

A defined part of a building under different ownership, including apartments and separate leased areas within a building.

Universal access

The provision of buildings that are accessible and usable to the greatest extent possible by people of all ages and abilities.

Unusual organism

Organism that regular marine users of specific areas have not previously seen or are not familiar with.

Urban area

Land zoned residential or business, together with adjoining special purpose and open space zones.

PC 120 (see Modifications)

[new text to be inserted]

Urupā

Māori burial ground.

Includes:

- closed Māori burial grounds; and
- open Māori burial grounds.

V

Vegetation alteration or removal

Damaging, cutting, destroying or removing any part of vegetation.
Includes:

- roots; and
- crown pruning.

Excludes:

- the alteration or removal of vegetation planted as a crop or pasture.

Vehicle crossing

Facility for vehicle access between a road carriageway and a site boundary.

Vertebrate toxic agent

Substance used to eradicate, modify or control vertebrate animals.

Vessel

Boat or craft used in navigation in or on the water, with or without propulsion.

Includes:

- barges, lighters, or similar vessels;
- hovercraft or similar craft;
- submarines or other submersibles; and
- houseboats.

Veterinary clinic

Facility used for animal healthcare.

Includes:

- animal hospital treatment.

This definition is nested within the Commerce nesting table.

Veterinary vaccine

A biological compound that:

- is used to produce or artificially increase immunity to a particular disease;
- is controlled by the Agricultural Compounds and Veterinary Medicines Act 1997; and
- has been tested and approved as safe to use by a process similar to that conducted for approval and use of medical vaccines.

Viable genetically modified veterinary vaccine

A genetically modified veterinary vaccine that could survive or replicate in the environment or be transmitted from the inoculated recipient.

Vibe

A quality of a plan that is incapable of being defined.

Visitor accommodation

Facility used for accommodating tourists and short-stay visitors away from their normal place of residence.

Includes:

- backpacker lodges;
- motels and hotels;
- services or amenities such as restaurants, bars, gyms and ancillary retail provided on-site for the exclusive use of people staying in the accommodation and their guests;
- serviced rental accommodation for visitors offered at a daily tariff or with a pricing structure consistent with short stay accommodation; and
- timeshare accommodation.

Excludes:

- boarding houses and hostels;
- letting of dwellings, including for holiday purposes; and
- accommodation on a marae.

This definition is nested within the Residential nesting table.

Volatile organic compound

A hydrocarbon based compound with a vapour pressure greater than 2mm of mercury (0.27 kilopascals) at a temperature of 25°C or having a corresponding volatility under the particular conditions of use, but does not include methane.

W

Wāhi tapu

Sacred ancestral sites and places of significance to iwi, hapū or whānau.

Warehousing and storage

Facilities used for the receipt, storage, handling and distribution of materials, articles or goods destined for a retail outlet, trader or manufacturer.

Includes:

- direct collection of materials; and
- articles or goods by traders.

Excludes:

- retail.

This definition is nested within the Industry nesting table.

Washwater

Water that has been used to wash or clean vehicles, structures, machinery or equipment.

Includes:

- any cleaning chemicals used; and
- any contaminants mobilised by the process.

Waste management facility

Facility used for receiving waste for transfer, treatment, disposal, or temporary storage.

Includes:

- refuse transfer stations; and
- recycling.

Excludes:

- landfills.

This definition is nested within the Industry nesting table.

Wastewater

Liquid (and liquids containing solids) waste from domestic, industrial, commercial premises including (but not limited to) toilet wastes, sullage, trade wastes and gross solids.

Wastewater network

A system of wastewater pipes and associated accessory structures to convey, divert, store, treat, or discharge wastewater.

Water intake structure

A structure located in or adjacent to a surface water body for the purpose of taking water. Water intake structures are typically located on or above the bed of a river or lake and comprise an open pipe, a screen and anchoring which may secure the intake in a fixed position or allow it to move in response to changing water levels. Alternative designs, such as infiltration galleries, provide for water to be diverted to and taken from a location adjacent to the water body.

A water intake structure does not include a culvert or pipe or other similar structure whose principal purpose is to allow the passage of water along a river bed.

Water take

The activity of removing water from a water body (including rivers, streams, lakes, wetlands, water impounded by dams and aquifers), by pumping and/or gravity, typically for consumptive use, but also including groundwater de-watering and groundwater removal as part of land drainage. Take does not include the removal of water from a water body where that removal is by a discharge (for example, where water is discharged over a dam spillway).

Wave attenuation device

Device to reduce wave height and dissipate wave energy.

Includes:

- rubble breakwaters;
- floating breakwaters; and
- groynes.

Wholesaler

A business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers. Sales to the public are an accessory activity.

Workers' accommodation

A dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or surrounding rural area.

Includes:

- accommodation for rangers;
- artists in residence;
- farm managers and workers; and

- staff.

Works within the protected root zone

Carrying out work within the protected root zone.

Includes:

- excavation;
- depositing of materials;
- construction activity;
- installation of services;
- discharge or dispersal of any toxic substance;
- placement of any weed control membrane; and
- storage of vehicles, machinery, or materials.

Y

Yard

The part of a site that must be kept clear and unobstructed by buildings from the ground upwards. Yards are always measured in a horizontal plane and at right angles to the site boundary or other line that substitutes for the site boundary. A yard control is always a minimum dimension unless otherwise stated.

Excludes:

- eaves of any building and any roof, gutter or downpipe that projects over any yard by not more than 750mm;
- fire escapes required under the Building Act 2004; and
- any crop supports structures, artificial crop protection structures, hedges, or shelter belts.

See also: Front yard, Side yard, Rear yard, Lakeside yard and Riparian yard.

Appendix 17 Documents incorporated by reference

An indicative list of documents incorporated by reference into the Plan is set out below. Documents are listed under the heading of the section they are found in. References to Acts of parliament and national policy statements are not included.

B1 Issues

The Local Government (Auckland Regional Parks) Order 2008

National Code of Practice for Utility Operators' Access to Transport Corridors under the Utilities Access Act 2010

New Zealand Code of Practice for Electrical Safe Distances 2001 under the Electricity Act 1992

Auckland Plan under the Local Government (Auckland Council) Act 2009

Long-term Plan under the Local Government Act 2002

Regional Land Transport Plan under the Land Transport Management Act 2003

B3 Infrastructure, transport and energy

Regional Land Transport Plan made under the Land Transport Management Act 2003

B10 Environmental risk

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Wellington, Ministry for the Environment (2011)

D1 High-use Aquifer Management Areas Overlay

Geology of the Auckland Area, 1:250,000 Geological Map 3, Institute of Geological and Nuclear Sciences, Edbrooke (2001)

D12 Waitākere Ranges Heritage Area Overlay

Auckland Council Trading and Events in Public Places Bylaw 2015

D17 Historic Heritage Overlay

New Zealand Heritage List/Rārangi Kōrero

D24 Aircraft Noise Overlay

Part G4 of the New Zealand Building Code

New Zealand Standard on Ventilation for Acceptable Indoor Air Quality (NZS 4303:1990)

D25 City Centre Port Noise Overlay

New Zealand Standard on Acoustics - Measurement of environmental sound (NZS 6801: 2008)

New Zealand Standard on Acoustics - environmental noise (NZS 6802: 2008).

D26 National Grid Corridor Overlay

New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)

E1 Water quality and integrated management

New Zealand Macroinvertebrate Working Group Report No. 1, Stark, J.D. et al., Prepared for the Ministry for the Environment 2001

E2 Water quantity, allocation and use

New Zealand Building Code

New Zealand Standard on the Environmental Standard for Drilling of Soil and Rock (NZS 4411:2001)

Auckland Council Technical Report 2011/009: Stream Ecological Valuation

Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al, August 2014

Auckland Council Navigational Safety Bylaw 2014

Auckland Council Technical Publication 108

Guideline for stormwater runoff modelling in the Auckland Region, April 1999

Farm Technical Manual – Lincoln University; Fleming, P. (Ed.); 2011

E3 Lakes, rivers, streams and wetlands

Auckland Council Technical Report 2011/009: Stream Ecological Valuation (SEV): a method for assessing the ecological functions of Auckland Streams (October 2011)

Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al, August 2014

Auckland Council Technical Publication 108: Guideline for stormwater runoff modelling in the Auckland Region, April 1999

Farm Technical Manual – Lincoln University; Fleming, P. (Ed.); 2011

E4 Other discharges of contaminants

Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC 2000 Guidelines)

E5 On-site and small scale wastewater treatment and disposal

Technical Publication 58 On-site Wastewater Systems: Design and Management Manual 2004

E6 Wastewater network management

Drinking-water Standards for New Zealand 2005 (revised 2008)

E7 Taking, using, damming and diversion of water and drilling

Dam Safety Guidelines – Auckland Council Technical Publication 109

New Zealand Dam Safety Guidelines – New Zealand Society of Large Dams 2000

NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock

New Zealand Building Code

E9 Stormwater quality - High contaminant generating car parks and high use roads

'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01) December 2017'

E11 Land disturbance - Regional

Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

'Guidance Document 2016/005 Erosion and Sediment Control Guideline for Land Disturbing Activities (GD05)'

Erosion and Sediment Control Guidelines for Vegetable Production Horticulture New Zealand (June 2014)

E12 Land disturbance - District

Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001

PC 120 (see Modifications)

[new text to be inserted]

E13 Cleanfills, managed fills and landfills

Australian and New Zealand Environment and Conservation Council Guidelines for Fresh and Marine Water Quality 2000

E14 Air quality

Resource Management (National Environmental Standards for Air Quality) Regulations 2004

NSW Environment Protection Agency Guidelines for estimating Chimney Heights for small and medium sized Fuel Burning Equipment February 1993

E15 Vegetation management and biodiversity

Auckland Council District Plan – Hauraki Gulf Islands section

PC 120 (see Modifications)

[new text to be inserted]

E17 Trees in roads

Electricity (Hazards from Trees) Regulations 2003

E23 Signs

Auckland Transport/Auckland Council Signage Bylaw 2015

Auckland Transport Elections Signs Bylaw 2013

Austroads Guide to Road Design

Australian Standards AS 4282 - 1997 (Control of the Obtrusive Effects of Outdoor Lighting)

E24 Lighting

Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting

CIE 150:2003 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations – International Commission on Illumination ISBN 3 901 906 19 3

AS/NZS1158.3.1:2020 Australian/New Zealand Standard Lighting for roads and public spaces Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements

E25 Noise and vibration

NZS 6801:2008 Measurement of environmental sound

NZS 6802:2008 Acoustics - Environmental noise

NZS 6803:1999 Acoustics – Construction noise

NZS 6808: 2010 Acoustics – Wind farm noise

German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures

ISO 2631-2:2003 Mechanical vibration and shock – Evaluation of human exposure to whole-body vibration – Part 2: Vibration in buildings

NZS 6806: 2010 Acoustics – Road traffic noise

ASHRAE (US) Standard 55:2013 - Thermal environmental conditions for human occupancy

CIBSE (UK) Technical Memorandum TM52:2013 – The limits of thermal comfort: avoiding overheating in European buildings

BS EN 15251:2007 – Indoor environmental input parameters for design and assessment of energy performance of buildings

E26 Infrastructure

National Code of Practice for Utility Operators' Access to Transport Corridors

Resource Management (National Environmental Standards for Electricity Transmission Activities "NESETA") Regulations 2009

PC 120 (see Modifications)

Resource Management (National Environmental Standards for Telecommunication Facilities "NESTF") Regulations 2008

[new text to be inserted]

New Zealand Standard on Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300 GHz (NZS 2772.1: 1999)

NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances

International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818-836)

World Health Organisation monograph Environmental Health Criteria (No 238, June 2007)

New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999)

E27 Transport

Regional Land Transport Plan

New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001)

New Zealand Standard for Off-Street Parking - Parking Facilities Part 1: Off-Street Car Parking (AS/NZS 2890.1 2004)

Australian/New Zealand Wiring Rules AS/NZS 3000:2018 (entire document)

SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use (Sections 1-3 & Tables 1 & 2)

SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications (Sections 1-4 & Appendix A)

WorkSafe - Electric Vehicle charging safety guidelines, May 2019 2nd addition plus addendums 1 and 2 (entire document)

Auckland Code of Practice for Land Development and Subdivision, (Chapter 3 Transport) Codes of Practice, Auckland Design Manual 2022

Land Transport New Zealand Road and Traffic Guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007) (entire document)

E30 Contaminated land

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

Ministry for the Environment Contaminated Land Management Guidelines No.5 – Site Investigation and Analysis of Soils (Revised 2011)

Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand, Ministry for the Environment (Revised 2011)

Canadian Environmental Quality Guidelines, Canadian Council of Ministers of the Environment (2013)

Identifying, Investigating and Managing Risks Associated with Former Sheep Dip Sites: A Guide for Local Authorities, by the Ministry for the Environment November 2006

Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000 Guidelines)

E32 Biosolids

Guidelines for the Safe Application of Biosolids to Land in New Zealand, August 2003

E33 Industrial and trade activities

Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand, Ministry for the Environment, December 1998

Stormwater Management Devices: Design Guidelines Manual second edition, May 2003, Auckland Council Technical Publication 10

Hazardous Substances (Emergency Management) Regulations 2001

E34 Agrichemicals and vertebrate toxic agents

New Zealand Standard - Management of Agrichemicals (NZS 8409: 2004)

E35 Rural production discharges

Dairy Effluent Storage Calculator for the Auckland Region 2012

The Fertiliser Association of New Zealand's Code of Practice for Nutrient Management (2013)

A Code of Practice for The Management of Greenhouse Nutrient Discharges Horticulture New Zealand (June 2007)

Resource Management (Exemption) Regulations 2017 - Schedule 2 Conditions on exemptions

E36 Natural hazards and flooding

PC 120 (see Modifications)

National Rural Fire Authority New Zealand Wildfire Threat Analysis

New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001

PC 120 (see Modifications)

[new text to be inserted]

E38 Subdivision – Urban

NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008

PC 120 (see Modifications)

[new text to be inserted]

E39 Subdivision – Rural

NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008

PC 120 (see Modifications)

[new text to be inserted]

E40 Temporary activities

New Zealand Standard on Acoustics – Construction Noise (NZS 6803:1999)

PC 120 (see Modifications)

[new text to be inserted]

H28 Special Purpose - Quarry Zone

Australian Standard AS 2187 2006

German standard DIN 4150-3 1999: Structural vibration - Part 3

I101 Motorsport Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802: 2008).

International Standard IEC 61672: Sound Level Meters, Parts 1–3.

IEC 6511979, Type 2 or better (IEC - International Electrotechnical Commission)

Auckland Transport Code of Practice

I102 Rowing and Paddling Precinct

Navigation Safety Bylaw 2014

I201 Britomart Precinct

Britomart Precinct Urban Design Guidelines - Chapter 4 Buildings

I208 Port Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).

I211 Viaduct Harbour Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).

I214 Wynyard Precinct

NZ Building Code

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).

International Standard IEC 651 (1979): Sound Level Meter, Type 1.

Wynyard Precinct Transport Plan (19 August 2010)

I300 Alexandra Park Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3.

I301 ASB Showgrounds Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I302 ASB Tennis Arena Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I304 Auckland Zoo Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I307 Avondale Racecourse Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I310 Eden Park Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I313 Ellerslie Racecourse Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I318 Monte Cecilia Precinct

Pah Farm Conservation Plan

I319 MOTAT Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I321 Mount Smart Stadium Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I322 Mount Wellington 5 Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

I327 Ōrakei 2 Precinct

Whenua Rangatira Reserve Management Plan

Ngāti Whātua Iwi Management Plan 2012

I328 Ōrakei Point Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Norwegian Standard NS 8176E: 2nd edition September 2005 Vibration and Shock Measurement of Vibration in Buildings from Land Based Transport and Guidance to Evaluation of its Effects on Human Beings.

NZS 4121:2001 Design for access and mobility: buildings and associated facilities

ARTA Guidance Note for Cycle Parking Facilities 2007

ANSI A300 Pruning Standards

Trees and Development: A Technical Guide to Preservation of Trees During Land Development". (Champaign IL: International Society of Arboricultural. Matheny, N., & Clark J.R, (1998))

I335 Western Springs Stadium Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I400 Ardmore 3 Precinct

International Civil Aviation Organization standard for a Type A obstruction light

I402 Auckland Airport Precinct

Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region

I405 Big Bay Precinct

British Standards BS5252 – standard specification colour ranges

I407 Bruce Pulman Park Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I408 Clevedon Precinct

NZS HB8630:2004 – Design of Walking Tracks

I409 Clevedon Waterways Precinct

NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008

I410 Drury South Industrial Precinct

New Zealand Standard NZS6806:2010 "Acoustics – Road Traffic Noise – New and Altered Roads

I411 ECOLight Stadium Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I413 Franklin A&P Showgrounds Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I414 Franklin Trotting Club Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I415 Glenbrook Steel Mill Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

I418 Kingseat Precinct

TP 10 – Stormwater Management Devices: Design Guidelines Manual (May 2003)

ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value

Auckland Transport Code of Practice

I426 Matingarahi Precinct

British Standards BS5252 – standard specification colour ranges

I427 Pacific Events Centre Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I430 Patumahoe Precinct

Patumahoe Integrated Catchment Management Plan

I432 Puhinui Precinct

NZTA Code of Practise for Temporary Traffic Management

I434 Pukekohe Park Precinct

Land Transport Rule – Vehicle Equipment Amendment 2007 (Rule 32017/2)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I438 Takanini Precinct

New Zealand Standard NZS6802:1991 “Assessment of Environmental Sound

New Zealand Building Code

Catchment Management Plan

I439 Waiuku Precinct

Health and Safety in Employment (Pipelines) Regulations 1999

Standard NZ/AS2885 Pipelines– Gas and Liquid petroleum

I441 Whitford Precinct

Electricity (Hazards from Trees) Regulations 2003

Whitford Precinct guidelines for native revegetation planting

I442 Whitford Village Precinct

Whitford Integrated Catchment Management Plan

New Zealand Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003

Whitford Village Design Guidelines

New Zealand Tracks and Outdoor Visitor Structures Standard (SNZ)

I503 AUT Millennium Institute of Sport Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I511 Hatfields Precinct

New Zealand Cycle Trail Design Guide (prepared for MBIE), February 2015 (4th Edition)

I513 Kaipara Flats Airfield Precinct

New Zealand Standard on Airport Noise Management and Land Use (NZS6805:1992)

FAA Integrated Noise Model (INM)

New Zealand aeronautical information publication – Visual Flight Guide, dated June 2011

I524 North Harbour Stadium and Domain Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I525 North Shore Airport Precinct

New Zealand Standard on Airport Noise Management and Land Use (NZS6805:1992)

FAA Integrated Noise Model (INM)

New Zealand aeronautical information publication – Visual Flight Guide, dated June 2011

I526 North Shore Events Centre Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I535 Rodney Landscape Precinct

BS5252 standard colour palette

I537 Silverdale 3 Precinct

Council’s Standards for Engineering Design

Auckland Transport's Code of Practice

I539 Smales 2 Precinct

2013 Integrated Transport Assessment

I547 Wēiti Precinct

SNZ HB8630:2004 for Walking Tracks (1 January 2004)

I603 Hobsonville Corridor Precinct

Auckland Council Technical Publication 10: Design Guideline Manual for Stormwater Treatment Devices (2003)

I605 Hobsonville Point Precinct

New Zealand Building Code

Energy Efficiency and Conservation Authority Water Heating Assessment Tool

Water Efficiency Labelling Scheme

I606 Lincoln Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

I610 Redhills Precinct

New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001

I613 Trusts Arena Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

1615 Westgate Precinct

Totara Integrated Catchment Management Plan

J1 Definitions

NESETA National Environmental Standards for Electricity Transmission Activities

NESTF National Environmental Standards for Telecommunication Facilities

NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances

Auckland Transport Auckland Council Signage Bylaw 2015

Auckland Transport Election Signs Bylaw 2013

New Zealand Building Code for residential buildings

Contaminated Land Management Guidelines No.5 Site investigation and Analysis of Soils Wellington Ministry for the Environment (2011)

Contaminated Land Management Guidelines No.1 Reporting on Contaminated Sites in New Zealand Wellington Ministry for the Environment (2011)

New Zealand Land Resource Inventory (NZLRI)

GNS Sciences Qmaps

Geology of Auckland (compiled by Edbrooke for IGNS 2001)

Land Use Capability Survey Handbook 3rd Edition 2009

New Zealand Standard 6801:2008 Acoustics - Measurement of environmental sound

New Zealand Standard 6802:2008 Acoustics - Environmental noise

Auckland Regional Plant Pest Strategy

Department of Conservation Pest Plants List

National Pest Plant Accord Under the Biosecurity Act 1993

Food Hygiene Regulations 1974

PC 120 (see Modifications) **[new text to be inserted]**

Appendix 1 Structure plan guidelines

The Auckland Plan

Regional Land Transport Plan

Auckland Transport's Integrated Transport Programme

Watercare's Asset Management Plan

Auckland Council's Parks and Open Space Strategy Action Plan

Auckland Council's Auckland Design Manual

Auckland Council's Code of Practice for Land Development and Subdivision

Appendix 8 Biodiversity offsetting

New Zealand government Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al, August 2014

Appendix 15 Subdivision information and process

Auckland Council's current Regional Pest Management Strategy

Appendix 18 Qualifications required for the application of agrichemicals and vertebrate toxic agents

New Zealand Standard - Management of Agrichemicals (NZS 8409:2004)

PC 120 (see Modifications) **[new text to be inserted]**

Appendix 23 Parking Demand Guidelines to Calculate the Number of Required

Activity		Minimum rate	
	Retirement village		0.7 per unit plus 0.2 visitor space per unit plus 0.3 per bed for rest home beds within a retirement village
	Supported residential care		0.3 per bed
	Visitor accommodation		1 per unit or, where accommodation is not provided in the form of units, 0.3 per bedroom
	Boarding houses		0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the H29 Special Purpose – School Zone)
Offices			A minimum of 1 per 100m2 GFA
Commercial services, excluding the following: veterinary clinics, storage and lockup facilities			1 per 25m2 GFA
	Motor vehicle sales		1 per 10 vehicle display spaces, plus 1 per additional 50m2 GFA
	Trade suppliers		1 per 50m2 GFA plus 1 per 100m2 of outdoor storage or display areas
	Large Format Retail (excluding supermarkets and department stores)		1 per 50m2 GFA
	All other retail (excluding food and beverage)		1 per 50m2 GFA
	Food and beverage		1 per 25m2 GFA
Industrial activities and storage and lock -up facilities	Repair and maintenance services		4 per repair / lubrication bay, plus 1 per additional 50m2 GFA
	Warehousing,		1 per 100m2 GFA, or

	storage and lock up facilities		0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
	All other industrial activities		1 per 50m2 GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
Entertainment facilities and community facilities provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces not separately use shall be disregarded)			0.2 per person the facility is designed to accommodate
Emergency services			1 per employee on site plus 1 per emergency service appliance based at the facility
Care centres			0.10 per child or other person, other than employees plus 0.5 per FTE employee
Educational facilities	Primary and secondary		0.5 per FTE employee plus 1 visitor space per classroom
	Tertiary		Massey University at Albany Campus: 0.32 per EFT student Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student the facility is designed to

			accommodate
Medical facilities	Hospitals not shown on the Parking Variation Control planning maps		1 per 50m2 GFA
	Grafton Hospital 2 Park Road, Grafton		No minimum
	Greenlane Clinical Centre 210 Green Lane West, Epsom		1 per 55m2 GFA
	Mt Albert 50 Carrington Road, Mt Albert		1 per 60m2 GFA
	Mercy Hospital 98 Mountain Road, Epsom		1 per 40m2 GFA
	Healthcare facilities		1 per 20m2 GFA
	Veterinary clinics		1 per 20m2 GFA
Land used for organised sport and recreation			12.5 spaces per hectare
Clubrooms			0.2 per person the facility is designed to accommodate
Water transport	Land adjacent to a public boat launching ramp		No minimum rate for accessory parking associated with boat launching
Marine and port activities and facilities	Marinas		0.35 per berth provided
	Minor ports at Gabador Place, Tamaki and Onehunga		0.5 per employee intended to be working in or at the facility at any one time
All other activities, except for activities within rural zones			1 per 50m2 GFA
All other activities where located in rural zones			No minimum

Attachment 4: Clause 16

Memo

Date 28 April 2026

To: Celia Davison - Manager Planning – Central South

From: Nicholas Lau – Team Leader Planning – Central South

Subject: **Plan Modification: Clause 16 amendment to proposed Plan Change 79 : Amendments to the Transport Provisions Auckland Unitary Plan (Operative in Part 2016)**

I seek your approval to make an amendment to a proposed policy statement or plan pursuant to clause 16, Schedule 1, Resource Management Act 1991 (RMA). Clause 16(2) provides that:

> *A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.*

The RMA defines *proposed plan* at section 43AAC as follows:

> *(1) In this Act, unless the context otherwise requires,* **proposed plan**—
>
> *(a) means a proposed plan, a variation to a proposed plan or change, or a change to a plan proposed by a local authority that has been notified under clause 5 of Schedule 1 or given limited notification under clause 5A of that schedule, but has not become operative in terms of clause 20 of that schedule; and*
>
> *(b) includes—*
>
> *(i) a proposed plan or a change to a plan proposed by a person under Part 2 of Schedule 1 that has been adopted by the local authority under clause 25(2)(a) of Schedule 1:*
>
> *(ii) an IPI notified in accordance with section 80F(1) or (2).*

Plan Change 79 is a plan change to the Auckland Unitary Plan that has been notified but has not yet been approved under clause 17, Schedule 1, or become operative.

You have delegated authority, as a Tier 4 manager, to make a decision to amend the plan change under clause 16 where the alteration is of minor effect or to correct any minor errors. Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register authorises all powers, functions, and duties under RMA's first schedule (except clause 17 which cannot be delegated) to tier four positions.

Nature of error or alteration	Editorial and formatting changes.
Effect of change	The changes are necessary to correct minor editorial and formatting errors, before the plan change is included in the Auckland Unitary Plan. The corrections do not affect the rights of members of the public.
Changes required to be made (text and/or in-text diagrams)	Amend Chapter E24 as follows (the cl16 corrections are highlighted in yellow, while Consent Order changes to the Decisions Version are shown in red underline and ~~strikethrough~~): • Amend **Standard E24.6.2** to:

- correct letter references for second to eighth listed provisions in standard from (c) to (i) to (b) to (h), with the references in the Consent Order being erroneous as it deleted preceding Decisions Version provision (b);

- remove the erroneous hyphen between 'including' and 'connecting' in the first row of Table 24.6.2.1 describing access provisions associated with P subcategory PP4 and relating to Standard E24.6.2.(b); and

- include 'Standard' in front of the reference to E24.6.1(8) in Standard E24.6.2(e) and E24.6.2 in Standard E24.6.2(h) to accord with AUP Standard formatting requirements and which was errenously excluded from the Decision and/or Consent Order version:

~~(c)~~ (b) meet the minimum P subcategories specified in Table 24.6.2.1 below:

Table 24.6.2.1 Minimum P subcategories

Access	P Subcategory
Primary ~~P~~pedestrian access ~~only~~ not adjacent to a vehicle access including ~~-~~connecting elements, steps, stairwells and ramps serving 4 to 9 dwellings	~~PP3~~PP4

...

~~(d)~~ (c) All light fittings must not project any light at or above the height of their light source.

~~(e)~~ (d) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or ~~less~~ lower.

~~(f)~~ (e) Spill light and glare from the lighting must meet the specifications of Standard E24.6.1(8).

~~(g)~~ (f) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where ~~A~~automatic presence detection or sensor lighting is ~~to be avoided and where~~ proposed, this must be ~~supported~~ confirmed as appropriate by a Crime Prevention Through Environmental Design ~~safety~~ assessment prepared by a suitably experienced and qualified specialist.

~~(h)~~ (g) The ~~L~~lighting required by Standard E27.6.3.7(2) and its power source must not be disabled, except for necessary maintenance or repairs or for ~~emergency purposes, be supplied from a common electrical supply which cannot be disabled~~.

~~(i)~~ (h) Solar lighting is acceptable where it complies with Standard E24.6.2 throughout the hours of darkness.

- Amend **Assessment Criterion E24.8.2(1A)(b)** to correct Standard E24.6.2(i) reference to Standard E24.6.2(h), with the reference to Standard E24.6.2(i) in the Consent Order being erroneous as it deleted preceding Decisions Version provision (b) from Standard E24.6.2 and the preceding correction above seeks to correct this error:

(b) ~~the extent to which any solar powered lighting solution meets the lighting subcategory performance levels outlined in Table 24.6.2.1 throughout the hours of darkness and the longevity of this solution over the following 5020-year period from the date that it is installed.~~ where solar lighting does not comply with Standard E24.6.2(h)~~(i)~~, the adequacy of the proposed lighting to provide for pedestrian safety, wayfinding and access.

- Amend **Special Information Requirement E24.9.(1)** to correct the reference to 'standards' which should instead be capitalised to 'Standards' to accord with AUP formatting requirements:

(1) ~~Lighting plans for applications in residential zones, serving two or more dwellings where there is no vehicle access or where there are 10 or more parking spaces or 10 or more dwellings (excluding dwellings which have separate pedestrian access provided directly from the front door to the road).~~ When lighting is required under ~~s~~Standards E27.6.3.7(2) and E24.6.2, a lighting plan and specification shall accompany any resource consent application, prepared by a suitably experienced and qualified lighting specialist, which demonstrates at a minimum the following: ~~for use or development in residential zones, a lighting plan must be prepared by a suitably qualified lighting specialist and must~~:

- Amend **Special Information Requirement E24.9.(1)(b)** to correct:

  - the erroneous reference to 'E24' which should instead be 'Section E24 Lighting' to accord with AUP formatting requirements; and
  - the erroneous use of semi-colon at the end of the provision which should instead be a full stop:

(b) Provides a compliance statement that the lighting proposed in the lighting plan and specification is expected to comply with the relevant requirements in Standard E24.6.2(1) and the spill and glare requirements of Section E24 Lighting:.

Amend Chapter E27 as follows (the cl16 corrections are highlighted in yellow, while Consent Order changes to the Decisions Version are shown in red underline and ~~strikethrough~~):

- Amend **Standard E27.6.1.(2)(d)** to to correct grammatical errors, with a full stop being required at the end of the provision and the removal of a hyphen between 'trip' and 'generation':

(d) there are requirements to assess ~~transport, traffic or~~ trip-generation effects for the activity in ~~the~~ any applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities.

- Amend **Standard E27.6.2.(6)** to correct letter reference to the first listed provision in standard from (e) to (a), with the references in the Consent Order and Decisions Version

being erroneous when compared with the Operative Version which correctly refers to provision (a):

(6) Bicycle parking:

~~(e)~~ (a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; ~~and~~

- Retaining Operative Table E27.6.2.7. without amendment in accordance with Consent Order and Decisions Version which erroneously show Table E27.6.2.7. as being struck-out, apart from reference to "Number of dwellings" in the second table column, all Activity (T111A) and (T111B) provisions and the associated asterixed note underneath the table which should remain struck-out as these were added by Plan Change 79:

Table E27.6.2.7 Minimum loading space requirements

Activity		GFA/~~Number of dwellings~~	Minimum rate
…	…	…	…
~~(T111A)~~	~~Residential activities where vehicle access is provided~~		~~The same rates as for "All other activities, except for activities within rural zones" must apply~~
~~(T111B)~~	~~Residential activities where vehicle access is not otherwise provided~~	~~Developments where all dwellings have individual pedestrian access directly from a public road~~	~~No loading space~~
		~~Up to 9 dwellings without Individual pedestrian access directly from a public road~~	~~No loading~~
		~~Greater than 9 dwellings up to 5,000m² without individual pedestrian access directly from a public road~~	~~1*~~
		~~Greater than 5,000m² dwellings up to 20,000m²~~	~~1~~
		~~Greater than 20,000m² up to 90,000m²~~	~~2~~
		~~Greater than 90,000m²~~	~~3 spaces plus 1 space for every additional 40,000m²~~

~~* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions~~

- Amend the errenous reference to Activity (T111B) in **Table E27.6.2.7A** which should instead be (T111A) given its intended deletion from Table E27.6.2.7 in accordance with the Consent Order and Decisions Version which reinstated the Operative Version of

Table E27.6.2.7 without amendment:

Activity	GFA/Number of dwellings	Minimum rate
(T111BA)	Developments where all dwellings have individual pedestrian access directly from a public road	No loading space required
	Up to 9 dwellings without individual pedestrian access directly from a public road	No loading space required
	10 or more ~~Greater than 9~~ dwellings up to 5,000m² without individual pedestrian access directly from a public road	1*
	Greater than 5,000m²	NA

* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions

- Amend **Standard E27.6.3.2(A)** to remove the erroneous use of brackets in the Decision and Consent Order versions so the Standard and associated provisions become **E27.6.3.2A** to accord with AUP Standard formatting requirements:

E27.6.3.2~~(~~A~~)~~ ~~Number and Design of~~ Accessible Parking

(1) Accessible parking must be provided for all new buildings~~activities~~, extension to existing buildings and changes of activity from non-residential to residential land uses, in accordance with E27.6.3.2~~(~~A~~)~~(2) to (5) below~~type, and / or the expansion or intensification of an existing activity in all zones, except for those listed below in E27.6.3.2(A)(2);~~

....

(5) Where accessible parking is required to be provided on-site in accordance with E27.6.3.2 ~~(~~A~~)~~ (1) to (4) above, the required number of accessible parking spaces must be calculated as set out in E27.6.3.2~~(~~A~~)~~ (6) and (7).

....

(10) The requirements of this standard E27.6.3.2~~(~~A~~)~~ do not apply to activities within I208 Port Precinct.

- Amend **Standard E27.6.3.4.(1)(c)** to correct grammatical error, with a full stop being required at the end of the provision in accordance with the Operative version:

(c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1 ~~or~~.

- Amend **Standard E27.6.3.4.(2)** to:

- include a full stop after the reference to Standard E27.6.3.4 and associated provisions to accord with AUP Standard formatting requirements, with the full stop being errenously excluded from the Consent Order version; and

- replace the erroneous letter reference (a) for the first listed provision with the correct numerical reference (3) to reflect its application as a separate but related standard provision to E27.6.3.4.(2) (as per superseded Standard E27.6.3.4.A in the Decision Version), and this is reaffirmed by the proposed further correction to include specific reference to this standard in E27.6.3.4.(3) which was inadvertently excluded from the

Consent Order version:

(2) Where E27.6.3.4.(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.

~~(a)~~ (3) Heavy vehicle access and manoeuvring areas associated with access required by ~~the~~ E27.6.3.4.(2) above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).

- Amend **Standard E27.6.3.5.(1)(cb)** to correct the erroneous reference to Standard E27.6.3(2) in the Consent Order version which should instead be E27.6.3.4.(2), while a consequential correction is also required to include reference to Standard E27.6.3.4.(3) given the preceding correction above to Standard E27.6.3.4.(2):

(cb) 3.8m where heavy vehicle access in Standards E27.6.3.4.(2) and E27.6.3.4.(3) ~~E27.6.3.4A~~ is provided; or

- Amend **Table E27.6.4.3.2** to underline superscript numerical reference 1 in the third and fourth table column in accordance with the corresponding note added underneath the Operative version of Table E27.6.4.3.2 by Plan Change 79:

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Number of parking spaces served	Minimum width of crossing at site boundary[1]	Maximum width of crossing at site boundary[1]	Minimum formed access width
…	…	…	…	…	…
(T151)	Residential zones	Serves 10 or more parking spaces	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) The formed width is permitted to be narrowed to 2.75m if there are clear sight lines along the entire access and passing bays at 50m intervals are provided. ~~1.0m pedestrian access for rear sites which may be located within the formed driveway~~
…	…	…	…	…	…

[1] Width of crossing at site boundary excludes any adjacent pedestrian access.

- Amend the errenous reference to Activity (T156A) in **Table E27.6.4.3.3** which should instead be (T156AA) given Activity (T156A) is already referenced in Operative Table E27.6.4.4.1 which is unaffected by Plan Change 79:

Table E27.6.4.3.3 Speed management requirements

Activity		Length of vehicle access	Location of minimum speed management measures
(T156AA)	Vehicle access serving four or more dwellings in Residential zones	Exceeds 30m	Within ~~Not more than~~ 10m ~~of from~~ the site's boundary with the legal road; and Thereafter, ~~n~~Not more than 30m spacing between speed management measures.

- Amend the **Standard E27.6.6 header** to include a full stop after the standard reference to accord with AUP Standard formatting requirements, with the full stop being errenously excluded from the Decision version and Consent Order version:

E27.6.6. Design and location of pedestrian access in residential zones

- Amend **Standard E27.6.6.(2)** to include a full stop after the reference to Standard E38.8.1.2 to accord with AUP Standard formatting requirements, with the full stop being errenously excluded from the Consent Order version:

(2) For the purposes of this standard and standard E38.8.1.2. (Access to rear sites), and the associated provisions and related assessment criteria, "physically separated" means separation of primary pedestrian access from vehicle access, parking and manoeuvring areas by way of:

- Amend **Standard E27.6.6.(4)(a)** to correct the erroneous reference to Standard E27.6.6(3) in the Consent Order version which should instead be E27.6.6.(3):

(a) Where primary pedestrian access is adjacent to a vehicle access on the same site, no additional clear width/height requirement applies beyond the primary pedestrian access requirements in E27.6.6.(3).

- Amend **Standard E27.6.6.(4)(b)** to correct:

  - the erroneous reference to Standard E27.6.6.(4)(a) in the Consent Order version which should be stated in full rather than just referencing (a); and
  - the erroneous reference to Standard E27.6.6(3) in the Consent Order version which should instead be E27.6.6.(3):

(b) Where primary pedestrian access is not adjacent to a vehicle access as described in E27.6.6.(4)(a), the following further requirements apply in addition to those in E27.6.6.(3):

- Amend **Standard E27.6.6.(4)(b)(iii)** to correct the erroneous reference to Standard E27.6.6(3) in the Consent Order version which should instead be E27.6.6.(3):

(iii) The clear width may include the minimum formed primary pedestrian access width of 1.8m required in E27.6.6.(3), but shall be free of permanent obstructions and spaces within which vehicles may park with the exception of:

- Amend Note 2 below **Standard E27.6.6.(4)**to correct the erroneous reference to Standard E27.6.6(4) in the Consent Order version which should instead be E27.6.6.(4):

Note 2: E27.6.6.(4) is intended to provide access for emergency responders. Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

- Amend the **Standard E27.6.7 header** to include a full stop after the standard reference to accord with AUP Standard formatting requirements, with the full stop being errenously excluded from the Decision version and Consent Order version:

E27.6.7. ~~Electric vehicle supply equipment~~ Provision for electric vehicle charging

- Amend **Standard E27.6.7.(2) and Standard E27.6.7.(3)** to correct erroneous references to Standard E27.6.7.(1) in the Consent Order version which should be stated in full rather than just referencing (1):

(2) For developments requiring resource consent, compliance with this standard may be through one of the following:

(a) Resource consent drawings showing schematically the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1); or

(b) An appropriate condition of resource consent (offered by the applicant and agreed by the Council) requiring that a detailed plan or plans be provided and certified by Council prior to the lodgement of any building consent application, showing the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1).

(3) For developments not requiring resource consent, compliance with this standard must be demonstrated at building consent stage through building consent drawings showing the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1).

- Amend **Standard E27.6.7.** to reinstate Note header at the end of the standard and preceding notes associated with the standard that was inadvertently deleted from the Consent Order version and including numerical reference 1 alongside the header given there are two separate notes which has also required a consequential correction to remove the (a) letter reference and include a second Note header with a numerical reference 2 above the second note:

Note 1:

(a) ~~This standard applies to all new dwellings, with the exception of new detached dwellings~~

~~(a)~~ This standard does not apply to any car parking permanently allocated to visitors.

Note 2

Refer to the following standards and guidelines:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018

- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use

- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications

- WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2

- Amend **Matter of Discretion E27.8.1.(5A)** to remove the erroneous use of brackets in the Consent Order version when referring to Standard E27.6.3.2(A) which should instead be E27.6.3.2A to accord with AUP Standard formatting requirements:

(5A) any activity or development that provides fewer ~~less~~ than the required number of accessible parking spaces under Standard ~~E27.6.2(a)~~ E27.6.3.2~~(A)~~:

- Amend **Matter of Discretion E27.8.1.(9)** to reinstate "and" preceding the reference to Standard E27.6.4.4. in accordance with the Operative version, with "and" having been erroneously deleted from the Decision and Consent Order versions:

(9) any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3, ~~E27.6.4.3A~~ and E27.6.4.4 ~~and E27.6.6~~:

- Amend **Matter of Discretion E27.8.1.(15)** to correct reference to Standard E27.6.7 so a full stop is included after '7' to accord with AUP formatting requirements:

(15) Any activity or development which does not meet the requirements for electric vehicle supply equipment under Standard E27.6.7.:

- Amend **Matters of Discretion E27.8.1.(16)-E27.8.1.(19)** to:

  - include references to Table E27.4.1 after stating activities from the table in the matters of discretion which accords with the formatting of preceding matters of discretion E27.8.1.(4)-E27.8.1.(4A) and were errenously excluded from the Consent Order version;
  - add brackets to the activity references which were errenously excluded from the Consent Order version;
  - capitalise 's' and remove the 's' in relation to 'standards' in matter of discretion E27.8.1.(16) so it becomes 'Standard'; and
  - include full stops in the standard references to accord with AUP Standard formatting

	requirements, with the full stops being errenously excluded from the Consent Order version: (16) Activity (A21) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with sStandards E27.6.6.: (17) Activity (A22) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, and which is not physically separated for all or part of its length: (18) Activity (A23) in Table E27.4.1: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6. (3): (19) Activity (A23) in Table E27.4.1: Any activity or development which infringes the standard in Standard E27.6.6. (4): • Amend the erroneous duplicate reference to **Matter of Discretion E27.8.1.(16)** in the Decision and Consent Order versions which should instead be **E27.8.1.(20)** for the matter of discretion below which also requires a gramattical correction to include a full stop at end of the reference to Standard E27.6.8 to accord with AUP Standard formatting requirements: ~~(16)~~(20) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8.: • Amend **Assessment Criteria E27.8.2.(3)** to correct: - errenous standard reference E27.6. which should instead be E27.6.1.; and - errenous formatting of roman numerals in assessment criterion E27.8.2.(3)(b) to accord with AUP Standard formatting requirements:

(3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1., with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

a) the effects on the function and the safe and efficient operation of the transport network ~~including pedestrian movement~~ with consideration of all modes of transport, particularly at peak ~~traffic~~ times;

b) the implementation of mitigation measures proposed to address adverse effects which may include, but are not limited to, the following measures:

~~i.~~(i) ~~such as~~ travel planning;

~~ii.~~(ii) providing alternatives to private vehicle trips including accessibility to public transport;

~~iii.~~(iii) staging development;

~~iv.~~(iv) providing or contributing to improvements to the local transport network across all modes; ~~or~~

- Amend **Assessment Criterion E27.8.2.(4A)** to to remove the erroneous use of a full stop between '2' and 'A' and brackets around 'A' in the Consent Order version when referring to Standard E27.6.3.2(A) which should instead be E27.6.3.2A to accord with AUP Standard formatting requirements:

(4A) any activity or development that provides fewer ~~less~~ than the required number of accessible parking spaces under Standard E27.6.3.2~~.(A)~~:

- Amend **Assessment Criterion E27.8.2.(4A)(c)** to correct grammatical error, with a colon being required at the end of the provision:

~~(d)~~ (c) the availability and capacity of alternative accessible parking in the immediate vicinity, including: ~~on street and other public accessible car parking, with an accessible route to and from the building designed in accordance with New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001), to provide the additional parking sought for the proposal;~~

- Amend **Assessment Criterion E27.8.2.(4A)(c)(iii)** to correct grammatical error, with the semi-colon at the end of the provision being erroneous and it should instead be a full stop:

(iii) whether an accessible route from the alternative location to the application site is present~~;~~.

- Amend **Assessment Criterion E27.8.2.(7)(d)** to correct grammatical error, with the full stop at the end of the provision being erroneous and it should instead be a semi-colon:

(d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity and its use shared; or.; ~~Or~~

- Amend **Assessment Criteria E27.8.2.(8)(a)(iii)-(iv)** to correct the errenous exclusion and inclusion of "and" from the end of assessment criterion, and to reinstate the full stop at the end of assessment criterion E27.8.2.(8)(a)(iv) given it is the last assessment criterion in E27.8.2.(8)(a):

(iii) existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; and ~~or~~

(iv) existing community or public infrastructure or facilities located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways.:; ~~and~~

- Amend **Assessment Criterion E27.8.2.(8)(e)** to become Assessment Criterion E27.8.2.(8)(d) given preceding Assessment Criterion E27.8.2.(8)(d) was deleted in the Consent Order version:

~~(e)~~ (d) The safety and functionality of emergency responder access.

- Amend **Assessment Criteria E27.8.2.(15)-E27.8.2.(18)** to:

  - include references to Table E27.4.1 after stating activities from the table in the matters of discretion which accords with the formatting of preceding matters of discretion E27.8.1.(4)-E27.8.1.(4A) and were errenously excluded from the Consent Order version;
  - add brackets to the activity references which were errenously excluded from the Consent Order version;
  - capitalise 'standard' in Assessment Criterion E27.8.2.(15); and
  - include full stops in the standard references to accord with AUP Standard formatting requirements, with the full stops being errenously excluded from the Consent Order version:

(15) Activity (A21) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with sStandard E27.6.6.:

(16) Activity (A22) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6.:

(17) Activity (A23) in Table E27.4.1 : Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3).:

(18) Activity (A23) in Table E27.4.1: Any activity or development which infringes the standard in Standard E27.6.6.(4):

- Amend the erroneous duplicate reference to **Asssesment Criterion E27.8.2.(15)** in the Decision and Consent Order versions which should instead be **E27.8.2.(19)** for the assessment criterion below which also requires a gramattical correction to include a full stop at end of the reference to Standard E27.6.8 to accord with AUP Standard formatting requirements:

~~(15)~~(19) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8.:

- Amend **Table E27.4.1** and references to "standard" in activities (A20)-(A21) which is erroneous and should instead be "Standard" and also need to include a full stop at the end of references to Standard E27.6.6 to accord with AUP Standard formatting requirements, with the full stop being errenously excluded from the Consent Order version:

(A20)	Primary pedestrian access serving between 2 and 5 dwellings (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with sStandard E27.6.6.	P
(A21)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with sStandard E27.6.6. * including dwellings as part of an integrated residential development	RD

- Amend **Table E27.4.1** and activity (A23) to include a full stop in the references to Standards E27.6.6(3) and E27.6.6(4) which should instead be E27.6.6.(3) and E27.6.6.(4) to accord with AUP Standard formatting requirements, with the full stops being errenously excluded from the Consent Order version:

(A23)	Primary pedestrian access in residential zones (whether physically separated or not) that does not comply with: (a) The width, gradient, clear height, obstruction or slip resistance requirements of Standard E27.6.6.(3); and/or (b) The emergency responder access requirements of Standard E27.6.6.(4)	RD

- Amend the **Standard E27.6.8 header** to include a full stop after the standard reference to accord with AUP Standard formatting requirements, with the full stop being errenously excluded from the Decision version and Consent Order version:

E27.6.8. Electric vehicle charging stations

Amend Chapter J as follows (the cl16 corrections are highlighted in yellow, while Consent Order changes to the Decisions Version are shown in red underline and ~~strikethrough~~):

- Amend the **Electric Vehicle Supply Equipment**, **Heavy vehicle** and **Primary Pedestrian Access** and **Speed Management Measures definitions** to remove the erroneous use of a colon at the end of each definition header in the Decision version and Consent Order version to accord with AUP Standard formatting requirements:

Electric Vehicle Supply Equipment~~:~~

Electric Vehicle Supply Equipment for car parks includes the power outlets, wiring, cable trays, circuits, metering, electrical distribution boards and communications technology required to connect a type 2 (7 kilowatt, 32 Amp) electric vehicle charger with the electricity network and enable smart electrical load management.

Heavy vehicle~~:~~

A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

Primary Pedestrian Access~~:~~

The main pedestrian route serving two or more dwellings in any residential zone, including any segment that serves only the final dwelling, providing pedestrian and micro-mobility access from the road to the individual paths accessing the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).

Speed Management Measures~~:~~

The application of engineering and other physical measures to a vehicle access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network.

Includes:

- speed humps
- raised tables
- side islands
- lane narrowing
- chicanes
- lateral shifts
- surface treatments
- landscaping.

Attachments	Attachment 1: Corrected text

Text Entered by: Sarah El Karamany Planning Technician
Signature:
Prepared by: Nicholas Lau Team Leader Planning – Central South
Signature:

Decision: I agree to make an amendment of minor effect or correct the error under clause 16, schedule 1, RMA 1991 using my delegated authority Celia Davison Manager Planning – Central South Date: 28 April 2026
Signature:

Attachment 1: Corrected text

E24. Lighting

…

E24.6.2 Artificial lighting standards for access in residential zones

(1) When lighting for access in residential zones is required by Standard E27.6.3.7(2), it must:

(a) have lighting designed and assessed in accordance with Australian/ New Zealand Standard Lighting for roads and public spaces (Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements Lighting for Roads and Public Spaces (AS/NZS1158.3.1:2020))

(b) meet the minimum P subcategories specified in Table 24.6.2.1 below:

Table E24.6.2.1 Minimum P subcategories

Access	P Subcategory
Primary pedestrian access only not adjacent to a vehicle access including connecting elements, steps, stairwells and ramps serving 4 to 9 dwellings	PP4
Any primary pedestrian access not adjacent to a vehicle access including connecting elements, steps, stairwells and ramps serving 10 or more dwellings or 10 or more parking spaces	PP3
Parking spaces	PC3
Vehicle accessway and manoeuvring areas, including any required adjacent primary pedestrian access	PR4

(c) All light fittings must not project any light at or above the height of their light source.

(d) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or lower.

(e) Spill light and glare from the lighting must meet the specifications of Standard E24.6.1(8).

(f) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where automatic presence detection or sensor lighting is proposed, this must be confirmed as appropriate by a Crime Prevention Through Environmental Design assessment prepared by a suitably experienced and qualified specialist.

(g) The lighting required by Standard E27.6.3.7(2) and its power source must not be disabled, except for necessary maintenance or repairs or for emergency purposes.

(h) Solar lighting is acceptable where it complies with Standard E24.6.2 throughout the hours of darkness.

…

E24.8.2. Assessment criteria

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

(1) for traffic safety:

(a) the extent to which any artificial lighting will adversely affect traffic safety;

(1A) the effects of lighting on pedestrian safety, wayfinding and access;

(a) whether the number, location, design and orientation of light fittings and light support structures provide adequate lighting for the safety and wayfinding of people, including pedestrians, moving, residing, working or visiting sites.

(b) where solar lighting does not comply with Standard E24.6.2(h), the adequacy of the proposed lighting to provide for pedestrian safety, wayfinding and access.

(2) for the effects of artificial lighting and glare on amenity values:

…

E24.9. Special information requirements

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

(1) When lighting is required under Standards E27.6.3.7(2) and E24.6.2, a lighting plan and specification shall accompany any resource consent application, prepared by a suitably experienced and qualified lighting specialist, which demonstrates at a minimum the following:

(a) Confirms the AS/NZS1158.3.1:2020 lighting performance P subcategory required by Standard E24.6.2, for all areas of the site where lighting is required.

(b) Provides a compliance statement that the lighting proposed in the lighting plan and specification is expected to comply with the relevant requirements in E24.6.2(1) and the spill and glare requirements of Section E24 Lighting.

(c) Includes types of lighting and light support structures.

(d) Overlays the lighting plan on the site plan and landscape plan, and identifies the lighting structures in relation to pedestrian and vehicle movement spaces and landscape areas.

(e) Includes in any case where solar lighting is proposed, a compliance statement of its effectiveness and durability taking into account anticipated sun exposure.

…

E27. Transport

…

Table E27.4.1 Activity table

Activity		Activity status
(A1)	Parking, loading ~~and~~ access and Electric Vehicle Supply Equipment which is an accessory activity and complies with the standards for parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment.	P
(A2)	Parking, loading ~~and~~ access and Electric Vehicle Supply Equipment which is an accessory activity but which does not comply with the standards for parking, loading, ~~and~~ access and Electric Vehicle Supply Equipment.	RD
	…	
(A20)	Primary pedestrian access serving between 2 and 5 dwellings (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with Standard E27.6.6.	P
(A21)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with Standard E27.6.6. * including dwellings as part of an integrated residential development	RD
(A22)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6 * including dwellings as part of an integrated residential development	RD
(A23)	Primary pedestrian access in residential zones (whether physically separated or not) that does not comply with: (a) The width, gradient, clear height, obstruction or slip resistance requirements of Standard E27.6.6.(3); and/or	RD

	(b) The emergency responder access requirements of Standard E27.6.6.(4)	

…

E27.6.1. Trip generation

…

(2) Standard E27.6.1(1) does not apply where:

(a) a proposal is located in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, or Residential – Terrace Housing and Apartment Building Zone or Centre Fringe Office Control as shown on the planning maps;

(b) ~~development is being undertaken in accordance with a consent or provisions approved on the basis of an Integrated Transport Assessment where the land use and the associated trip generation and transport effects are the same or similar in character, intensity and scale to those identified in the previous assessment;~~[deleted]

(c) the activity is permitted in the H7 Open space zones; or

(d) there are requirements to assess ~~transport, traffic or~~ trip generation effects for the activity in ~~the~~ any applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities.

…

Table E27.6.2.7 Minimum loading space requirements

Activity		**GFA**	**Minimum rate**
(T108)	Retail and industrial activities	Up to 300m^2	No loading required
(T109)		Greater than 300m^2 up to 5000m^2	1
(T110)		Greater than 5000m^2 up to 10,000m^2	2
(T111)		Greater than 10,000m^2	3 spaces plus 1 space for every additional 10,000m^2
(T112)	All other activities, except for activities within rural zones	Up to 5000m^2	No loading required
(T113)		Greater than 5000m^2 up to 20,000m^2	1
(T114)		Greater than 20,000m^2 up to 90,000m^2	2
(T115)		Greater than 90,000m^2	3 spaces plus space 1 for every additional 40,000m^2
(T116)	All other activities where located in rural Zones		No minimum rate

Table E27.6.2.7A Minimum small loading space requirements where residential activities only have vehicle access from an arterial road

Activity		GFA/ Number of dwellings	Minimum rate
(T111A)		Developments where all dwellings have individual pedestrian access directly from a public road	No loading space required
		Up to 9 dwellings without individual pedestrian access directly from a public road	No loading space required
		10 or more dwellings up to 5,000m^2 without individual pedestrian access directly from a public road	1*
		Greater than 5,000m^2	NA

* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions

…

E27.6.3.2A Number and Design of Accessible Parking

(1) Accessible parking must be provided for all new buildings, extension to existing buildings and changes of activity from non-residential to residential land uses, in accordance with E27.6.3.2A(2) to (5) below

(2) For residential developments where car parking is provided on site, accessible parking spaces must be provided for developments of 10 or more dwellings.

(3) For all non-residential developments, accessible parking must be provided when car parking is provided on-site.

(4) Accessible parking is not required to be provided where no car parking is provided on site, except for the following activities in the following zones where accessible parking must be provided even when there is no car parking on-site:

…

(5) Where accessible parking is required to be provided on-site in accordance with E27.6.3.2A (1) to (4) above, the required number of accessible parking spaces must be calculated as set out in E27.6.3.2A (6) and (7).

…

(10) The requirements of this standard E27.6.3.2A do not apply to activities within I208 Port Precinct.

…

E27.6.3.4. Reverse manoeuvring

(1) Sufficient space must be provided on the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply:

(a) four or more parking spaces are served by a single access;

(b) there is more than 30m between the parking space and the road boundary of the site; or

(c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1.

(2) Where E27.6.3.4.(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.

(3) Heavy vehicle access and manoeuvring areas associated with access required by E27.6.3.4.(2) above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).

E27.6.3.5. Vertical clearance

(1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:

(a) 2.1m where access and/or parking for cars is provided for residential activities;

(b) 2.3m where access and/or parking for cars is provided for all other activities;

(c) 2.5m where access and/or accessible parking ~~for people with disabilities~~ is provided and/or required; ~~or~~

(ca) 2.8m where loading is required for residential activities denoted with an asterisk (*) in Table E27.6.2.7A;

(cb) 3.8m where heavy vehicle access in Standards E27.6.3.4.(2) and E27.6.3.4.(3) is provided; or

(d) 3.8m where loading is required in Table E27.6.2.7.

…

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Number of parking spaces served	Minimum width of crossing at site boundary[1]	Maximum width of crossing at site boundary[1]	Minimum formed access width
(T149)	Residential zone	Serves 1 or 2 parking spaces	2.75m	3.0m	2.5m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3m

…

Table E27.6.4.3.3 Speed management requirements

Activity		Length of vehicle access	Location of minimum speed management measures
(T156AA)	Vehicle access serving four or more dwellings in Residential zones	Exceeds 30m	Within10m of the site's boundary with the legal road; and Thereafter, not more than 30m spacing between speed management measures.

Note: Where heavy vehicle access and speed management measures are required, the design of speed management measures should include consideration of heavy vehicle requirements.

...

E27.6.6. Design and location of pedestrian access in residential zones

Purpose: to provide for on-site pedestrian safety and convenience.

(1) This standard applies to development of two or more dwellings in residential zones.

(2) For the purposes of this standard and standard E38.8.1.2. (Access to rear sites), and the associated provisions and related assessment criteria, "physically separated" means separation of primary pedestrian access from vehicle access, parking and manoeuvring areas by way of:

(a) 150mm high, non-mountable vertical kerbs to primary pedestrian access;

(b) Minimum 1 m wide landscape buffer between primary pedestrian access and vehicle access, manoeuvring or parking areas; or

(c) wheel stops or similar barriers positioned to avoid vehicle access onto or over an adjacent primary pedestrian access.

(3) Primary pedestrian access must be provided to each dwelling. The primary pedestrian access requirements specified in Table E27.6.6.1 apply for the full length of the pedestrian access:

Table E27.6.6.1

	Number of Dwellings (excluding dwellings that directly front and have direct pedestrian access from a road)	**Primary Pedestrian Access Adjacent to Vehicle Access and Parking Area**	**Primary Pedestrian Access Not Adjacent to Vehicle Access or Parking Area or Pedestrian Only Access**
(T160)	2-5 dwellings	(i) No requirement. Pedestrian access may share the vehicle access space.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.
(T161)	6-19 dwellings	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.4m. (iii) Free of permanent obstructions with	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is

		minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	firm, stable and slip resistant in any weather condition.
(T162)	20+ dwellings	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.8m. (iii) Free of permanent obstructions with minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.

(4) Clear Width / Height Requirements for emergency responders

Purpose: to provide access for emergency responders.

(a) Where primary pedestrian access is adjacent to a vehicle access on the same site, no additional clear width/height requirement applies beyond the primary pedestrian access requirements in E27.6.6.(3).

(b) Where primary pedestrian access is not adjacent to a vehicle access as described in E27.6.6.(4)(a), the following further requirements apply in addition to those in E27.6.6.(3):

(i) Minimum clear width of 3m;

(ii) Minimum clear height of 2.1m;

(iii) The clear width may include the minimum formed primary pedestrian access width of 1.8m required in E27.6.6.(3), but shall be free of permanent obstructions and spaces within which vehicles may park with the exception of:

- Soft/frangible landscape treatment with a maximum mature height of 600mm;
- Wall-mounted, fence-mounted or building-mounted lighting infrastructure.

Note 1: Works within the legal road, such as connections to public footpaths, require prior approval from Auckland Transport as the road controlling authority. This approval is separate and additional to any land use or subdivision approval required.

Note 2: E27.6.6.(4) is intended to provide access for emergency responders. Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements

...

E27.6.7. Provision for electric vehicle charging

Purpose: to ensure that any undercover car parks for new dwellings (except new detached dwellings) are provided with the capability to install Electric Vehicle Supply Equipment.

(1) Any new dwellings with undercover car parking (with the exception of new detached dwellings) must provide each undercover car park with the capability to install Electric Vehicle Supply Equipment with sufficient space for the necessary conduit, circuit and metering between the car park and an electrical distribution board on the same building storey, or ground level if the undercover car park is at ground level.

(2) For developments requiring resource consent, compliance with this standard may be through one of the following:

(a) Resource consent drawings showing schematically the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1); or

(b) An appropriate condition of resource consent (offered by the applicant and agreed by the Council) requiring that a detailed plan or plans be provided and certified by Council prior to the lodgement of any building consent application, showing the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1).

(3) For developments not requiring resource consent, compliance with this standard must be demonstrated at building consent stage through building consent drawings showing the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1).

Note 1

This standard does not apply to any car parking permanently allpcated to visitors.

Note 2

Refer to the following standards and guidelines:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018

- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use

- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications

- WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2

E27.6.8. Electric vehicle charging stations

(1) Any building or structure for EV charging must:

(a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and

(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.

…

E27.8.1. Matters of discretion

(5A) any activity or development that provides fewer than the required number of accessible parking spaces under Standard E27.6.3.2A:

(a) adequacy of the proposal relative to demand for accessible parking;

(b) site limitations that restrict provision of required spaces;

(c) alternative proposals for accessible parking.

…

(9) any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3 and E27.6.4.4:

(a) adequacy for the site and the proposal;

…

(15) Any activity or development which does not meet the requirements for electric vehicle supply equipment under Standard E27.6.7.:

(a) adequacy for the site and the proposal;

(ab) site limitations; and

(b) alternative proposals.

(16) Activity (A21) in Table E27.4.1.: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with Standard E27.6.6.:

(a) Pedestrian safety, convenience and accessibility

(b) Design and layout of pedestrian access.

(17) Activity (A22) in Table E27.4.1.: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, and which is not physically separated for all or part of its length:

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics and context

(c) Design and layout of dwellings in relation to pedestrian and vehicle access.

(d) Design and layout of pedestrian access and vehicle access and parking areas.

(18) Activity (A23) in Table E27.4.1.: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3).:

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics

(c) The nature and extent of any obstruction(s) and any reduced clear height

(d) Design and layout of pedestrian access, including the adequacy of emergency responder access.

(19) Activity (A23) in Table E27.4.1.: Any activity or development which infringes the standard in Standard E27.6.6(4).:

(a) The adequacy of emergency responder access.

(20) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8.:

(a) The extent and effect of non-compliance with the standard;

(b) Location and design; and

(c) Visual and streetscape amenity.

E27.8.2. Assessment criteria

...

(3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1., with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) the effects on the function and the safe and efficient operation of the transport network ~~including pedestrian movement~~ with consideration of all modes of transport, particularly at peak ~~traffic~~ times;

(b) the implementation of mitigation measures proposed to address adverse effects which may include, but are not limited to, the following measures:

(i) ~~such as~~ travel planning;

(ii) providing alternatives to private vehicle trips including accessibility to public transport;

(iii) staging development;

(iv) providing or contributing to improvements to the local transport network across all modes; ~~or~~

(c) the trip characteristics of the proposed activity on the site.

…

(4A) any activity or development that provides fewer than the required number of accessible parking spaces under Standard E27.6.3.2A:

(a) the extent to which the amount of accessible parking proposed is sufficient to meet the likely demand, having regard to:

(i) the nature of the proposed activities, including the interaction between activities on the site;

(ii) the availability of and accessibility of the site by public transport; and

(iii) the trip characteristics of the proposed activities on the site requiring accessible parking spaces;

(b) the extent to which it is physically practicable to provide the required accessible parking spaces on the site including in terms of topography, site shape and dimensions, and the existing location of buildings, and whether

accessible parking can be accommodated in existing building(s) when a change of use is proposed;

(c) he availability and capacity of alternative accessible parking in the immediate vicinity, including:

(i) on street and other publicly accessible car parking;

(ii) within other sites with surplus capacity, including whether the use of the alternative car parks is secured through an appropriate legal agreement; and

(iii) whether an accessible route from the alternative location to the application site is present.

(5) [Deleted]

…

(7) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(aa) the extent to which it is physically practicable to provide the required loading space(s) on site in terms of the characteristics of the site, including its location in relation to the transport network, site dimensions, topography, and existing development;

(a) effects of the loading arrangements proposed for the site, including the non-provision of any required loading space, on the safe and efficient operation of the adjacent transport network;

(b) the specific business practice, operation or type of customer associated with the proposed activities;

(c) the extent to which an accessible and adequate on-street loading space is available nearby or can be created while having regard to other demands for kerbside use of the road;

(d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity and its use shared; or

(e) the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan.

(8) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3, E27.6.4.2, E27.6.4.3, ~~and~~ E2~~6~~7.6.4.4:

(a) effects on the safe and efficient operation of the adjacent transport network having regard to:

(i) the effect of the modification on visibility and safe sight distances;

(ii) existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;

(iii) existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; and

(iv) existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways.

(b) effects on pedestrian amenity or the amenity of the streetscape, having regard to:

(i) the effect of additional crossings or crossings which exceed the maximum width; or

(ii) effects on pedestrian amenity and the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.

(c) the practicality and adequacy of parking, loading and access arrangements having regard to:

(i) site limitations, configuration of buildings and activities, user requirements and operational requirements;

(ii) the ability of the access to accommodate the nature and volume of traffic and vehicle types expected to use the access. This may include considering whether a wider vehicle crossing is required to:

- comply with the tracking curve applicable to the largest vehicle anticipated to use the site regularly;
- accommodate the traffic volumes anticipated to use the crossing, especially where it is desirable to separate left and right turn exit lanes;
    - the desirability of separating truck movements accessing a site from customer vehicle movements;
    - the extent to which reduced manoeuvring and parking space dimensions can be accommodated because the parking will be used by regular users familiar with the layout, rather than by casual users, including the number of manoeuvres required to enter and exit parking spaces;

    Note: Parking spaces for regular users can be designed to undertake more than one manoeuvre to enter and exit parking spaces in accordance with AS/NZS 2890.1: 2004 Off-Street Parking.

(iii) any use of mechanical parking installation such as car stackers or turntables does not result in queuing beyond the site boundary; or
(iv) any stacked parking is allocated and managed in such a way that it does not compromise the operation and use of the parking area.

(d) The safety and functionality of emergency responder access.

(9) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

…

(15) Activity (A21) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with Standard E27.6.6.:

(a) The practicality and safety of the location of primary pedestrian access having regard to:

(i) the extent to which the primary pedestrian access is located to provide a safe and convenient and continuous connection from the road to the front door of the dwelling(s);

(ii) the extent to which the design incorporates Crime Prevention Through Environmental Design principles;

(b) The extent to which private and communal outdoor living space is separated from driveways and shared parking areas with appropriate fencing or other appropriate design techniques, to minimise the risk of children playing in vehicle access areas;

(c) The extent to which appropriate secondary pedestrian access:

(i) is provided within the development, including between parking areas, dwellings, and any communal site facilities, to provide for safe and convenient access for residents, and to provide a safe and convenient connection from any associated carparking area to the front door of the dwelling;

(ii) is safely accommodated in basement parking areas, while recognising space limitations and constraints; and

(iii) safely accommodates different users and abilities including minimisation of gradients and steps.

(16) Activity (A22) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6.:

(a) Policy E27.3.(20AA)

(b) The criteria set out in E27.8.2.(15) above as relevant

(c) The safety and practicality of primary pedestrian access where it is not physically separated from vehicle access, having regard to:

(i) site characteristics, including topography, configuration of buildings and activities, user requirements and operational requirements;

(ii) the number of parking spaces served by the vehicle access and volume of vehicle traffic;

(iii) the extent to which the site's layout and design minimises the need for vehicles to cross primary pedestrian accesses to gain access to garages, individual parking pads or spaces in grouped parking areas;

(iv) the safety of pedestrians where a primary pedestrian access crosses trafficable areas or vehicles must cross a primary pedestrian access, considering the design of the crossing, visibility between drivers and pedestrians, and vehicle speeds;

(v) where vehicles are proposed to cross a primary pedestrian access to access a car parking space, the extent to which:

- the number of crossing points is minimised, including through the use of paired/grouped crossing points;
- there are spaces between crossing points to allow for pedestrians using primary pedestrian access to safely pause while vehicles enter/exit parking spaces;
- the proximity of vehicle crossing points warrants the use of a continuous mountable kerb between crossing points, while ensuring that the extent of mountable kerb does not compromise pedestrian safety;
- the primary pedestrian access maintains uniform height and surface treatment along its length, indicating pedestrian priority;
- the primary pedestrian access is horizontally separated from parking spaces to provide intervisibility between pedestrians on the path and vehicles manoeuvring out of parking spaces; and
- whether other physical design measures can be used to ensure pedestrian safety and to restrict vehicles parking or manoeuvring over a primary pedestrian access.

(17) Activity (A23) in Table E27.4.1: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3).:

(a) Whether the proposed design of the primary pedestrian access will meet the safety and practical needs of a range of users, taking into account:

(i) the number of units served and the site's characteristics, including all weather use, the transportation of rubbish bins and household items and the ability for cyclists to safely access any private and shared cycle storage areas;

(ii) the extent to which the design incorporates Universal Design principles, including where the primary pedestrian access is not adjacent to vehicle access and includes steps, whether a footpath and/or ramps as

specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities can be provided;

(iii) the extent to which the location and nature of any obstruction(s) or reduced clear height would adversely affect the practicality and safety of pedestrian access;

(iv) the safety and functionality of emergency responder access.

(18) Activity (A23) in Table E27.4.1: Any activity or development which infringes the standard in Standard E27.6.6(4).:

(a) The safety and functionality of emergency responder access.

(b) The ability for the building(s) to be accessed by emergency responder vehicles and equipment.

(19) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8.:

(a) The effects on streetscape and visual amenity; and

(b) Mitigation to manage adverse effects on streetscape and visual amenity effects.

J1. Definitions

…

Electric Vehicle Supply Equipment

Electric Vehicle Supply Equipment for car parks includes the power outlets, wiring, cable trays, circuits, metering, electrical distribution boards and communications technology required to connect a type 2 (7 kilowatt, 32 Amp) electric vehicle charger with the electricity network and enable smart electrical load management.

...

Heavy vehicle

A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

...

Primary Pedestrian Access

The main pedestrian route serving two or more dwellings in any residential zone, including any segment that serves only the final dwelling, providing pedestrian and micro-mobility access from the road to the individual paths accessing the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).

...

Speed Management Measures

The application of engineering and other physical measures to a vehicle access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network.

Attachment 5: AUP(OIP) text (Clean)

E24. Lighting

E24.1. Background

Artificial lighting enables work and entertainment and associated activities to occur beyond normal daylight hours. It also provides additional safety and security to sites for access and wayfinding. However, unless used with care, it can adversely affect adjoining properties through light spill and glare. If shielding or aiming of light is poorly implemented this can result in light pollution causing adverse changes to the view of the night sky and/or adverse amenity effects.

The provisions for artificial light provide for adequate lighting to support activities and enable safety and security for participants, while minimising potential adverse effects.

E24.2. Objectives [rcp/dp]

(1) Artificial lighting enables outdoor activities and the security and safety of people and property.

(2) The adverse effects of outdoor lighting on the environment and safety of road users are limited.

E24.3. Policies [rcp/dp]

(1) Provide for appropriate levels of artificial lighting to enable the safe and efficient undertaking of outdoor activities, including night time working, recreation and entertainment.

(1A) Provide for appropriate levels of artificial lighting for pedestrian safety, and to enable access and wayfinding.

(2) Control the intensity, location and direction of artificial lighting to avoid significant glare and light spill onto adjacent sites, maintain safety for road users and minimise the loss of night sky viewing.

(3) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.

E24.4. Activity table

Table E24.4.1 Activity table specifies the activity status of land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status of coastal use, occupation and activity pursuant to sections 12(1); 12(2) and 12(3) of the Resource Management Act 1991.

Table E24.4.1 Activity table [rcp/dp]

Activity		Activity status
(A1)	Activities that comply with all the relevant permitted activity standards	P
(A2)	Activities that do not comply with a relevant permitted activity standard	RD

E24.5. Notification

(1) Any application for resource consent for an activity listed in Table E24.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E24.6. Standards

All activities listed as permitted in Table E24.4.1 Activity table must comply with the following standards.

E24.6.1. General standards

(1) Lighting limits must be measured and assessed in accordance with Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting, except for building façade lighting that complies with Standard E244.6.1(10). In the event of any conflict between Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting and the lighting standards set out below, the lighting standards set out below shall prevail.

(2) Any calculation for the purposes of these standards must be based on a maintenance factor of 1.0 (i.e. no depreciation).

(3) For the purposes of Standard E24.6.1(2) and Standard E24.6.1(9) the lighting category classification for each zone in Table E24.6.1.1 Lighting category classifications will apply. Where a development is located on a site which adjoins or is directly across a road from a different lighting category, the most sensitive classification of the two categories will apply.

(4) Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements may be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measures may be used for determining the effect of the artificial lighting.

(5) For the purposes of these standards, the curfew time is 10pm - 7am and the pre-curfew time is 7am – 10pm.

Table E24.6.1.1 Lighting category classifications

Zone	Lighting category			
	Lighting category 1 (Intrinsically dark)	Lighting category 2 (Low brightness)	Lighting category 3 (Medium brightness)	Lighting category 4 (High brightness)
Residential				
Residential – Large Lot Zone		X		
Residential – Rural and Coastal Settlement Zone		X		
Residential – Single House Zone			X	
Residential – Mixed Housing Suburban Zone			X	
Residential – Mixed Housing Urban Zone			X	
Residential – Terrace Housing and Apartment Buildings Zone			X	
Open space				
Open Space – Conservation Zone	X			
Open Space – Informal Recreation Zone			X	
Open Space – Sport and Active Recreation Zone			X	
Open Space – Civic Spaces Zone				X
Open Space – Community Zone			X	
Business				
Business – City Centre Zone				X
Business – Metropolitan Centre Zone				X
Business – Town Centre Zone				X
Business – Local Centre Zone				X
Business – Neighbourhood Centre Zone			X	
Business – Mixed Use Zone			X	
Business – General Business Zone				X
Business – Business Park Zone				X
Business – Light Industry Zone				X
Business – Heavy Industry Zone				X
Coastal				
Coastal – General Coastal Marine Zone		X		
Coastal – Marina Zone		X		

Zone	Lighting category			
	Lighting category 1 (Intrinsically dark)	Lighting category 2 (Low brightness)	Lighting category 3 (Medium brightness)	Lighting category 4 (High brightness)
Coastal – Mooring Zone		X		
Coastal – Minor Port Zone			X	
Coastal – Ferry Terminal Zone			X	
Coastal – Defence Zone			X	
Coastal – Coastal Transition Zone			X	
Rural				
Rural – Rural Conservation Zone	X			
Rural – Countryside Living Zone		X		
Rural – Rural Coastal Zone		X		
Rural – Mixed Rural Zone			X	
Rural – Rural Production Zone			X	
Rural – Waitākere Foothills Zone		X		
Rural – Waitākere Ranges Zone	X			
Future Urban Zone		X		
Special purpose				
Strategic Transport Corridor Zone				X
Special Purpose – Airports and Airfields Zone				X
Special Purpose – Cemetery Zone		X		
Special Purpose – Healthcare Facility and Hospital Zone				X
Special Purpose – Major Recreation Facility Zone			X	
Special Purpose – Maori Purpose Zone			X	
Special Purpose – Quarry Zone			X	
Special Purpose – School Zone			X	
Special Purpose – Tertiary Education Zone				X

(6) The added illuminance from the use of any artificial lighting on any site must not exceed either:

(a) the levels in Table E24.6.1.2 Horizontal and vertical illuminance at a boundary, when measured at the boundary of any adjacent site containing a lawfully established dwelling. The illuminance limit will apply horizontally and vertically at any point on the boundary and at any height; or

Table E24.6.1.2 Horizontal and vertical illuminance at a boundary

Time	Illuminance limit
Pre-curfew	100 lux above the background level
Curfew	10 lux above the background level

(b) the vertical illuminance limits in Table E24.6.1.3 Vertical illuminance at a window, when measured or calculated at the windows of habitable rooms of a lawfully established dwelling.

Table E24.6.1.3 Vertical illuminance at a window

Time	Vertical illuminance limit for each lighting category			
	Lighting category 1	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
Pre-curfew	2 lux	10 lux	10 lux	25 lux
Curfew	0 lux (except public road lighting)	1 lux	2 lux	4 lux

(7) Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed the threshold increment limit stated in Table E24.6.1.4 Threshold increment, on any public road, calculated within each traffic lane in the direction of travel.

Table E24.6.1.4 Threshold increment

Light technical parameter	Threshold increment limit for each lighting category			
	Lighting category 1	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
Threshold increment (TI)	15 per cent (based on adaption luminance of 0.1 cd/m2)	15 per cent (based on adaption luminance of 1 cd/m2)	15 per cent (based on adaption luminance of 2 cd/m2)	15 per cent (based on adaption luminance of 10 cd/m2)

(8) The exterior lighting on any property adjacent to land on which there is a dwelling must be selected, located, aimed, adjusted and/or screened to ensure that glare resulting from the lighting does not exceed the pre-curfew or curfew limits outlined in Table E24.6.1.5 Pre-curfew luminous intensity limits or Table E24.6.1.6 Curfew luminous intensity limits.

Table E24.6.1.5 Pre-curfew luminous intensity limits

Intentionally illuminated area		Pre-curfew luminous intensity limit for each lighting category			
Size of area (based on the controlling dimension)	**Controlling dimension (refer to Note 1)**	**Lighting category 1**	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
Large	>75m	2,500 cd	7,500 cd	10,000 cd	25,000 cd
Medium	≥25m ≤75m	2,500 cd	7,500 cd	10,000 cd	25,000 cd
Small	<25m	2,500 cd	2,500 cd	7,500 cd	25,000 cd

Note 1

The controlling dimension is the maximum dimension from any light source to the furthest point of the intentionally illuminated area in the direction of maximum intensity.

Table E24.6.6 Curfew luminous intensity limits

Curfew luminous intensity limit for each lighting category			
Lighting category 1	**Lighting category 2**	**Lighting category 3**	**Lighting category 4**
0 cd	500 cd	1,000 cd	2,500 cd

(9) The average surface luminance measured in candelas per square metre (cd/m^2) for an intentionally artificially lit building façade shall not exceed any one of the following:

(a) 0 cd/m^2 in lighting category 1;

(b) 5 cd/m^2 in lighting category 2;

(c) 10 cd/m^2 in lighting category 3; or

(d) 25 cd/m^2 in lighting category 4.

(10) The limits may be determined by calculation or measurement in accordance with CIE 150:2003 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations – International Commission on Illumination ISBN 3 901 906 19 3.

E24.6.2. Artificial lighting standards for access in residential zones

(1) When lighting for access in residential zones is required by Standard E27.6.3.7(2), it must:

(a) have lighting designed and assessed in accordance with Australian/ New Zealand Standard Lighting for roads and public spaces (Part 3.1:

Pedestrian Area (Category P) lighting – Performance and design requirements Lighting for Roads and Public Spaces (AS/NZS1158.3.1:2020))

(b) meet the minimum P subcategories specified in Table 24.6.2.1 below:

Table E24.6.2.1 Minimum P subcategories

Access	P Subcategory
Primary pedestrian access not adjacent to a vehicle access including connecting elements, steps, stairwells and ramps serving 4 to 9 dwellings	PP4
Any primary pedestrian access not adjacent to a vehicle access including connecting elements, steps, stairwells and ramps serving 10 or more dwellings or 10 or more parking spaces	PP3
Parking spaces	PC3
Vehicle accessway and manoeuvring areas, including any required adjacent primary pedestrian access	PR4

(c) All light fittings must not project any light at or above the height of their light source.

(d) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or lower.

(e) Spill light and glare from the lighting must meet the specifications of Standard E24.6.1(8).

(f) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where automatic presence detection or sensor lighting is proposed, this must be confirmed as appropriate by a Crime Prevention Through Environmental Design assessment prepared by a suitably experienced and qualified specialist.

(g) The lighting required by Standard E27.6.3.7(2) and its power source must not be disabled, except for necessary maintenance or repairs or for emergency purposes.

(h) Solar lighting is acceptable where it complies with Standard E24.6.2 throughout the hours of darkness.

E24.7. Assessment – controlled activities

There are no controlled activities in this section.

E24.8. Assessment – restricted discretionary activities

E24.8.1. Matters of discretion

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

(1) the effects of lighting on traffic safety; and

(2) the effects of artificial lighting and glare on the amenity values and the character of the neighbourhood.

(3) the adequacy and location of artificial lighting to provide effective way-finding, safety and ease of access for all pedestrians

E24.8.2. Assessment criteria

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

(1) for traffic safety:

(a) the extent to which any artificial lighting will adversely affect traffic safety;

(1A) the effects of lighting on pedestrian safety, wayfinding and access;

(a) whether the number, location, design and orientation of light fittings and light support structures provide adequate lighting for the safety and wayfinding of people, including pedestrians, moving, residing, working or visiting sites.

(b) where solar lighting does not comply with Standard E24.6.2(h), the adequacy of the proposed lighting to provide for pedestrian safety, wayfinding and access.

(2) for the effects of artificial lighting and glare on amenity values:

(a) whether the number, placement, design, height, colour, orientation and screening of light fittings and light support structures minimises light spill, glare, and loss of night time viewing;

(b) the extent to which the amount of light falling beyond the site during the hours of darkness is minimised to control effects on indoor amenity values and sleep quality; and

(c) whether the artificial lighting is necessary, suitably designed and adequately protects the amenity values of the surrounding environment.

E24.9. Special information requirements

(1) When lighting is required under Standards E27.6.3.7(2) and E24.6.2, a lighting plan and specification shall accompany any resource consent

application, prepared by a suitably experienced and qualified lighting specialist, which demonstrates at a minimum the following:

(a) Confirms the AS/NZS1158.3.1:2020 lighting performance P subcategory required by Standard E24.6.2, for all areas of the site where lighting is required.

(b) Provides a compliance statement that the lighting proposed in the lighting plan and specification is expected to comply with the relevant requirements in E24.6.2(1) and the spill and glare requirements of Section E24 Lighting.

(c) Includes types of lighting and light support structures.

(d) Overlays the lighting plan on the site plan and landscape plan, and identifies the lighting structures in relation to pedestrian and vehicle movement spaces and landscape areas.

(e) Includes in any case where solar lighting is proposed, a compliance statement of its effectiveness and durability taking into account anticipated sun exposure.

(2) For lighting that does not comply with Standard E24.6.2, a detailed lighting assessment prepared by a suitably experienced and qualified lighting specialist must be provided that, in addition to addressing all relevant matters in (1) above, includes design calculations required under AS/NZS 1158.3.1:2020 and an analysis of effects arising from any non-compliances.

E26. Infrastructure

E26.1. Introduction and other relevant regulatory requirements

E26.1.1. Introduction

Infrastructure is critical to the social, economic, and cultural well-being of people and communities and the quality of the environment. This section provides a framework for the development, operation, use, maintenance, repair, upgrading and removal of infrastructure.

As well as benefits infrastructure can have a range of adverse effects on the environment, visual amenity of an area, and public health and safety. The sensitivity of adjacent activities, particularly residential, to these effects can lead to complaints and ultimately constraints on the operation of infrastructure. Managing these reverse sensitivity effects is essential. Equally in some circumstances other activities and development need to be managed in a way that does not impede the operation of infrastructure.

Infrastructure is provided for on the basis of Auckland-wide provisions. Additional infrastructure provisions (zones, overlays and precincts), such as the National Grid Corridor Overlay, Auckland Airport Precinct and the Strategic Transport Corridor Zone are also provided throughout the plan and should be referred to where applicable. Designations may also provide for infrastructure.

PC 120 (see Modifications)

[new text to be inserted]

The overlay and Auckland-wide provisions that are included in this section are set out in Table E26.1.1.1.

Table E26.1.1.1 Structure

Overlay or Auckland-wide provisions	E26 sub-section reference	Page number
Network utilities and electricity generation – All zones and roads	E26.2 Network utilities and electricity generation – All zones and roads	4
D9 Significant Ecological Areas Overlay E15 Vegetation management and biodiversity	E26.3 Network utilities and electricity generation – Vegetation management	32
D13 Notable Trees Overlay E16 Trees in open space zones E17 Trees in roads	E26.4 Network utilities and electricity generation – Trees in roads and open space zones and the Notable Trees Overlay	43
E11 Land disturbance – Regional E12 Land disturbance – District	E26.5 Network utilities and electricity generation – Earthworks all zones and roads E26.6 Network utilities and electricity	52

	generation – Earthworks overlays except Outstanding Natural Features Overlay E26.7 Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay	62 76
D17 Historic Heritage Overlay	E26.8 Network utilities and electricity generation – Historic Heritage Overlay	87
D18 Special Character Areas Overlay – Residential and Business	E26.9 Network utilities and electricity generation – Special Character Areas Overlay – Residential and Business	92
D21 Sites and Places of Significance to Mana Whenua Overlay	E26.10 Network utilities and electricity generation – Sites and Places of Significance to Mana Whenua Overlay	97
D14 Volcanic Viewshafts and Height Sensitive Areas Overlay	E26.11 Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay	100
D15 Ridgeline Protection Overlay D16 Local Public Views Overlay D19 Auckland War Memorial Museum Viewshaft Overlay D20A Stockade Hill Viewshaft Overlay	E26.12 Network utilities and electricity generation – Auckland War Memorial Museum Viewshaft, Local Public Views, Ridgelines Overlays	105
D10 Outstanding Natural Landscapes Overlay D11 Outstanding Natural Character and High Natural Character Overlay	E26.13 Network utilities and electricity generation – Outstanding Natural Landscapes Overlay (excluding outstanding natural features) and Outstanding Natural Character and High Natural Character Overlay	111
D10 Outstanding Natural Features Overlay	E26.14 Network utilities and electricity generation – Outstanding Natural Features Overlay (excluding outstanding natural landscapes)	116

PC 120 (see Modifications)

E26.1.2. Other relevant regulatory requirements

(1) Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, improvement and removal of utility structures in the road, unformed road and Strategic Transport Corridor.

(2) The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities "NESETA") Regulations 2009 apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or prior to 14 January 2010 and remain part of the National Grid. In the case

of conflict with any other provision of this plan, including any provision in the activity table in this section, the NESETA provisions shall prevail.

(3) The Resource Management (National Environmental Standards for Telecommunication Facilities "NESTF") Regulations 2016 provide for:

(a) the planning and operation of a telecommunication facility such as a mobile phone transmitter, that generates radio frequency fields as a permitted activity provided it complies with the New Zealand Standard on Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300 GHz (NZS 2772.1: 1999);

(b) the installation of telecommunication equipment cabinets in the road reserve as a permitted activity, subject to specified limitations on their size and location;

(c) noise from telecommunication equipment cabinets located in the road reserve as a permitted activity, subject to the specified noise limits; and

(d) the installation or replacement of masts and antennas on existing structures in the road reserve as a permitted activity, subject to specified limitations on height and size.

(4) Compliance with the NZECP 34:2001 is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34:2001, including any activities that are otherwise permitted by the Plan must comply with this regulation.

(5) Connections to a network utility require approval of the relevant network utility operator and works within roads require approval of the relevant road controlling authority.

(6) ***Resource Management (National Environmental Standards for Freshwater) Regulations 2020***

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

If an activity provided for in rules E26.2.3 to E26.14.8, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

E26.2. Network utilities and electricity generation – All zones and roads

E26.2.1. Objectives [rp/dp]

(1) The benefits of infrastructure are recognised.

(2) The value of investment in infrastructure is recognised.

(3) Safe, efficient and secure infrastructure is enabled, to service the needs of existing and authorised proposed subdivision, use and development.

(4) Development, operation, maintenance, repair, replacement, renewal, upgrading and removal of infrastructure is enabled.

(5) The resilience of infrastructure is improved and continuity of service is enabled.

(6) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.

(7) The national significance of the National Grid is recognised and provided for and its effective development, operation, maintenance, repairs, upgrading and removal is enabled.

(8) The use and development of renewable electricity generation is enabled.

(9) The adverse effects of infrastructure are avoided, remedied or mitigated.

E26.2.2. Policies [rp/dp]

(1) Recognise the social, economic, cultural and environmental benefits that infrastructure provides, including:

(a) enabling enhancement of the quality of life and standard of living for people and communities;

(b) providing for public health and safety;

(c) enabling the functioning of businesses;

(d) enabling economic growth;

(e) enabling growth and development;

(f) protecting and enhancing the environment;

(g) enabling the transportation of freight, goods, people; and

(h) enabling interaction and communication.

(2) Provide for the development, operation, maintenance, repair, upgrade and removal of infrastructure throughout Auckland by recognising:

(a) functional and operational needs;

(b) location, route and design needs and constraints;

(c) the complexity and interconnectedness of infrastructure services;

(d) the benefits of infrastructure to communities with in Auckland and beyond;

(e) the need to quickly restore disrupted services; and

(f) its role in servicing existing, consented and planned development.

Adverse effects on infrastructure

(3) Avoid where practicable, or otherwise remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.

Adverse effects of infrastructure

(4) Require the development, operation, maintenance, repair, upgrading and removal of infrastructure to avoid, remedy or mitigate adverse effects, including, on the:

(a) health, well-being and safety of people and communities, including nuisance from noise, vibration, dust and odour emissions and light spill;

(b) safe and efficient operation of other infrastructure;

(c) amenity values of the streetscape and adjoining properties;

(d) environment from temporary and ongoing discharges; and

(e) values for which a site has been scheduled or incorporated in an overlay.

(5) Consider the following matters when assessing the effects of infrastructure:

(a) the degree to which the environment has already been modified;

(b) the nature, duration, timing and frequency of the adverse effects;

(c) the impact on the network and levels of service if the work is not undertaken;

(d) the need for the infrastructure in the context of the wider network; and

(e) the benefits provided by the infrastructure to the communities within Auckland and beyond.

(6) Consider the following matters where new infrastructure or major upgrades to infrastructure are proposed within areas that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character:

(a) the economic, cultural and social benefits derived from infrastructure and the adverse effects of not providing the infrastructure;

(b) whether the infrastructure has a functional or operational need to be located in or traverse the proposed location;

(c) the need for utility connections across or through such areas to enable an effective and efficient network;

(d) whether there are any practicable alternative locations, routes or designs, which would avoid, or reduce adverse effects on the values of those places, while having regard to E26.2.2(6)(a) - (c);

(e) the extent of existing adverse effects and potential cumulative adverse effects;

(f) how the proposed infrastructure contributes to the strategic form or function, or enables the planned growth and intensification, of Auckland;

(g) the type, scale and extent of adverse effects on the identified values of the area or feature, taking into account:

(i) scheduled sites and places of significance and value to Mana Whenua;

(ii) significant public open space areas, including harbours;

(iii) hilltops and high points that are publicly accessible scenic lookouts;

(iv) high-use recreation areas;

(v) natural ecosystems and habitats; and

(vi) the extent to which the proposed infrastructure or upgrade can avoid adverse effects on the values of the area, and where these adverse effects cannot practicably be avoided, then the extent to which adverse effects on the values of the area can be appropriately remedied or mitigated.

(h) whether adverse effects on the identified values of the area or feature must be avoided pursuant to any national policy statement, national environmental standard, or regional policy statement.

(7) Enable the following activities within natural heritage, natural resources, coastal environment, historic heritage, special character and Mana Whenua cultural heritage overlays:

(a) the use and operation of existing infrastructure; and

(b) the minor upgrading, maintenance and repair of existing infrastructure, while ensuring that the adverse effects on the values of the area are avoided and where those effects cannot practicably be avoided, minimise any such effects and ensure they are appropriately remedied or mitigated.

(8) Encourage new linear infrastructure to be located in roads, and where practicable within the road reserve adjacent to the carriage way.

Undergrounding of infrastructure in urban areas

(9) Require new or major upgrades to electricity and telecommunications lines to be located underground in urban areas unless:

(a) there are significant operational, functional, technical or economic reasons that require an aboveground network; or

(b) the additional lines are part of minor upgrading to the network or are service connections.

(10) Enable the coordinated undergrounding of existing electricity and telecommunications lines in the road, particularly where the opportunity exists when network improvements are undertaken.

New technologies

(11) Provide flexibility for infrastructure operators to use new technological advances that:

(a) improve access to, and efficient use of services;

(b) allow for the re-use of redundant services and structures where appropriate;

(c) result in environmental benefits and enhancements; and

(d) utilise renewable sources.

Renewable electricity generation

(12) Provide for renewable electricity generation activities to occur at different scales and from different sources, including small and community-scale renewable electricity generation activities.

National Grid

(13) Have regard to the extent to which actual and potential effects have been avoided, remedied or mitigated by the route, site and method selected when assessing the development of the National Grid.

Road network

(14) Require road network activities to:

(a) avoid, remedy or mitigate adverse effects on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions;

(b) avoid, remedy or mitigate adverse effects on amenity values of adjoining properties and the streetscape; and

(c) maintain or enhance the safety and efficiency of the transport network.

(15) Ensure roads are designed, located and constructed to:

(a) provide for the needs of all road users and modes of transport;

(b) avoid, remedy or mitigate adverse effects on amenity values of adjoining properties;

(c) avoid, remedy or mitigate adverse construction effects including effects of vibration, noise, and dust;

(d) avoid, remedy or mitigate adverse operational effects particularly on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions;

(e) minimise severance effects and changes to drainage patterns; and

(f) maintain or enhance the safety and efficiency of the transport network.

E26.2.3. Activity table

Table E26.2.3.1 Activity table specifies the activity status of land use and development activities in all zones and roads pursuant to section 9(3) of the Resource Management Act 1991.

- Network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.2.3.1 Activity table - Network utilities and electricity generation – All zones and roads

Activity		Roads, unformed roads and the Strategic Transport Corridor Zone	Rural zones, Future Urban Zone and Special Purpose – Quarry Zone	Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land)	Residential zones, Special Purpose – Māori Purpose Zone and Special Purpose – School Zone	Industrial zones and the Business – General Business Zone	Centres zones, Business – Mixed Use Zone, Special Purpose – Airports and Airfields Zone, Special Purpose – Major Recreation Facility Zone, Special Purpose – Healthcare Facility and Hospital Zone, Business – Business Park Zone and Special Purpose – Tertiary Education Zone	Open space zones and the Special Purpose – Cemetery Zone
General								
(A1)	Operation, maintenance and repair of network utilities and electricity generation facilities in existence on 30 September 2013 or which have been lawfully established or granted resource consent	P	P	P	P	P	P	P
(A2)	Minor infrastructure upgrading of network utilities	P	P	P	P	P	P	P
(A3)	Service connections	P	P	P	P	P	P	P
(A4)	Minor utility structure	P	P	P	P	P	P	P
(A5)	[Deleted]							
(A6)	Removal of network utilities and electricity generation facilities	P	P	P	P	P	P	P
(A7)	Ancillary telecommunication equipment/devices	P	P	P	P	P	P	P

	and networks for supporting the operation of a network utility and/or electricity generation facility, including but not limited to smart meters, antennae and aerials(excludes microwave and satellite dish aerials)							
(A8)	Pipes and cables for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications that are attached to existing structures	P	P	P	P	P	P	P
(A9)	Pipe and cable bridges for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications	P	P	P	P	P	P	P
(A10)	Air quality and meteorological monitoring structures and devices	P	P	P	P	P	P	P
(A11)	Temporary network utilities operating for less than 12 months	P	P	P	P	P	P	P
(A12)	Temporary signage during the construction of network utilities and electricity generation facilities, which is in place for no longer than 12 months	P	P	P	P	P	P	P
(A13)	Diesel or petrol electricity generators used for the emergency backup of any activities in Table E26.2.3.1 Activity Table	P	P	P	P	P	P	P
(A14)	Network utilities and energy storage inside existing buildings used for network utilities.	P	P	P	P	P	P	P
(A15)	Network utilities and energy storage within buildings where the network utilities or energy storage services that building	P	P	P	P	P	P	P
(A16)	Network utilities and electricity generation facilities not listed in Table E26.2.3.1 Activity Table	D	D	D	D	D	D	D
Electricity transmission and distribution								
(A17)	Distribution substations	P	P	P	P	P	P	P
(A18)	Substations within new buildings *Centres zones and Business – Mixed Use Zone	NA	P	P	C	P	C *RD#	RD#
(A19)	Substations within existing buildings	NA	P	P	P	P	P	P
(A20)	Substations within existing buildings that require an increase in building platform area or building height *Centres zones and Business – Mixed Use Zone	NA	P	P	C	P	C *RD	RD
(A21)	Unenclosed Substations *Business – Heavy Industry Zone	NA	RD#	D	D	D *RD	D	D
(A22)	Underground electricity lines	P	P	P	P	P	P	P
(A23)	Pole mounted transformer * within areas of the Road, Unformed Road and the Strategic Transport Corridor Zone, this activity shall have the same status as the adjacent zone ** Industrial zones *** within areas of the road, unformed road and the Strategic Transport Corridor Zone, where the area is adjacent to the relevant zone and is located outside the RUB	*	P	P	RD P***	RD P**	RD	RD P***
(A24)	Overhead electricity lines up to and including 110kV * within areas of the Road, Unformed Road and Strategic Transport Corridor this activity shall have the same status as the adjacent zone; ** Business – Heavy Industry Zone	*	P	P	D	RD P**	D	D
(A25)	Overhead electricity lines greater than 110kV * Business – Heavy Industry Zone	D	D	D	D	D P*	D	D
Liquid fuels and gas transmission and distribution								
(A26)	Underground gas distribution regulator stations	P	P	P	P	P	P	P

(A27)	Aboveground gas distribution regulator stations	P	P	P	P	P	P	P
(A28)	Aboveground gas and petroleum product transmission regulator, valve, or pump stations * Business – Heavy Industrial Zone	D	D	D	D	D RD*	D	D
(A29)	Underground gas distribution pipelines at a gauge pressure not exceeding 2000 kilopascals, including any aerial crossings of streams using bridges or any other structures, and ancillary underground equipment and fittings	P	P	P	P	P	P	P
(A30)	Underground gas and petroleum product transmission pipelines at a gauge pressure exceeding 2000 kilopascals including any aerial crossings of streams or other low lying areas using bridges or any other structures, and ancillary underground equipment and fittings	D	D	D	D	D	D	D
Telecommunications								
(A31)	Antennas attached to a replacement utility structure that are subject to and do not comply with Regulations 26 and 27 of the NESTF	C	NA					
(A32)	Antennas attached to retaining walls, tunnels, bridges and other structures (other than replacement utility structures under the NESTF) in the road, unformed Road and Strategic Transport Corridor Zone	P	NA					
(A33)	Antennas attached to a building and/or structure where the face of the antenna does not exceed 1.5m^2 or 1.2m in diameter for dish antennas (excludes private television antennas and satellite dishes)	NA	P	P	RD	P	P	P
(A34)	Mast and attached antennas * within Business – Local Centre Zone and Business – Neighbourhood Centre Zone ** within the Strategic Transport Corridor zone	RD# P**	P	P	D	P	P RD*#	RD#
(A35)	Antennas inside of new or existing buildings	P	P	P	P	P	P	P
(A36)	Antennas that do not exceed the following dimensions: GPS Antennas: • 300mm high and 130mm in diameter • small cell units/antennas that do not exceed a volumetric dimension of 0.25m^3 Omni-directional antennas: • 1.6m high; • 650mm horizontal length for dipole antennas; and • Whip or cross rod section of 60mm in diameter	P	P	P	P	P	P	P
(A37)	Externally mounted telecommunication satellite dishes attached to buildings not exceeding 0.8m in diameter and ancillary components	NA	P	P	P	P	P	P
(A38)	Telecommunication cabinets and shelters *that meet the permitted standards in NESTF if within a road	P*	P	P	P	P	P	P
(A39)	Telecommunication cabinets in roads and Strategic Transport Corridor zone that do not meet the permitted standards in NESTF (excludes rail corridors)	RD						
(A40)	Underground telecommunication lines and facilities	P	P	P	P	P	P	P
(A41)	Overhead telecommunication lines * within areas of the road, unformed road and Strategic Transport Corridor Zone this activity shall have the same status as the adjacent zone ** Business – Heavy Industry Zone	*	P	P	D	RD P**	D	D

(A42)	Telecommunication kiosks	P	P	P	P	P	P	P
(A43)	Telephone exchanges	P	P	P	P	P	P	P
(A44)	Installation and operation of equipment inside existing telephone exchanges	P	P	P	P	P	P	P
Amateur radio								
(A45)	Amateur radio configurations	NC	P	P	P	P	P	P
(A46)	Amateur radio configurations that do not comply with Standard E26.2.5.3(25)	NC	D	D	D	D	D	D
Water, wastewater and stormwater structures								
(A47)	Underground reservoirs	P	P	P	P	P	P	P
(A48)	Above ground reservoirs	RD	P	P	RD	P	RD	RD
(A49)	Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines)	P	P	P	P	P	P	P
(A50)	Aboveground pipelines and attached ancillary structures for the conveyance of water, wastewater and stormwater	RD	RD	RD	RD	RD	RD	RD
(A51)	Water, wastewater and stormwater pump stations	P	P	P	P	P	P	P
(A51A)	Water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2 (3)(a) *Centres zones and Business – Mixed Use Zone	NA	P	P	C	P	C *RD#	RD#
(A52)*	Water, wastewater and stormwater storage tanks	P	P	P	P	P	P	P
(A53)	Water treatment plants	D	P	P	RD	P	RD	RD
(A54)	Wastewater treatment plants	D	RD	D	D	RD	D	D
(A55)	Stormwater detention/retention ponds/wetlands	C	C	C	C	C	C	C
(A56)	Water, wastewater and stormwater outfalls and ancillary structures	P	P	P	P	P	P	P
(A57)	Ventilation facilities, drop shafts and manholes	P	P	P	P	P	P	P
(A58)	Stormwater treatment devices; erosion protection; culverts; measuring devices (flows structures)	P	P	P	P	P	P	P
Electricity generation and its storage								
(A59)	Small-scale electricity generation * solar electricity generation which is ancillary to network utilities located in roads and unformed roads and Strategic Transport Corridor Zone	NA P*	P	P	P	P	P	P
(A60)	Community-scale electricity generation * solar electricity generation	NA	P	P	RD# P*	P	RD# P*	RD# P*
(A61)	Large scale wind farms	NA	RD#	D	NC	RD#	D	NC
(A62)	Research and exploratory scale investigations for renewable electricity generation activities	D	P	NA	NA	NA	NA	P
(A63)	Other electricity generating facilities	NC	D	D	NC	D	D	NC
(A64)	Electricity storage facility that is not a minor utility structure	RD	P	P	RD#	P	RD#	RD#
Infringement of standards								
(A65)	Any activity that does not comply with Standard E26.2.5.2(6) and E26.2.5.1(6)	NC	NC	NC	NC	NC	NC	NC
(A66)	Any activity that does not comply with Standard E26.2.5.2(7) and E26.2.5.1(7)	NC	NC	NC	NC	NC	NC	NC

* rainwater tank standards listed below do not apply to item (A52) which only relates to network utility tanks.

- H3.6.13 Single House Zone
- H1.6.8 Large Lot Zone
- H2.6.11 Rural and Coastal Settlement Zone
- H4.6.16 Mixed Housing Suburban Zone
- H5.6.17 Mixed Housing Urban Zone
- H6.6.18 Terrace Housing and Apartment Buildings Zone
- H19.10.17 Rural Zones
- H20.6.9 Waitākere Foothills Zone
- H21.6.9 Waitākere Ranges Zone
- H27.6.9 Special Purpose - Māori Purpose Zone

Table E26.2.3.2 Activity table specifies the activity status of land use and development for road network activities pursuant to section 9(3) of the Resource Management Act 1991.

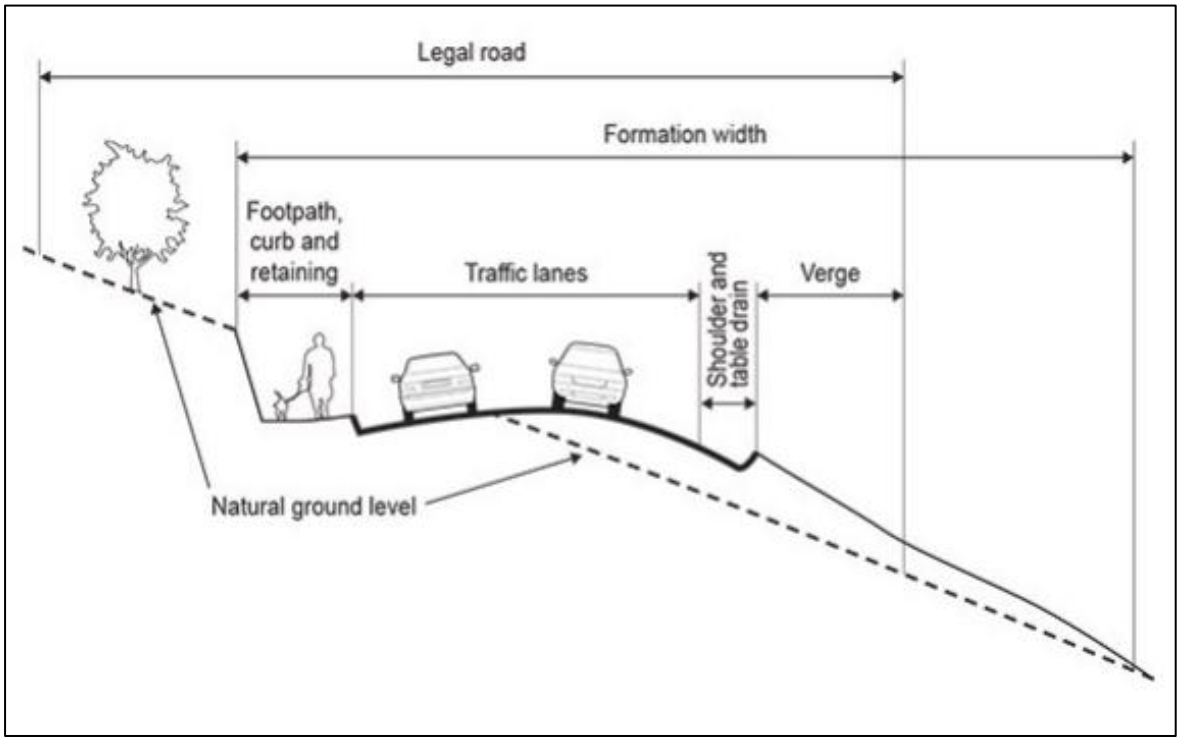
(1) The rules in Table E26.2.3.2 apply to the local public road network operated by Auckland Transport and any private road (provided the private road is in private ownership, provides public access and is connected to the public road network).

(2) in this section:

(a) ‘existing road' has the same meaning as in section 315 of the Local Government Act 1974 and includes legally established private roads (a road in private ownership providing public access and is connected to the public road network). Section 315 does not include a motorway within the meaning of the Government Roading Powers Act 1989; and

(b) for the purposes of these rules, the existing road includes activities undertaken within the formation width of the road which may extend beyond the legal road width refer to Figure E26.2.3.1; and

Figure E26.2.3.1 Formation width of the road



(c) 'unformed road' means land that is vested or dedicated that has never been formed in full or in part,

(3) Any zoning (including precinct provisions) ceases to have effect from the time the land is vested or dedicated as a road.

(4) In the case of stopped roads, the zoning reverts to that of the adjoining land at the time when the road is stopped, and where there are two different zones, the adjacent zone extends to the centre line of the former road.

(5) This section controls the road network activities (including structures) undertaken in the local public road network, and associated/ancillary structures and activities adjacent to but within the formation width of the existing road by Auckland Transport (or its agents) except where the overlay and Auckland-wide rules apply additional rules that must also be complied with.

(6) Where an existing road (as defined in Rule E26.2.3(2) above) is also identified as having an underlying zoning, the rules as set out below will have precedence over any zone rules in regard to the activity status and standards.

Table E26.2.3.2 Activity table for road network activities

Activity		Existing Road	Unformed Road
(A67)	Construction, operation, use, maintenance and repair of road network activities	P	P
(A68)	Transportation of people, goods and services	P	P
(A69)	Construction of unformed roads	NA	RD#

(A70)	Public amenities	P	P

E26.2.4. Notification

(1) An application for resource consent for a controlled or restricted discretionary activity listed in Table E26.2.3.1 Activity table or Table E26.2.3.2 Activity table for road network activities above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, except that:

(a) any restricted discretionary activity identified by a # in the in Table E26.2.3.1 Activity table and Table E26.2.3.2 Activity table for road network activities will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) Any application for resource consent for an activity that infringes the permitted or controlled activity standards will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.2.5. Standards

E26.2.5.1. Activities within roads and unformed roads in Table E26.2.3.1 Activity table

All activities listed as permitted in Table E26.2.3.1 Activity table must comply with the following permitted activity standards.

(1) Temporary network utilities:

(a) all temporary network utilities and associated buildings and structures must be removed from the site on completion of the works; and

(b) the site must be reinstated in accordance with conditions specified in the National Code of Practice for Utility Operators' Access to Transport Corridors (2011).

(2) Building area:

(a) the maximum aboveground building area for structures, excluding electricity and telecommunication support structures is 2m^2. This excludes:

(i) *[intentionally blank]*

(ii) telecommunication cabinets permitted under NESTF;

(iii) distribution substations and gas distribution regulator stations provided they do not exceed $6m^2$;

(iv) distribution substations that specifically connect between networks operating at different voltages or phase angles, and are located outside of urban areas provided they do not exceed $10m^2$; and

(v) pole mounted transformers provided the transformer does not exceed $2m^3$.

(3) Height:

(a) the maximum height for structures, excluding electricity and telecommunication support structures, telecommunication devices, earth peaks, lightning rods, smart meters and GPS antennas is 1.8m;

(b) the maximum height for support structures for electricity lines, telecommunication lines, telecommunication equipment/devices, including telecommunication equipment/devices is 25m. This measurement of height of the structure excludes any earth peaks, lightning rods, smart meters, omni-directional whip antennas and GPS antennas; and

(c) the maximum height for of 2.5m applies to:

(i) telecommunication kiosk; and

(ii) distribution substations that specifically connect between networks operating at different voltages or phase angles, and are located outside of urban areas.

(4) [Deleted]

(5) Minor infrastructure upgrading

(a) All activities and works must be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(6) Electricity transmission and distribution (Electric and magnetic fields):

(a) network utilities that emit electric and magnetic field emissions must comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation Monograph Environmental Health Criteria (No 238, June 2007).

(7) Radio Frequency Fields (RF fields):

(a) network utilities should not result in radio-frequency fields produced by the network utility exceeding the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

E26.2.5.2. Activities within zones in Table E26.2.3.1 Activity table

All activities listed as permitted in Table E26.2.3.1 Activity table must comply with the following permitted activity standards.

(1) Temporary network utilities:

(a) all temporary network utilities, temporary electricity generation facilities and associated buildings and structures must be removed from the site on completion of the works.

(2) Building area:

(a) the maximum aboveground building area for structures, excluding electricity and telecommunication support structures:

(i) in residential zones is 20m^2;

(ii) in all other zones is 30m^2;

(b) Standard E26.2.5.2(2)(a)(i) and (ii) excludes:

(i) structures in industrial zones; and

(ii) substations or telephone exchanges incorporated within a building complying with the rules for the relevant zone which are provided for as a separate activity.

(3) Height:

(a) the maximum height for structures, excluding electricity and telecommunication support structures, telecommunication devices, earth peaks, lightning rods, smart meters and GPS antennas, is 2.5m. Excludes:

(i) structures in industrial zones, where the height controls of the relevant zone will apply;

(ii) substations and telephone exchanges incorporated within a building complying with the rules for the relevant zone or otherwise approved; and

(iii) telecommunication shelters and electricity storage facilities in rural zones, where a maximum height of 3m applies;

(b) the maximum height for support structures for electricity lines and telecommunication lines is 25m.

(c) The maximum height for rainwater tanks is 3m

(4) Yards:

(a) electricity and telecommunication support structures must be set back at least 1m from any adjoining site that is zoned residential or Special Purpose – Māori Purpose Zone.

(5) Pole mounted transformers:

(a) The maximum dimension for transformers is $2m^3$

(6) Electricity transmission and distribution (Electric and magnetic fields):

(a) network utilities that emit electric and magnetic field emissions must comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).

(7) Radio Frequency Fields (RF fields):

(a) network utilities should not result in radio-frequency fields produced by the network utility exceeding the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

E26.2.5.3. Specific activities within zones in Table E26.2.3.1

The specific activities listed below are required to comply with the permitted activity standards in E26.2.5.1 and E26.2.5.2. Where a standard in E26.2.5.3 for a specified activity varies from a standard in E26.2.5.1 or E26.2.5.2, E26.2.5.3 shall apply.

Minor infrastructure upgrading [rcp/dp]

(1) Minor infrastructure upgrading of network utilities must comply with the following controls (where relevant):

(a) minor re-alignment, configuration, relocation or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets or ancillary structures:

(i) that is within 2m of the existing alignment or location;

(ii) that is within 5m of the existing alignment or location when associated with road widening reasons or road safety or electricity clearance reasons.

(b) alterations and additions to overhead electricity and telecommunication lines on existing poles:

(i) do not increase the number of conductors or wires/lines by more than 100 percent;

(ii) or when installing a new low voltage circuit on an existing pole, the total number of new conductors or wires/lines must not exceed 8, consisting specifically of 4 lines for electricity circuit (or single bundled line containing up to 4 electricity lines), 1 hot water pilot line, 1 street light line, and 2 for telecommunication purposes. Where the hot water pilot and street light lines are not required, the maximum number of new conductors must not exceed 6 (unless some of the electricity lines are bundled in a single bundled line, in which case the maximum number of new conductors or wires/lines must not exceed 7, less the number of electricity lines in the bundled line).

(iii) the provisions in E26.2.5.3(1)(b)(i) and E26.2.5.3(1)(b)(ii) above exclude service connections and lateral network connections

(iv) additional cross arms that do not exceed the length of the existing cross arm by more than 100 percent, up to a maximum of 4m; and

(v) additional or replacement electricity and telecommunication lines that:

- do not exceed 30mm in diameter; or
- in the case of a single bundled line containing up to 4 electricity lines provided for under E26.2.5.3(1)(b)(ii), does not exceed 44mm in diameter. Only one bundled electricity line per span is permitted.

(c) the addition or replacement of:

(i) earthwires, either overhead or underground, and underground earthgrids, which may contain telecommunication lines, and earthpeaks;or

(ii) above-ground insulators on the poles.

(d) any pole which replaces an existing pole provided that:

(i) it must not have a diameter or width that is more than the existing pole's diameter or width at its largest point plus 50 percent and in the case of double pole 100 percent; and

(ii) it must not have a height greater than 25m

(e) modification of an existing pole:

(i) only where the mechanical loading requirements make this necessary in order to undertake reconductoring or the reconfiguration of equipment, such as staywires, anchor blocks, on overhead electricity and telecommunication lines; or

(ii) when modifications to structures are required to meet mechanical loading requirements the height and profile of any modified support structure must remain the same as existed prior to the modifications.

(f) the installation of new mid-span electricity poles in existing networks to address clearances in NZECP 34:2001;

(g) an increase in the power carrying or operating capacity, efficiency or security of electricity lines, gas distribution lines and telecommunications lines, where this uses the existing network utility and meets the requirements of E26.2.5.3(1)(c) - (f) above;

(h) the alteration, replacement or relocation of water, wastewater or stormwater structures (excluding pipes):

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within the 2m of existing alignment or location.

(i) the alterations or replacement of water, wastewater, stormwater, gas pipes provided that:

(i) above ground pipes must not exceed 300mm increase in diameter of the pipe;

(ii) underground pipes must not exceed a 50 percent increase in the diameter of the pipe

(j) the replacement of an existing antenna with a new antenna provided that:

(i) the new antenna does not exceed the maximum dimension of the existing antenna by more than 20 per cent; and

(ii) where the antenna is a dish antenna the diameter of the new antenna must not increase by more than 20 percent; and

(iii) the overall height of the facility to which the antenna is attached either does not increase or that any height increase is as a result of the antenna size increase only.

(k) Any upgrading of infrastructure that does not comply with the relevant standards for minor infrastructure upgrading specified above, shall be subject to the relevant activity status for that activity specified in Activity Table E26.2.3.1.

Substations and electricity storage facilities

(2) Noise from substations must not exceed the following noise limits when measured within the boundary of a residential zone site or within the notional boundary of a rural zone site:

(a) 55 dB L_{Aeq} between Monday to Saturday 7am to 10pm and Sundays 9am to 6pm and

(b) 45 dB L_{Aeq}/75 dB L_{Amax} for all other times

(2A) Noise from electricity storage facilities must not exceed:

(a) The noise limits in E26.2.5.3(2) when the electricity storage facility is located on the same site as a substation and the noise levels are assessed cumulatively; or

(b) The following noise limits when measured within the boundary of a residential zone site or within the notional boundary of a rural zone site:

(i) 50 dB LAeq between Monday to Saturday 7am to 10pm and Sundays 9am to 6pm and

(ii) 40 dB LAeq/75 dB LAmax for all other times.

(3) Noise from substations and electricity storage facilities in other zones must not exceed the noise limits for the zone in which they are located as provided in E25 Noise and vibration.

(4) Noise from distribution substations and electricity storage facilities within roads, unformed roads and Strategic Transport Corridor Zone must not exceed 40 dB LAeq:

(i) in adjacent residential areas – 6m from the distribution substation or electricity storage facility, or at the nearest residential boundary (whichever is furthest); and

(ii) in adjacent rural zones – 6m from the distribution substation or electricity storage facility, or at the nearest rural notional boundary (whichever is furthest).

(5) In respect of E26.2.5.3(3) and (4) above noise levels must be measured in accordance with NZS6801:2008 “Acoustics – Measurement of environmental sound” and assessed in accordance with NZS6802:2008 “Acoustics – Environmental noise”.

(6) Antennas attached to buildings must not exceed the height at the point of attachment to the building by more than the height specified in Table E26.2.5.3.1.

For the purposes of this rule, the following ancillary components are excluded from the height standards: radio frequency units; GPS antennas; smart meters, lightning rods, shrouds and ancillary equipment such as amplifiers, controller boxes and tilt motors.

Table E26.2.5.3.1 Telecommunication antennas attached to buildings

Zone group	Permitted height
• Rural zones; • Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land); • Future Urban Zone; • Special Purpose – Quarry Zone; • Industrial zones; • Centres zones and Business – Mixed Use Zone (excluding the Business – Local Centre Zone and Business – Neighbourhood Centre Zone); • Business – General Business Zone; • Special Purpose – Airports and Airfields Zone, Special Purpose – Major Recreation Zone, Special Purpose – Healthcare Facility and Hospital Zone and the Business – Business Park Zone; and • Special Purpose – Tertiary Education Zone	5m
• Business – Local Centre Zone and Business – Neighbourhood Centre Zone; • Open space zones; and • Special Purpose – Cemetery Zone	3.5m

(7) Standards E26.2.5.3(8) - (10) apply to individual antennas or clusters of antennas, provided that collectively these do not exceed 600mm in diameter.

(8) The maximum number of antennas specified in E26.2.5.3(9) and (10) do not apply to:

(a) antennas mounted on the fascia of a building below the roofline; and

(b) GPS antennas, smart meters, lightning rods, shrouds and ancillary equipment such as radio frequency units, amplifiers, controller boxes and tilt motors

(9) The maximum number of antennas in the Business – Local Centre Zone and Business – Neighbourhood Centre Zone are in Table E26.2.5.3.2.

Table E26.2.5.3.2 Maximum number of antennas

Roof area (plan view)	Maximum number of antennas per site
300m^2 or less	6
Greater than 300m^2 and less than 1,000m^2	8
1,000m^2 or more	12

(10) For all other zones the maximum number of antennas is 12 per site.

Height of masts and attached antennas (excludes NESTF)

(11) Masts and attached antennas identified as permitted activities in Table E26.2.3.1 must not exceed the height limits in Table E26.2.5.3.3, excluding provision for lightning rods, omni-directional whip antennas and GPS antennas, telecommunication devices and earthpeaks.

Table E26.2.5.3.3 Height of masts and attached antennas (excludes NESTF)

Zone groups	Maximum height
• Rural zones; • Industrial zones; • Strategic Transport Corridor Zone; • Centres zones and Business - Mixed Use Zone (excluding the Business – Local Centre Zone and Business – Neighbourhood Centre Zone); • Special Purpose – Airport Zone; • Special Purpose – Major Recreation Facility Zone; • Special Purpose – Healthcare Facility and Hospital Zone; • Business – Business Park Zone; • Business – General Business Zone; • Coastal – Minor Port Zone (land); • Future Urban Zone; • Coastal – Marina Zone (land); and • Special Purpose – Quarry Zone	25m

Electricity generation – wind generation scale and location

(12) Meteorological masts for wind research and exploration must not exceed 90m in height.

(13) Roof-mounted wind turbines for small-scale electricity generation must:

(a) not exceed the permitted height of the zone by more than 3m;

(b) have a rotor diameter no more than 2.5m; and

(c) be limited to one per dwelling within the residential zones.

(14) Freestanding wind turbines for small-scale electricity generation must comply with Table E26.2.5.3.4.

Table E26.2.5.3.4 Freestanding wind turbines for small-scale electricity generation

Zone	Maximum height	Maximum rotor diameter (m)
Residential zones and the Special Purpose – Māori Purpose Zone	12	2.5
Rural zones, Future Urban Zone, Special Purpose – Quarry Zone and industrial zones	20	5
All other zones	15	3

(15) In residential zones and the Special Purpose – Māori Purpose Zone, freestanding wind turbines for small-scale electricity generation are limited to one per site.

(16) The noise (rating) level from small scale electricity generation must not exceed the noise control specified for activities in the zone in which the small scale electricity generation activity is located (including noise control for any zone interface), following the subtraction of 10 decibels from every applicable A-weighted noise limit in the applicable rule. A penalty for the noise containing Special Audible Characteristics in accordance with NZS6802:2008 Acoustics – Environmental Noise must not be applied.

(17) Wind turbine towers, either freestanding tubular, lattice or tubular mast supported by guy wires, for a community-scale electricity generation facility must not exceed 25m in height.

(18) Small and community scale wind turbines on sites adjoining residential zones must meet the height in relation to boundary control for the adjoining zone in which they are located.

(19) There is no height limit for wind turbine towers associated with large-scale wind farms.

Electricity generation - solar panels

(20) For small scale and community scale electricity, solar panels on the roof of a building must not exceed 250mm in height above the existing roof.

Setbacks

(21) Wind turbine towers must be set back from the boundary of the site on which the wind turbine is located at a distance equivalent to the length of

the turbine blades. The tips of the turbine blades must stay within the site at all times.

Shadow flicker

(22) No dwellings on a neighbouring property must be exposed to more than 30 hours of shadow flicker per year based on realistic shadow flicker hours calculations from large-scale wind farms.

Pipe and cable bridges

(23) Pipe and cable bridges must not exceed:

(a) 25m in length;

(b) 1m in diameter or width

Underground pipelines for the conveyance of gas, water, wastewater and stormwater

(24) Any aboveground section of underground pipelines for the conveyance of gas, water, wastewater and stormwater must not exceed:

(a) 25m continuous length of pipe that is aboveground in any one section; and

(b) 300mm in diameter.

Amateur Radio Configurations

(25) Amateur radio configuration activities must comply with the following standards:

(a) no limit to the number of supporting structures less than 102mm in diameter. Where guy wires are used, these must not exceed 10mm in diameter;

(b) a maximum of one supporting structure greater than 102mm. The maximum height of the supporting structure shall be the relevant building height. The maximum horizontal diameter of the pole or supporting structure is 800mm. The minimum setback from any boundary is 1.5m. Any guys used to support the pole must not exceed 10mm in diameter;

(c) dish antennas located less than 5m above ground have a maximum horizontal diameter of 4m and a minimum boundary setback of 1m. Dish antennas situated more than 5m above ground have a maximum diameter of 1.2m;

(d) the maximum height of antennas mounted on buildings using a supporting structure less than 102mm diameter shall be 18m in the

residential zones, and 18m or the relevant permitted or actual building height plus 5m (whichever is greatest) in all other zones;

(e) all antennas must be designed and operated in compliance with New Zealand Standard NZS 2772 : Part 1 : 1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3 kHz to 300 GHz at all times and in all places to which the public has access; and

(f) no amateur radio configuration may be located on a site that is, or contains, a scheduled historic heritage place. In respect of a scheduled historic heritage place, no amateur radio configuration shall be located on a site with a extent of place or any area of legal road within that extent of place.

Licensed amateur radio operators have an important role in civil defence activities in the city. The rules recognise this by permitting certain amateur radio configurations for use by licensed amateur radio operators.

Electric vehicle charging stations

(26) [Deleted]

E26.2.5.4. Standards for road network activities in Table E26.2.3.2

The following permitted activity standards apply to activities within Table E26.2.3.2 Activity table for road network activities in the existing road.

(1) Temporary works, buildings and structures must be removed from the road on completion of works.

(2) After completion of works, the ground must be reinstated to at least the condition existing prior to any work starting.

(3) Work within the formation width of the road must be incidental to, and serve a supportive function for the existing public road or is required for the safety of road users or is required for the safety of adjacent landowners or occupiers.

(4) Road network activities involving the construction, renewal or minor upgrading of road pavement (excluding footpaths), bridges, retaining walls and tunnels, that are within 20m of any building or structure that is listed as a primary feature in Schedule 14.1, shall prepare a vibration management plan. The plan shall be prepared by a suitably qualified and experienced person and shall demonstrate that vibration levels in E25.6.30 (1)(a) German Industrial Standard DIN 4150-3(1999): Structural vibration – Part 3 Effects of vibration on structures will be complied with. The plan must include the information set out in E26.8.8 and be provided to the council no less than 5 days prior to the works commencing.

E26.2.5.5. Controlled activity standards

All activities listed as controlled in Table E26.2.3.1 Activity table must comply with the following controlled activity standards.

Antennas

(1) Antennas attached to replacement utility structures that do not comply with Regulation 7 of the NESTF in roads, unformed roads and the Strategic Transport Corridor Zone:

(a) the total height of the structure may exceed the limit specified in Regulation 7(2) of NESTF, by an additional 0.5m;

(b) the maximum diameter of any shroud is 600mm; and

(c) there is no limit on the size of antennas where contained within a shroud not exceeding the above limits.

Substations within new or existing buildings and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a)

(2) Substations within new buildings, substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) the substation building or pump station must comply with the standards for the relevant zone; and

(b) noise from substations must not exceed the noise limits in Standards E26.2.5.3(2) - (5).

E26.2.6. Assessment – controlled activities

E26.2.6.1. Matters of control

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

(1) antennas attached to replacement utility structure that do not comply with Regulation 7 of the NESTF in roads, unformed roads and the Strategic Transport Corridor Zone:

(a) compliance with Standard E26.2.5.5(1) Controlled activity standard for antennas.

(2) stormwater detention and retention ponds and wetlands:

(a) effects on the use of open space;

(b) provision of safe access for maintenance; and

(c) effects on health and safety.

(3) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) external building appearance;

(b) landscaping and fencing;

(c) compliance with Standard E26.2.5.5(2); and

(d) effects on health and safety.

E26.2.6.2. Assessment criteria

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

(1) antennas attached to replacement utility structure that do not comply with Regulation 7 of the NESTF in roads, unformed roads and the Strategic Transport Corridor Zone:

(a) whether Standard E26.2.5.5(1) is complied with; and

(b) the ability to use a shroud to encompass antennas.

(2) stormwater detention and retention ponds and wetlands:

(a) the extent to which interference with public use and enjoyment of open space is minimised where stormwater detention and retention ponds and wetlands are located in public open space;

(b) whether safe and direct access can be provided to enable the maintenance of stormwater detention and retention ponds and wetlands; and

(c) whether there will be health and safety effects associated with stormwater detention and retention ponds and wetlands and the extent to which these can be mitigated through measures such as fencing.

(3) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) whether Standard E26.2.5.5(2) is complied with;

(b) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting

parts of the building back, and the use of architectural features without compromising the functional requirements of the pump station or substation;

(c) the extent to which the visual effects of the building can be softened by landscaping without compromising the functional requirements of the pump station or substation; and

(d) the extent to which fencing can be used to minimise potential health and safety hazards.

E26.2.7. Assessment – restricted discretionary activities

E26.2.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) functional and operational needs of, and benefits derived from, the infrastructure;

(b) visual effects;

(c) where located within a road, the operation and function of road network activities and effects on the amenity values of the streetscape;

(d) noise and vibration effects;

(e) odour effects;

(f) shadow flicker effects; and

(g) implications in terms of future planned urban development.

(2) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(i) effects of external building appearance on amenity values of the streetscape and adjoining properties; and

(ii) effects on health and safety.

(3) road construction of unformed roads and their operation:

(a) adverse effects on amenity values of adjoining properties;

(b) adverse construction effects including effects of vibration, noise, and dust;

(c) adverse operational effects particularly on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions;

(d) severance effects and changes to drainage patterns;

(e) safety and efficiency of the transport network; and

(f) the benefits provided by the construction of the road.

E26.2.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) function and operational needs of and the benefits derived from, infrastructure:

(i) the extent to which the functional and operational requirements of the infrastructure affects or necessitates its location, form, height and size;

(ii) the extent to which the infrastructure or upgrade will benefit and contribute to the social, economic and cultural and environmental wellbeing of businesses, people and communities; and

(iii) the extent to which the infrastructure improves the resilience and security of the network or utility service provided.

(b) visual effects:

(i) the extent to which the cumulative adverse visual effects of additional infrastructure on the amenity values of the streetscape and adjoining properties, are avoided, remedied or mitigated;

(ii) the extent to which any adverse effects of the design, scale and height of the infrastructure can be internalised, modified or mitigated without compromising the functional requirements of the infrastructure;

(iii) the extent of any effects of any building envelope infringements on privacy, over-shadowing or domination of adjacent properties or roads; and

(iv) the extent to which the visual effects of the infrastructure can be softened by landscaping without compromising the functional requirements of the infrastructure.

(c) where located within a road, the operation and function of road network activities and effects on the amenity values of the streetscape:

(i) the extent to which the infrastructure impedes, restricts or compromises the safe and efficient movement and function of transport activities within a road (including access to and from adjoining properties); and

(ii) the extent to which infrastructure in a road adversely effects the amenity values of the streetscape and the function of public amenities.

(d) implications in terms of future planned urban development:

(i) the extent to which the proposed infrastructure provides for any planned urban development (for example approved structure plans); and

(ii) the extent to which the proposed infrastructure may constrain future urban development.

(e) measures required to avoid, remedy or mitigate adverse effects:

(i) whether measures proposed to avoid, remedy or mitigate the adverse effects where relevant to the above criteria will be; effective.

(f) noise and vibration:

(i) the extent to which noise or vibration generated by the infrastructure adversely affects adjacent properties.

(g) odour:

(i) the extent to which any odour emissions from the infrastructure adversely affects the amenity values of surrounding properties.

(h) shadow flicker:

(i) the extent of any shadow flicker effects on adjacent properties and road.

(2) substations within new buildings and substations within existing buildings that require an increase in building platform area or building height, and water, wastewater and stormwater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2(3)(a):

(a) the extent to which design features can be used to break up the bulk of the building by, for example varying building elevations, setting parts of the building back, and the use of architectural features

without compromising the functional requirements of the pump station or substation;

(b) the extent to which the visual effects of the building can be softened by landscaping without compromising the functional requirements of the pump station or substation; and

(c) the extent to which fencing can be used to minimise potential health and safety hazards.

(3) road construction of unformed roads and their operation:

(a) whether adverse effects on amenity values of adjoining properties are avoided, remedied or mitigated;

(b) whether adverse construction effects including effects of vibration, noise, and dust are avoided, remedied or mitigated;

(c) whether adverse operational effects particularly on residential or other sensitive activities, including effects of vibration, noise, glare and vehicle emissions are avoided, remedied or mitigated;

(d) the extent to which severance effects and changes to drainage patterns can be avoided, remedied or mitigated; and

(e) whether the safety and efficiency of the transport network will be compromised and the impact on the network and levels of service if the work is not undertaken.

E26.2.8. Special information requirements

There are no special information requirements in this sub-section.

E26.3. Network utilities and electricity generation – Vegetation management

E26.3.1. Objectives

The objectives for vegetation management are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay; and
- E15 Vegetation management and biodiversity.

E26.3.2. Policies

The policies for vegetation management are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay; and
- E15 Vegetation management and biodiversity.

E26.3.3. Activity table

Table E26.3.3.1 Activity table specifies the activity status of land use and development activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991 in the:

- rural zones, coastal areas and riparian areas(for the meaning of 'coastal areas' and 'riparian areas', refer to E15 Vegetation management and biodiversity and in particular Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules);
- D9 Significant Ecological Areas Overlay; (SEA)
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay; and (ONF) and (ONL)
- D11 Outstanding Natural Character Overlay and High Natural Character Overlay; (ONC) and (HNC)

The acronyms in brackets after the overlays identified above are used to identify those overlays in the headings in Table E26.3.3.1

For Table E26.3.3.1 Activity table:

- vegetation alteration or removal in relation to existing transmission lines as at 14 January 2010 which form part of the National Grid must also comply with relevant regulations in the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009. These regulations will also determine the relevant activity status for such activities notwithstanding any other rules in the Plan;

- for the vegetation management rules except where otherwise stated any square metre limit applies on a 'per project' basis; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management

Activity		Auckland wide rules Vegetation management	Overlay rules Vegetation management				
		Rural zones, coastal areas and riparian areas [rp]	SEA [rp]	ONF [dp]	HNC [dp]	ONL [dp]	ONC [dp]
Operation, maintenance, renewal, repair, construction and removal of network utilities and electricity generation facilities and minor infrastructure upgrading							
(A71)	Biosecurity tree works	P	P	P	P	P	P
(A72)	Dead wood removal	P	P	P	P	P	P
(A73)	Emergency tree works	P	P	P	P	P	P
(A74)	Pest plant removal	P	P	P	P	P	P
(A75)	Vegetation alteration or removal for the operation, repair and maintenance of access tracks and fences for network utilities	P	P	P	P	P	P
(A76)	Vegetation alteration or removal	P	P	P	P	P	P
(A77)	Vegetation alteration or removal that does not comply with Standards E26.3.5.1 to E26.3.5.4	RD	RD	RD	RD	RD	RD
(A78)	Vegetation alteration or removal not otherwise provided for	D	D	D	D	D	D

E26.3.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.3.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.3.4A General Standard

All activities listed as permitted, or restricted discretionary in Table E26.3.3.1 must comply with the following standard.

Disposal of kauri material

(1) All kauri material (including sawdust and woodchips) must be retained on site according to best practice or disposed of to an approved landfill facility.

E26.3.5. Permitted activity standards

All activities listed as permitted in Table E26.3.3.1 Activity table must comply with the following permitted activity standards.

Regional [rp]

Permitted activity standards for vegetation management in rural zones, coastal areas, riparian areas and the Significant Ecological Areas Overlay

E26.3.5.1. Vegetation alteration or removal for the operation, maintenance and repair of access tracks and fences for network utilities

(1) Must be undertaken within and to 1m either side of existing tracks and fences.

(2) Must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(3) Must not result in the removal of more than 20m^2 of vegetation within a significant ecological area.

(4) Must not result in the removal of more than 50m^2 of vegetation from areas not identified as a significant ecological area.

E26.3.5.2. Vegetation alteration or removal

(1) Must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(2) *[deleted]*

(3) Must not result in the removal of more than 50m^2 of vegetation within a coastal area or riparian area not identified as a significant ecological area.

(4) Must not result in the removal of more than 20m^2 of vegetation within the legal road or the formation width of the road in the Waitakere Ranges Heritage Area Overlay.

(5) Must not result in the removal of more than 500m^2 of vegetation within the legal road or the formation width of the road in a rural zone.

(6) Must not result in the removal of more than 250m^2 of vegetation outside the legal road or the formation width of the road in a rural zone.

(7) Vegetation alteration or removal from a significant ecological area must be for the purpose of:

(a) the operation, maintenance, renewal, repair or removal of network utilities or electricity generation facilities or minor infrastructure upgrading and not result in the removal of more than 20m2 of vegetation, except within the formation width of the road; or

(b) the operation, maintenance, renewal, repair or removal of network utilities or electricity generation facilities or minor infrastructure upgrading and must be undertaken in any of the following:

(i) within the formation width of existing roads, except where Standard E26.3.5.2(4) applies; or

(ii) within 1m of the network utility, or existing access track; or

(iii) in accordance with the Electricity (Hazards from Trees) Regulations 2003; or

(c) maintaining the safety of the network utility and must be undertaken in any of the following:

(i) within state highway designations as at 30 September 2013; or

(ii) within railway designations as at 30 September 2013; or

(d) installing a service connection and must not result in the removal of more than 10m2 of vegetation.

(7A) Tree trimming or alteration of trees must comply with the following standards:

(a) the maximum branch diameter must not exceed 50mm;

(b) no more than 10 per cent of live growth of the tree is removed in any one calendar year;

(c) the trimming or alteration must retain the natural shape, form and branch habit of the tree;

(d) trimming or alteration must meet accepted modern arboricultural practice.

(8) Standards E26.3.5.2(1)-(7A) do not apply to vegetation alteration or removal required to maintain the visibility of road safety signage, vehicle sightlines, carriageway clearance heights and widths as follows:

(a) clearance of 4.5m height above the road carriage way or up to 0.5m above any traffic signal, or road safety and directional signage located above the road carriageway;

(b) clearance of a 0.5m width back from the road kerb;

(c) clearance of a 0.6m width back from the un-kerbed road; or

(d) clearance for any over dimension route requirement.

District [dp]

Permitted Activity Standards for vegetation management in the Outstanding Natural Features Overlay, Outstanding Natural Landscapes Overlay and Outstanding Natural Character and High Natural Character Overlay

E26.3.5.3. Vegetation alteration or removal for the operation, maintenance and repair of access tracks and fences for network utilities

(1) Must be undertaken within and to 1m either side of existing tracks and fences.

(2) Must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(3) Must not result in the removal of more than 50m^2 of vegetation within an overlay.

E26.3.5.4. Vegetation alteration or removal

(1) Vegetation alteration or removal must not include trees over 6m in height, or 600mm in girth unless their removal is otherwise permitted by a rule in this Plan.

(2) Must not result in the removal of more than 50m^2 of vegetation within an overlay.

(3) Must not result in the removal of more than 20m^2 of vegetation within the legal road or the formation width of the road in the Waitakere Ranges Heritage Area Overlay.

(4) Must not result in the removal of more than 250m^2 of vegetation within the legal road or the formation width of the road in an overlay

(5) Standards E26.3.5.4(1)-(4) do not apply to vegetation alteration or removal required to maintain the visibility of road safety signage, vehicle sightlines, carriageway clearance heights and widths as follows:

(a) clearance of 4.5m height above the road carriage way or up to 0.5m above any traffic signal, or road safety and directional signage located above the road carriageway;

(b) clearance of a 0.5m width back from the road kerb;

(c) clearance of a 0.6m width back from the un-kerbed road; or

(d) clearance for any over dimension route requirement.

E26.3.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.3.7. Assessment – restricted discretionary activities

E26.3.7.1. Matters of discretion

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

(1) regional rules - vegetation management in rural zones, coastal areas, riparian areas and the Significant Ecological Areas Overlay that do not comply with the permitted activity standards [rp]:

(a) ecological values:

(i) the effects that the vegetation alteration or removal will have on ecological values, including on threatened species and ecosystems.

(aa) hazard mitigation:

(i) the role of the vegetation in avoiding or mitigating natural hazards and the extent to which the vegetation alteration or removal will increase any hazard risk.

(b) sediment, water quality and hydrology:

(i) the effects the vegetation alteration or removal will have on soil conservation, water quality and the hydrological function of the catchment.

(c) use:

(i) the extent to which the vegetation alteration or removal is necessary to provide for the functional and operational needs of infrastructure.

(d) methods and location:

(i) the minimisation of effects from alteration or removal of vegetation and land disturbance through alternative locations on the site and/or methods of undertaking the works.

(e) mitigation measures:

(i) the remedy or mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance.

(f) bonds and covenants:

(i) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion.

(g) Mana Whenua values:

(i) the effects on Mana Whenua values associated with a Significant Ecological Areas Overlay.

(2) district rules - vegetation management in the Outstanding Natural Features Overlay, Outstanding Natural Landscapes Overlay, Outstanding Natural Character Overlay and High Natural Character Overlay that do not comply with the permitted activity standards [dp]:

(a) hazard mitigation:

(i) the role of the vegetation in avoiding or mitigating natural hazards and the extent to which the vegetation alteration or removal will increase any hazard risk.

(b) landscape, natural features and natural character values:

(i) the effects the vegetation alteration or removal will have on landscape, natural features and natural character.

(c) amenity values:

(i) the effects the vegetation alteration or removal will have on the amenity values of any adjacent open space including the coast, parks, reserves and walkways.

(d) use:

(i) the extent to which the vegetation alteration or removal is necessary to provide for the functional and operational needs of infrastructure.

(e) methods and location:

(i) the minimisation of effects from alteration or removal of vegetation and land disturbance through alternative locations on the site and/or methods of undertaking the works.

(f) mitigation measures:

(i) the remedy or mitigation of adverse effects, including through revegetation, restoration of other areas of vegetation and ongoing maintenance.

(g) bonds and covenants:

(i) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion.

(h) Mana Whenua values:

(i) the effects on Mana Whenua values associated with an Outstanding Natural Features Overlay, Outstanding Natural Character Overlay, High Natural Character Overlay or the Outstanding Natural Landscapes Overlay.

E26.3.7.2. Assessment criteria

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

(1) regional rules - vegetation management in rural zones, coastal areas, riparian areas and the D9 Significant Ecological Areas Overlay that do not comply with the permitted activity standards [rp]:

(a) ecological values:

(i) the extent to which the vegetation alteration or removal is minimised and adverse effects on the ecological and indigenous biodiversity values of the vegetation are able to be avoided, remedied or mitigated;

(ii) whether vegetation removal will have an adverse effect on threatened species or ecosystems; and

(iii) the extent to which the proposal for vegetation alteration or removal has taken into account relevant objectives and policies in D9 Significant Ecological Areas Overlay, D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay and E15 Vegetation management and biodiversity.

(aa) hazard mitigation:

(i) the extent to which the vegetation alteration or removal will increase natural hazard risks.

(b) sediment, water quality and hydrology:

(i) the extent to which vegetation alteration or removal will adversely affect soil conservation, water quality and the hydrological function of the catchment and measures to avoid remedy or mitigate any adverse effects.

(c) use:

(i) whether the vegetation alteration or removal will improve the reliance and security of the network utility;

(ii) whether the vegetation alteration or removal is necessary for a structure that has a functional or operational need to be in the proposed location; and

(iii) the extent of the benefits derived from infrastructure.

(d) methods and location:

(i) whether there are practicable alternative locations and methods including consideration of an application to infringe development control where this would result in retention and enhancement of vegetation on the site; and

(ii) whether the effects from the alteration or removal of vegetation and land disturbance can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works.

(e) mitigation measures:

(i) the extent to which revegetation can remedy or mitigate adverse effects, including eco-sourcing and the ongoing maintenance of revegetation measures.

(f) bonds and covenants:

(i) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments.

(g) Mana Whenua values:

(i) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

(2) district rules - vegetation management in the Outstanding Natural Features Overlay, Outstanding Natural Landscapes Overlay, Outstanding Natural Character Overlay and High Natural Character Overlay that do not comply with the permitted activity standards [dp]:

(a) hazard mitigation:

(i) the extent to which the vegetation alteration or removal will increase natural hazard risks.

(b) landscape, natural features and natural character values:

(i) the extent to which vegetation alteration or removal will have adverse effects on the values identified for scheduled outstanding natural landscape, outstanding natural features, outstanding natural character and high natural character areas; and

(ii) the extent to which vegetation alteration or removal adversely affects landscape, natural features and natural character values particularly on adjacent public space including the coast, reserves and walkways and measures to avoid, remedy or mitigate any adverse effects.

(c) amenity values:

(i) the extent to which the vegetation alteration or removal will have adverse effects on the amenity values of any adjacent open space including the coast, parks, reserves and walkways and measures to avoid, remedy or mitigate any adverse effects.

(d) use:

(i) whether the vegetation alteration or removal will improve the reliance and security of the network utility;

(ii) whether the vegetation alteration or removal is necessary for a structure that has a functional or operational need to be in the proposed location; and

(iii) the extent of the benefits derived from infrastructure.

(e) methods and location:

(i) whether there are practicable alternative locations and methods including consideration of an application to infringe development control where this would result in retention and enhancement of vegetation on the site; and

(ii) whether the effects from the alteration or removal of vegetation and land disturbance can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works.

(f) mitigation measures:

(i) the extent to which revegetation can remedy or mitigate adverse effects, including eco-sourcing and the ongoing maintenance of revegetation measures.

(g) bonds and covenants:

(i) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments.

(h) Mana Whenua values:

(i) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

E26.3.8. Special information requirements

There are no special information requirements in this sub-section.

E26.4. Network utilities and electricity generation – Trees in roads and open space zones and the Notable Trees Overlay

E26.4.1. Objectives

The objectives for trees in roads and open space zones and the Notable Trees Overlay are located in D13 Notable Trees Overlay, E16 Trees in open space zones and E17 Trees in roads.

E26.4.2. Policies

The policies for trees in roads and open space zones and the Notable Trees Overlay are located in D13 Notable Trees Overlay, E16 Trees in open space zones and E17 Trees in roads.

E26.4.3. Activity table

Table E26.4.3.1 Activity table specifies the activity status of land use and development activities in the trees in roads and open space zones provisions and the Notable Trees Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- the activity status and rule applying to any particular tree is determined by the location of the trunk;
- all activities obtain the approval of the Tree Asset Manager, which in respect of roads is Auckland Transport and in respect of open space zones, owned by the Council, is the Auckland Council Parks Department;
- for the tree rules except where otherwise stated any square metre limit applies on a 'per project' basis; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.4.3.1 Activity table - Network utilities and electricity generation – Trees in roads and open space zones and the Notable Trees Overlay

Activity		Auckland wide-rules Trees		Overlay rules
		Trees in roads [dp]	Open space zones [dp]	Notable trees [dp]
Operation, maintenance, renewal, repair, construction and removal of network utilities and electricity generation facilities and, minor infrastructure upgrading				
(A79)	Biosecurity tree works	P	P	P
(A80)	Dead wood removal *if undertaken by a qualified arborist	P	P	P* C
(A81)	Emergency tree works	P	P	P
(A82)	Pest Plant Removal *of any tree less than 4m in height and less than 400mm in girth	P	P*	NA

(A83)	Tree trimming or alteration	P	P	P
(A84)	Tree trimming or alteration that does not comply with Standard E26.4.5.1 (Trees in streets and open space zones) or Standard E26.4.5.3 (Notable trees)	RD	RD	RD
(A85)	Tree trimming of branch diameters greater than 50mm of Notable Trees in accordance with the Electricity (Hazards from Trees) Regulations 2003 up to the growth limit zone	NA	NA	C
(A86)	Works within the protected root zone to enable by trenchless methods at a depth greater than 1m below ground level	NA	NA	P
(A87)	Works within the protected root zone that comply with Standard E26.4.5.2	P	P	NA
(A88)	Works within the protected root zone not otherwise provided for	RD	RD	RD
(A89)	Tree removal of Notable Trees	NA	NA	D
(A90)	Tree trimming, alteration or removal on roads adjoining rural zones and on roads adjoining the Future Urban Zone	P	NA	NA
(A91)	Tree alteration or removal of any tree less than 4m in height and/or less than 400mm in girth	P	P	NA
(A92)	Tree alteration or removal of any tree greater than 4m in height and/or greater than 400mm in girth	RD	RD	NA
(A93)	Tree trimming, alteration or removal not otherwise provided for	D	D	D

E26.4.4. Notification

(1) An application for resource consent for a controlled activity listed in Table E26.4.3.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Table E26.4.3.1 Activity table and which is not listed in E26.4.4(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.4.5. Standards

All activities listed as permitted in Table E26.4.3.1 Activity table must comply with the following permitted activity standards.

Trees in roads and open space zones

E26.4.5.1. Trees in roads and open space zones - tree trimming or alteration

(1) Tree trimming or alteration of trees in streets and open space zones must comply with the following standards:

(a) the maximum diameter of any branch removed must be no greater than 100mm;

(b) no more than 20 per cent of live growth of the tree must be removed which can be increased to 30 per cent under the direct supervision of a suitably qualified arborist;

(c) the natural shape, form and branch habit of the tree must be retained for trees in public open space;

(d) the natural shape, form and branch habit of the tree must be retained for trees in streets where practicable; and

(e) All works must be carried out in accordance with best arboricultural practice.

(2) The standards in E26.4.5.1(1) do not apply to tree trimming or alteration carried out:

(a) in order to comply with the Electricity (Hazards from Trees) Regulations 2003;

(b) by Council or its agent or the road controlling authority or its agent to maintain the visibility of road safety signage, maintain vehicle sightlines for traffic safety, maintain legal clearance height and width above the road carriage way including to:

(i) maintain a clearance of 4.5 m height above the road carriage way or up to 0.5m above any traffic signal, or road safety and directional signage located above the carriageway;

(ii) maintain the clearance of 0.5m width back from the road kerb;

(iii) maintain the clearance of 0.6m width back from the unkerbed road; or

(iv) maintain clearance requirements for over dimension routes;

(c) within the legal road or the formation width of the road where the road adjoins any rural zone for maintaining visibility.

(3) Any diseased tree material is to be treated in accordance with the Biosecurity Act 1993.

E26.4.5.2. Trees in roads and open space zones - works within the protected root zone

(1) For roots under 60mm:

(a) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone without direction and/or supervision of a qualified arborist.

(i) the surface area of a single excavation shall not exceed $1m^2$;

(ii) works involving root pruning must be less than 35mm in diameter at severance;

(iii) works will disturb less than 10 per cent of the protected root zone; and

(iv) any machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.

(b) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone with direction and/or supervision of a qualified arborist:

(i) works must not disturb more than 20 per cent of the protected root zone;

(ii) works involving root pruning must not be on roots greater than 60mm in diameter at severance; and

(iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.

(c) excavation undertaken by trenchless methods must not be undertaken at a depth less than 800mm below ground level, and does not require the direction or supervision of a qualified arborist;

(d) replacement of structures kerbs, and hard surfaces must be done so that:

(i) the removal of the surface is carried out without damage to any tree roots; and

(ii) the machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket.

(e) Standards E26.4.5.2(1)(a) - (d) above do not apply to any tree works undertaken inside infrastructure such as pipes and meter boxes.

(2) For roots greater than 60mm but less than 80mm:

(a) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone with direction and/or supervision of a qualified arborist:

(i) works must not disturb more than 20% of the protected root zone;

(ii) works involving root pruning must not be on roots greater than 80mm in diameter at severance;

(iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket;

(b) Standard E26.4.5.2(2)(a) above do not apply to any tree works undertaken inside infrastructure such as pipes and meter boxes.

Notable trees

E26.4.5.3. Notable trees - tree trimming or alteration

(1) Tree trimming or alteration of notable trees must meet the following standards:

(a) the maximum branch diameter must not exceed 50mm at severance;

(b) must not result in the removal of more than 10 per cent of live growth of the tree in any one calendar year;

(c) the trimming must retain the natural shape, form and branch habit of the tree.

(d) the works must meet best arboricultural practice

E26.4.5.4. Notable trees - works within the protected root zone to enable trenchless methods at a depth greater than 1m below ground level

(1) Excavation must be undertaken by hand-digging, air spade, hydro vac or drilling machine, within the protected root zone at a depth of 1m or greater.

(2) The surface area of a single excavation must not exceed 1m².

(3) Works involving root pruning must not be on roots greater than 35mm in diameter at severance.

(4) Works must not disturb more than 10 per cent of the protected root zone.

(5) Any machines must operate on top of paved surfaces and/or ground protection measures.

(6) Any machines used must be fitted with a straight blade bucket.

(7) All works must be undertaken under the direction of a qualified arborist.

E26.4.6. Assessment – controlled activities

E26.4.6.1. Matters of control

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

(1) for deadwood removal not undertaken by a qualified arborist:

(a) the extent of the alteration of the tree; and

(b) the method to be employed.

(2) for tree trimming of branch diameters greater than 50mm at severance in accordance with Electricity (Hazards from Trees) Regulations 2003 up to the Growth Limit Zone:

(a) the required Growth Limit Zone clearances required by the Electricity (Hazards from Trees) Regulations 2003;

(b) the extent of the alteration to the tree; and

(c) the method to be employed.

E26.4.6.2. Assessment criteria

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

(1) for deadwood removal not undertaken by a qualified arborist:

(a) criteria for the extent of the alteration of the tree and the method to be employed:

(i) the tree will not be unduly damaged or its health endangered through removal of deadwood;

(ii) the timing of the deadwood removal;

(iii) the size of the wounds; and

(iv) the position of the wounds.

(2) tree trimming of branch diameters greater than 50mm at severance in accordance with Electricity (Hazards from Trees) Regulations 2003 up to the Growth Limit Zone:

(a) that the trimming must not exceed the Growth Limit Zone clearances required by the Electricity (Hazards from Trees) Regulations 2003; and

(b) whether the trimming retains the natural shape, form and branch habit of the tree, as far as practicable.

E26.4.7. Assessment – restricted discretionary activities

E26.4.7.1. Matters of discretion

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

(1) trees in roads and open space zones:

(a) for tree trimming or alteration not meeting Standard E26.4.5.1;

(i) the methods proposed to reduce any adverse effects; and

(ii) the extent of the alteration of the tree or trees.

(b) for work within the protected root zone not otherwise provided for:

(i) the methods proposed to reduce any adverse effects of the works, including the depth of the works; and

(ii) the extent of area of the protected root zone or zones that is affected.

(c) tree alteration or removal of greater than 4m in height and trees 400mm in girth:

(i) the effect on the values of the tree or trees; and

(ii) any loss or reduction of amenity values provided by the tree or trees;

(iii) any mitigation proposed; and

(iv) the functional and operational requirements and benefits derived from infrastructure.

(2) Notable Tree Overlay:

(a) for tree trimming or alteration not meeting Standard E26.4.5.3:

(i) the methods proposed to reduce any adverse effects; and

(ii) the extent of the alteration of the tree or trees.

(b) for work within the protected root zone not otherwise provided for:

(i) the methods proposed to reduce any adverse effects of the works, including the depth of the works; and

(ii) the extent of area of the protected root zone or zones that is affected.

E26.4.7.2. Assessment criteria

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

(1) trees in roads and open space zones:

(a) the extent to which effects on the values of the tree or trees including any effects on the natural shape, form and branch habit and the root network can be minimised;

(b) the extent to which any impact on the immediate or long term health and stability of the tree or trees is able to be minimised or avoided;

(c) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed;

(d) the degree to which any proposed mitigation adequately responds to the effects on the tree or trees;

(e) the degree to which the proposal is consistent with best arboricultural practice guidelines for tree management;

(f) whether there is a need for the direction and supervision of a qualified arborist while the works are being carried out; and

(g) the extent to which functional and operational requirements make the works necessary.

(2) Notable Tree Overlay:

(a) the extent to which effects on the values of the tree or trees including any effects on the natural shape, form and branch habit and the root network can be minimised;

(b) the extent to which any impact on the immediate or long term health and stability of the tree or trees is able to be minimised or avoided;

(c) the risk of actual damage to people and property from the tree or trees including the extent to which adverse effects on the health and safety of people have been addressed;

(d) the degree to which any proposed mitigation adequately responds to the effects on the tree or trees;

(e) the degree to which the proposal is consistent with best arboricultural practice guidelines for tree management;

(f) the need for the direction and supervision of a qualified arborist while the works are being carried out; and

(g) the functional and operational requirements and benefits derived from infrastructure.

E26.4.8. Special information requirements

There are no special information requirements in this sub-section.

E26.5. Network utilities and electricity generation – Earthworks all zones and roads

E26.5.1. Objectives

The objectives for earthworks are located in:

- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.5.2. Policies

The policies for earthworks are located in:

- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.5.3. Activity table

Table E26.5.3.1 Activity table specifies the activity status of land use and development activities to pursuant to section 9(3) of the Resource Management Act 1991.

- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.5.3.1 Activity table - Earthworks all zones and roads [dp]

Activity		Residential zones	Business zones and Business – City Centre Zone	Future Urban Zone and rural zones (excluding Rural – Rural Conservation)	Open space zones	Rural – Rural Conservation Zone and Open Space – Conservation Zone	Special Purpose – Quarry Zone	All other zones and roads
(A94)	Earthworks for maintenance, repair, renewal, minor infrastructure upgrading and service connections	P	P	P	P	P	P	P
(A95)	Earthworks up to 2500m^2 other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A96)	Earthworks up to 2500m^3 other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A97)	Earthworks greater than 2500m^2 other than for maintenance, repair,	RD	RD	RD	RD	RD	RD	RD

	renewal, minor infrastructure upgrading							
(A97A)	Earthworks greater than 2500m^3 other than for maintenance, repair, renewal, minor infrastructure upgrading	RD	RD	RD	RD	RD	RD	RD
(A98)	Earthworks not otherwise listed in this table	Refer to Table E12.4.1 Activity table – all zones and roads						
Earthworks - Lava caves, fossils and sub-fossils								
(A99)	Land disturbance that disturb known lava caves >1m diameter along any axis or fossils or subfossils	RD	RD	RD	RD	RD	RD	RD

Table E26.5.3.2 Activity table specifies the activity status of land use and development activities pursuant to section 9(2) of the Resource Management Act 1991.

- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.5.3.2 Activity table all zones and roads [rp]

Activity		Residential zones	Business zones and Business - City Centre Zones	Future Urban Zone and Rural zones (excluding Rural – Rural Conservation Zone)	Open space Zone	Rural - Rural Conservation Zone and Open Space - Conservation Zone	Special Purpose - Quarry Zone	All other zones and roads
(A100)	Earthworks for maintenance, repair, renewal, minor infrastructure upgrading, service connections	P	P	P	P	P	P	P
(A101)	Up to 10,000m^2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A102)	Greater than 10,000m^2 up to 50,000m^2 where land has a slope less than 10 degrees outside the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	C	C	C	C	C	C	C
(A103)	Greater than 50,000m^2 where land has a slope less than 10 degrees	RD	RD	RD	RD	RD	RD	RD

Activity		Residential zones	Business zones and Business - City Centre Zones	Future Urban Zone and Rural zones (excluding Rural – Rural Conservation Zone)	Open space Zone	Rural - Rural Conservation Zone and Open Space - Conservation Zone	Special Purpose - Quarry Zone	All other zones and roads
	outside the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading							
(A104)	Up to 2,500m^2 where the land has a slope equal to or greater than 10 degrees other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A105)	Up to 2,500m^2 within the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	P	P	P	P	P	P	P
(A106)	Greater than 2,500m^2 where the land has a slope equal to or greater than 10 degrees other than for maintenance, repair, renewal, minor infrastructure upgrading	RD	RD	RD	RD	RD	RD	RD
(A107)	Greater than 2,500m^2 within the Sediment Control Protection Area[1] other than for maintenance, repair, renewal, minor infrastructure upgrading	RD	RD	RD	RD	RD	RD	RD
(A108)	General earthworks not otherwise listed in this table	Refer Table E11.4.1 Activity table – all zones and roads [rp]						
(A109)	Activities ancillary to erosion and sediment control	Refer Table E11.4.2 Activity table all zones and roads – diversion, damming and discharge of treated sediment laden water [rp]						

E26.5.4. Notification

(1) An application for resource consent for a controlled activity listed in Tables E26.5.3.1 and E26.5.3.2 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Table E26.5.3.1 and E26.5.3.2 and which is not listed in E26.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.5.5. Standards

E26.5.5.1. Accidental discovery rule

(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.

(2) For the purpose of this rule, “sensitive material” means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20 metres of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment;

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi;

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

Wait for and enable inspection of the site

(d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives, or.

(iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

(e) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of step E26.5.5.1(3)(f) are met.

Recommencement of work

(f) work within the area determined by the Council at step E26.5.5.1(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of the Unitary Plan – Section E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E26.5.5.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that:

- any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values; and

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) that there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014.

E26.5.5.2. General standards

All activities listed as permitted, controlled and restricted discretionary in Table E26.5.3.1 and E26.5.3.2 must comply with the following standards.

Regional [rp]

(1) Earthworks associated with the operation, repair, renewal, upgrading and maintenance of existing roads, will be undertaken within the legal road or the formation width of existing roads if this extends beyond the legal road width.

(2) Land disturbed for the operation, repair, renewal, upgrading or maintenance of utilities will be stabilised by re-vegetation, grassing or other suitable means as soon as practicable after completion of the works to avoid erosion and scouring.

(3) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters:

(a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) any conspicuous change in the colour or visual clarity;

(c) any emission of objectionable odour;

(d) the rendering of fresh water unsuitable for consumption by farm animals; or

(e) any significant adverse effects on aquatic life.

(4) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.

Note 1

Best practice in Auckland is generally deemed to be compliance with Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region or similar design.

(5) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.

(6) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time.

(7) Only cleanfill material may be imported and utilised as part of the land disturbance.

(8) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.

District [dp]

(9) Earthworks associated with the operation, repair, renewal, upgrading and maintenance of existing roads, will be undertaken within the legal road or the formation width of existing roads if this extends beyond the legal road width.

(10) Land disturbed for the operation, renewal, repair, upgrading or maintenance of utilities outside the formation width of existing roads or abutments, or within an overland flow path, will be reinstated to the

ground level prior to the works being undertaken as soon as practicable after completion of the works.

(11) Land disturbed for the operation, repair, renewal, upgrading or maintenance of utilities will be stabilised by re-vegetation, grassing or other suitable means as soon as practicable after completion of the works to avoid erosion and scouring.

(12) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to:

(a) operation, maintenance and repair (including network utilities);

(b) less than $5m^2$ or $5m^3$; for general earthworks;

(c) less than $10m^2$ or $5m^3$ for the installation of new network utilities;

(d) installation of fences and walking tracks;

(e) burial of marine mammals.

(13) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

(14) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

(15) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

(16) Only cleanfill material may be imported and utilised as part of the land disturbance.

(17) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

(18) Earthworks (including filling) within a 1% AEP flood plain (excluding road network activities):

(a) must not raise ground levels more than 300mm, to a total fill volume up to $10m^3$ which must not be exceeded through multiple filling operations; and

(b) must not result in any adverse changes in flood hazard beyond the site.

Note 1

This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.

(19) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

(20) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.

(21) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.

(22) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:

(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and

(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:

(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.5.5.2(22)(a) and (b) above.

(23) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:

(a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and

(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure.

(24) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not:

(a) create an unstable batter that will affect a transmission support structure; or

(b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001.

E26.5.6. Assessment – controlled activities

E26.5.6.1. Matters of control

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

(1) all regional controlled activities [rp]:

(a) compliance with the standards;

(b) the design and suitability of erosion and sediment control measures to be implemented;

(c) adverse effects of land disturbance and sediment discharge on water bodies, particularly sensitive receiving environments;

(d) the proportion of the catchment which is exposed;

(e) staging of works and progressive stabilisation;

(f) timing and duration of works;

(g) term of consent; and

(h) potential effects on significant ecological and indigenous biodiversity values.

E26.5.6.2. Assessment criteria

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

(1) all regional controlled activities [rp]:

(a) whether applicable standards are complied with;

(b) the proximity of the earthworks to any water body and the extent to which erosion and sediment controls and the proposed construction methodology will adequately avoid or minimise adverse effects on:

(i) water quality including of the Coastal Marine Area; and

(ii) ecological health including of the Coastal Marine Area.

(c) the extent to which the earthworks minimises soil compaction, other than where it benefits geotechnical or structural performance;

(d) the proximity of the earthworks to areas of significant ecological value and the extent the design, location and execution of the works provide for the maintenance and protection of these areas;

(e) whether monitoring the volume and concentration of sediment that may be discharged by the activity is appropriate within the scale of the proposed land disturbance; or

(f) whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works.

E26.5.7. Assessment – restricted discretionary activities

E26.5.7.1. Matters of discretion

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

(1) all regional restricted discretionary activities [rp]:

(a) compliance with the standards;

(b) the design and suitability of erosion and sediment control measures to be implemented;

(c) adverse effects of land disturbance and sediment discharge on water bodies, particularly sensitive receiving environments;

(d) effects on cultural and spiritual values of Mana Whenua including water quality, preservation of wāhi tapu, and kaimoana gathering;

(e) the proportion of the catchment which is exposed;

(f) staging of works and progressive stabilisation;

(g) timing and duration of works;

(h) term of consent;

(i) potential effects on significant ecological and indigenous biodiversity values;

(j) the treatment of stockpiled materials on the site including requirements to remove material if it is not to be reused on the site; and

(k) information and monitoring requirements.

(2) all district restricted discretionary activities [dp]:

(a) compliance with the standards;

(b) effects of noise, vibration, odour, dust, lighting and traffic on the surrounding environment;

(c) effects on the stability and safety of surrounding land, buildings and structures;

(d) effects on overland flow paths and flooding;

(e) protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;

(f) the treatment of stockpiled materials on the site including requirements to remove material if it is not to be reused on the site;

(g) staging of works and progressive stabilisation;

(h) information and monitoring requirements;

(i) timing and duration of works;

(j) term of consent;

(k) potential effects on significant ecological and indigenous biodiversity values;

(l) risk that may occur as a result of natural hazards;

(m) protection of or provision of network utilities and road networks.

(n) potential effects on the natural character and values of the coastal environment, lakes, rivers and their margins, where works encroach into riparian or coastal yards; and

(o) positive effects enabled through the land disturbance.

E26.5.7.2. Assessment criteria

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

(1) all regional restricted discretionary activities [rp]:

(a) whether applicable standards are complied with;

(b) the proximity of the earthworks to any water body and the extent to which erosion and sediment controls and the proposed construction methodology will adequately avoid or minimise adverse effects on:

(i) water quality including of the coastal marine area;

(ii) ecological health including of the coastal marine area;

(iii) riparian margins;

(iv) the mauri of water;

(c) the quality of taiāpure or mahinga mātaitai;

(d) the extent to which the earthworks minimises soil compaction, other than where it benefits geotechnical or structural performance;

(e) the proximity of the earthworks to areas of significant ecological value and the extent the design, location and execution of the works provide for the maintenance and protection of these areas;

(f) whether monitoring the volume and concentration of sediment that may be discharged by the activity is appropriate within the scale of the proposed land disturbance; or

(g) whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works.

(h) the extent to which appropriate methods are used to prevent the spread of total control pest plants or unwanted organisms (as listed under the Biosecurity Act 1993), such as kauri dieback disease.

(2) general district assessment criteria [dp]:

(a) whether applicable standards are complied with;

(b) the extent to which the earthworks will generate adverse noise, vibration, odour, dust, lighting and traffic effects on the surrounding environment and the effectiveness of proposed mitigation measures;

(c) whether the earthworks and any associated retaining structures are designed and located to avoid adverse effects on the stability and safety of surrounding land, buildings, and structures;

(d) whether the earthworks and final ground levels will adversely affect overland flow paths or increase potential volume or frequency of flooding within the site or surrounding sites;

(e) whether a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin has been provided and the effectiveness of the protocol in managing the impact on Mana Whenua cultural heritage if a discovery is made;

(f) whether the extent or impacts of adverse effects from the land disturbance can be mitigated by managing the duration, season or staging of such works;

(g) the extent to which the area of the land disturbance is minimised, consistent with the scale of development being undertaken;

(h) the extent to which the land disturbance is necessary to provide for the functional or operational requirements of the network utility installation, repair or maintenance;

(i) the extent of risks associated with natural hazards and whether the risks can be reduced or not increased;

(j) whether the land disturbance and final ground levels will adversely affect existing utility services;

(k) the extent to which the land disturbance is necessary to accommodate development otherwise provided for by the Unitary Plan, or to facilitate the appropriate use of land in the open space environment, including development proposed in a relevant operative reserve management plan or parks management plan;

(l) for land disturbance near Transpower New Zealand Limited transmission towers:

(i) the outcome of any consultation with Transpower New Zealand Limited; and

(ii) the risk to the structural integrity of transmission lines; or

(m) the extent to which earthworks avoid, minimise, or mitigate adverse effects on any archaeological sites that have been identified in the assessment of effects.

E26.5.8. Special information requirements

There are no special information requirements in this sub-section.

E26.6. Network utilities and electricity generation – Earthworks overlays except Outstanding Natural Features Overlay

E26.6.1. Objectives

The objectives for earthworks are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay;
- D17 Historic Heritage Overlay;
- D18 Special Character Areas Overlay – Residential and Business
- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.6.2. Policies

The policies for earthworks are located in:

- D9 Significant Ecological Areas Overlay;
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay;

- D17 Historic Heritage Overlay;
- D18 Special Character Areas Overlay – Residential and Business
- E11 Land disturbance – Regional; and
- E12 Land disturbance – District.

E26.6.3. Activity table

Table E26.6.3.1 Activity table specifies the activity status of land use and development activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991 in the:

- D9 Significant Ecological Areas Overlay; (SEA)
- D7 Water Supply Management Areas Overlay;(WSMA)
- D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay; (ONF) and (ONL)
- D11 Outstanding Natural Character and High Natural Character Overlay; (ONC) and (HNC)
- D17 Historic Heritage Overlay; (HH)
- D21 Sites and Places of Significance to Mana Whenua Overlay; (SSMW) and
- D18 Special Character Areas Overlay – Residential and Business (Special Character)

The acronyms in brackets after the overlays identified above (and the words "Special Character") are used to identify those overlays in the headings in Table E26.6.3.1

For Table E26.6.3.1 Activity table:

- additional controls apply for earthworks within the D26 National Grid Corridor Overlay; and
- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.6.3.1 Activity table - Earthworks in overlay areas except Outstanding Natural Features Overlay

Activity		SEA [rp]	ONC [dp]	WSMA [rp]	ONL and HNC [dp]	Historic Heritage [dp]	SSMW [dp]	Special Character [dp]
(A110)	Earthworks for maintenance, renewal and repair of network utilities and electricity generation activities RD* where archaeological controls apply as listed in Schedule 14	P	P	P	P	P RD*	P	P
(A111)	Earthworks for service connections P* where identified as a site exception in Schedule 12 RD* where archaeological controls apply as listed in Schedule 14	P	P	P	P	P RD*	D P*	P
(A112)	Earthworks for minor infrastructure upgrading P* within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14	P	RD P*	P	P	P RD*	P	P
(A113)	Earthworks for minor utility structures P* within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14	P	RD P*	P	P	P RD*	P	P*
(A114)	Earthworks for minor upgrading of road	P	P	P	P	P	P	P

	network activities within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14.1					RD*		
(A115)	Earthworks for network utilities and electricity generation facilities that do not comply with the standards in E26.6.5.2	RD	RD	RD	RD	RD	RD	RD
(A116)	Other earthworks up to 10m^2 and 5m^3 RD* where archaeological controls apply as listed in Schedule 14	P	P	P	P	P RD*	D	P
(A117)	Earthworks from 10m^2 to 2500m^2 and from 5m^3 to 2500m^3 *Earthworks greater than 5m^3 within the Isthmus C Special Character Overlay [3]	RD	RD	RD	RD	RD	D	RD D*
(A118)	Earthworks greater than 2500m^2 or 2500m^3	D	RD	D	RD	D	D	D
(A119)	Earthworks associated with temporary activities and land disturbance not otherwise listed in this table		Refer Table E11.4.3 Activity table overlays for regional overlays and Table E12.4.2 Activity table overlays (except Outstanding Natural Features Overlay) for district overlays.					

E26.6.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.6.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.6.5. Standards

E26.6.5.1. Accidental discovery rule

(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.

(2) For the purpose of this rule, “sensitive material” means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20 metres of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment;

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi; and

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

Wait for and enable inspection of the site

(d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives, or

(iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

(e) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of step E26.6.5.1(3)(f) are met.

Recommencement of work

(f) work within the area determined by the Council at step E26.6.5(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of the Unitary Plan – Section E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E26.6.5.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that:

- any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values.

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) that there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014.

E26.6.5.2. General standards

All activities listed as permitted, controlled or restricted discretionary in Table E26.6.3.1 Activity table must comply with the following standards.

Regional [rp]

Regional permitted activity standards for the Significant Ecological Areas Overlay and Water Supply Management Area Overlay

(1) Earthworks for network utilities outside the legal road or the formation width of the road shall be limited to the area and depth of the land previously disturbed or modified or within a width or depth not exceeding 2m either side of a National Grid structure or cable.

(2) Earthworks for network utilities (excluding road maintenance, repair and renewals, and minor infrastructure upgrading) within the legal road or the formation width of the road shall not exceed $10m^2$ and $5m^3$

(3) Earthworks for the minor upgrading of road network activities that exceed $10m^2$ or $5m^3$ shall not exceed an excavation depth of 0.6m, or the depth of land previously disturbed.

(4) Earthworks for service connections in SEAs shall be limited to the area and depth of earth previously disturbed or modified or shall not exceed $10m^2$ and $5m^3$

(5) After completion of the earthworks, the ground must be reinstated to at least the condition existing prior to any work starting.

(6) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters:

(a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) any conspicuous change in the colour or visual clarity;

(c) any emission of objectionable odour;

(d) the rendering of fresh water unsuitable for consumption by farm animals; or

(e) any significant adverse effects on aquatic life.

(7) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.

Note 1

Best practice in Auckland is generally deemed to be compliance with Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region or similar design.

(8) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.

(9) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time.

(10) Only cleanfill material may be imported and utilised as part of the land disturbance.

(11) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within a Significant Ecological Area Overlay shall be limited to the area of earth previously disturbed or modified.

(12) Earthworks associated with a temporary activity within a Significant Ecological Area Overlay shall be limited to the area of earthwork previously disturbed or modified.

(13) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.

District [dp]

District permitted activity standards for the Outstanding Natural Landscapes Overlay, Outstanding Natural Character and High Natural Character Overlay, Historic Heritage Overlay, Sites and Places of Significance to Mana Whenua Overlay and Special Character Areas Overlay – Residential and Business

(14) Earthworks for network utilities outside the legal road or the formation width of the road shall be limited to the area and depth of the land previously disturbed or modified or within a width or depth not exceeding 2m either side of a National Grid structure or cable.

(15) Earthworks for network utilities (excluding road maintenance, repair and renewals, and minor infrastructure upgrading) within the legal road or the formation width of the road shall not exceed $10m^2$ and $5m^3$

(16) Earthworks for the minor upgrading of road network activities that exceed $10m^2$ and $5m^3$ shall not exceed an excavation depth of 0.6m, or the depth of land previously disturbed and for the Sites and Places of Significance to Mana Whenua overlay, only to the depth of land previously disturbed.

(17) Earthworks for network utilities within the Historic Heritage Overlay must not:

(a) take place within 20m of any building or structure within the scheduled historic heritage place, except for road maintenance, repair, renewal and minor upgrading of road network activities (excluding bridges, retaining walls and tunnels); or

(b) take place within the protected root zone of any tree identified in Schedule 14.1 excluding features identified in the exclusions column of Schedule 14.1.

(c) *[deleted]*

(18) Earthworks for network utilities on a site or place of significance to Mana Whenua or site shall be limited to the area and depth of earth previously disturbed or modified.

(19) After completion of the earthworks, the ground must be reinstated to at least the condition existing prior to any work starting

(20) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to:

(a) operation, maintenance and repair (including network utilities);

(b) less than $5m^2$ or $5m^3$; for general earthworks;

(c) less than $10m^2$ or $5m^3$ for the installation of new network utilities;

(d) installation of fences and walking tracks;

(e) burial of marine mammals.

(21) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

(22) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

(23) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

(24) Only cleanfill material may be imported and utilised as part of the land disturbance.

(25) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

(26) Earthworks (including filling) within a 100 year AEP flood plain (excluding road network activities):

(a) must not raise ground levels more than 300mm, to a total fill volume up to $10m^3$ which must not be exceeded through multiple filling operations; and

(b) must not result in any adverse changes in flood hazard beyond the site.

Note 1

This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.

(27) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the

boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

(28) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.

(29) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.

(30) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:

(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and

(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:

(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.6.5.2(30)(a) and (b) above.

(31) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:

(a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and

(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure.

(32) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not:

(a) create an unstable batter that will affect a transmission support structure; or

(b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001.

(33) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities on a site or places of significance to Mana Whenua shall be limited to the area and depth of earth previously disturbed or modified.

(34) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the D17 Historic

Heritage Overlay must not extend more than 300 mm below the surface where archaeological controls apply (as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps).

(35) Earthworks/land disturbance for the planting of any tree within the D17 Historic Heritage Overlay must not be undertaken where archaeological controls apply (as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps) other than as a replacement for a pre-existing tree; and, within the area previously occupied by the root plate of the pre-existing tree.

E26.6.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.6.7. Assessment – restricted discretionary activities

E26.6.7.1. Matters of discretion

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

(1) all regional restricted discretionary activities [rp]:

(a) the matters set out in E26.5.7.1(1);

(b) the effects that the earthworks will have on ecological values, including on threatened species and ecosystems;

(c) the effects the vegetation alteration or removal will have on soil conservation, water quality and the hydrological function of the catchment;

(d) the necessity of the earthworks to provide for the functional and operational needs of infrastructure;

(e) the minimisation of effects from land disturbance through alternative locations on the site and/or methods of undertaking the works;

(f) the remedy or mitigation of adverse effects, including through revegetation, or restoration of other areas and ongoing maintenance;

(g) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion; and

(h) the effects on Mana Whenua values associated with a Significant Ecological Areas Overlay.

(2) all district restricted discretionary activities [dp]:

(a) the matters set out in E26.5.7.1(2);

(b) effects on the characteristics and qualities that contribute to the natural character and/or landscape values of the area;

(c) landscape, visual and amenity effects;

(d) modification to landform;

(e) Mana Whenua values;

(f) the mitigation of effects; and

(g) the necessity of the earthworks to provide for the functional and operational needs of infrastructure.

E26.6.7.2. Assessment criteria

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

(1) all regional restricted discretionary activities [rp]:

(a) the relevant assessment criteria in E26.5.7.2(1);

(b) the extent to which the earthworks are minimised and adverse effects on the ecological and indigenous biodiversity values of the vegetation are able to be avoided, remedied or mitigated;

(c) whether the earthworks will have an adverse effect on threatened species or ecosystems;

(d) the extent to which the earthworks will adversely affect soil conservation, water quality and the hydrological function of the catchment and measures to avoid remedy or mitigate any adverse effects;

(e) whether the earthworks will improve the reliance and security of the network utility;

(f) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location;

(g) the extent of the benefits derived from infrastructure;

(h) whether the effects from the earthworks can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works;

(i) the extent to which re-vegetation can remedy or mitigate adverse effects;

(j) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments; and

(k) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

(2) all district restricted discretionary activities [dp]:

(a) the relevant assessment criteria in E26.5.7.2(2);

(b) whether there are practicable alternative locations for the activity, building or structure outside of the overlay area;

(c) whether, taking into account the characteristics and qualities of the site of the proposed earthworks, that the proposed location has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values;

(d) whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:

(i) amenity values or views, both from land and sea;

(ii) landscape and natural character values; and

(iii) people's experience and values associated with an area, including the predominance of nature and wilderness values.

(e) whether the siting of the earthworks adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories;

(f) whether the earthworks will be visually obtrusive from any public road or public place, including from beaches and the sea;

(g) the extent of adverse visual or ecological effects from the proposed earthworks and landform modification;

(h) the extent to which the proposed earthworks will impact on Mana Whenua values;

(i) whether the earthworks will improve the reliance and security of the network utility;

(j) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location; and

(k) the extent of the benefits derived from infrastructure.

E26.6.8. Special information requirements

There are no special information requirements in this sub-section.

E26.7. Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay

E26.7.1. Objectives

The objectives for earthworks are located in:

- D10 Outstanding Natural Features Overlay; and
- E12 Land disturbance – District.

E26.7.2. Policies

The policies for earthworks are located in:

- D10 Outstanding Natural Features Overlay; and
- E12 Land disturbance – District.

E26.7.3. Activity table

Table E26.7.3.1 Activity table specifies the activity status of land use and development activities in the D10 Outstanding Natural Features Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- for network utilities the thresholds apply to the area and volume of work being undertaken at any one time at a particular location such that, where practicable, progressive closure and stabilisation of works could be adopted to maintain the activity within the thresholds; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

Table E26.7.3.1 Activity table - Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay

Activity		Feature Code from Table D10.4.1 for activity tables applying to outstanding natural features									
		A1	A	V1	V2	B	C	D	E	F1	F2
(A110)	Earthworks for maintenance, renewal and repair of network activities and electricity generating facilities	P	P	P	P	P	P	P	P	P	P
(A111)	Earthworks for minor infrastructure upgrading P* within the legal road or the formation width of the road	P	P	RD P*	RD P*	RD	RD	RD	RD	RD	RD
(A112)	Earthworks for minor utility structures	P	P	RD	RD	RD	RD	RD	RD	RD	RD

	P* within the legal road or the formation width of the road			P*	P*						
(A113)	Earthworks for service connections	P	P	RD	RD	RD	RD	RD	RD	RD	RD
(A114)	Earthworks for minor upgrading of road network activities within the legal road or the formation width of the road	P	P	P	P	P	P	P	P	P	P
(A115)	Earthworks for network utilities and electricity generation facilities that do not comply with standards in E26.7.5.2	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD
(A116)	Earthworks for network utilities and electricity generating facilities activities not otherwise provided for	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD
(A117)	Land disturbance not otherwise listed in this table	Refer Table E12.4.3 Activity table Outstanding Natural Features Overlay									

E26.7.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.7.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.7.5. Standards

E26.7.5.1. Accidental discovery rule

(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.

(2) For the purpose of this rule, “sensitive material” means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20 metres of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment;

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi; and

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

Wait for and enable inspection of the site

(d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in

consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives, or

(iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

(e) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of step E26.7.5.1(3)(f) are met.

Recommencement of work

(f) work within the area determined by the Council at step E26.7.5.1(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of the Unitary Plan – Section E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E26.7.5.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that:

- any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
- any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values;

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) that there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014.

E26.7.5.2. General standards

All activities listed as permitted or restricted discretionary in Table E26.7.3.1 Activity table must comply with the following standards.

(1) Earthworks for network utilities outside the legal road or the formation width of the road shall be limited to the area and depth of the land previously disturbed or modified or within a width or depth not exceeding 2m either side of a National Grid structure or cable.

(2) Earthworks for network utilities (excluding road maintenance, repair and renewals, and minor infrastructure upgrading) within the legal road or the formation width of the road shall not exceed $10m^2$ and $5m^3$.

(3) Earthworks for the minor upgrading of road network activities that exceed $10m^2$ or $5m^3$ shall not exceed an excavation depth of land previously disturbed.

(4) After completion of the earthworks, the ground must be reinstated to at least the condition existing prior to any work starting.

(5) Land disturbance within Riparian Yards and Coastal Protection Yards are limited to:

(a) operation, maintenance and repair (including network utilities);

(b) less than $5m^2$ or $5m^3$; for general earthworks;

(c) less than $10m^2$ or $5m^3$ for the installation of new network utilities;

(d) installation of fences and walking tracks;

(e) burial of marine mammals.

(6) Works must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

(7) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

(8) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

(9) Only cleanfill material may be imported and utilised as part of the land disturbance.

(10) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

(11) Earthworks (including filling) within a 100 year AEP flood plain (excluding road network activities):

(a) must not raise ground levels more than 300mm, to a total fill volume up to $10m^3$ which must not be exceeded through multiple filling operations; and

(b) must not result in any adverse changes in flood hazard beyond the site.

Note 1

This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.

(12) Earthworks (including filling) within overland flow paths (excluding road network activities) must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

(13) Temporary land disturbance and stockpiling of soil and other materials within 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.

(14) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.

(15) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:

(a) be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; and

(b) be no deeper than 750mm within 2.2 to 5m of a transmission pole support structure or stay wire; except that:

(c) vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards E26.7.5.2(15)(a) and (b) above.

(16) Land disturbance around Transpower NZ Ltd electricity transmission lines towers must:

(a) be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; and

(b) be no deeper than 3m between 6 to 12m from the outer visible edge of a transmission tower support structure.

(17) Land disturbance within 12m of a Transpower NZ Ltd electricity transmission line pole or tower must not:

(a) create an unstable batter that will affect a transmission support structure; or

(b) result in a reduction in the ground to conductor clearance distances as required by NZECP34:2001.

E26.7.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.7.7. Assessment – restricted discretionary activities

E26.7.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) the matters set out in E26.5.7.1(2);

(b) the nature, form and extent of proposed works;

(c) the degree of geological modification;

(d) the need for, or purpose of, the proposed works;

(e) alternative methods and locations;

(f) protection or enhancement of the feature; and

(g) effects on Mana Whenua values.

E26.7.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(2) the relevant assessment criteria in E26.5.7.2(2);

(3) whether the nature, form and extent of the proposed works or activity adversely affects the feature or features for which the item was scheduled;

(4) whether the activity will interfere with natural processes e.g. hydrology or adverse effects on nature and form of sand dunes;

(5) whether the proposed works or activity cause adverse visual effects or adversely affect landscape values;

(6) the degree to which the feature or features have already been modified so that further modification will not cause significant additional loss of geological value;

(7) the extent to which the proposed works will protect the feature from further damage, such as erosion protection, or remediate it from previous damage. This excludes potential damage from the activity for which consent is sought;

(8) whether the proposed land disturbance is for an activity which has a functional or operational need to be in the location proposed; and

(9) the objectives and policies in D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay.

E26.7.8. Special information requirements

(1) An application for an activity must be accompanied by:

(a) a site plan showing location of the Outstanding Natural Feature and the location of the proposed activity.

E26.8. Network utilities and electricity generation – Historic Heritage Overlay

E26.8.1. Objectives

The objectives for this sub-section are located in D17 Historic Heritage Overlay.

E26.8.2. Policies

The policies for this sub-section are located in D17 Historic Heritage Overlay.

E26.8.3. Activity table

Table E26.8.3.1 Activity table specifies the activity status of land use and development activities in the D17 Historic Heritage Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- these rules apply to network utilities and electricity generation facilities within the Historic Heritage Overlay;
- these rules do not cover demolition, partial demolition or relocation of Scheduled Historic Heritage structures. If the activity affects the primary feature of a scheduled historic heritage place, the rules of D17 Historic Heritage Overlay apply. For the avoidance of doubt, the identification of primary features is provided for in D17 Historic Heritage Overlay.
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table; and
- In respect of network utilities, and electricity generation activities within this overlay, also refer to:
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.6.3.1 Activity table earthworks in overlay areas except Outstanding Natural Features Overlay.

Table E26.8.3.1 Activity table - Network utilities and electricity generation – Historic Heritage Overlay

Activity		Activity status
Network utilities and electricity generation facilities		
(A118)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P
(A119)	Minor infrastructure upgrading	P
(A120)	Minor upgrading of road network utilities	P
(A121)	Minor utility structure	P
(A122)	Service connections	P
(A123)	Antennas and aerials	P
(A124)	Distribution substations that meet Standard E26.2.5.1(2)	RD
(A125)	Small and community scale electricity generation facilities	RD

(A126)	Road network activities comprising road lighting and associated support structures	P
(A127)	Road network activities comprising traffic operation and safety signs, direction signs and road name signs	P
(A128)	Road network activities comprising traffic operational signals and associated cabinets, equipment and support structures, traffic monitoring equipment and support structures	P
(A129)	Temporary buildings, structures and signs	P
(A130)	Network utilities and electricity generation facilities that do not comply with permitted activity standards in E26.8.5.1	RD
(A131)	Network utilities and electricity generation facilities not otherwise provided for	D

E26.8.4. Notification

Refer to D17.5 for notification.

E26.8.5. Standards

All activities listed as permitted in Table E26.8.3.1 Activity table must comply with the following permitted activity standards.

E26.8.5.1. Permitted activity standards

(1) Where the scheduled historic heritage place affected by the proposed works is subject to additional archaeological controls (refer Schedule 14 Historic Heritage Schedule, Statements and Maps), the proposed works must not result in any earthworks

(2) Operation, maintenance, renewal and repair of network utilities and electricity generation facilities should not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage.

(3) Minor infrastructure upgrading must:

(a) not increase the size or alter the existing location of the existing footprint;

(b) not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage; and

(c) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(4) Minor upgrading of road network activities must:

(a) only occur within the legal road or the formation width of the road;

(b) not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure; and

(c) not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage.

(5) Road network activities involving the renewal or minor upgrading of road pavement (excluding footpaths), bridges, retaining walls and tunnels, within 20m of any building or structure included in the Schedule 14.1 Schedule of Historic Heritage, a vibration management plan must be prepared by a suitably qualified and experienced person to establish that vibration levels will meet E25.6.30 Vibration. The Plan must include the information set out in E26.8.8 and be provided to the Council no less than 5 days prior to the works commencing.

(6) Minor utility structures must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area;

(b) not exceed a maximum height of 0.9m and a maximum area of $0.5m^2$; and

(c) not result in the removal of any tree or other planting identified in Schedule 14.1 Schedule of Historic Heritage

(7) Service connections must be not affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area.

(8) Antennas and aerials must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area; and

(b) not have a cross sectional dimension greater than 300mm

(9) Road network activities comprising traffic operation and safety signs, direction signs and road name signs must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule

of Historic Heritage) or a contributing property or feature in a historic heritage area;

(b) be co-located on an existing (non-heritage) structure; and

(c) where co-location is not possible, there shall be no more than one sign and support structure for regulatory control within any single road frontage within any individual scheduled historic heritage extent of place

(10) Temporary buildings, structures and signs must:

(a) not be affixed or attached to a primary feature of a historic heritage place (other than if it is a noted exclusion in Schedule 14.1 Schedule of Historic Heritage) or a contributing property or feature in a historic heritage area; and

(b) not be in place longer than either:

(i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or

(ii) 21 consecutive days in any 60 day period.

E26.8.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.8.7. Assessment – restricted discretionary activities

E26.8.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the known heritage values of a historic heritage place from the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;

(b) effects on the heritage and Mana Whenua values;

(c) effects on the setting of the historic heritage place, and on the inter-relationship between buildings, structures and features within the place;

(d) effects of the proposal on the overall significance of the place;

(e) effects on the inter-relationship between contributing places within a historic heritage area, including the views to, within or from the place or area;

(f) the purpose and necessity for the works and any alternatives considered;

(g) effects of the proposal on the long term viability and/or the ongoing functional use of the place;

(h) the mitigation of effects; and

(i) the functional or operation need for any infrastructure in the location proposed.

E26.8.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;

(b) whether the proposed works will maintain or enhance the heritage values of the place;

(c) whether the proposed works will compromise the ability to interpret features within the place and the relationship of the place to other scheduled historic heritage places;

(d) whether the proposed works, including the cumulative effects of proposed works, will result in adverse effects on the overall significance of the place such that it no longer meets the significance thresholds for which it was scheduled;

(e) the extent to which the activity, building or structure will impact on Mana Whenua values;

(f) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.8.8. Special information requirements

(1) The vibration management plan must include a description of the following:

(a) a description of the area affected by the works;

(b) a contact name and number of the works supervisor who can be contacted if any issues arise;

(c) a description of the works and its duration, anticipated equipment to be used and the processes to be undertaken; and

(d) a methodology for monitoring the proposed works to measure compliance with DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures in relation to the scheduled historic heritage building or structure.

E26.9. Network utilities and electricity generation – Special Character Areas Overlay – Residential and Business

E26.9.1. Objectives

The objectives for this sub-section are located in D18 Special Character Areas Overlay – Residential and Business.

E26.9.2. Policies

The policies for this sub-section are located in D18 Special Character Areas Overlay – Residential and Business.

E26.9.3. Activity table

Table E26.9.3.1 Activity table specifies the activity status of land use and development activities in the Special Character Areas Overlay – Residential and Business pursuant to section 9(3) of the Resource Management Act 1991:

- areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply and for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply;
- these rules do not cover total demolition, substantial demolition, relocation or removal of buildings in the Special Character Areas Overlay – Residential and Business. If the activity affects buildings other than accessory buildings in these overlays, the rules of D18 apply;
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table; and
- in respect of network utilities and electricity generation activities within this overlay, also refer to:
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.6.3.1 Activity table - earthworks in overlay areas except Outstanding Natural Features Overlay

Table E26.9.3.1 Activity table - Network utilities and electricity generation – Special Character Areas Overlay – Residential and Business

Activity		Special Character Areas Overlay - Residential Activity status	Special Character Areas Overlay - Business Activity status
Network utilities and electricity generation facilities			
(A132)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P
(A133)	Minor infrastructure upgrading	P	P
(A134)	Minor upgrading of road network activities	P	P
(A135)	Minor utility structure	P	P
(A136)	Service connections	P	P
(A137)	Antennas and aerials	P	P
(A138)	Distribution substations that meet Standard E26.2.5.1(2)	RD	RD
(A139)	Small and community scale electricity generation facilities	RD	RD
(A140)	Road network activities comprising road lighting and associated support structures	P	P
(A141)	Road network activities comprising traffic operation and safety signs, direction signs and road name signs	P	P
(A142)	Road network activities comprising traffic operational signals and associated cabinets, equipment and support structures, traffic monitoring equipment and support structures	P	P
(A143)	Temporary buildings, structures and signs,	P	P
(A144)	Network utilities and electricity generation facilities that do not comply with permitted activity standards in E26.9.5.1	RD	RD
(A145)	Network activities and electricity generation facilities not otherwise provided for	D	D

E26.9.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.9.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.9.5. Standards

All activities listed as permitted in Table E26.9.3.1 Activity table must comply with the following permitted activity standards.

E26.9.5.1. Permitted activity standards

(1) Minor infrastructure upgrading:

(a) maximum height no greater than 25m or 10 per cent in addition to the existing height of the structure whichever is the lesser;

(b) replacement pole diameter will be no greater than 20 per cent larger than that of the original pole;

(c) any new lines attached to existing poles shall be no higher than the maximum height of the existing lines; and

(d) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must comply with the following standards:

(a) the alteration, replacement or relocation of ancillary structures for road network activities:

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within 2m of the existing alignment or location.

(b) any support structure or pole which replaces an existing support structure or pole:

(iii) must not have a diameter or width that is greater than 20 percent larger than the existing support structure or pole; and

(iv) must not have a height greater than 25m or 10 percent in addition to the existing support structure or pole.

(c) all activities and works must only occur within the legal road or the formation width of the road.

(3) Antennas and aerials must:

(a) not have a cross sectional dimension greater than 300mm; and

(b) must not protrude above the roof line of the part of the building to which they are attached. Where attached to the front facade, the antenna or aerial must be attached so it has a maximum horizontal projection of 450mm from the face of the building and must be colour matched to the part of the building to which it is attached;

(c) E26.9.5.1(3)(b) does not apply where the antenna or aerial is not visible when viewed at a height 1.8m above street level from any part of any road which is located within the character overlay.

(4) Temporary buildings, structures and signs must:

(a) not be in place longer than either:

(i) the maximum duration of the temporary activity, where the building or structure is ancillary to a temporary activity; or

(ii) 21 consecutive days in any 60 day period.

E26.9.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.9.7. Assessment – restricted discretionary activities

E26.9.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the on the special character values and context of the areas as identified in the special character area statements;

(b) effects on the on the special character qualities, design and architectural features of buildings;

(c) the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;

(d) the purpose and necessity for the works and any alternatives considered;

(e) the mitigation of effects; and

(f) the functional or operation need for any infrastructure in the location proposed.

E26.9.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) whether the proposed works will result in adverse effects (including cumulative adverse effects) special characteristics of the streetscape and area and the extent to which adverse effects are avoided, remedied or mitigated.

(b) whether the proposed works will maintain or enhance the special character qualities and the design and architectural features of buildings.

(c) whether design or location alternatives have been considered to minimise the adverse effects on the special characteristics of the streetscape, area or building

(d) whether the location and design of any attachments minimises effects on the building through the use of appropriate colour, design, form and location on the building

(e) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.9.8. Special information requirements

There are no special information requirements in this sub-section.

E26.10. Network utilities and electricity generation – Sites and Places of Significance to Mana Whenua Overlay

E26.10.1. Objectives

The objectives for this sub-section are located in D21 Sites and Places of Significance to Mana Whenua Overlay.

E26.10.2. Policies

The policies for this sub-section are located in D21 Sites and Places of Significance to Mana Whenua Overlay.

E26.10.3. Activity table

Table E26.10.3.1 Activity table specifies the activity status of land use and development activities in the Sites and Places of Significance to Mana Whenua Overlay pursuant to section 9(3) of the Resource Management Act 1991.

Table E26.10.3.1 Activity table - Network utilities and electricity generation – Sites and Places of Significance to Mana Whenua Overlay

Activity		Activity status
Network utilities and electricity generation facilities		
(A146)	Operation, maintenance, renewal, repair and removal of network utilities and electricity generation facilities	P
(A147)	Minor infrastructure upgrading	P
(A148)	Minor upgrading of road network activities within the legal road or the formation width of the road	P
(A149)	Network utilities and electricity generation facilities that do not comply with permitted activity standards E26.10.5.1	RD
(A150)	Network utilities and electricity generation facilities not otherwise provided for where the site is identified as a site exception in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule	RD
(A151)	Network utilities and electricity generation facilities not otherwise provided for where the site is not identified as a site exception in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule	D

E26.10.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.10.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.10.5. Standards

All activities listed as permitted in Table E26.10.3.1 Activity table must comply with the following permitted activity standards.

E26.10.5.1. Minor infrastructure upgrading

(1) Minor infrastructure upgrading must not increase the size or alter the existing location of the existing footprint within a site or place of significance and must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must not increase the size or alter the location of the existing footprint within a site or place of significance and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

E26.10.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.10.7. Assessment – restricted discretionary activities

E26.10.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(f) the effects of the proposal on the values and associations of Mana Whenua with the site or place including effects on the context of the local history and whakapapa;

(g) the nature, location, design and extent of the proposal;

(h) the purpose and necessity for the works and any alternatives considered; or

(i) the provisions of any relevant iwi planning document.

E26.10.7.2. Assessment criteria

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

(2) all restricted discretionary activities:

(a) Policies D21.3(1) - (3).

(b) The extent to which the proposal provides for the relationship of the site or place with Mana Whenua in the context of local history and whakapapa, if appropriate, through:

(i) the design and location of proposed structures;

(ii) landscaping and vegetation including removal and replanting; and

(iii) landform and modification;

(c) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.10.8. Special information requirements

There are no special information requirements in this sub-section.

PC 120 (see Modifications)

E26.11. Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay

E26.11.1. Objectives

The objectives for this sub-section are located in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.

E26.11.2. Policies

The policies for this sub-section are located in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.

E26.11.3. Activity table

Table E26.11.3.1 Activity table specifies the activity status of land use and development activities in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- these rules apply to network utilities and electricity generation facilities within the Volcanic Viewshafts and Height Sensitive Areas Overlay; and
- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.

PC 120 (see Modifications)

Table E26.11.3.1 Activity table - Network utilities and electricity generation – Volcanic Viewshafts and Height Sensitive Areas Overlay

Activity		Activity status		
		Regionally Significant Volcanic Viewshaft	Locally Significant Volcanic Viewshaft	Height Sensitive Area
Network utilities and electricity generation activities that intrude into a scheduled viewshaft				
(A152)	Buildings and structures for network utilities and electricity generation facilities that do not intrude into a scheduled viewshaft	P	P	NA
(A153)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities and like for like replacement	P	P	P
(A154)	Minor infrastructure upgrading	P	P	P
(A155)	Minor upgrading of road network utilities	P	P	P
(A156)	Minor utility structure	P	P	P
(A157)	Service connections	P	P	P
(A158)	Antennas and aerials	P	P	P
(A159)	Small and community scale electricity generation facilities	RD	RD	RD

(A160)	Road network activities comprising road lighting and associated support structures	P	P	P
(A161)	Road network activities comprising traffic and direction signs and road name signs	P	P	P
(A162)	Road network activities comprising traffic safety and operational signals, traffic signals, traffic information signage and support structures	P	P	P
(A163)	Temporary contruction and safety structures	P	P	P
(A164)	Network utilities and electricity generation facilities that do not comply with permitted activity standards E26.11.5.1(1) - (7)	NC	RD	NC
(A165)	Network utilities and electricity generation facilities not otherwise provided for	NC	D	NC

E26.11.4. Notification

(1) Any application for resource consent for any non-complying activity in Table E26.11.3.1 Activity table must be publicly notified.

(2) Any application for resource consent for an activity listed in Table E26.11.3.1 Activity table and which is not listed in E26.11.4.1 above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.11.5. Standards

All activities listed as permitted in Table E26.11.3.1 Activity table must comply with the following permitted activity standards.

E26.11.5.1. Permitted activity standards

(1) Height must be measured using the rolling height method.

(2) Minor infrastructure upgrading:

(a) maximum height no greater than 25m or 10 per cent in addition to the existing height of the structure whichever is the lesser;

(b) replacement pole diameter will be no greater than 20 per cent larger than that of the original pole;

(c) any new lines attached to existing poles shall be no higher than the maximum height of the existing lines; and

(d) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(3) Minor upgrading of road network activities must comply with the following standards:

(a) the alteration, replacement or relocation of ancillary structures for road network activities:

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within 2m of the existing alignment or location

(b) any support structure or pole which replaces an existing support structure or pole:

(i) must not have a diameter or width that is greater than 20 percent larger than the existing support structure or pole; and

(ii) must not have a height greater than 25m or 10 percent in addition to the existing support structure or pole.

(c) all activities and works must only occur within the legal road or the formation width of the road.

(4) Minor utility structures must not exceed a maximum height of 0.9m and a maximum area of 0.5m^2

(5) Antennas and aerials must not have a cross sectional dimension greater than 300mm

(6) Temporary construction and safety structures and signs must be removed within 30 days or upon completion of the construction works.

(7) Road network activities must comply with the following standards:

(a) maximum height of 25m for road lighting and associated support structures; and

(b) maximum height of 5.3m for traffic and direction signs, road name signs, traffic safety and operational signals, traffic signals, traffic information signage and support structures including interactive warning signs, real time information signs, lane control signals, ramp signals, cameras, vehicle identification and occupancy counters.

E26.11.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.11.7. Assessment – restricted discretionary activities

E26.11.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the visual integrity of the view of the volcanic maunga from the identified viewing point or line;

(b) location, nature, form and extent of proposed works;

(c) mana whenua values associated with the maunga; and

(d) the functional or operation need for any infrastructure in the location proposed and any alternatives considered to achieve fulfil that need without the intrusion into the viewshaft or exceeding the maximum height limit of a height sensitive area.

E26.11.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

PC 120 (see Modifications)

(a) having regard to the viewshaft in Appendix 20 Volcanic Viewshafts and Height Sensitive Areas – Values Assessments, whether the nature, form and extent of the building adversely affects the visual integrity of the maunga;

(b) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure;

(c) whether there are practicable alternatives available that will not intrude, or will minimise the intrusion into the viewshaft or exceedance of the maximum height of a height sensitive area;

(d) whether the proposed building will impact on Mana Whenua values associated with the maunga; or

PC 120 (see Modifications)

(e) the relevant objectives and policies in B4 Natural heritage at B4.3 and in D14 Volcanic Viewshafts and Height Sensitive Areas Overlay.

E26.11.8. Special information requirements

There are no special information requirements in this sub-section.

E26.12. Network utilities and electricity generation – Auckland War Memorial Museum Viewshaft, Local Public Views, Ridgelines Overlays

E26.12.1. Objectives

The objectives for this sub-section are located in D15 Ridgeline Protection Overlay, D16 Local Public Views Overlay, D19 Auckland War Memorial Museum Viewshaft Overlay and D20A Stockade Hill Viewshaft Overlay.

E26.12.2. Policies

The policies for this sub-section are located in D15 Ridgeline Protection Overlay, D16 Local Public Views Overlay, D19 Auckland War Memorial Museum Viewshaft Overlay and D20A Stockade Hill Viewshaft Overlay.

E26.12.3. Activity table

Table E26.12.3.1 Activity table specifies the activity status of land use and development activities in the Ridgeline Protection Overlay, Local Public Views Overlay, Auckland War Memorial Museum Viewshaft Overlay and the Stockade Hill Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991:

- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.
- the Auckland War Memorial Museum Viewshaft provisions do not apply to structures that do not exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps.

Table E26.12.3.1 Activity table - Network utilities and electricity generation – Auckland War Memorial Museum Viewshaft, Local Public Views, Ridgelines, Stockade Hill Viewshaft Overlays

Activity		Activity status		
Network utilties and electricity generation activities				
		Auckland War Memorial Museum Viewshaft	**Local Public Views and Stockade Hill Viewshaft Overlay**	**Ridgelines**
(A166)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P	P
(A167)	Minor infrastructure upgrading	P	P	P
(A168)	Minor upgrading of road network activities	P	P	P
(A169)	Minor utility structure	P	P	P
(A170)	Service connections	P	P	P
(A171)	Antennas and aerials	P	P	P

(A172)	Road network activities comprising road lighting and associated support structures	P	P	P
(A173)	Road network activities comprising traffic and direction signs, road name signs	P	P	P
(A174)	Road network activities comprising traffic signals and support structures	P	P	P
(A175)	Temporary construction and safety structures	P	P	P
(A176)	Small and community scale electricity generation facilities	NC	RD	RD
(A177)	Network activities and electricity generation facilities that do not comply with permitted activity standards RD* modified ridgelines NC* natural ridgelines	NC	RD	RD* NC*
(A178)	Network utilities and electricity generation facilities not otherwise provided for D* modified ridgelines NC* natural ridgelines	NC	D	D* NC*

E26.12.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.12.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.12.5. Standards

All activities listed as permitted in Table E26.12.3.1 Activity table must comply with the following permitted activity standards.

E26.12.5.1. Permitted activity standards

(1) Height must be measured using the rolling height method.

(2) Minor infrastructure upgrading in the Auckland War Memorial Museum Viewshaft Overlay and Natural Ridgelines Overlays must:

(a) not increase the size or alter the existing location of the existing footprint; and

(b) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(3) Minor infrastructure upgrading in the Local Public Views and Modified Ridgelines Overlays:

(a) maximum height no greater than 25m or 10 per cent in addition to the existing height of the structure whichever is the lesser;

(b) replacement pole diameter will be no greater than 20 per cent larger than that of the original pole;

(c) any new lines attached to existing poles shall be no higher than the maximum height of the existing lines;

(d) must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(4) Minor upgrading of road network activities in the Auckland War Memorial Museum Viewshaft Overlay and Natural Ridgelines Overlays must:

(a) only occur within the legal road or the formation width of the road; and

(b) not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

(5) Minor upgrading of road network activities in the Local Public Views Overlay and Modified Ridgelines Overlays must comply with the following standards:

(a) the alteration, replacement or relocation of ancillary structures for road network activities:

(i) there must be no more than a 10 percent increase in the width, length and/or height of the structure; and

(ii) the structure must be located within 2m of the existing alignment or location.

(b) any support structure or pole which replaces an existing support structure or pole:

(i) must not have a diameter or width that is greater than 20 percent larger than the existing support structure or pole; and

(ii) must not have a height greater than 25m or 10 percent in addition to the existing support structure or pole.

(c) all activities and works must only occur within the legal road or the formation width of the road.

(6) Minor utility structures in the Auckland War Memorial Museum Viewshaft and Natural Ridgelines Overlays must not:

(a) exceed a maximum height of 0.9m and a maximum area of 0.5m^2; and

(b) in the Auckland War Memorial Museum Viewshaft Overlay exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum.

(7) Antennas and aerials must not:

(a) not have a cross sectional dimension greater than 300mm; and

(b) in the Auckland War Memorial Museum Viewshaft Overlay exceed the height limits specified on Figures D19.6.1.1, D19.6.1.2 and D19.6.1.3 within the areas identified on the planning maps to protect views to or from the Auckland War Memorial Museum.

(8) Temporary construction and safety structures and signs must be removed within 30 days or upon completion of the construction works.

(9) Road network activities must comply with the following standards:

(a) maximum height of 25m for road lighting and associated support structures; and

(b) maximum height of 5.3m for traffic and direction signs, road name signs, traffic signals and support structures.

E26.12.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.12.7. Assessment – restricted discretionary activities

E26.12.7.1. Matters of discretion

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

(1) restricted discretionary activities in the Local Public Views Overlay:

(a) effects on the visual integrity of the view from the identified viewing point;

(b) location, nature, form and extent of proposed works;

(c) The functional or operation need for any infrastructure in the location proposed and any alternatives considered to fulfil that need without the intrusion into the viewshaft; and

(d) the relevant objectives and policies in D16 Local Public Views Overlay.

(2) restricted discretionary activities in the Ridgelines Protection Overlay:

(a) location, siting and design of buildings;

(b) effects on landscape values and visual amenity;

(c) mitigation of effects;

(d) the functional or operation need for any infrastructure in the location proposed and any alternatives considered; and

(e) the relevant objectives and policies in D15 Ridgeline Protection Overlay.

E26.12.7.2. Assessment criteria

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

(1) restricted discretionary activities in the Local Public Views Overlay:

(a) whether the nature, form and extent of the intrusion adversely affects the visual integrity of the viewshaft and its view;

(b) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure; and

(c) whether there are practicable alternatives available that will not intrude, or will minimise the intrusion into the viewshaft.

(2) restricted discretionary activities in the Ridgelines Protection Overlay:

(a) whether the siting, size and height of the building or structure adversely affects the form and integrity of the ridgeline;

(b) whether the building or structure can be located in a less prominent location;

(c) whether the building, including its design and materials, will be visually intrusive from a public place;

(d) whether there are adverse visual effects associated with the building or structure, such as landform modification associated with creating a building platform or access ways, or other servicing requirements;

(e) the extent to which existing vegetation can be retained and planting can be provided to ensure buildings will integrate with the form of the ridgeline; and

(f) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.12.8. Special information requirements

There are no special information requirements in this sub-section.

E26.13. Network utilities and electricity generation – Outstanding Natural Landscapes Overlay (excluding outstanding natural features) and Outstanding Natural Character and High Natural Character Overlay

E26.13.1. Objectives

The objectives for this sub-section are located in D10 Outstanding Natural Landscapes Overlay and D11 Outstanding Natural Character and High Natural Character Overlay.

E26.13.2. Policies

The policies for this sub-section are located in D10 Outstanding Natural Landscapes Overlay and D11 Outstanding Natural Character and High Natural Character Overlay.

E26.13.3. Activity table

Table E26.13.3.1 Activity table specifies the activity status of land use and development activities in the Outstanding Natural Landscapes Overlay and the Outstanding Natural Character and High Natural Character Overlay outside the coastal marine area (for the rules applying within the coastal marine area, refer to the coastal zone rules) pursuant to section 9(3) of the Resource Management Act 1991:

- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table.
- in respect of network utilities, and electricity generation activities within this overlay, also refer to:
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.6.3.1 Activity table - earthworks in overlay areas except Outstanding Natural Features Overlay

Table E26.13.3.1 Activity table - Network utilities and electricity generation – Outstanding Natural Landscapes Overlay (excluding outstanding natural features) and Outstanding Natural Character and High Natural Character Overlay

Activity		Activity status		
Network utilties and electricity generation activities				
		High Natural Character	**Outstanding Natural Landscape areas**	**Outstanding Natural Character**
(A179)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P	P
(A180)	Underground network utilities	P	P	P
(A181)	Buildings and structures for network utilities and electricity	P	P	P

	generation facilities			
(A182)	Buildings and structures for network utilities and electricity generation facilities that do not comply with permitted activity standards E26.13.5.2	RD	RD	NC
(A183)	Network utilities within an existing building	P	P	P
(A184)	Minor infrastructure upgrading	P	P	P
(A185)	Service connections	P	P	P
(A186)	Antennas and aerials with a cross-sectional dimension that does not exceed 300mm	P	P	P
(A187)	Minor upgrading of road network utilities	P	P	P
(A188)	Road lighting and associated support structures	P	P	RD
(A189)	Traffic operation and safety signs, direction signs, road name signs	P	P	P
(A190)	Traffic operational signals and associated cabinets, equipment and support structures, traffic monitoring equipment and support structures	P	P	RD
(A191)	Temporary buildings, structures and signs	P	P	P
(A192)	Network utilities and electricity generation facilities that do not comply with permitted activity standards in E26.13.5.1	RD	RD	NC
(A193)	Network utilities and electricity generation facilities not otherwise provided for	D	D	NC

E26.13.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.13.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.13.5. Standards

All activities listed as permitted in Table E26.13.3.1 Activity table must comply with the following permitted activity standards.

E26.13.5.1. Minor infrastructure upgrading

(1) Minor infrastructure upgrading must not increase the size or alter the existing location of the existing footprint and must otherwise be in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

E26.13.5.2. Buildings and structures for network utilities and electricity generation facilities

(1) The gross floor area shall not exceed 50m^2 in high natural character and outstanding natural landscapes and 25m^2 in outstanding natural character areas.

(2) The maximum height shall not exceed 5m. This rule does not apply to temporary activities, road lighting, traffic and direction signs, road name signs, traffic safety and operational signals, traffic monitoring equipment, or the support structures for these activities.

(3) The exterior finish of the building or structure has a reflectance value of, or less than, 30 per cent and within Groups A, B or C as defined within the BS5252 standard colour palette. This rule does not apply to temporary activities, traffic and direction signs, road name signs, traffic safety and operational signals, aerials operated by a network utility operator and associated fixtures, galvanised steel poles, and GPS antennas.

E26.13.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.13.7. Assessment – restricted discretionary activities

E26.13.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) effects on the characteristics and qualities that contribute to the natural character and/or landscape values of the area;

(b) the setback from mean high water springs;

(c) architectural elements and design, including height, bulk, colour, reflectivity and materials;

(d) the cumulative effects of subdivision, use and development;

(e) landscape, visual and amenity effects;

(f) Mana Whenua values;

(g) the mitigation of effects;

(h) the functional or operation need for any infrastructure in the location proposed.

E26.13.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) whether there are practicable alternative locations for the activity, building or structure outside of the overlay area;

(b) whether, taking into account the characteristics and qualities of the site, the, activity, building or structure is located within an area that has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values;

(c) whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:

(i) amenity values or views, both from land and sea;

(ii) landscape and natural character values; and

(iii) people's experience and values associated with an area, including the predominance of nature and wilderness values.

(d) whether the siting of the activity, building or structure adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories.

(e) whether the activity, building or structure will be visually obtrusive from any public road or public place, including from beaches and the sea;

(f) the extent to which the location, scale, height, design, external appearance and overall form of the building or structure is appropriate to the rural and coastal context, and the colours and material used for

roofs, walls and windows is of low reflectivity and merges with the surrounding landscape;

(g) whether the activity, building or structure will result in adverse cumulative effects, having regard to other activities, buildings or use and development.

(h) the extent to which the activity, building or structure will impact on Mana Whenua values; or

(i) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.13.8. Special information requirements

There are no special information requirements in this sub-section.

E26.14. Network utilities and electricity generation – Outstanding Natural Features Overlay (excluding outstanding natural landscapes)

E26.14.1. Objectives

The objectives for this sub-section are located in D10 Outstanding Natural Features Overlay.

E26.14.2. Policies

The policies for this sub-section are located in D10 Outstanding Natural Features Overlay.

E26.14.3. Activity table

Table E26.14.3.1 Activity table specifies the activity status of land use and development activities in the Outstanding Natural Features Overlay above MHWS (for the rules applying to those overlays in the coastal marine area, refer to the coastal zone rules) pursuant to section 9(3) of the Resource Management Act 1991:

- network utilities include road network activities within the legal road and its formation width, unless otherwise stated in the activity table;
- for a description of the features and feature codes refer to Section D10 Outstanding Natural Features Overlay;
- in respect of network utilities, and electricity generation activities within this overlay, also refer to
    - Table E26.3.3.1 Activity table – Network utilities and electricity generation and vegetation management; and
    - Table E26.7.3.1 Network utilities and electricity generation – Earthworks in Outstanding Natural Features Overlay.

Table E26.14.3.1 Activity table - Network utilities and electricity generation – Outstanding Natural Features Overlay (excluding outstanding natural landscapes)

Activity		Feature Code from Table D10.4.1 for activity tables applying to outstanding natural features									
		A1	A	V1	V2	B	C	D	E	F1	F2
(A194)	Operation, maintenance, renewal and repair of network utilities and electricity generation facilities	P	P	P	P	P	P	P	P	P	P
(A195)	Service connections	P	P	RD	RD	RD	RD	RD	RD	RD	RD
(A196)	Minor utility structures P* within the legal road or the formation width of the road	P	P	RD P*	RD P*	RD	RD	RD	RD	RD	RD
(A197)	Minor infrastructure upgrading	P	P	RD	RD	RD	RD	RD	RD	RD	RD

	P* within the legal road or the formation width of the road			P*	P*						
(A198)	Minor upgrading of road network activities within the legal road or the formation width of the road	P	P	P	RD	RD	RD	RD	RD	RD	RD
(A199)	Pipe and cable bridges for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications	P	P	RD	RD	RD	RD	RD	RD	RD	RD
(A200)	Network utilities and electricity generation facilities that do not comply with permitted activity standards E26.14.5.1	RD	RD	RD	RD	NC	NC	RD	NC	NC	NC
(A201)	Network utilities and electricity generation facilities not otherwise provided for	P	RD	RD	RD	NC	NC	RD	NC	NC	NC

E26.14.4. Notification

(1) Any application for resource consent for an activity listed in Table E26.14.3.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E26.14.5. Standards

All activities listed as permitted in Table E26.14.3.1 Activity table must comply with the following permitted activity standards.

E26.14.5.1. Permitted activity standards

(1) Minor infrastructure upgrading must not increase the size or alter the existing location of the existing footprint within a site or place of significance and is otherwise in accordance with the permitted activity standards for minor infrastructure upgrading in E26.2.5.3(1).

(2) Minor upgrading of road network activities must not increase the size or alter the location of the existing footprint and any replacement of existing buildings and structures is to be within the same location of the existing building or structure, and will not result in any increase to the height or bulk of the existing building or structure.

(3) Network utilities and electricity generation facilities not otherwise provided for must comply with the relevant permitted activity standards in E26.2.5

E26.14.6. Assessment – controlled activities

There are no controlled activities in this sub-section.

E26.14.7. Assessment – restricted discretionary activities

E26.14.7.1. Matters of discretion

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

(1) all restricted discretionary activities:

(a) the nature, form and extent of proposed works;

(b) the degree of existing geological modification;

(c) the necessity of the works to provide for the functional and operational needs of infrastructure;

(d) alternative methods and locations;

(e) protection or enhancement of the feature; and

(f) effects on Mana Whenua values.

E26.14.7.2. Assessment criteria

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

(1) all restricted discretionary activities:

(a) the extent to which the nature, form and extent of the proposed use or development adversely affects the criteria or values for which the feature was scheduled taking into account all of the following;

(i) whether the use or development will result in increased erosion, of the feature;

(ii) whether the use or development will result in increased compaction or erosion of the feature, or changes to the vegetation will adversely affect the values for which the feature is scheduled;

(iii) whether the use or development will result in ground disturbance or earthworks that will affect the values for which the feature is scheduled; and

(iv) whether the use or development will interfere with natural processes associated with the feature.

(b) the extent to which the proposed use or development will cause adverse visual effects, or adversely affect landscape values associated with the feature;

(c) the extent to which the proposed use or development will cause any significant loss of geological value of a feature, taking into account the extent a feature has already been modified and whether further modification will cumulatively result in a significant loss of geological value;

(d) the extent to which modification of a feature is necessary to provide for the proposed use or development and the proposed structure has a functional or operational need to be in the location proposed;

(e) whether there are alternative methods and locations available to undertake the use or development that will not affect a scheduled feature;

(f) the extent to which the proposed works will protect the feature from damage, such as providing for erosion protection, or remediate previous damage, excluding any damage resulting from the use or development itself;

(g) the extent to which the proposed use or development will adversely affect Mana Whenua values;

(h) the extent to which the use and development is necessary to provide for, or improve, the resilience and security of the infrastructure network having regard to the objectives and policies in Section E26 Infrastructure.

E26.14.8. Special information requirements

(1) An application for an activity must be accompanied by:

(a) a site plan showing location of the outstanding natural feature and the location of the proposed activity.

E27. Transport

E27.1. Background

To support and manage the effects on the operation and development of an integrated transport network, this section:

- addresses the management of the location, number and design of parking, loading and access;
- provides for public transport facilities and walking and cycling facilities which may be located outside the road network (which is covered in Section E26 Infrastructure); and
- identifies the need to manage the effects of high trip generating activities.

The term ‘transport system’ encompasses both the physical infrastructure of the transport network and the wider environment or factors which can influence the operation of transport e.g. transport users and their behaviours. For the purpose of these transport provisions, the term ‘transport network’ is used in the context of managing effects or impacts on the operation of the ‘transport network’ as a physical resource. The transport network comprises the physical infrastructure or conduit along which transport modes move or travel along and this is made up of a series of links (where a sequence of continuous links form a route) and nodes which in totality form a network. The transport network also comprises a series of sub-networks or types which generally relate to a particular mode of travel or type of movement e.g. public transport network, freight network and walking and cycling networks. In regard to public transport networks, the network can also include the supporting services which utilise the physical network.

The current predominance of private vehicle travel and the accompanying demand for parking is recognised in terms of both the positive and adverse effects associated with accommodating parking.

Parking is an essential component of Auckland’s transport network and the management of parking can have major implications for the convenience, economic viability, design and layout of an area and the function of the transport network. It is important that parking is managed and provided in a manner that supports urban amenity, efficient use of land and the functional requirements of activities. The demand for parking can reflect the trip characteristics of a range of activities at different locations that occur at different times. It can also be managed to have a significant influence on reducing car use, particularly for commuter travel. This in turn reduces the growth in traffic, particularly during peak periods, and when supported by the provision of other transport modes achieves a more sustainable transport network. The management of parking supply includes regulation in areas to limit parking (maximums) and requiring resource consent for non-accessory parking.

A maximum limit has been set on the amount of parking that can be provided on a site in the Business – City Centre Zone and in the Centre Fringe Office Control as shown on the planning maps for office activities. Car parking is also limited for office activities in all zones, and for education facilities and hospitals in some zones.

The overall purpose of limiting parking through maximums is to manage potential parking oversupply and in turn reduce traffic congestion and provide opportunities to improve amenity in areas earmarked for intensification. Maximum parking rates have been set at a level which appropriately provides for the management on-site parking demands.

Accommodating growth in areas where land is scarce and a highly valued resource requires reconsideration of the use, and benefits and costs of on-site parking. The planning framework to facilitate this growth recognises that removing the requirement to provide parking will have direct land use benefits in regard to reducing development costs, improving housing affordability, optimising investment in parking facilities and supporting the use of public transport.

Standalone parking (non-accessory) facilities are provided for and will be individually assessed. This includes park-and-ride and other facilities that support public transport. Parking (non-accessory) may be appropriate to facilitate rationalisation of centre based parking resources to support activities in the centre and improve urban design outcomes.

To support walking and cycling, new buildings and developments are required to provide cycle parking as well as end-of-trip facilities. Off-road pedestrian and cycling facilities are also provided for to complement facilities located in the road network.

This section also addresses loading, the design of parking and loading, access from activities and developments to the road, and access around road/rail level crossings. These provisions support the movement of people, goods and services across the region.

Activities or subdivision which generate higher trip volumes by any mode, and which seek to locate outside of the most intensive centres and residential zones, are required to demonstrate how the proposal would integrate with the transport network. This includes managing the transport impacts of the proposal on the effective, efficient and safe operation of the local transport network.

E27.2. Objectives

(1) Land use and all modes of transport are integrated in a manner that enables:

(a) the benefits of an integrated transport network to be realised; and

(b) the adverse effects of traffic generation on the transport network to be managed.

(2) An integrated transport network including public transport, walking, cycling, private vehicles and freight, is provided for.

(3) Parking, including accessible car parking and loading is managed to support urban growth and a quality compact urban form.

(4) Parking, including accessible car parking, loading and access is safe and efficient and, where parking is provided, it is commensurate with the character, scale and intensity and alternative transport options of the location.

(5) Pedestrian safety and amenity along public footpaths is prioritised.

(5A) Safe, and convenient on-site pedestrian access is provided to dwellings in residential zones.

(6) Road/rail crossings operate safely with neighbouring land use and development.

(7) Electric Vehicle Supply Equipment is enabled to facilitate use of electric vehicles.

(8) Enable car parking with electric vehicle charging stations in all zones.

E27.3. Policies

(1) Require subdivision, use and development which:

(a) generate trips resulting in potentially more than minor adverse effects on the safe, efficient and effective operation of the transport network;

(b) are proposed outside of the following zones:

(i) the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone;

(ii) Residential – Terrace Housing and Apartment Buildings Zone;

(iii) the Centre Fringe Office Control as shown on the planning maps; or

(c) [deleted]

to manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development or undertaking improvements to the local transport network.

(2) Require major proposals for discretionary consent to prepare an integrated transport assessment including provision for pedestrians, cyclists, public transport users, freight and motorists.

Parking

(3) Manage the number, location and type of parking, including accessible car parking, and loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:

(a) the safe, efficient and effective operation of the transport network;

(b) the use of more sustainable transport options including public transport, cycling and walking;

(c) the functional and operational requirements of activities;

(d) the efficient use of land;

(e) the recognition of different activities having different trip characteristics;

(f) the efficient use of on-street parking, and

(g) full participation in society for people with disabilities that impact on mobility.

(4) Limit the supply of on-site parking in the Business – City Centre Zone to support the planned growth and intensification and recognise the existing and future accessibility of this location to public transport, and support walking and cycling.

(5) Limit the supply of on-site parking for office development in all locations to:

(a) minimise the growth of private vehicle trips by commuters travelling during peak periods; and

(b) support larger-scale office developments in the Business – City Centre Zone, Centre Fringe Office Control area, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Business Park Zone.

(6) Provide for flexible on-site parking in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of specified non-urban town and local centres and Mixed Use Zone adjacent to those specified centres) by not providing limits on parking for subdivision, use and development other than for office activities, education facilities and hospitals.

(a) [deleted]

(b) [deleted]

(6A) Encourage activities providing no or reduced on-site parking (other than other for accessible parking) where it will enable better built form outcomes.

(6B) Encourage the use of public transport, walking and cycling trips and manage effects on the safe and efficient operation of the transport network by limiting the supply of on-site parking for office activities, education facilities and hospitals in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone.

(7) [Deleted]

(8) [Deleted]

(9) Provide for flexible approaches to parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.

(10) Provide for non-accessory parking where:

(a) the proposal and the type of parking will reinforce the efficient use of land or planned growth and intensification provided for in this plan for the site or locality; and

(b) there is an undersupply or projected undersupply of parking to service the area having regard to all of the following:

(i) the efficient use of land to rationalise or consolidate parking resources in centres;

(ii) the availability of alternative transport modes, particularly access to the existing and planned public transport;

(iii) the type of parking proposed;

(iv) existing parking survey information; and

(v) the type of activities in the surrounding area and their trip characteristics.

(11) Discourage the development of long-term non-accessory parking in the Business – City Centre Zone and the Centre Fringe Office Control as shown on the planning maps to:

(a) recognise and support the high level of accessibility these areas have to the public transport; and

(b) minimise the growth in private vehicle trips by commuters during peak periods.

(12) Control the development of long-term non-accessory parking in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone and in the Business – Mixed Use Zone so that the parking does not undermine:

(a) the efficient use of land or growth and intensification provided for in this plan for the site or locality; and

(b) the use of public transport in these zones.

(13) Provide for park-and-ride and public transport facilities which are located and designed to support the public transport network by:

(a) locating in proximity to public transport stations, stops and terminals;

(b) growing public transport patronage to assist in relieving congested corridors by encouraging commuters to shift to public transport;

(c) making public transport easier and more convenient to use, thereby attracting new users;

(d) improving the operational efficiency of the public transport network;

(e) extending the catchment for public transport into areas of demand where it is not cost-effective to provide traditional services or feeders;

(f) reinforcing existing and future investments on the public transport network; and

(g) providing free, secure and covered parking for bicycles.

(14) Support increased cycling and walking by:

(a) requiring larger non-residential developments and all residential developments without a dedicated garage or basement car parking space to provide secure and covered bicycle parking, which may be located within a dwelling;

(b) requiring end-of-trip facilities, such as showers and changing facilities, to be included in office, educational and hospital developments with high employee or student numbers; and

(c) providing for off-road pedestrian and bicycle facilities to complement facilities located within the road network.

Loading

(15) Require access to loading facilities to support activities and minimise disruption on the adjacent transport network.

(16) Provide for on-site or alternative loading arrangements, including on-street loading or shared loading areas, particularly in locations where it is desirable to limit access points for reasons of safety, amenity and road operation.

Design of parking and loading

(17) Require parking and loading areas to be designed and located to:

(a) avoid or mitigate adverse effects on the amenity of the streetscape and adjacent sites;

(b) provide safe access and egress for vehicles, pedestrians and cyclists;

(c) avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists; and

(d) in loading areas, provide for the separation of service and other vehicles where practicable having regard to the functional and operational requirements of activities.

(18) Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:

(a) the effective, efficient and safe operation of roads, in particular arterial roads;

(b) pedestrian safety and amenity, particularly within the centre zones and Business – Mixed Use Zone; and

(c) safe and functional access taking into consideration the number of parking spaces served by the access, the length of the driveway and whether the access is subject to a vehicle access restriction.

(19) Require park-and-ride, non-accessory parking and off-site parking facilities and their access points to:

(a) be compatible with the planning and design outcomes identified in this plan for the relevant zone;

(b) take into account the implementation of any relevant future transport projects or changes to the transport network identified in any statutory document (including the Long Term Plan or Regional Land Transport Plan) where implementation is likely;

(c) be accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths;

(d) provide an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this may include:

(i) maintaining an active frontage through sleeving and/or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;

(ii) appropriate screening, such as exterior panelling, for any parking building; and

(iii) planting and other landscaping.

(e) provide for any buildings to be adapted or readily dismantled for other uses if no longer required for parking. In particular, the floor-to-ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone; and

(f) be managed and operated so that the facility avoids adverse effects on the efficient, effective and safe operation of the transport network including:

(i) the safety of pedestrians and cyclists;

(ii) amenity for pedestrians;

(iii) queuing on the road and conflict at access points to the facility; and

(iv) the operation of public transport services and related infrastructure.

Access

(20) Require vehicle crossings and associated access to be designed and located to provide for safe, effective and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.

(20A) Require vehicle access to be designed and located to provide for low speed environments and for the safety of pedestrians and other users, and functional access for emergency responders.

(20AA) Provide for vehicles to cross a required primary pedestrian access so long as pedestrian safety is prioritised by design solutions such as:

(a) Minimising vehicle crossing points (such as by pairing or grouping crossings) and providing adequate pedestrian refuge space between crossing points;

(b) Using speed management measures to slow down vehicles;

(c) Using mountable kerbs to enable vehicle access to parking areas while discouraging vehicle access and parking over primary pedestrian access between vehicle crossing points; and

(d) Providing clear sightlines between pedestrian access and vehicle manoeuvring and parking areas.

(20B) Require pedestrian access, to be designed and located to provide for safe and convenient access, minimise potential conflicts between pedestrians and other users, and to provide functional access for emergency responders.

(21) Restrict or manage vehicle access to and from sites adjacent to intersections, adjacent motorway interchanges, and on arterial roads, so that:

(a) the location, number, and design of vehicle crossings and associated access provides for the efficient movement of people and goods on the road network; and

(b) any adverse effect on the effective, efficient and safe operation of the motorway interchange and adjacent arterial roads arising from vehicle access adjacent to a motorway interchange is avoided, remedied or mitigated.

(22) Restrict vehicle access across the Vehicle Access Restriction – General Control as shown on the planning maps within the Business – City Centre Zone to:

(a) give high priority to pedestrian movement, safety and amenity along the main pedestrian streets in the Business – City Centre Zone; and

(b) provide for continuity of building frontage and associated activities at street level.

(23) Provide for the continued use of existing vehicle access affected by the Key Retail Frontage Control as shown on the planning maps and Vehicle Access Restriction – General Control in the Business – City Centre Zone where the effects of the activity and use of the vehicle access are the same or similar in character, intensity and scale which existed on 30 September 2013.

(24) Control alterations to or rationalisation of existing vehicle access affected by the Key Retail Frontage Control and Vehicle Access Restriction – General Control in the Business – City Centre Zone where there is a change in the character, intensity or scale of the activity and use of the existing vehicle access.

(25) Discourage new vehicle access across the Key Retail Frontage Control in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:

(a) give high priority to pedestrian movement, safety and amenity; and

(b) provide for continuity of building frontage and associated activities at street level.

(26) Limit new vehicle access across the General Commercial Frontage Control as shown on the planning maps in the Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Mixed Use Zone to:

(a) support pedestrian safety and amenity; and

(b) provide for continuity of building frontage and associated activities at street level.

Sightlines to rail level crossings

(27) Limit the location of buildings and other visual obstructions within the sightline areas of road/rail level crossings.

(28) Discourage new road and pedestrian rail level crossings to ensure the safe, effective and efficient operation of the region's rail network.

Access to rail level crossings

(29) Control vehicle access to sites adjacent to all road/rail level crossings to improve safety for road users on the approach to level crossings.

(30) Enable provision for Electric Vehicle Supply Equipment for new residential developments that provide carparking.

(31) Provide for car parking with electric vehicle charging stations in all zones where:

(a) adverse effects on the amenity of the streetscape are minimised.

E27.4. Activity table

Table E27.4.1 specifies the activity status of land use activities in all zones pursuant to sections 9(3) and 11 of the Resource Management Act 1991. A site may contain more than one of the listed activities.

These rules do not apply to precincts where there are corresponding transport and traffic provisions in the applicable precinct.

Note 1

All access to the State Highway network (including changes to existing access and subdivision or change in land use utilising an existing access) require the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989. This approval is separate and additional to any land use or subdivision consent approval required. Refer to the New Zealand Transport Agency's Auckland Office.

Table E27.4.1 Activity table

Activity		Activity status
(A1)	Parking, loading access and Electric Vehicle Supply Equipment which is an accessory activity and complies with the standards for parking, loading, access and Electric Vehicle Supply Equipment.	P
(A2)	Parking, loading access and Electric Vehicle Supply Equipment which is an accessory activity but which does not comply with the standards for parking, loading, access and Electric Vehicle Supply Equipment.	RD
(A3)	Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1	RD
(A4)	Use of an existing vehicle crossing (established or consented before 30 September 2013) where a Vehicle Access Restriction applies under Standards E27.6.4.1(1), E27.6.4.1(2) or E27.6.4.1(3) to service existing activities (established or consented before 30 September 2013)	P
(A5)	Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)	RD
(A6)	Use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in • Table H8.4.1 Activity table;	RD

	• Table H9.4.1 Activity table; or • Table H10.4.1 Activity table;	
(A7)	Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and the establishment of the vehicle crossing is to: (a) relocate and/or amalgamate an existing vehicle crossing or crossings serving the site, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site; or (b) there is no other means of accessing a site.	RD
(A8)	Construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1) and it is not provided for in this activity table	NC
(A9)	Any building or structure located within an area subject to Level Crossings with Sightlines Control as identified on the planning maps	RD
(A10)	Off-road pedestrian and cycling facilities	P
(A11)	Park-and-ride	RD
(A12)	Public transport facilities	RD
(A13)	Short-term and long-term non-accessory parking in the following zones: • Business – Metropolitan Centre Zone; • Business – Town Centre Zone; • Business – Local Centre Zone; and • Business – Mixed Use Zone.	RD
(A14)	Short-term non-accessory parking in the Business – City Centre Zone and Centre Fringe Office Control as shown on the planning maps	D
(A15)	Long-term non-accessory parking in these zones and locations: • Business – City Centre Zone; and • Centre Fringe Office Control as shown on the planning maps.	NC
(A16)	Off-site parking	D
(A17)	Construction of new road and pedestrian rail level crossings on the rail network	NC
(A18)	Electric vehicle charging stations that comply with the standards for electric vehicle charging stations in E27.6.8	P
(A19)	Electric vehicle charging stations that do not comply with the standards for electric vehicle charging stations in E27.6.8	RD
(A20)	Primary pedestrian access serving between 2 and 5 dwellings (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with Standard E27.6.6.	P
(A21)	Primary pedestrian access serving 6 or more dwellings*	RD

	(excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones complying with Standard E27.6.6. * including dwellings as part of an integrated residential development	
(A22)	Primary pedestrian access serving 6 or more dwellings* (excluding dwellings that directly front and have direct pedestrian access from a road) in residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6 * including dwellings as part of an integrated residential development	RD
(A23)	Primary pedestrian access in residential zones (whether physically separated or not) that does not comply with: (a) The width, gradient, clear height, obstruction or slip resistance requirements of Standard E27.6.6.(3); and/or (b) The emergency responder access requirements of Standard E27.6.6.(4)	RD

E27.5. Notification

(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

(a) E27.4.1(A11) Park-and-ride (exceeding 200 parking spaces); or

(b) E27.4.1(A12) Public transport facilities.

(2) Any application for resource consent for activity that infringes the following standards will be considered without public notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

(a) Standard E27.6.4.1(2) Vehicle access restrictions; or

(b) Standard E27.6.4.1(3) Vehicle access restrictions.

(3) Any application for resource consent for vehicle access not meeting Standard E27.6.4.1(2) and Standard E27.6.4.1(3) Vehicle access restrictions may be limited notified.

(4) Any application for resource consent for an activity listed in Table E27.4.1 Activity table and which is not listed in E27.5(1), E27.5(2) or E27.5(3) above

will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(5) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E27.6. Standards

All activities in Table E27.4.1 must comply with the following standards.

E27.6.1. Trip generation

(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:

(a) a new development or subdivision in Table E27.6.1.1;

(b) 100 v/hr (any hour) for activities not specified in Table E27.6.1.1 requiring a controlled or restricted discretionary land use activity consent in the applicable zone where there are no requirements for an assessment of transport or trip generation effects. This standard does not apply to development activities provided for as permitted in the applicable zone; or

(c) [deleted]

resource consent for a restricted discretionary activity is required.

Table E27.6.1.1 New development and subdivision thresholds

Activity			New development or subdivision
(TA1)	Residential	Dwellings – threshold 1	40 dwellings
(T1)		Dwellings – threshold 2	100 dwellings
(T1A)		Integrated residential development – threshold 1	100 units
(T2)		Integrated residential development – threshold 2	500 units
(T2A)		Visitor accommodation – threshold 1	60 units
(T3)		Visitor accommodation – threshold 2	100 units
(T3A)		Residential subdivision – threshold 1	Capacity to accommodate more than 40 dwellings
(T3B)		Residential subdivision	Capacity to accommodate more

		– threshold 2	than 100 dwellings
(T4)	Education facilities	Primary	167 students
(T5)		Secondary	333 students
(T6)		Tertiary	500 students
(T7)	Office		5,000 m^2 GFA
(T8)	Retail	Drive through	333 m^2 GFA
(T8A)		Retail activities (non-drive through)	1667m2 GFA
(T9)	Industrial activities	Warehousing and storage	20,000 m^2 GFA
(T10)		Other industrial activities	10,000 m^2 GFA

(2) Standard E27.6.1(1) does not apply where:

(a) a proposal is located in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, or Residential – Terrace Housing and Apartment Building Zone or Centre Fringe Office Control as shown on the planning maps;

(b) [deleted]

(c) the activity is permitted in the H7 Open space zones; or

(d) there are requirements to assess trip generation effects for the activity in any applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities.

E27.6.2. Number of parking and loading spaces

(1) The number of parking spaces:

(a) must not exceed the maximum rates specified

(b) [Deleted]

(c) [Deleted]

which apply to the zone or location specified in Table E27.6.2.1, Table E27.6.2.2, Table E27.6.2.3 and Table E27.6.2.4.

(2) [Deleted]

(3) For the purposes of meeting the requirements of the vehicle parking rules, a parking space includes those provided for in a garage or car port or any paved area provided for the sole purpose of parking a motor vehicle.

(3A) Within the Centre Fringe Office Control area, the parking rates contained in Table E27.6.2.2 apply instead of those contained in Table E27.6.2.3 and Table E27.6.2.4.

Table E27.6.2.1 Maximum parking rates for the Business – City Centre Zone

Activity/site			**Business – City Centre Zone maximum rate**
(T11)	Dwellings	Dwellings <75m^2 GFA	0.7 per dwelling
(T12)		Dwellings ≥75 and < 90m^2 GFA	1.4 per dwelling
(T13)		Dwellings ≥90m^2 GFA	1.7 per dwelling
(T14)		Visitor spaces	0.2 per dwelling
(T15)	All other activities		1:200m^2 GFA

Table E27.6.2.2 Maximum parking rates for the Centre Fringe Office Control area as shown on the planning maps

Activity		**Centre Fringe Office Control as shown on the planning maps adjoining the Business – City Centre Zone Maximum rate**
(T16)	Offices	1 per 60 m^2 GFA
(T17)	All other activities	No minimum or maximum

(4) Table E27.6.2.3 sets out the parking rates which apply in the following zones and locations:

(a) Business – Metropolitan Centre Zone;

(b) Business – Town Centre Zone – excluding the following town centres where Table E27.6.2.4 applies: Helensville, Kumeu-Huapai, Pukekohe, Warkworth and Wellsford;

(c) Business – Local Centre Zone – excluding the following local centres where Table E27.6.2.4 applies: Karaka, Kaukapakapa, Leigh, Matakana, Riverhead, Snells Beach, Te Hana, Waimauku and Waiuku;

(d) Business – Mixed Use Zone (excluding where the Business – Mixed Use Zone is adjacent to the town centres or local centres identified in Standards E27.6.2(4)(b) and E27.6.2(4)(c) above); and

(e) Residential – Terrace Housing and Apartment Buildings Zone.

Table E27.6.2.3 Parking rates - area 1

Activity			Applies to zones and locations specified in Standard E27.6.2(4)	
			[Deleted]	Maximum rate
(T18)	Offices		[Deleted]	1 per 30 m^2 GFA
(T19)	Retail	Food and beverage (excluding taverns)	[Deleted]	No maximum
(T19A)		Trade suppliers, garden centres and large format retail (excluding supermarkets and department stores)	[Deleted]	No maximum
(T19B)		Marine retail, motor vehicle sales	[Deleted]	No maximum
(T20)		All other retail (including supermarkets, department stores and taverns)	[Deleted]	No maximum
(T20A)	Commercial services		[Deleted]	No maximum
(T21)	Entertainment facilities and community facilities Provided that, for places of worship, the "facility" shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces which do not have a separate use from the primary place of assembly shall be disregarded)		[Deleted]	No maximum
(T22)	Emergency services		[Deleted]	No maximum
(T23)	Care centres		[Deleted]	No maximum
(T24)	Education facilities	Primary and secondary	[Deleted]	0.5 per FTE employee plus 1 visitor space per classroom
(T25)		Tertiary	[Deleted]	0.5 per FTE employee plus 0.25 per EFT (equivalent full time) student the facility is designed to accommodate
(T26)	Medical facilities	Hospital	[Deleted]	1 per 40 m^2 GFA
(T27)		Healthcare facilities	[Deleted]	No maximum

Activity			Applies to zones and locations specified in Standard E27.6.2(4)	
			[Deleted]	Maximum rate
(T28)	Residential	All dwellings in the Terrace Housing & Apartment Buildings zone	[Deleted]	No maximum
(T29)		Dwellings – studio or 1 bedroom	[Deleted]	No maximum
(T30)		Dwellings – two or more bedrooms	[Deleted]	No maximum
(T31)		Visitor spaces	[Deleted]	No maximum
(T32)		Retirement villages	[Deleted]	No maximum
(T33)		Supported residential care	[Deleted]	No maximum
(T34)		Visitor accommodation	[Deleted]	No maximum
(T35)		Boarding houses	[Deleted]	No maximum
(T35A)		Minor dwellings	[Deleted]	No maximum
(T36)	All other activities		[Deleted]	No maximum

(4A) [Deleted]

(5) Table E27.6.2.4 sets out the parking rates which apply all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3.

Table E27.6.2.4 Parking rates - area 2

Activity				Applies to zones and locations specified in Standard E27.6.2(5)	
				[Deleted]	Maximum rate
(T37)	Residential	Residential – Mixed Housing Urban Zone	Dwellings - studio	[Deleted]	No maximum
(T38)			Dwellings - 1 bedroom	[Deleted]	No maximum
(T39)			Dwellings - two or more bedrooms	[Deleted]	No maximum
(T39A)			Minor dwellings	[Deleted]	No maximum
(T41)		Residential	Dwellings -	[Deleted]	No

Activity				Applies to zones and locations specified in Standard E27.6.2(5)	
				[Deleted]	Maximum rate
		– Mixed Housing Suburban Zone	studio		maximum
(T42)			Dwellings - 1 bedroom	[Deleted]	No maximum
(T43)			Dwellings - two or more bedrooms	[Deleted]	No maximum
(T43A)			Minor dwellings	[Deleted]	No maximum
(T44)		Sites within the D18 Special Character Areas Overlay – Residential and Business	Site area 500m^2 or less	[Deleted]	No maximum
(T45)			Site area greater than 500m^2	[Deleted]	As per the underlying zoning
(T46)		All other areas	Dwellings	[Deleted]	No maximum
(T46A)			Minor dwellings	[Deleted]	No maximum
(T47)		Conversion of dwelling into two dwellings (Sites within the D18 Special Character Areas Overlay – Residential and Business)		[Deleted]	No maximum
(T48)		Home occupations		[Deleted]	No maximum
(T49)		Retirement village		[Deleted]	No maximum
(T50)		Supported residential care		[Deleted]	No maximum
(T51)		Visitor accommodation		[Deleted]	No maximum
(T52)		Boarding houses		[Deleted]	No maximum
(T53)	Offices			[Deleted]	Maximum of 1 per 30m^2 GFA
(T54)	Commercial services, excluding the following: veterinary clinics, storage and lockup facilities			[Deleted]	No maximum

Activity			Applies to zones and locations specified in Standard E27.6.2(5)	
			[Deleted]	Maximum rate
(T55)	Retail	Motor vehicle sales	[Deleted]	No maximum
(T56)		Trade suppliers	[Deleted]	No maximum
(T57)		Large Format Retail (excluding supermarkets and department stores)	[Deleted]	No maximum
(T58)		All other retail (including food and beverage)	[Deleted]	No maximum
(T59)	Industrial activities and storage and lock-up facilities	Repair and maintenance services	[Deleted]	No maximum
(T60)		Warehousing, storage and lock up facilities	[Deleted]	No maximum
(T61)		All other industrial activities	[Deleted]	No maximum
(T62)	Entertainment facilities and community facilities provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces which do not have a separate use from the primary place of assembly shall be disregarded)		[Deleted]	No maximum
(T63)	Emergency services		[Deleted]	No maximum
(T64)	Care centres		[Deleted]	No maximum
(T65)	Educational facilities	Primary and secondary	[Deleted]	No maximum
(T66)		Tertiary	[Deleted]	No maximum
(T67)	Medical facilities	Hospitals not shown on the Parking Variation Control planning maps	[Deleted]	No maximum
(T68)		Grafton Hospital 2 Park Road, Grafton	[Deleted]	1 per 50m^2 GFA
(T69)		Greenlane Clinical Centre 210 Green Lane West, Epsom	[Deleted]	No maximum
(T70)		Mt Albert 50 Carrington Road, Mt Albert	[Deleted]	No maximum

Activity			Applies to zones and locations specified in Standard E27.6.2(5)	
			[Deleted]	Maximum rate
(T71)		Mercy Hospital 98 Mountain Road, Epsom	[Deleted]	No maximum
(T72)		Healthcare facilities	[Deleted]	No maximum
(T73)		Veterinary clinics	[Deleted]	No maximum
(T74)	Land used for organised sport and recreation		[Deleted]	No maximum
(T75)	Clubrooms		[Deleted]	No maximum
(T76)	Water transport	Land adjacent to a public boat launching ramp	[Deleted]	No maximum
(T77)		Marinas	[Deleted]	No maximum
(T78)		Minor ports at Gabador Place, Tamaki and Onehunga	[Deleted]	No maximum
(T79)	All other activities, except for activities within rural zones		[Deleted]	No maximum
(T80)	All other activities where located in rural zones		[Deleted]	No maximum

(6) Bicycle parking:

(a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified;

(aa) for residential developments, the required secure long-stay bicycle parking must be located and designed in a manner that (is):

i) not part of any required outdoor living space

ii) sheltered from the weather;

iii) lockable and secure;

(bb) To avoid doubt, the required secure long-stay bicycle parking may be located within a dwelling.

(b) the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			Visitor (short-stay) Minimum rate		Secure (long-stay) Minimum rate
(T81)	Residential	All residential developments	1 per 20 for developments of 20 or more dwellings		1 per dwelling without a dedicated garage or basement car parking space
(T82)		Visitor accommodation and boarding houses	1 space plus 1 space per 20 rooms/beds		1 per 10 FTE employees
(T83)		Retirement village and residential care	1 space plus 1 space per 30 units / apartments		1 per 10 FTE employees
(T84)	Offices		Up to 200m^2	Nil required	1 per 300m^2 of office
(T85)			Greater than 200m^2 up to 10,000m^2	1 space plus 1 space per 1,000m^2 above 1,000m^2	
(T86)			Greater than 10,000m^2	10 spaces plus 1 space per 2000m^2 above 10,000m^2	
(T87)	Retail	Food and beverage	Up to 350m^2 GFA	Nil required	1 per 300m^2 GFA
(T88)			Greater than 350m^2 GFA	1 per 350m^2 GFA	
(T89)		All other retail	Up to 500m^2 GFA	Nil required	1 per 300m^2 GFA of office
(T90)			Greater than 500m^2 GFA up to 5000m^2 GFA	1 per 500m^2 GFA	
(T91)			Greater than 5000m^2 GFA	1 per 750m^2 GFA	1 per 300m^2 GFA of office

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
(T92)	Industrial activities and storage and lockup facilities		1 space plus 1 space per 750m^2 GFA of office space	1 per 300m^2 GFA of office
(T93)	Care centres		1 space plus 1 space per 50 people to be accommodated	1 space per 10 FTE employees
(T94)	Educational facilities	Primary and intermediate schools	1 space plus 1 space per 400 students and FTE employees	1 per 30 students in Year 1 to 5 plus 1 per 15 students in Year 6 to 8 plus 1 per 20 employees
(T95)		Secondary schools	1 space plus 1 space per 400 students and FTE employees	1 per 15 students in Year 9 to 13 plus 1 per 20 FTE employees
(T96)		Tertiary education facilities	1 per 800 m^2 GFA office	1 per 20 EFT students and FTE employees on site at the peak times
(T97)	Medical facilities	Hospitals	1 per 30 beds	1 per 15 beds
(T98)		Healthcare services	1 space plus 1 space per 10 FTE practitioners	1 per 8 FTE practitioners
(T99)		Veterinary clinics	-	1 per 15 FTE employees
(T100)	Entertainment and community facilities	Entertainment facilities	Either: 1 per 50 seats Or: 2 spaces plus 1 space per 1500m^2 GFA	Either: 1 per 15 FTE employees Or: 1 per 1500m2 GFA
(T101)		Major recreation facility	1 space plus 1 space per 1000m^2 GFA of office and other accessory activities	1 per 300m^2 GFA of office and other accessory uses

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
(T102)		Community facilities	1 per 200m^2 GFA	1 per 500 m^2 GFA
(T103)		Organised sport and recreational facility	3 per hectare distributed in groups of 3-5 racks	1 per hectare

Note: Further guidance on bicycle parking design can be found in the Auckland Code of Practice for Land Development and Subdivision 2022. Also see the Waka Kotahi Cycling Network Guidance Technical Note, Cycle Parking Planning and Design December 2022.

(7) End-of-trip facilities:

(a) the activities specified in Table E27.6.2.6 must provide end-of-trip facilities as listed below; and

(b) the following end-of-trip facilities requirements apply to new buildings and developments.

Table E27.6.2.6 Required end-of-trip facilities (intended for staff use)

Land use		GFA	No. of showers and changing facilities required
(T104)	Offices, education facilities, hospitals	Up to 500m^2	No requirement
(T105)		Greater than 500m^2 up to 2500m^2	One shower and changing area with space for storage of clothing
(T106)		Greater than 2500m^2 up to 7500m^2	Two showers and changing area with space for storage of clothing
(T107)		Every additional 7500m^2	Two additional showers and changing area with space for storage of clothing

(8) Number of loading spaces:

(a) all activities must provide loading spaces as specified in Table E27.6.2.7.

(b) in addition, where the only vehicle access for residential activities is from an arterial road as identified on the planning maps a small loading space must be provided in accordance with Table E27.6.2.7A.

Table E27.6.2.7 Minimum loading space requirements

Activity		GFA	Minimum rate
(T108)	Retail and industrial	Up to 300m^2	No loading required
(T109)		Greater than 300m^2 up to	1

	activities	5000m^2	
(T110)		Greater than 5000m^2 up to 10,000m^2	2
(T111)		Greater than 10,000m^2	3 spaces plus 1 space for every additional 10,000m^2
(T112)	All other activities, except for activities within rural zones	Up to 5000m^2	No loading required
(T113)		Greater than 5000m^2 up to 20,000m^2	1
(T114)		Greater than 20,000m^2 up to 90,000m^2	2
(T115)		Greater than 90,000m^2	3 spaces plus space 1 for every additional 40,000m^2
(T116)	All other activities where located in rural Zones		No minimum rate

Table E27.6.2.7A Minimum small loading space requirements where residential activities only have vehicle access from an arterial road

Activity		GFA/ Number of dwellings	Minimum rate
(T111A)		Developments where all dwellings have individual pedestrian access directly from a public road	No loading space required
		Up to 9 dwellings without individual pedestrian access directly from a public road	No loading space required
		10 or more dwellings up to 5,000m^2 without individual pedestrian access directly from a public road	1*
		Greater than 5,000m^2	NA

* Refer to T137A of Table E27.6.3.2.1 Minimum loading space dimensions

(9) Fractional spaces:

(a) where the calculation of the permitted parking results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space. If there are different activities within a development, the parking permitted for each activity must be added together prior to rounding.

E27.6.3. Design of parking and loading spaces

E27.6.3.1. Size and location of parking spaces

(1) Every parking space must:

(a) comply with the minimum dimensions given in Table E27.6.3.1.1 and Figure E27.6.3.1.1; except accessible parking dimensions and accessible route requirements must be designed in accordance with the New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121- 2001); and

(b) be located on the same site as the activity to which it relates unless one of the following criteria is met:

(i) the parking is located in an H7 Open Space Zone and the reserve, park or recreation area consists of more than one adjoining Certificate of Title. In that case, the parking must be located within the same reserve, park or recreation area as the activity to which it relates; or

(ii) resource consent is granted to an alternative arrangement, such as shared parking, offsite parking, or non-accessory parking.

(c) [deleted]

(d) be kept clear and available at all times the activity is in operation, except where stacked parking is permitted by Standard E27.6.3.3(3) below; and

(e) be located outside any area designated for road widening; and

(f) parking located in part of any yard on the site (where it is permitted in the zone) must not:

(i) impede vehicular access and movement on the site; and

(ii) infringe any open space and landscape requirements for the relevant zone; and

(g) not to be sold or leased separately from the activity for which it provides parking as an accessory activity unless a resource consent is granted to an alternative arrangement such as shared parking or off-site parking.

Table E27.6.3.1.1 Minimum Car parking space and manoeuvring dimensions

Car parking angle		Width of parking space	Depth of parking space		Manoeuvring space[3]	Total
			From wall[1]	From kerb[2]		
(T117)	90 degrees (regular users)[4]	2.4	5.0	4.0	7.1	12.1
(T118)		2.5			6.7	11.7
(T119)		2.6			6.3	11.3
(T120)		2.7			5.9	10.9
(T121)	90 degrees	2.5	5.0	4.0	7.7	12.7

(T122)	(casual users)[4]	2.6			7.0	12.0
(T123)		2.7			6.7	11.7
(T124)	75 degrees	2.5	5.2	4.2	6.3	11.5
(T125)		2.6			5.2	10.4
(T126)		2.7			4.2	9.4
(T127)	60 degrees	2.5	5.2	4.2	4.1	9.3
(T128)		2.6			3.5	8.7
(T129)		2.7			3.3	8.5
(T130)	45 degrees	2.5	5.0	4.2	3.0	8.0
(T131)		2.6			3.0	8.0
(T132)		2.7			3.0	8.0
(T133)	30 degrees	2.5	4.0	3.4	2.8	6.8
(T134)		2.6			2.8	6.8
(T135)		2.7			2.8	6.8
(T136)	0 degrees (parallel)[5]	6	2.4	2.1	3.7	-

Notes

All dimensions are in metres (m).

[1] Where a parking space adjoins a wall or high kerb that does not allow vehicles to overhang.

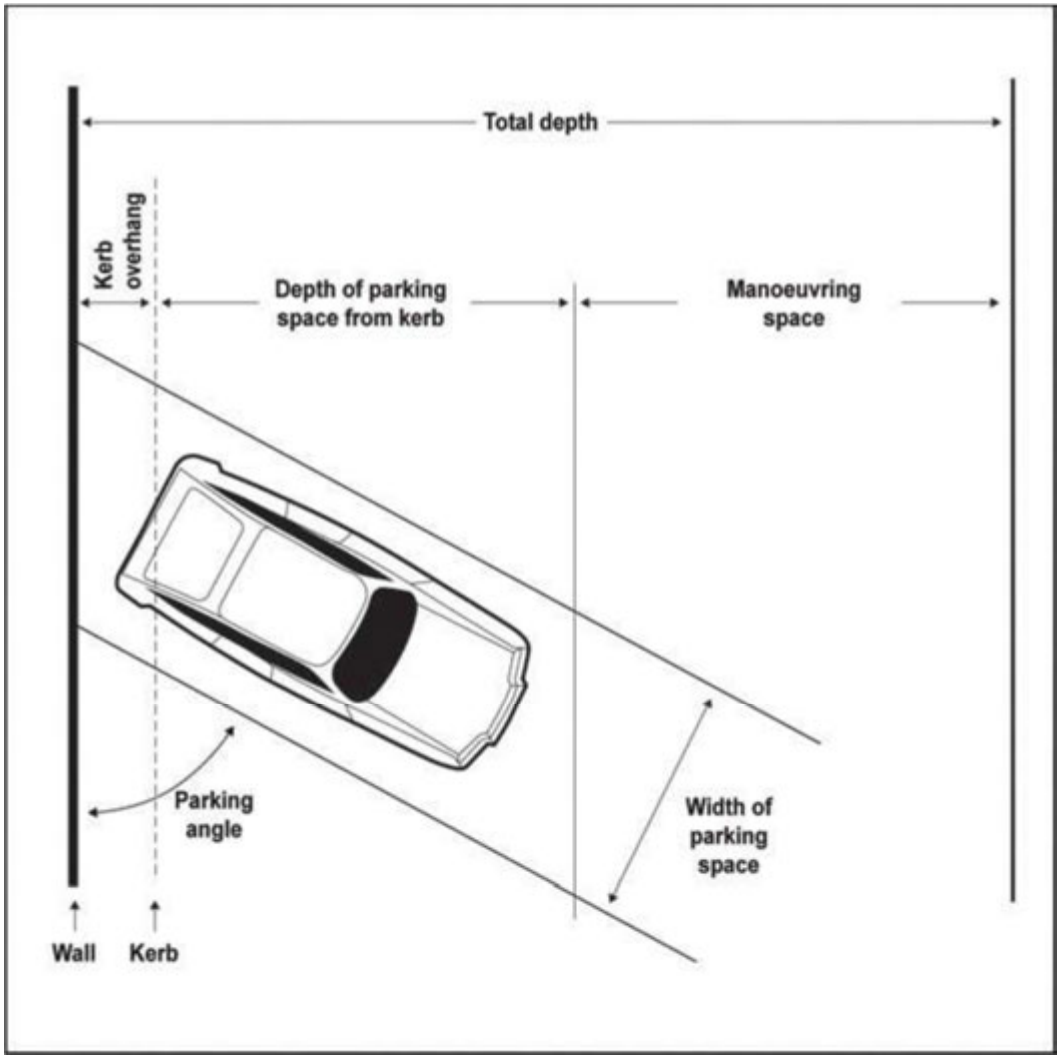
[2] Kerb overhang. Applies where a vehicle may overhang the end of a space, provided that the first 1m immediately behind the space is unobstructed and does not form part of another parking or loading space, or is not required as part of pedestrian walkway or footpath. Wheel stops are required where a parking space would otherwise overhang onto a pedestrian walkway or footpath.

[3] One way traffic is assumed for all angled parking spaces, excluding car parking at a 90 degree angle

[4] Regular users are people whose regular use gives them a familiarity with the parking area that permits smaller safe clearances about the parking spaces (for example residents, employees, long term parking users). Casual users are people, typically short-term visitors, who would not be familiar with the parking layout

[5] Where a parallel end space has direct access through the end of the space, the depth of space can be reduced to 5.4m

Figure E27.6.3.1.1 Minimum parking space and manoeuvring dimensions



E27.6.3.2. Size and location of loading spaces

(1) Every loading space must:

(a) comply with the minimum dimensions given in Table E27.6.3.2.1; and

(b) be located on the same site as the activity to which it relates and be available at all times while the activity is in operation; and

(c) be located outside any area designated for road widening; and

(d) comply with the following when any yard of a site is used to provide the loading space (where it is permitted within the zone):

(i) ensure that the footpath or access to the rear of the site or access to an adjacent property is not blocked at any time; and

(ii) the use of the loading space does not create a traffic hazard on the road at any time; and

(e) have a maximum crossfall of 1:50 (2%) in all directions.

Table E27.6.3.2.1 Minimum loading space dimensions

Activity		Length of loading space (m)	Width of loading space (m)
(T137)	Industrial activities	11	3.5
(T137A)	Activities requiring a small loading space under Standard E27.6.2(8)(b)	6.4	3.5
(T138)	All other activities	8	3.5
(T139)	All sites and developments designed to accommodate articulated vehicles	18	3.5

E27.6.3.2A Number and Design of Accessible Parking

(1) Accessible parking must be provided for all new buildings, extension to existing buildings and changes of activity from non-residential to residential land uses, in accordance with E27.6.3.2A (2) to (5) below

(2) For residential developments where car parking is provided on site, accessible parking spaces must be provided for developments of 10 or more dwellings.

(3) For all non-residential developments, accessible parking must be provided when car parking is provided on-site.

(4) Accessible parking is not required to be provided where no car parking is provided on site, except for the following activities in the following zones where accessible parking must be provided even when there is no car parking on-site:

Column A Zones where activities listed in column B must provide accessible car parks	**Column B** Activities that must provide accessible car parks where located in any of the zones listed in column A
Business - General Business Business - Business Park Business - Heavy Industry Business - Light Industry Zone Future Urban Zone Residential - Large Lot Residential - Rural and Coastal Settlement Residential – Mixed Housing Urban Residential – Mixed Housing Suburban Residential – Single House Zone All Special Purpose Zones	Care centres Cemeteries Community facilities Educational facilities including Tertiary Educational facilities Hospital and Healthcare facilities Organised sport and recreation Recreation facilities

(5) Where accessible parking is required to be provided on-site in accordance with E27.6.3.2A (1) to (4) above, the required number of accessible parking spaces must be calculated as set out in E27.6.3.2A (6) and (7).

(6) For non-residential land uses, the required number of accessible parking spaces is to be determined using Steps 1 to 3 below:

Step 1 - For non-residential land uses in the following Business Zones:

(i) Business – City Centre Zone;
(ii) Business – Metropolitan Centre Zone;
(iii) Business – Town Centre Zone;
(iv) Business – Local Centre Zone;
(v) Business – Mixed Use Zone;
(vi) Business – Neighbourhood Centre Zone.

Use Table E27.6.2.1 (maximum parking rates for the Business – City Centre), Table E27.6.2.2 (maximum parking rates for the Centre Fringe Office Control area) or Table E27.6.2.3 (maximum parking rates area 1) to determine theoretical demand where a maximum parking rate is stipulated that results in a lesser parking requirement to that based on the Parking Demand Guidelines in Appendix 23.

For other non-residential land uses in the above Business zones and in all other Zones - use the Parking Demand Guidelines in Appendix 23 to determine the theoretical parking demand.

Step 2 - Use Table 1 – Number of accessible parking spaces – Non-Residential, below to determine the required number of accessible car park spaces for non-residential land uses based on either the number of parking spaces that are existing or proposed to be provided or the theoretical parking demand for non-residential land uses calculated in step 1, whichever is the higher.

Table 1 - Number of accessible parking spaces – Non-Residential land uses

Total number of parking spaces provided or theoretical parking spaces, whichever is the higher	Number of accessible parking spaces
1- 20	Not less than 1
21 - 50	Not less than 2
For every additional 50 parking spaces or part of a parking space	Not less than 1

Step 3 – Provided that the number of accessible car parks calculated using Table 1 shall not be less than presently exist on the site.

(7) For dwellings in all zones (including dwellings in the residential component of mixed use developments) which provide car parking, the required number of accessible parking spaces provided must be in accordance with Table 2 below:

Table 2 - Number of accessible parking spaces – Dwellings

Number of dwellings	Number of accessible parking spaces
10 - 20	Not less than 1
21 - 50	Not less than 2
For every additional 50 dwellings	Not less than 1

(8) For retirement villages, supported residential care, visitor accommodation and boarding houses
The same method for calculating the required number of onsite accessible parking spaces for non-residential uses in (6) applies.

(9) Accessible car parks must be marked as accessible and connected by an accessible route to the building, unit(s) or facility they serve, except that:
   (a) for residential developments where an accessible car park is located within a garage, carport or parking pad that directly adjoins the dwelling it serves, the space may be, but is not required to be, marked as accessible; and
   (b) for accessible parking spaces in grouped or communal areas of residential developments that do not directly adjoin the dwellings they serve, such spaces must be marked as accessible, and may include

additional signage indicating private allocation to specific dwellings. The marking for these residential parking spaces may be supplemented beyond standard accessible parking markings to clearly indicate their residential and private/allocated nature.

For all non-residential developments, or non-residential components of mixed-use developments, standard accessible parking markings must be used.

Note 1: Refer to NZS 4121:2001 – Design for Access and Mobility - Buildings and Associated Facilities for information on marking / signage of accessible car parks.

Note 2: For accessible parking dimensions and accessible route requirements, see standard E27.6.3.1(1)(a).

Note 3: Accessible parking spaces provided in communal parking areas must be marked, however for the avoidance of doubt can be allocated to individual units and do not need to be held in common.

(10) The requirements of this standard E27.6.3.2A do not apply to activities within I208 Port Precinct.

Note: Accessible parking requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted.

E27.6.3.3. Access and manoeuvring

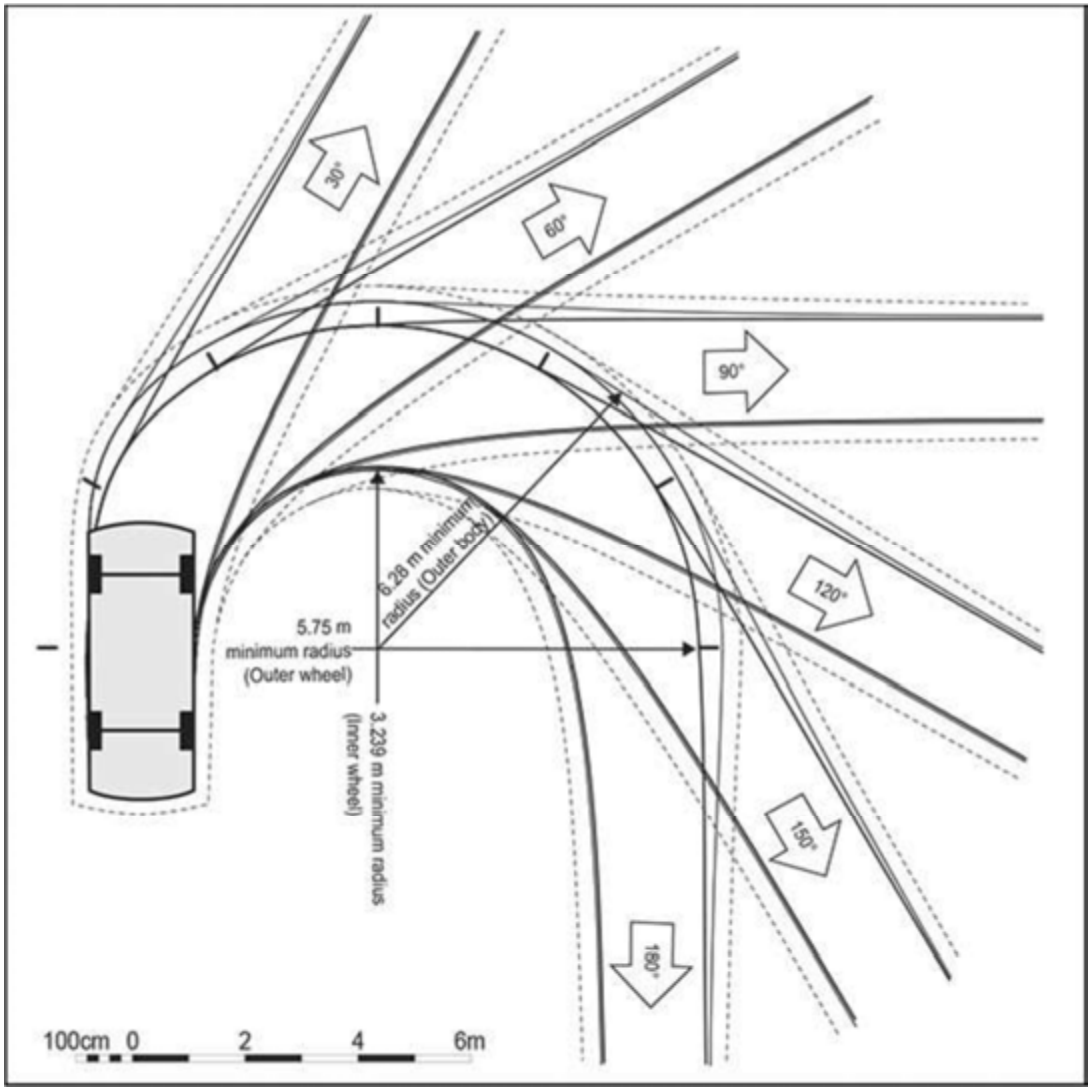
(1) Every parking space must have driveways and aisles for entry and exit of vehicles to and from the road, and for vehicle manoeuvring within the site. Access and manoeuvring areas must accommodate the 85 percentile car tracking curves in Figure E27.6.3.3.1

(2) For every loading space accommodating heavy vehicles the access and manoeuvring areas associated with that loading space must comply with the tracking curves set out in the NZTA guidelines: RTS 18: NZ on-road tracking curves (2007).

(2A) For every small loading space required by Table E27.6.3.2.1.(T137A) the access and manoeuvring areas associated with that loading space must accommodate the 6.4m van tracking curves set out in Figure E27.6.3.3.3.

(3) Where a dwelling provides more than one parking space, these may be stacked. Stacked parking means access is required through another parking space.

Figure E27.6.3.3.1 85 percentile car tracking curve



Note 1

The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.2

Figure E27.6.3.3.2 Key for 85 percentile car tracking curve

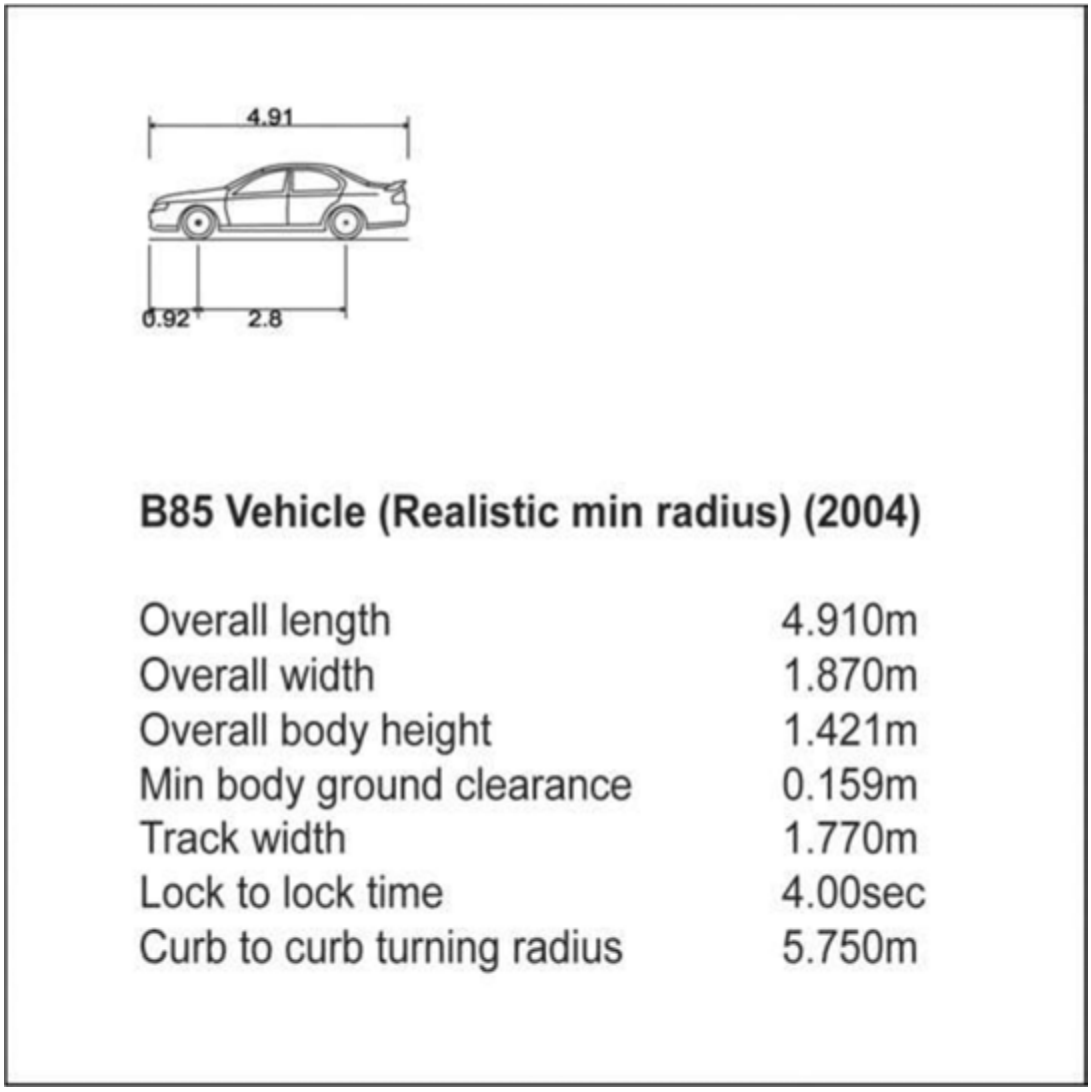
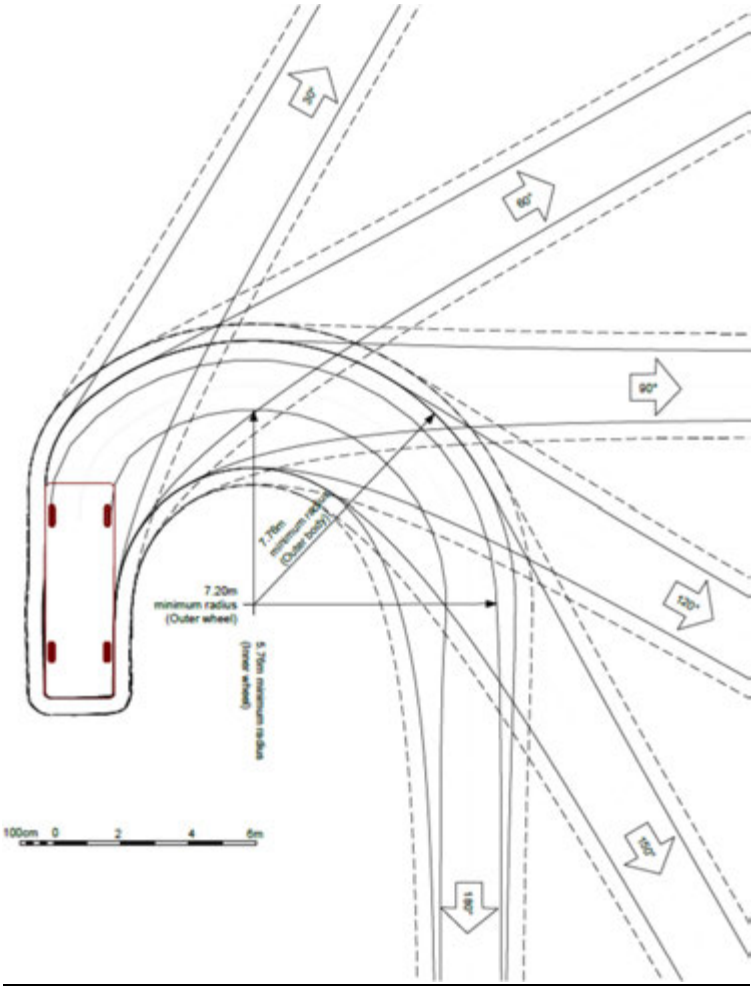
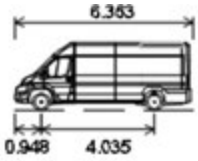


Figure E27.6.3.3.3 - 6.4m van tracking curve



Note 1: The dotted line about the vehicle depicts a 300mm clearance about the vehicle. See following key in Figure E27.6.3.3.4

Figure E27.6.3.3.4 Key for 6.4m van tracking curve



Delivery Van

Overall Length	6.363m
Overall Width	2.050m
Overall Body Height	2.432m
Min Body Ground Clearance	0.206m
Track Width	1.810m
Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	7.200m

E27.6.3.4. Reverse manoeuvring

(1) Sufficient space must be provided on the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply:

(a) four or more parking spaces are served by a single access;

(b) there is more than 30m between the parking space and the road boundary of the site; or

(c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1.

(2) Where E27.6.3.4.(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.

(3) Heavy vehicle access and manoeuvring areas associated with access required by E27.6.3.4.(2) above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).

E27.6.3.5. Vertical clearance

(1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:

(a) 2.1m where access and/or parking for cars is provided for residential activities;

(b) 2.3m where access and/or parking for cars is provided for all other activities;

(c) 2.5m where access and/or accessible parking is provided and/or required;

(ca) 2.8m where loading is required for residential activities denoted with an asterisk (*) in Table E27.6.2.7A;

(cb) 3.8m where heavy vehicle access in Standards E27.6.3.4.(2) and E27.6.3.4.(3) is provided; or

(d) 3.8m where loading is required in Table E27.6.2.7.

E27.6.3.6. Formation and gradient

(1) Except for Standard E27.6.3.6(2) below, the whole area of parking and loading spaces, and manoeuvring areas and aisles must be formed, drained, provided with an all-weather surface to prevent dust and nuisance, and be marked out or delineated. This must be done before the activity to which those parking and loading spaces relate commences, and maintained for as long as that activity is continued.

(2) Parking and loading spaces and manoeuvring areas and aisles do not need to be provided with an all-weather surface in the following zones:

(a) Rural – Rural Conservation Zone;

(b) Rural – Rural Coastal Zone;

(c) Rural - Mixed Rural Zone; and

(d) Rural – Rural Production Zone.

(3) The gradient for the surface of any parking space must not exceed:

(a) 1 in 25 in any direction for accessible spaces for people with disabilities; or

(b) 1 in 20 (five per cent) in any direction for other spaces.

(4) The gradient for the manoeuvring area must not exceed 1 in 8.

E27.6.3.7. Lighting

(1) Lighting is required where there are 10 or more parking spaces which are likely to be used during the hours of darkness. The parking and manoeuvring areas and associated pedestrian routes must be adequately lit during use in a manner that complies with the rules in Section E24 Lighting.

(2) Lighting is required, in residential zones to primary pedestrian access, vehicle access, parking and manoeuvring areas, where any of the following apply:

(a) There are four to nine dwellings accessible from a primary pedestrian access which is not adjacent to a vehicle access;

(b) There are 10 or more parking spaces; or

(c) There are 10 or more dwellings.

Lighting must be provided during the hours of darkness in a manner that complies with the rules in Section E24 Lighting.

E27.6.4. Access

E27.6.4.1. Vehicle Access Restrictions

(1) Vehicle Access Restrictions apply and new vehicle crossings must not be constructed to provide vehicle access across that part of a site boundary which is subject to:

(a) a Vehicle Access Restriction – General Control as shown on the planning maps in the Business – City Centre Zone; or

(b) a Key Retail Frontage Control as shown on the planning maps;

infringing this standard is a non-complying activity unless the application involves:

(i) the use of an existing vehicle crossing to service the establishment of a new activity, a change of activity type, the expansion or intensification of an existing activity or where a building(s) is constructed, or additions to buildings that are not permitted activities in:

- Table H8.4.1 Activity table;
- Table H9.4.1 Activity table; or
- Table H10.4.1 Activity table;

(ii) the construction of a new vehicle crossing and the establishment of the vehicle crossing is to relocate and/or amalgamate an existing vehicle crossing or crossings serving the site, that will reduce or otherwise not increase either the number of crossings or width of crossings serving a site; or there is no other means of accessing a site

where Standards E27.6.4.1(1)(b)(i) and E27.6.4.1(1)(b)(ii) apply the activities require a restricted discretionary activity consent.

(2) Standard E27.6.4.1(3) below applies in any of the following circumstances:

(a) a new vehicle crossing is proposed;

(b) a new activity is established on a site;

(c) there is a change of type of activity; or

(d) a building(s) is constructed, or additions to buildings that are not permitted activities in:

- Table H8.4.1 Activity table;
- Table H9.4.1 Activity table;

- Table H10.4.1 Activity table;
- Table H11.4.1 Activity table;
- Table H12.4.1 Activity table;
- Table H13.4.1 Activity table;
- Table H14.4.1 Activity table; or
- Table H15.4.1 Activity table

except that this does not apply in the case of a dwelling where the reconstruction, alteration or addition does not increase the number of dwellings on a site.

(3) Vehicle Access Restrictions apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which:

(a) is located within 10m of any intersection as measured from the property boundary, illustrated in Figure E27.6.4.1.1;

(b) is subject to the following types of Vehicle Access Restriction as identified on the planning maps in the zones listed in Table E27.6.4.1.1;

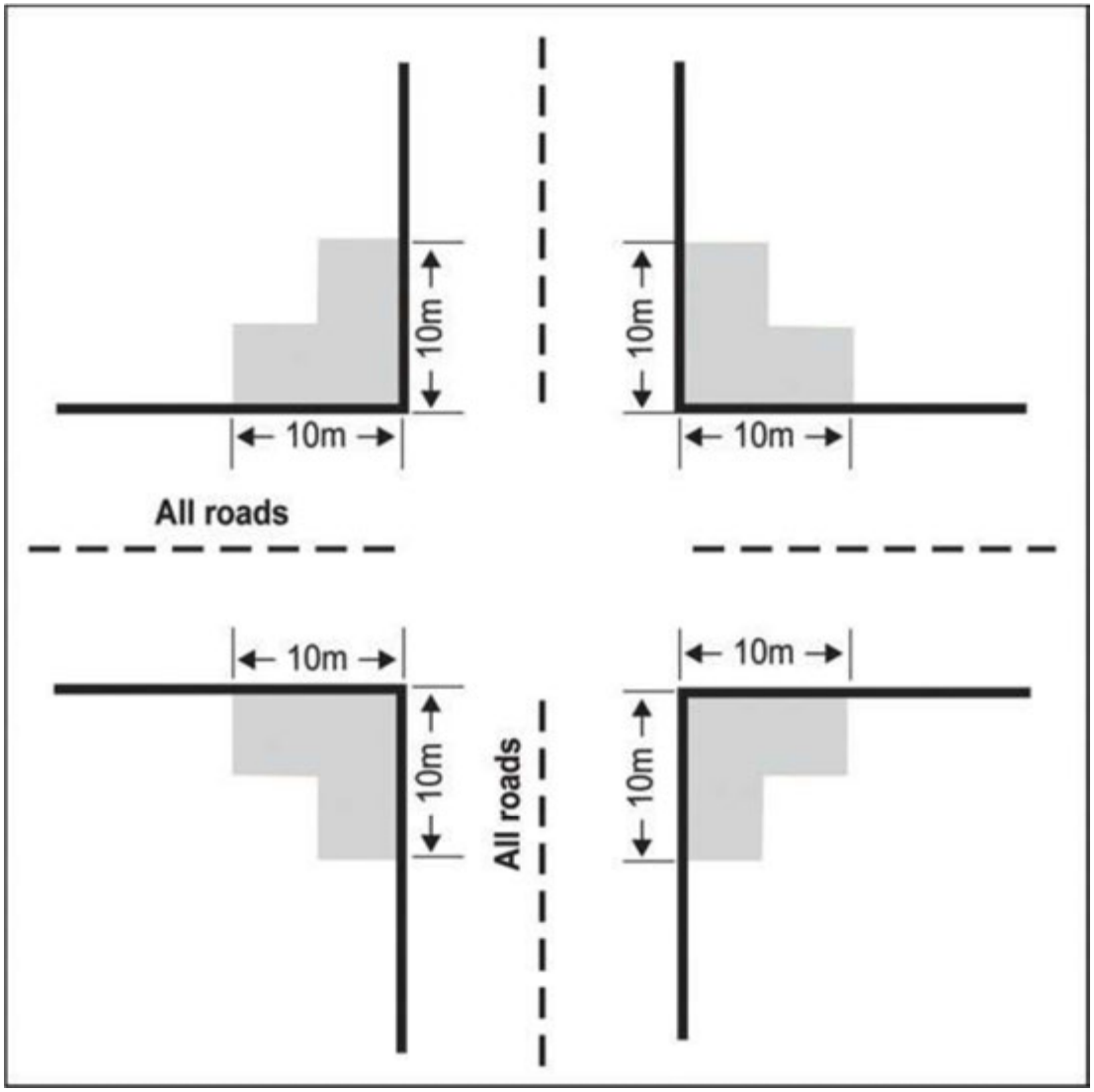
(c) has frontage to an arterial road as identified on the planning maps; or

(d) is located closer than 30m from a railway level crossing limit line.

Table E27.6.4.1.1 Types of Vehicle Access Restrictions

Type of Vehicle Access Restriction		Zone
(T140)	Vehicle Access Restriction General Control	All zones except the Business – City Centre Zone which is covered in Standard E27.6.4.1(1)(a)
(T141)	Vehicle Access Restriction Motorway Interchange Control	All zones
(T142)	Vehicle Access Restriction Level Crossing Control	All zones

Figure E27.6.4.1.1 Vehicle crossing restrictions 10m



E27.6.4.2. Width and number of vehicle crossings

(1) The maximum number of vehicle crossings permitted for any site and separation distance between crossings is specified in Table E27.6.4.2.1.

Table E27.6.4.2.1 Maximum number of vehicle crossings and separation distance between crossings

Location		Maximum number of vehicle crossings per road frontage of the site	Minimum separation from crossings serving adjacent sites	Minimum separation between crossings serving same site
(T143)	That part of a site subject to: • a Vehicle Access Restriction General Control in the Business – City Centre Zone • a Key Retail Frontage Control as shown on the planning maps	No crossings permitted	No crossings permitted	No crossings permitted
(T144)	That part of a site subject to: • a Vehicle Access Restriction under Standards E27.6.4.1(2) and E27.6.4.1(3) (see additional limitation below for site at 71-75 Grafton Road) • a General Commercial Frontage Control as shown on the planning maps	1 per 50m of frontage or part thereof	2m Where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width of 6m at the property boundary, no minimum separation distance will apply	6m
(T145)	Site at 71-75 Grafton Road	1 - located within the area identified on Figure E27.6.4.2.1	No limitation	Only one crossing permitted
(T146)	All other sites	1 per 25m of frontage or part thereof	2m Where two crossings on adjacent sites can be combined and where the combined crossings do not exceed a total width	6m

			of 6m at the property boundary, no minimum separation distance will apply	

Figure E27.6.4.2.1 Location of vehicle crossing at 71-75 Grafton Road

(2) The width of a vehicle crossing(s) must meet the minimum width and not exceed the maximum width as specified in Table E27.6.4.3.2.

(3) With the exception of vehicle crossings on unsealed roads, all vehicle crossings must be designed and constructed to maintain the level, colour, and materials of the footpath to clearly identify to vehicles that pedestrians have priority.

(4) Vehicle crossings on unsealed roads:

(a) where the vehicle crossing is served by an access steeper than 1 in 8, the vehicle crossing must be sealed for 6m between the site boundary and the unsealed road.

(b) vehicle crossings not covered by Standard E27.6.4.2(3)(a) above must be formed using materials similar to the existing road surface or better.

(5) Where a vehicle crossing is altered or no longer required, the crossing, or redundant section of crossing, must be reinstated as berm and/or footpath and the kerbs replaced. The cost of such work will be borne by the owner of the site previously accessed by the vehicle crossing.

Note 1 – Any new vehicle crossing or alteration of an existing vehicle crossing (e.g. replacement, widening or relocation) will require vehicle crossing approval from Auckland Transport as road controlling authority.

E27.6.4.3. Width of vehicle access, queuing and speed management requirements

(1) Every on-site parking and loading space must have vehicle access from a road, with the vehicle access complying with the following standards:

(a) passing bays are provided in accordance with Table E27.6.4.3.1; and

(b) meeting the minimum formed access width specified in Table E27.6.4.3.2; and

(c) meeting the minimum speed management measure spacing specified in Table E27.6.4.3.3.

(2) Access must be designed so that vehicles using or waiting to use fuel dispensers, ticket vending machines, remote ordering facilities and devices, entrance control mechanisms, or other drive-through facilities do not queue into the adjoining road reserve or obstruct entry to or exit from the site.

Table E27.6.4.3.1 Passing bay requirements

Zone		Length of access	Width of access	Maximum intervals between passing bays	Passing bay width
(T147)	Rural	Exceeds 100m	Less than 5.5.m	100m	Increase formed width of access to 5.5m over a 15m length (to allow two vehicles to safely pass each other)
(T148)	All other zones	Exceeds 50m		50m	Increase formed width of access to 5.5m over 7m with 45^{O} tapers

Table E27.6.4.3.2 Vehicle crossing and vehicle access widths

Location of site frontage		Number of parking spaces served	Minimum width of crossing at site boundary[1]	Maximum width of crossing at site boundary[1]	Minimum formed access width
(T149)	Residential zone	Serves 1 or 2 parking spaces	2.75m	3.0m	2.5m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3m
(T150)		Serves 3 to 9 parking spaces	3.0m (one way)	3.5m (one way)	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T151)		Serves 10 or more parking spaces	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) The formed width is permitted to be narrowed to 2.75m if there are clear sight lines along the entire access and passing bays at 50m intervals are provided.
(T152)	Centres, Mixed Use and all other zones not listed below	Serves nine or less parking spaces	3.0m (one way)	3.5m (one way)	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m

(T153)		Serves 10 or more parking spaces or three	5.5m (two-way)	6.0m (two-way)	5.5m (providing for two-way movements) 1.5m pedestrian access for rear sites
(T154)	General Business, Business Park or Industrial zones	Serves nine or less parking spaces	3.7m (one way)	4.0m (one-way)	3.0m provided it is contained within a corridor clear of buildings or parts of a building with a minimum width of 3.5m
(T155)		Serves 10 or more parking spaces	6.0m (two-way)	7m (two-way)*	6.0m (providing for two-way movements)
(T156)	Rural zones		3.0m	6.0m*	No minimum specified

[1] Width of crossing at site boundary excludes any adjacent pedestrian access.

* Provided that a maximum width of 9.0m is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles

Note 1

Minimum vehicle crossing widths to the State Highway network may be greater than those above. All access to the State Highway network requires the approval of the New Zealand Transport Agency under the Government Roading Powers Act 1989. Applicants are advised to contact the New Zealand Transport Agency's Auckland Office.

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

Table E27.6.4.3.3 Speed management requirements

Activity		Length of vehicle access	Location of minimum speed management measures
(T156AA)	Vehicle access serving four or more dwellings in Residential zones	Exceeds 30m	Within10m of the site's boundary with the legal road; and Thereafter, not more than 30m spacing between speed management measures.

Note: Where heavy vehicle access and speed management measures are required, the design of speed management measures should include consideration of heavy vehicle requirements.

E27.6.4.4. Gradient of vehicle access

(1) The gradient of the access must not be steeper than specified in Table E27.6.4.4.1:

Table E27.6.4.4.1 Gradient of vehicle access

Access type		Maximum gradient
(T156A)	Vehicle access serving one residential rear site	1 in 4 (25 per cent)
(T157)	Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)
(T158)	Vehicle access used by heavy vehicles	1 in 8 (12.5 per cent)
(T159)	Vehicle access serving all other activities	1 in 6 (16.7 per cent)

Note 1

For curved ramps and driveways, the gradient is measured along the inside radius (refer to Figure E27.6.4.4.1).

(2) To avoid the underside of the car striking the ground, as illustrated in Figure E27.6.4.4.2, access with a change in gradient exceeding 1 in 8 (greater than 12.5 per cent change) at the summit or a 1 in 6.7 (15 per cent change) at a sag must include transition sections to achieve adequate ground clearance, refer to Figure E27.6.4.4.3. Typically, a transition section requires a minimum length of 2m.

(3) All vehicle access must be designed so that where the access adjoins the road there is sufficient space onsite for a platform so that vehicles can stop safely and check for pedestrians and other vehicles prior to exiting. This is illustrated in Figure E27.6.4.4.4. The platform must have a maximum gradient no steeper than 1 in 20 (5 per cent) and a minimum length of 4m for residential activities and 6m for all other activities.

Figure E27.6.4.4.1 Curved ramp diagram

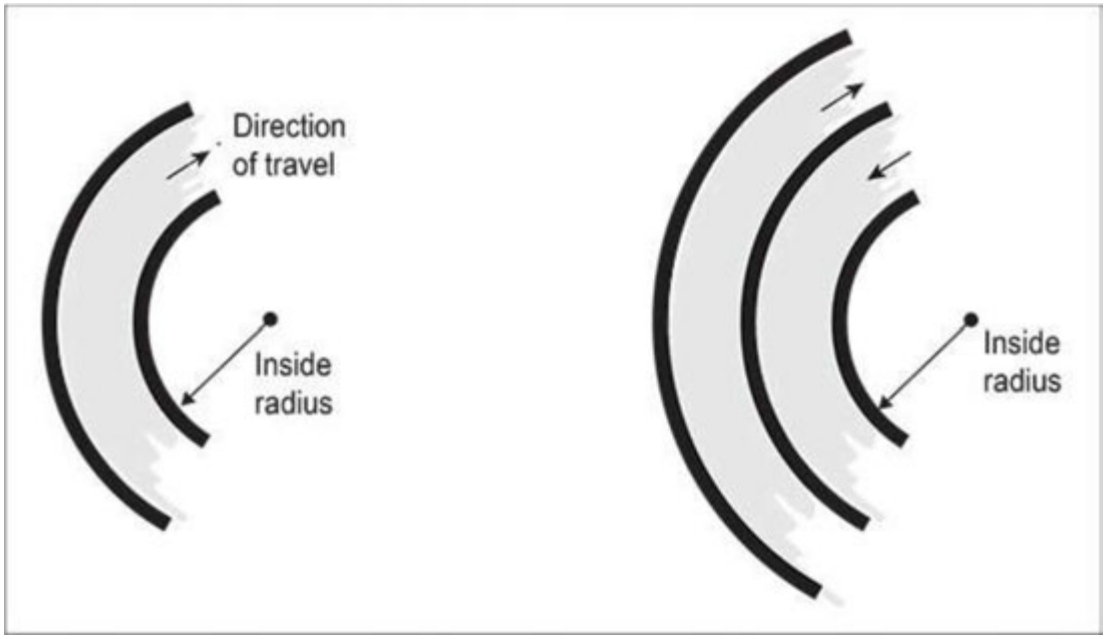
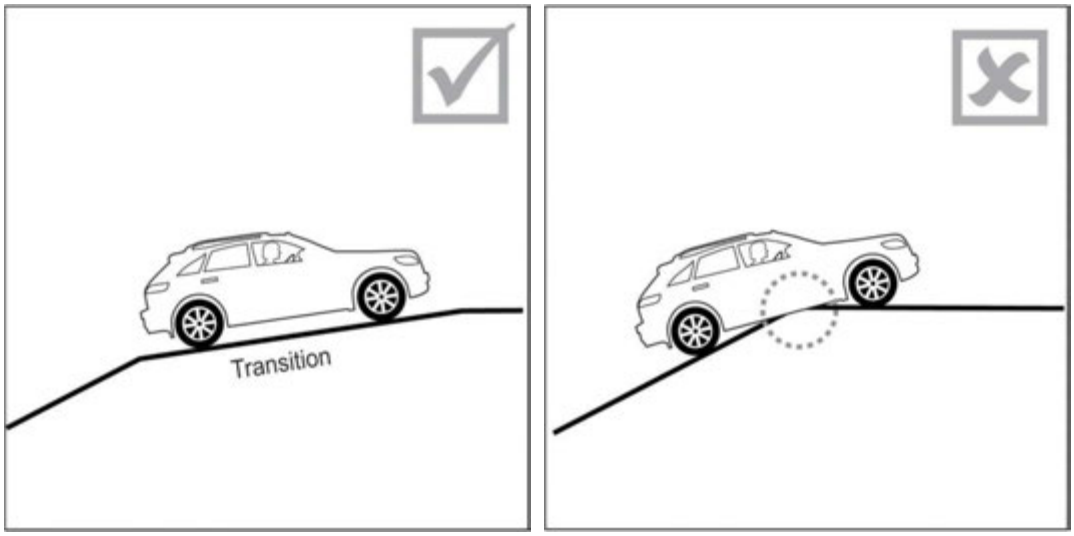
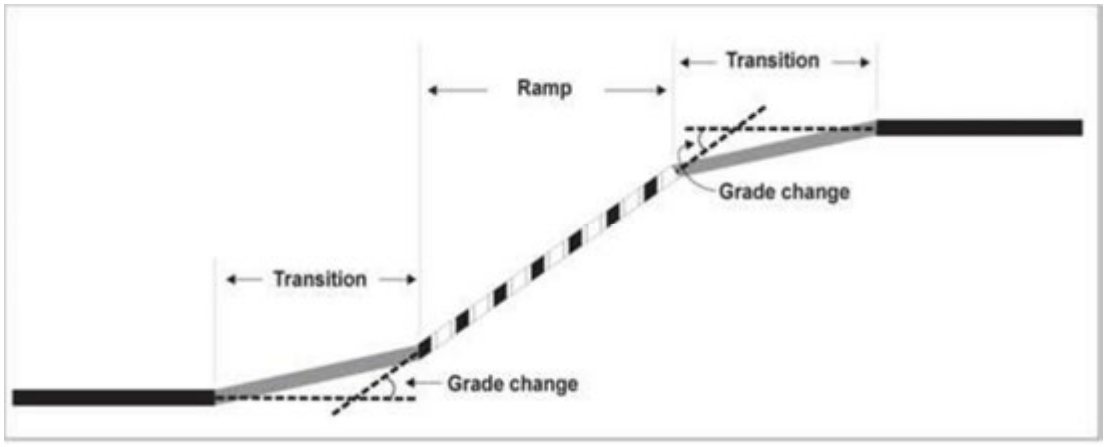


Figure E27.6.4.4.2 Illustrating the benefit of transitions



Correct Incorrect

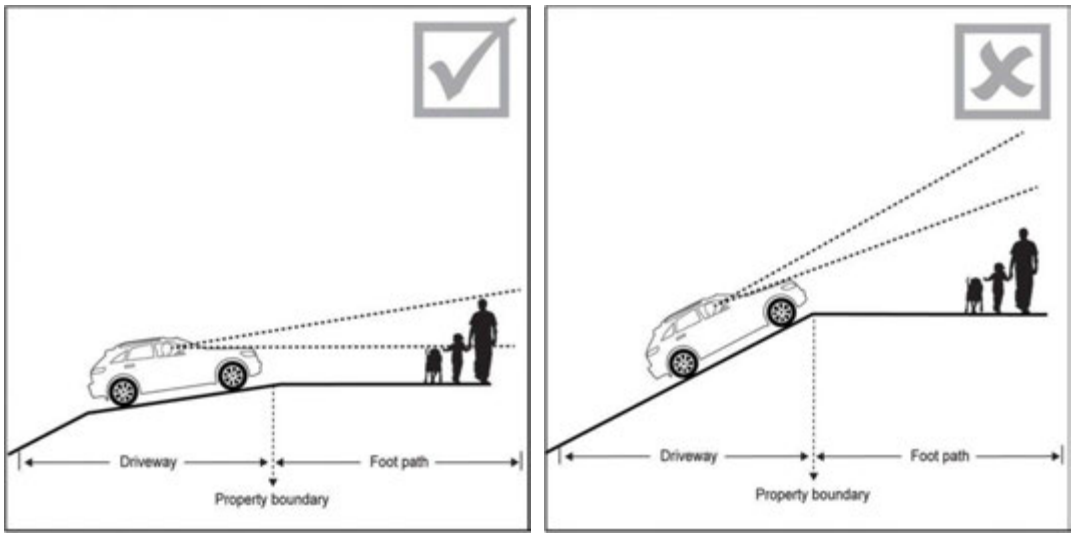
Figure E27.6.4.4.3 Gradient transition



Note 1

The gradient change is determined by subtracting one gradient from the adjacent gradient, both expressed as percentages; if this is greater than a 12.5 per cent change, then a gradient transition will be required.

Figure E27.6.4.4.4 Illustrating the benefits of a level platform



Correct Incorrect

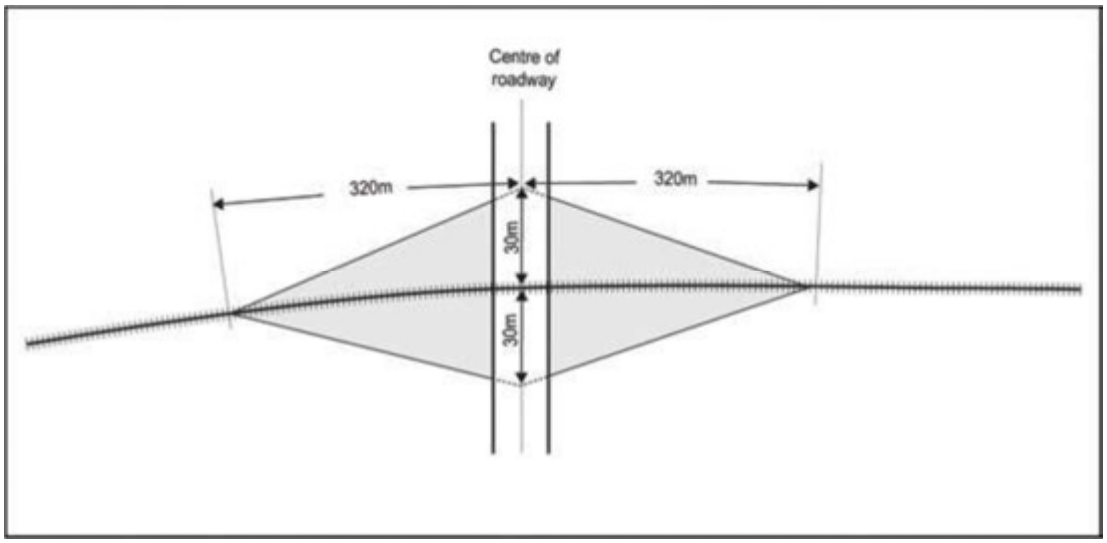
E27.6.4.5. Sightlines for road/rail level crossings

(1) Sites subject to sightlines for level crossings are identified on the planning maps by the Level Crossings with Sightline Control. If alarms and/or barrier arms are subsequently installed at a level crossing with Stop or Give Way signs, the Approach sight triangle in Figure E27.6.4.5.1 below ceases to apply.

(2) Approach sight triangles (refer to Figure E27.6.4.5.1)

(a) on sites adjacent to the Level Crossings with Sightline Control buildings and other visual obstructions, cannot be located within the approach sight triangles identified on the planning maps.

Figure E27.6.4.5.1 Approach sight triangles for rail level crossings with 'stop' or 'give way' signs

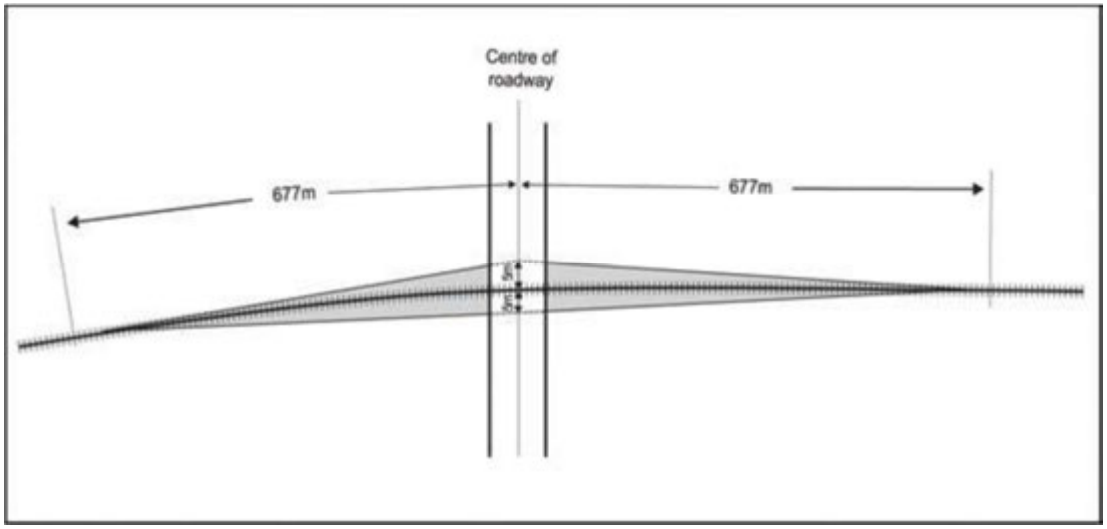


(b) the approach sight triangles are calculated by reference to Figure E27.6.4.5.1. For a single set of railway tracks, the sight triangles are defined by a triangle taken 30m from the outside rail and 320m along the railway track. For each additional set of tracks, 25m is added to the 320m along the railway track.

(3) Restart sight triangles (see Figure E27.6.4.5.2)

(a) on sites adjacent to the Level Crossings with Sightline Control, buildings and other visual obstructions, cannot be located within the restart sight triangles identified on the planning maps. The restart triangle applies to all level crossings.

Figure E27.6.4.5.2 Restart sight site triangles for rail level crossings



(b) the restart sight triangles are calculated by reference to Figure E27.6.4.5.2. For a single set of tracks, the sight triangles are defined by a triangle taken 5m from the outside rail and 677m along the railway track. For each additional set of tracks, 50m is added to the 677m along the railway track.

E27.6.5. Design and location of off-road pedestrian and cycling facilities

(1) The design and location of the proposed facility shall provide connections to existing pedestrian and cycling routes and facilities.

(2) The width of the path is designed to accommodate the anticipated number and type of users.

(3) The surface of the path is designed to safely provide for the anticipated number and type of users.

E27.6.6. Design and location of pedestrian access in residential zones

Purpose: to provide for on-site pedestrian safety and convenience.

(1) This standard applies to development of two or more dwellings in residential zones.

(2) For the purposes of this standard and standard E38.8.1.2. (Access to rear sites), and the associated provisions and related assessment criteria, “physically separated” means separation of primary pedestrian access from vehicle access, parking and manoeuvring areas by way of:

(a) 150mm high, non-mountable vertical kerbs to primary pedestrian access;

(b) Minimum 1 m wide landscape buffer between primary pedestrian access and vehicle access, manoeuvring or parking areas; or

(c) wheel stops or similar barriers positioned to avoid vehicle access onto or over an adjacent primary pedestrian access.

(3) Primary pedestrian access must be provided to each dwelling. The primary pedestrian access requirements specified in Table E27.6.6.1 apply for the full length of the pedestrian access:

Table E27.6.6.1

	Number of Dwellings (excluding dwellings that directly front and have direct pedestrian access from a road)	**Primary Pedestrian Access Adjacent to Vehicle Access and Parking Area**	**Primary Pedestrian Access Not Adjacent to Vehicle Access or Parking Area or Pedestrian Only Access**
(T160)	2-5 dwellings	(i) No requirement. Pedestrian access may share the vehicle access space.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.
(T161)	6-19 dwellings	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.4m. (iii) Free of permanent obstructions with minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.

		E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	
(T162)	20+ dwellings	(i) Primary pedestrian access is physically separated from vehicle access and parking areas. (ii) Minimum formed width of 1.8m. (iii) Free of permanent obstructions with minimum clear height of 2.1m. (iv) A gradient no greater than the maximum vehicle access gradient as specified in Table E27.6.4.4.1. (v) A surface treatment which is firm, stable and slip resistant in any weather condition.	(i) Minimum formed width of 1.8m. (ii) Free of permanent obstructions with minimum clear height of 2.1m. (iii) A gradient no greater than 1 in 12. (iv) A surface treatment which is firm, stable and slip resistant in any weather condition.

(4) Clear Width / Height Requirements for emergency responders

Purpose: to provide access for emergency responders.

(a) Where primary pedestrian access is adjacent to a vehicle access on the same site, no additional clear width/height requirement applies beyond the primary pedestrian access requirements in E27.6.6.(3).

(b) Where primary pedestrian access is not adjacent to a vehicle access as described in E27.6.6.(4)(a), the following further requirements apply in addition to those in E27.6.6.(3):

(i) Minimum clear width of 3m;

(ii) Minimum clear height of 2.1m;

(iii) The clear width may include the minimum formed primary pedestrian access width of 1.8m required in E27.6.6.(3), but shall be free of

permanent obstructions and spaces within which vehicles may park with the exception of:

- Soft/frangible landscape treatment with a maximum mature height of 600mm;
- Wall-mounted, fence-mounted or building-mounted lighting infrastructure.

Note 1: Works within the legal road, such as connections to public footpaths, require prior approval from Auckland Transport as the road controlling authority. This approval is separate and additional to any land use or subdivision approval required.

Note 2: E27.6.6.(4) is intended to provide access for emergency responders. Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements

E27.6.7. Provision for electric vehicle charging

Purpose: to ensure that any undercover car parks for new dwellings (except new detached dwellings) are provided with the capability to install Electric Vehicle Supply Equipment.

(1) Any new dwellings with undercover car parking (with the exception of new detached dwellings) must provide each undercover car park with the capability to install Electric Vehicle Supply Equipment with sufficient space for the necessary conduit, circuit and metering between the car park and an electrical distribution board on the same building storey, or ground level if the undercover car park is at ground level.

(2) For developments requiring resource consent, compliance with this standard may be through one of the following:

(a) Resource consent drawings showing schematically the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1); or

(b) An appropriate condition of resource consent (offered by the applicant and agreed by the Council) requiring that a detailed plan or plans be provided and certified by Council prior to the lodgement of any building consent application, showing the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7.(1).

(3) For developments not requiring resource consent, compliance with this standard must be demonstrated at building consent stage through building consent drawings showing the space identified for future Electric Vehicle Supply Equipment as required by E27.6.6.7. (1).

Note 1

This standard does not apply to any car parking permanently allocated to visitors.

Note 2

Refer to the following standards and guidelines:

- Australian/New Zealand Wiring Rules AS/NZS 3000:2018

- SNZ PAS 6011:2021 Electric Vehicle Charges for Residential Use

- SNZ PAS 6011:2012 Electric Vehicle Chargers for Commercial Applications

- WorkSafe EV charging safety guidelines 2nd addition plus addendums 1 and 2

E27.6.8. Electric vehicle charging stations

(1) Any building or structure for EV charging must:

(a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and

(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.

E27.7. Assessment – controlled activities

There are no controlled activities in this section.

E27.8. Assessment – restricted discretionary activities

E27.8.1. Matters of discretion

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

(1) park-and-ride:

(a) effect on the transport network;

(b) location, design and external appearance; and

(c) compatibility with surrounding activities.

(2) public transport facility:

(a) effect on the transport network;

(b) location, design and external appearance; and

(c) compatibility with surrounding activities.

(3) non-accessory parking:

(a) effect on the transport network;

(b) location, design and external appearance;

(c) compatibility with surrounding activities; and

(d) availability of parking.

(4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1, with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network.

(4A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) effects on the transport network relating to active (walking and cycling) and public transport modes.

(5) any activity or development which provides more than the maximum permitted number of parking spaces under Standard E27.6.2(1):

(a) adequacy for the site and the proposal;

(b) effects on intensification; and

(c) effects on the transport network.

(5A) any activity or development that provides fewer than the required number of accessible parking spaces under Standard E27.6.3.2A:

(a) adequacy of the proposal relative to demand for accessible parking;

(b) site limitations that restrict provision of required spaces;

(c) alternative proposals for accessible parking.

(6) [Deleted]

(7) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7):

(a) adequacy for the site and the proposal.

(8) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(a) adequacy for the site and the proposal; and

(b) effects on the transport network.

(9) any activity or development which infringes the standards for design of parking and loading areas or access under Standards E27.6.3, E27.6.4.2, E27.6.4.3 and E27.6.4.4:

(a) adequacy for the site and the proposal;

(aa) site limitations;

(ab) effects on the function and the safe and efficient operation of the transport network;

(aaa) adequacy of emergency responder access;

(b) design of parking, loading and access;

(ba) effects on pedestrian safety and accessibility;

(c) effects on pedestrian and streetscape amenity; and

(d) effects on the transport network.

(10) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network; and

(b) street and pedestrian amenity.

(11) construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network; and

(b) building frontage, pedestrian priority, pedestrian safety, street and pedestrian amenity.

(12) construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(2) and Standard E27.6.4.1(3):

(a) adequacy for the site and the proposal;

(b) design and location of access;

(c) effects on pedestrian and streetscape amenity; and

(d) effects on the transport network.

(13) any building or structure located within a sightline area applying to a road/rail level crossing with sightline standards under Standard E27.6.4.5:

(a) effects on the transport network.

(14) any activity or development which infringes the standard for design and location of off-road pedestrian and cycling facilities under Standard E27.6.5:

(a) location, design and external appearance; and

(b) compatibility with surrounding activities.

(15) Any activity or development which does not meet the requirements for electric vehicle supply equipment under Standard E27.6.7.;

(a) adequacy for the site and the proposal;

(ab) site limitations; and

(b) alternative proposals.

(16) Activity (A21) in Table E27.4.1.: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with Standard E27.6.6.:

(a) Pedestrian safety, convenience and accessibility

(b) Design and layout of pedestrian access.

(17) Activity (A22) in Table E27.4.1.: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, and which is not physically separated for all or part of its length:

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics and context

(c) Design and layout of dwellings in relation to pedestrian and vehicle access.

(d) Design and layout of pedestrian access and vehicle access and parking areas.

(18) Activity (A23) in Table E27.4.1.: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3).:

(a) Pedestrian safety, convenience and accessibility

(b) Site characteristics

(c) The nature and extent of any obstruction(s) and any reduced clear height

(d) Design and layout of pedestrian access, including the adequacy of emergency responder access.

(19) Activity (A23) in Table E27.4.1.: Any activity or development which infringes the standard in Standard E27.6.6(4).:

(a) The adequacy of emergency responder access.

(20) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8.:

(a) The extent and effect of non-compliance with the standard;

(b) Location and design; and

(c) Visual and streetscape amenity.

E27.8.2. Assessment criteria

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

(1) park-and-ride and public transport facility:

(a) effect on the transport network:

(i) the extent to which any proposed facility is located and designed to support the public transport system by:

- locating in close proximity to public transport stations, stops and terminals;
- growing public transport patronage, especially to assist in relieving congested corridors by encouraging commuters to shift to public transport for their travel;
- making public transport easier and more convenient to use, thereby attracting new users;
- improving the operational efficiency of the public transport system and ferry services;
- extending the catchment for public transport into areas of low demand where it is not cost-effective to provide traditional services or feeders;
- reinforcing existing and future investments on the public transport system and ferry public transport services; and
- providing free, secure and covered parking for cycles.

(ii) the extent to which the scale, design, management and operation of the facility and its access points have an adverse effect on the effective, efficient and safe operation of the transport network, including:

- the safety of pedestrians and cyclists;
- amenity for pedestrians;
- avoiding queuing onto the road and conflict at access points to the facility;
- avoiding generating high volumes of traffic onto local roads or areas with high pedestrian amenity; and
- the operation of public transport services and related infrastructure.

(b) location, design and external appearance:

(i) the location, design and external appearance of any park-and-ride or public transport facility:

- compatible with and meets the planning and design outcomes identified in this Plan for the site and / or location generally;
- provides appropriate screening on the facade of any building so vehicles are not visible from the public realm;

- is accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths; and
- provides an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this includes:
    - maintaining an active frontage through sleeving and/ or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
    - planting and other landscaping;
    - provides for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.

(c) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses.

This includes:

- ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting;
- ensuring that the design and operation of any park-and-ride or public transport facility meets the rules in Section E25 Noise and vibration.

(2) non-accessory parking:

(a) effect on the transport network:

(i) the scale, design, management and operation of the facility and its access points will not have an adverse effect on the effective, efficient and safe operation of the transport network, including:

- the safety of pedestrians and cyclists;
- amenity for pedestrians;
- avoiding queuing onto the road and conflict at access points to the facility;
- the operation of public transport services and related infrastructure; and

- the effect of additional parking on trip generation from the site including during peak commuter times.

(b) location, design and external appearance:

(i) the location, design and external appearance of any non-accessory parking facility:

- compatible with and meets the planning and design outcomes identified in this Plan for the site and / or location generally;
- provides appropriate screening on the facade of any building so vehicles are not visible from the public realm;
- is accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths;
- provides an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets and public open spaces. Depending on location and scale, this includes:
  - maintaining an active frontage through sleeving and / or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts;
  - planting and other landscaping;
  - provides for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.

(c) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses.

This includes:

- ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting;
- ensuring that the design and operation of any park-and-ride or public transport facility meets the rules in Section E25 Noise and vibration.

(d) availability of parking:

(i) the availability of alternative parking in the surrounding area, including on street and public parking;

- the availability of parking provision in the immediate vicinity to accommodate existing and future parking demands from surrounding activities;
- the extent to which the demand for the additional parking cannot be adequately addressed by management of existing or permitted parking; or
- the extent to which the provision of additional parking is informed by the findings of a Comprehensive Parking Management Plan or similar analysis of area based parking supply and demand.

(3) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1., with the exception of the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) the effects on the function and the safe and efficient operation of the transport network with consideration of all modes of transport, particularly at peak times;

(b) the implementation of mitigation measures proposed to address adverse effects which may include, but are not limited to, the following measures:

(i) travel planning,

(ii) providing alternatives to private vehicle trips including accessibility to public transport,

(iii) staging development,

(iv) providing or contributing to improvements to the local transport network across all modes;

(c) the trip characteristics of the proposed activity on the site.

(3A) any activity or subdivision which exceeds the thresholds (TA1), (T1A), (T2A) and (T3A) in Table E27.6.1.1:

(a) the effects on the function and the safe and efficient operation of the transport network as they relate to active modes (walking and cycling) and public transport infrastructure, particularly at peak times; and

(b) the assessment criteria at E27.8.2(3)(b) and (c) above apply, but with consideration of the implementation of mitigation measures and trip characteristics focused on active modes (walking and cycling) and public transport infrastructure; and

(c) for the purpose of assessing E27.8.2(3A) a) and b) only*, the local transport network refers to the area in the immediate vicinity of the site.

For the purpose of this assessment, public transport infrastructure includes infrastructure associated with public transport stops, and excludes bus lanes. Any mitigation measures must relate to the effects of the proposal on the environment, demand on public transport infrastructure and active mode journeys from the site.

* Note: this does not alter the meaning of 'local transport network' in any other context.

(4) any activity or development which provides more than the maximum permitted number of parking spaces under Standard E27.6.2(1):

(a) the effects of the parking on the intensification provided for in this Plan in the following zones and locations: Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Mixed Use Zone and the Centre Fringe Office Control area;

(b) the trip characteristics of the proposed activities on the site requiring additional parking spaces;

(c) the effects of the vehicle movements associated with the additional parking spaces on the safe and efficient operation of the adjacent transport network, including public transport and the movements of pedestrians, cyclists and general traffic. This includes considering the effect of additional parking on trip generation from the site during peak commuter times;

(d) the availability of alternative parking in the surrounding area, including on street and public parking, to provide the additional parking sought for the proposal;

(e) the availability of parking provision in the immediate vicinity to accommodate parking demands from surrounding activities;

(f) the adequacy and accessibility of public transport and its ability to serve the proposed activity;

(g) mitigation measures to provide the additional parking which may include measures such as by entering into a shared parking arrangement with another site or sites in the immediate vicinity; or

(h) the extent to which the demand for the additional parking can be adequately addressed by management of existing or permitted parking. Depending on number of additional parking spaces proposed, the number of employees, and the location of the site, this may be supported by a travel plan outlining measures and commitments for the activity or activities on-site to minimise the need for private vehicle use and make efficient use of any parking provided.

(4A) any activity or development that provides fewer than the required number of accessible parking spaces under Standard E27.6.3.2A:

(a) the extent to which the amount of accessible parking proposed is sufficient to meet the likely demand, having regard to:

(i) the nature of the proposed activities, including the interaction between activities on the site;

(ii) the availability of and accessibility of the site by public transport; and

(iii) the trip characteristics of the proposed activities on the site requiring accessible parking spaces.

(b) the extent to which it is physically practicable to provide the required accessible parking spaces on the site including in terms of topography, site shape and dimensions, and the existing location of buildings, and whether accessible parking can be accommodated in existing building(s) when a change of use is proposed;

(c) he availability and capacity of alternative accessible parking in the immediate vicinity, including:

(i) on street and other publicly accessible car parking;

(ii) within other sites with surplus capacity, including whether the use of the alternative car parks is secured through an appropriate legal agreement; and

(iii) whether an accessible route from the alternative location to the application site is present.

(5) [Deleted]

(6) any activity or development which infringes the standards for bicycle parking and end-of-trip facilities in Standard E27.6.2(6) and Standard E27.6.2(7):

(a) sufficient provision is made for cyclists and active modes and changes in demand for such facilities can be accommodated if the operation or use changes over time, having regard to:

(i) the nature of the operation and the likely demand for long and short-term cycle parking and end-of-trip facilities;

(ii) the extent to which the bicycle parking facilities are designed and located to match the needs of the intended users;

(iii) the extent to which adequate alternative, safe and secure bicycle parking and end of trip facilities (such as showers and lockers), that meet the needs of the intended users, are available in a nearby location that is readily accessible;

(iv) the extent to which the parking can be provided and maintained in a jointly used bicycle parking area; or

(b) the provision made for cyclists and active modes is:

(i) readily accessible, secure, provides adequate protection from weather, and is designed for safety; and

(ii) practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.

(7) any activity or development which provides fewer than the minimum number of loading spaces under Standard E27.6.2(8):

(aa) the extent to which it is physically practicable to provide the required loading space(s) on site in terms of the characteristics of the site, including its location in relation to the transport network, site dimensions, topography, and existing development;

(a) effects of the loading arrangements proposed for the site, including the non-provision of any required loading space, on the safe and efficient operation of the adjacent transport network;

(b) the specific business practice, operation or type of customer associated with the proposed activities;

(c) the extent to which an accessible and adequate on-street loading space is available nearby or can be created while having regard to other demands for kerbside use of the road;

(d) the extent to which loading can be provided informally on site or on another site in the immediate vicinity and its use shared; or

(e) the extent to which the reduction in loading spaces will contribute to the efficient use of land and the growth and intensification provided for in this Plan.

(8) any activity or development which infringes the standards for design of parking and loading areas or access under Standard E27.6.3, E27.6.4.2, E27.6.4.3, E27.6.4.4:

(a) effects on the safe and efficient operation of the adjacent transport network having regard to:

(i) the effect of the modification on visibility and safe sight distances;

(ii) existing and future traffic conditions including speed, volume, type, current accident rate and the need for safe manoeuvring;

(iii) existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; and

(iv) existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes, footpaths and cycleways.

(b) effects on pedestrian amenity or the amenity of the streetscape, having regard to:

(i) the effect of additional crossings or crossings which exceed the maximum width; or

(ii) effects on pedestrian amenity and the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone.

(c) the practicality and adequacy of parking, loading and access arrangements having regard to:

(i) site limitations, configuration of buildings and activities, user requirements and operational requirements;

(ii) the ability of the access to accommodate the nature and volume of traffic and vehicle types expected to use the access. This may include considering whether a wider vehicle crossing is required to:

- comply with the tracking curve applicable to the largest vehicle anticipated to use the site regularly;
- accommodate the traffic volumes anticipated to use the crossing, especially where it is desirable to separate left and right turn exit lanes;
    - the desirability of separating truck movements accessing a site from customer vehicle movements;
    - the extent to which reduced manoeuvring and parking space dimensions can be accommodated because the parking will be used by regular users familiar with the layout, rather than by casual users, including the number of manoeuvres required to enter and exit parking spaces;

      Note: Parking spaces for regular users can be designed to undertake more than one manoeuvre to enter and exit parking spaces in accordance with AS/NZS 2890.1: 2004 Off-Street Parking.

(iii) any use of mechanical parking installation such as car stackers or turntables does not result in queuing beyond the site boundary; or

(iv) any stacked parking is allocated and managed in such a way that it does not compromise the operation and use of the parking area.

(d) The safety and functionality of emergency responder access.

(9) use of an existing vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network:

(i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:

- visibility and safe sight distances;
- existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
- proximity to and operation of intersections;
- existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in the this Plan; or
- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.

(b) street and pedestrian amenity:

(i) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or

(ii) the extent to which the existing crossing is to be upgraded as a part of the development so as to improve the visual amenity of the street.

(10) construction of a new vehicle crossing where a Vehicle Access Restriction applies under Standard E27.6.4.1(1):

(a) effect on the transport network:

(i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:

- visibility and safe sight distances;
- existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
- proximity to and operation of intersections;
- existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan; or
- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways.

(b) street and pedestrian amenity:

(i) whether the new crossing is part of a site redevelopment that increases the proportion of a site's frontage developed as an active edge;

(ii) whether the new crossing enhances, or at least maintains, the appeal of the street as an environment where pedestrians have priority and are likely to enjoy spending time in;

(iii) whether any new or relocated crossing should be is accompanied by mitigation measures to enhance overall pedestrian amenity this could include:

- a reduction in overall vehicle crossing width;
- weather protection for pedestrians;
- significant enhancement to the visual interest of the site's frontage visible from the street; or
- where appropriate, significant improvement in the width and or quality of the footpath.

(11) construction or use of a vehicle crossing where a Vehicle Access Restriction applies:

(a) this applies where a Vehicle Access Restriction is identified in Standard E27.6.4.1(2) and Standard E27.6.4.1(3), other than a Vehicle Access Restriction Level Crossing or a Vehicle Access Restriction Motorway Interchange:

(i) effects of the location and design of the access on the safe and efficient operation of the adjacent transport network having regard to:

- visibility and safe sight distances;
- existing and future traffic conditions including speed, volume, type, current accident rate, and the need for safe manoeuvring;
- proximity to and operation of intersections;
- existing pedestrian numbers, and estimated future pedestrian numbers having regard to the level of development provided for in this Plan;
- existing community or public infrastructure located in the adjoining road, such as bus stops, bus lanes and cycleways;

(ii) the effects on the continuity of activities and pedestrian movement at street level in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and Business – Local Centre Zone; or

(iii) the practicability and adequacy of the access arrangements considering site limitations, arrangement of buildings and activities, user requirements and operational requirements, proximity to and operation of intersections, having regard to:

- the extent to which the site can reasonably be served by different access arrangements including:
  - access from another road;
  - shared or amalgamated access with another site or sites;
  - via a frontage road, such as a slip lane or service road; or
- the extent to which the need for access can reasonably be avoided by entering into a shared parking and/or loading arrangement with another site or sites in the immediate vicinity.

(b) for any proposed access within a Vehicle Access Restriction Motorway Interchange Control:

(i) the intensity, scale and traffic generating nature of activities on the site are such that any adverse effects on the safe and efficient operation of the motorway interchange are avoided, remedied or mitigated; or

(ii) the extent to which, when considered against other access opportunities for the site, comparable or better outcomes are achieved in terms of effects on the safe and efficient operation of the interchange.

(c) for any proposed access within a Vehicle Access Restriction Level Crossing Control:

(i) effects on the safe and efficient operation of the level crossing; or

(ii) the practicability and adequacy of the access arrangements having regard to site limitations, arrangement of buildings and activities, user requirements and operational requirements.

(12) any building or structure located within a sightline area applying to a road/rail level crossing with sightline standards under Standard E27.6.4.5:

(a) effects on the safety of the level crossing for vehicles and pedestrians; or

(b) effects on visibility and safe sight distances.

(13) any activity or development which infringes the standard for design and location of off-road pedestrian and cycling facilities under Standard E27.6.5:

(a) location, design and external appearance:

(i) the location, design and external appearance of any off-road pedestrian and cycling facility:

- is legible and designed to provide for safe and convenient access for users, including safe connections with the existing pedestrian and cycling network and public transport;
- creates minimal adverse effect on the vegetation, landform and character of the surrounding environment.

(b) compatibility with surrounding activities:

(i) the facility is compatible with surrounding activities with particular regard to residential uses. This includes ensuring that the design and operation of any lighting meets the rules in Section E24 Lighting.

(14) any activity or development which infringes the standards for electric vehicle supply equipment under Standard E27.6.7:

(a) the practicability and adequacy of the electric vehicle supply equipment arrangements considering:

(i) site limitations, arrangement of buildings and activities and operational requirements;

(ii) the extent to which the site can reasonably be served by different electric vehicle supply equipment arrangements

(15) Activity (A21) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which comply with Standard E27.6.6.:

(a) The practicality and safety of the location of primary pedestrian access having regard to:

(i) the extent to which the primary pedestrian access is located to provide a safe and convenient and continuous connection from the road to the front door of the dwelling(s);

(ii) the extent to which the design incorporates Crime Prevention Through Environmental Design principles;

(b) The extent to which private and communal outdoor living space is separated from driveways and shared parking areas with appropriate fencing or other appropriate design techniques, to minimise the risk of children playing in vehicle access areas;

(c) The extent to which appropriate secondary pedestrian access:

(i) is provided within the development, including between parking areas, dwellings, and any communal site facilities, to provide for safe and convenient access for residents, and to provide a safe and convenient connection from any associated carparking area to the front door of the dwelling;

(ii) is safely accommodated in basement parking areas, while recognising space limitations and constraints; and

(iii) safely accommodates different users and abilities including minimisation of gradients and steps.

(16) Activity (A22) in Table E27.4.1: Primary pedestrian access serving six or more dwellings (including dwellings as part of an integrated residential development) in the residential zones, which is adjacent to vehicle access and parking areas, but is not physically separated for all or part of its length, but otherwise complies with Standard E27.6.6.:

(a) Policy E27.3.(20AA)

(b) The criteria set out in E27.8.2.(15) above as relevant

(c) The safety and practicality of primary pedestrian access where it is not physically separated from vehicle access, having regard to:

(i) site characteristics, including topography, configuration of buildings and activities, user requirements and operational requirements;

(ii) the number of parking spaces served by the vehicle access and volume of vehicle traffic;

(iii) the extent to which the site's layout and design minimises the need for vehicles to cross primary pedestrian accesses to gain access to garages, individual parking pads or spaces in grouped parking areas;

(iv) the safety of pedestrians where a primary pedestrian access crosses trafficable areas or vehicles must cross a primary pedestrian access, considering the design of the crossing, visibility between drivers and pedestrians, and vehicle speeds;

(v) where vehicles are proposed to cross a primary pedestrian access to access a car parking space, the extent to which:

- the number of crossing points is minimised, including through the use of paired/grouped crossing points;
- there are spaces between crossing points to allow for pedestrians using primary pedestrian access to safely pause while vehicles enter/exit parking spaces;
- the proximity of vehicle crossing points warrants the use of a continuous mountable kerb between crossing points, while ensuring that the extent of mountable kerb does not compromise pedestrian safety;
- the primary pedestrian access maintains uniform height and surface treatment along its length, indicating pedestrian priority;
- the primary pedestrian access is horizontally separated from parking spaces to provide intervisibility between

pedestrians on the path and vehicles manoeuvring out of parking spaces; and

- whether other physical design measures can be used to ensure pedestrian safety and to restrict vehicles parking or manoeuvring over a primary pedestrian access.

(17) Activity (A23) in Table E27.4.1: Primary pedestrian access which infringes the width, obstructions/clear height, gradient and slip resistant standards in Standard E27.6.6(3).:

(a) Whether the proposed design of the primary pedestrian access will meet the safety and practical needs of a range of users, taking into account:

(i) the number of units served and the site's characteristics, including all weather use, the transportation of rubbish bins and household items and the ability for cyclists to safely access any private and shared cycle storage areas;

(ii) the extent to which the design incorporates Universal Design principles, including where the primary pedestrian access is not adjacent to vehicle access and includes steps, whether a footpath and/or ramps as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities can be provided;

(iii) the extent to which the location and nature of any obstruction(s) or reduced clear height would adversely affect the practicality and safety of pedestrian access;

(iv) the safety and functionality of emergency responder access.

(18) Activity (A23) in Table E27.4.1: Any activity or development which infringes the standard in Standard E27.6.6.(4):

(a) The safety and functionality of emergency responder access.

(b) The ability for the building(s) to be accessed by emergency responder vehicles and equipment.

(19) Any electric vehicle charging station which does not meet the requirements for electric vehicle charging stations under Standard E27.6.8.:

(a) The effects on streetscape and visual amenity; and

(b) Mitigation to manage adverse effects on streetscape and visual amenity effects.

E27.9. Special information requirements

(1) Parking plans submitted to Council must show:

(a) the locations and dimensions of any pillars and/or other structures that may restrict parking space, or inhibit access and manoeuvring, as well as clearances between parking spaces and vehicle tracking curves and those pillars and/or other structures; and

(b) the proposed gradients of parking, manoeuvring and access areas

New Zealand Standard for Off-Street Parking - Parking Facilities Part 1: Off-Street Car Parking (AS/NZS 2890.1 2004) may assist applicants in designing parking areas.

(2) Travel plan:

(a) a travel plan may be required as part of an assessment of environmental effects where a proposal exceeds the trip generation threshold or provides more parking than the maximums specified. A travel plan will not be required where the infringement of the parking maximums is minor in relation to the scale of the activity and associated parking proposed.

(3) Applications for off-site parking must include information to demonstrate that:

(a) the proposal provides off-site parking which is related exclusively to the parking associated with activities located on other donor site(s) in the area;

(b) the off-site parking arrangements will be formalised on the land titles of all sites involved, including extinguishing the ability to provide accessory parking on the donor site(s); and

(c) the parking has been transferred from the donor site(s) and the donor site(s) are permitted by the parking standards of this Plan to provide the number of parking spaces proposed.

(4) The Council may require applications which affect the transport network, including proposals which exceed the trip generation threshold, to include a transport assessment prepared by suitably qualified transport planner or traffic engineer.

(5) Any new activity or change to an existing activity, which is not specifically provided for in the activity tables in the applicable zone or is a non-complying land use activity, and which will generate 100 vehicles or more (any hour) may need to include an Integrated Transport Assessment prepared in accordance with the Auckland Transport Integrated Transport Assessment Guidelines in force at the time of the application.

E38. Subdivision – Urban

E38.1. Introduction

Subdivision is the process of dividing a site or a building into one or more additional sites or units, or changing an existing boundary location.

Objectives, policies and rules in this section apply to subdivision in all zones except for the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural - Waitākere Foothills Zone, Rural - Waitākere Ranges Zone, Future Urban Zone, and Special Purpose – Quarry Zone which are located in E39 Subdivision – Rural.

E38.2. Objectives

(1) Land is subdivided to achieve the objectives of the residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.

(2) Land is subdivided in a manner that provides for the long-term needs of the community and minimises adverse effects of future development on the environment.

(3) Land is vested to provide for esplanades reserves, roads, stormwater, infrastructure and other purposes.

(4) Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner and provided for to be in place at the time of the subdivision or development.

(5) Infrastructure is appropriately protected from incompatible subdivision, use and development, and reverse sensitivity effects.

(6) Subdivision has a layout which is safe, efficient, convenient and accessible.

(7) Subdivision manages adverse effects on historic heritage or Maori cultural heritage.

(8) Subdivision maintains or enhances the natural features and landscapes that contribute to the character and amenity values of the areas.

(9) Subdivision to protect indigenous vegetation or wetlands is provided for in the residential zones.

(10) Subdivision:

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(a) within urban and serviced areas, does not increase the risks of adverse effects to people, property, infrastructure and the environment from natural hazards;

[new text to be inserted]

(b) avoids, where possible, and otherwise mitigates, adverse effects associated with subdivision for infrastructure or existing urban land uses; and

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(c) maintains the function of flood plains and overland flow paths to safely convey flood waters, while taking into account the likely long term effects of climate change.

[new text to be inserted]

E38.3. Policies

(1) Provide for subdivision which supports the policies of the Plan for residential zones, business zones, open space zones, special purpose zones, coastal zones, relevant overlays and Auckland-wide provisions.

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(2) Require subdivision to manage the risk of adverse effects resulting from natural hazards in accordance with the objectives and policies in E36 Natural hazards and flooding, and to provide safe and stable building platforms and vehicle access.

(3) Require subdivision design to respond to the natural landscapes by:

(a) avoiding building platforms and, where practicable, infrastructure, on identified or dominant ridgelines on sites zoned Residential – Large Lot Zone or Residential – Rural and Coastal Settlement Zone;

(b) locating and designing roads, access and infrastructure in a manner which minimises earthworks; and

(c) locating roads and development to follow land contours.

(4) Require subdivision to be designed to retain, protect or enhance scheduled features including those in the Historic Heritage Overlay and Sites and Places of Significance to Mana Whenua Overlay.

(5) Provide for subdivision of residential zoned sites containing indigenous vegetation scheduled in the D9 Significant Ecological Areas Overlay where the significant ecological area is to be protected, and enable the same or a similar number of sites to be created as would be enabled if the site did not contain a significant ecological area.

(6) Provide for subdivision around existing development, and where it enables creation of sites for uses that are in accordance with an approved land use resource consent and where there is compliance with Auckland-wide and zone rules.

(7) Provide for minor boundary adjustments which enable a more efficient and effective use of land where there is compliance with Auckland-wide and zone rules.

(8) Avoid subdivision of minor dwellings or converted dwellings not complying with minimum lot size.

(9) Require any staged subdivision to be undertaken in a manner that promotes efficient development.

(10) Require subdivision to provide street and block patterns that support the concepts of a liveable, walkable and connected neighbourhood including:

(a) a road network that achieves all of the following:

(i) is easy and safe to use for pedestrians and cyclists;

(ii) is connected with a variety of routes within the immediate neighbourhood and between adjacent land areas; and

(iii) is connected to public transport, shops, schools, employment, open spaces and other amenities; and

(b) vehicle crossings and associated access designed and located to provide for safe and efficient movement to and from sites and minimising potential conflict between vehicles, pedestrians, and cyclists on the adjacent road network.

(11) Require subdivision to be designed to achieve a high level of amenity and efficiency for residents by:

(a) aligning roads and sites for maximum sunlight access where topography and parent site shape allows; and

(b) aligning sites to the road to maximise opportunities for buildings fronting the road.

(12) Limiting rear sites to places where the site topography, existing boundaries, natural features, or scheduled places will prevent the creation of front sites.

(13) Require subdivision to deliver sites that are of an appropriate size and shape for development intended by the zone by:

(a) providing a range of site sizes and densities; and

(b) providing for higher residential densities in locations where they are supportive of pedestrians, cyclists, public transport and the viability and vibrancy of centres.

(14) Encourage the design of subdivision to incorporate and enhance land forms, natural features, and indigenous trees and vegetation.

(15) Encourage shared vehicle access by way of rear lanes where appropriate to avoid the proliferation of vehicle crossings that:

(a) creates adverse effects on the safety of the road and footpath;

(b) limits opportunities to plant street trees; or

(c) creates inefficiencies in the provision of on-street car parking or areas for bus stops.

(16) Require shared vehicle access to be of a width, length and form that:

(a) encourages low vehicle speed environments; and

(b) provides for the safety of users of the access and the adjoining road network.

(17) Require sufficient road reserves to accommodate the needs of:

(a) different types of transport modes;

(b) stormwater networks;

(c) network utilities; and

(d) lighting, street furniture, landscaping and reticulated infrastructure in a way that will not create future safety and maintenance issues.

Recreation and Amenity Spaces

(18) Require subdivision to provide for the recreation and amenity needs of residents by:

(a) providing open spaces which are prominent and accessible by pedestrians;

(b) providing for the number and size of open spaces in proportion to the future density of the neighbourhood; and

(c) providing for pedestrian and/or cycle linkages.

Infrastructure

(19) Require subdivision to provide servicing:

(a) to be coordinated, integrated and compatible with the existing infrastructure network;

(b) to enable the existing network to be expanded or extended to adjacent land where that land is zoned for urban development; and

(c) to enable electricity and telecommunications services to be reticulated underground to each site wherever practicable.

(20) Require sites capable of containing a building, in areas where service connections are available to a public reticulated network, to connect to the following networks:

(a) wastewater;

(b) stormwater; and

(c) potable water.

(21) Require sites capable of containing a building, in areas with no reticulated water supply, stormwater or wastewater network, to be of a size and shape that provides for:

(a) the treatment and disposal of stormwater in a way that does not lead to significant adverse off-site effects including degraded water quality, erosion, land instability, creation or exacerbation of flooding;

(b) management of wastewater via:

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(i) an on-site wastewater treatment system, or

(ii) approval to connect to a private wastewater network; and

(c) potable water.

(22) Require subdivision to be designed to manage stormwater:

(a) in accordance with any approved stormwater discharge consent or network discharge consent;

(b) in a manner consistent with stormwater management policies in E1 Water quality and integrated management;

(c) by applying an integrated stormwater management approach to the planning and design of development in accordance with stormwater management policies in E1 Water quality and integrated management;

(d) to protect natural streams and maintain the conveyance function of overland flow paths;

(e) to maintain, or progressively improve, water quality;

(f) to integrate drainage reserves and infrastructure with surrounding development and open space networks; and

(g) in an integrated and cost-effective way.

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(23) Manage subdivision and development to avoid, remedy or mitigate adverse effects on infrastructure including reverse sensitivity effects, which may compromise the operation and capacity of existing or authorised infrastructure.

Esplanade Reserves and Strips

(24) Require esplanade reserves or strips when subdividing land adjoining the coast and other qualifying water-bodies.

(25) Avoid reducing the width of esplanade reserve or strip, or the waiving of the requirement to provide an esplanade reserve or strip, except where any of the following apply:

(a) safe public access and recreational use is already possible and can be maintained for the future;

(b) the maintenance and enhancement of the natural functioning and water quality of the adjoining sea, river or other water body will not be adversely affected;

(c) the land and water-based habitats on, and adjoining, the subject land area will not be adversely affected;

(d) the natural values, geological features and landscape features will not be adversely affected;

(e) any scheduled historic heritage places and sites and places of significance to Mana Whenua will not be adversely affected;

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(f) it can be demonstrated that the reduced width of the esplanade reserve or strip is sufficient to manage the risk of adverse effects resulting from natural hazards, taking into account the likely long term effects of climate change;

(g) it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural character and amenity of the coastal environment;

(h) a reduced width in certain locations can be offset by an increase in width in other locations or areas which would result in a positive public benefit, in terms of access and recreation;

(i) restrictions on public access are necessary to ensure a level of security for business activities in limited circumstances having regard to the policies in B8.4 relating to public access and open space in the coastal marine area; or

(j) direct access to the sea or other water body is required for a business activity in limited circumstances.

(26) Require esplanade reserves rather than esplanade strips unless any of the following apply:

(a) land has limited conservation and recreational value;

(b) conservation and historic heritage values that are present can be adequately protected in private ownership;

(c) the opportunity to acquire an esplanade reserve is unlikely to arise but continuity of access is desirable;

(d) creation of esplanade strips can secure public benefits and resource management objectives without alienating land from private ownership;

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(e) land is subject to natural hazards or stability issues taking into account the likely long term effects of climate change; or

(f) a marginal strip of at least 20 metres under the Conservation Act 1987 has not been set aside on land that is Treaty Settlement Land.

Subdivision Variation Control identified in the planning maps

(27) Manage the existing pattern and density of subdivision in locations identified in the Subdivision Variation Control shown on the planning maps to protect their low density character.

(28) Avoid subdivision that detracts from the natural landscape qualities which are defined by the low density settlement pattern.

(29) Manage subdivision of land where there are known infrastructure constraints.

Subdivision in Special Character Areas Overlay – Residential and Business

(30) Maintain the distinctive pattern of subdivision as identified in the character statements for special character areas.

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[new text to be inserted]

E38.4. Activity table

Tables E38.4.1 to E38.4.5 specify the activity status of subdivision pursuant to section 11 of the Resource Management Act 1991.

For subdivision within the D26 National Grid Corridor Overlay, the activity status for subdivision in the urban zones as listed in Tables E38.4.1 to E38.4.5 below will apply unless there are different provisions in D26 National Grid Corridor Overlay in which case the overlay provisions will take precedence.

For subdivision in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural - Waitākere Foothills Zone, Rural - Waitākere Ranges Zone, Future Urban Zone, and Special Purpose – Quarry Zone see E39 Subdivision – Rural.

The activities listed in Table E38.4.1 Subdivision for specific purposes may only comprise a specific element of a subdivision activity. The other elements of a subdivision may also be listed in Tables E38.4.2, E38.4.3, E38.4.4, and E38.4.5. Where the proposed subdivision activity fits into activities listed in Table E38.4.1 Subdivision for specific purposes and those listed in tables E38.4.2, E38.4.3, E38.4.4, and/or E38.4.5 then the activity status listed for each activity in each table also applies.

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[new text to be inserted]

Table E38.4.1 Activity table - Subdivision for specific purposes

	Activity	Activity status
(A1)	Lease in excess of 35 years of a building or part of a building where a cross-lease, company lease, or unit title subdivision is not involved	P
(A2)	Subdivision for a network utility	P
(A3)	Conversion of a cross lease to a fee simple title	C
(A4)	Cross lease, company lease, unit title and strata-title subdivision	C
(A5)	Amendments to a cross lease or unit title, including additions and alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners	C
(A6)	Boundary adjustments which do not exceed 10 per cent of the net site area of each site	C
(A7)	Subdivision of a site with two or more zones or subdivision along an undefined zone boundary	RD
(A8)	Subdivision establishing an esplanade reserve	RD
(A9)	Subdivision establishing an esplanade strip	D
(A10)	Any reduction or waiver of esplanade reserves or strips	D
(A11)	Subdivision of land within any of the following natural hazard areas: • 1 per cent annual exceedance probability floodplain; • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; • coastal erosion hazard area; or • land which may be subject to land instability.	RD
(A12)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(A13)	Any subdivision listed in this activity table not meeting the permitted, controlled, or restricted discretionary activities standards in E38.7 Standards for subdivision for specific purposes	D

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Table E38.4.2 Activity table - Subdivision in residential zones

	Activity	Activity status
(A14)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1	RD
(A15)	Subdivision around existing buildings and development complying with Standard E38.8.2.2	RD
(A16)	Vacant sites subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.3	RD
(A17)	Vacant sites subdivision involving parent sites of less than 1ha not complying with Standard E38.8.2.3.	D
(A18)	Vacant sites subdivision involving parent sites of 1ha or greater complying with Standard E38.8.3.1	D
(A19)	Vacant sites subdivision involving parent sites of 1ha or greater not complying with Standard E38.8.3.1	NC
(A20)	Subdivision of sites identified in the Subdivision Variation Control complying with Standard E38.8.2.4	RD
(A21)	Subdivision of sites identified in the Subdivision Variation Control not complying with Standard E38.8.2.4	NC
(A22)	Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay complying with Standard E38.8.2.5	RD
(A23)	Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay not complying with Standard E38.8.2.5	NC
(A24)	Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business complying with Standard E38.8.2.6	RD
(A25)	Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business not complying with Standard E38.8.2.6	NC
(A26)	Subdivision of a minor dwelling from the principal dwelling where the proposed sites comply with the minimum site size requirement for subdivision in the applicable zone	RD
(A27)	Subdivision of a minor dwelling from the principal dwelling where the proposed sites do not comply with the minimum site size requirement for subdivision in the applicable zone	Pr
(A28)	Subdivision of a converted dwelling established from the conversion of a principal dwelling existing as at 30 September 2013 where the proposed sites comply with	RD

	the minimum site size requirement for subdivision in the applicable zone	
(A29)	Subdivision of a converted dwelling established from the conversion of a principal dwelling existing as at 30 September 2013 where the proposed sites do not comply with the minimum site size requirement for subdivision in the applicable zone	Pr
[new text to be inserted]	**[new text to be inserted]**	**[new text to be inserted]**
[new text to be inserted]	**[new text to be inserted]**	**[new text to be inserted]**
(A30)	Any subdivision listed in this activity table not meeting E38.6 General standards for subdivision	D
(A31)	Any subdivision listed in this activity table not meeting the standards in E38.8 Standards for subdivision in residential zones	D
(A32)	Any subdivision not otherwise provided for in Tables E38.4.1 and E38.4.2	D

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Table E38.4.3 Activity table - Subdivision in business zones

	Activity	Activity status
(A33)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.9.2.1	RD
(A34)	Subdivision around existing buildings and development complying with Standard E38.9.2.2	RD
(A35)	Vacant sites subdivision complying with Standard E38.9.2.3	RD
(A36)	Vacant sites subdivision not complying with Standard E38.9.2.3	NC
(A37)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(A38)	Any subdivision listed in this activity table not meeting standards in E38.9 Standards for subdivision in the business zones	D
(A39)	Any subdivision not otherwise provided for in Tables E38.4.1and E38.4.3	D

Table E38.4.4 Activity table - Subdivision in open space zones

	Activity	Activity Status
(A40)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.10.1.1	RD
(A41)	Subdivision around existing buildings and development complying with Standard E38.10.1.2	RD
(A42)	Any subdivision listed in this activity table not meeting the standards in E38.6 General standards for subdivision	D
(A43)	Any subdivision not otherwise provided for in Tables E38.4.1and E38.4.4	D

Table E38.4.5 Activity table - Subdivision in all other zones excluding those covered by E39 Subdivision - Rural

	Activity	Activity status
(A44)	Any subdivision not meeting the standards in E38.6 General standards for subdivision	D
(A45)	Subdivision not otherwise provided for in Table E38.4.1	D

E38.5. Notification

(1) An application for resource consent for a controlled activity listed in Table E38.4.1 Activity table - Subdivision for Specific Purposes will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Tables E38.4.1 to E38.4.5 Activity tables and which is not listed in E38.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

E38.6. General standards for subdivision

All subdivision listed in Tables E38.4.1 to E38.4.5 Activity tables must comply with the standards set out in E38.6 General standards for subdivision unless otherwise specified, as well as the standards in E38.7 Standards for subdivision for specific purposes to E38.10 Standards for subdivision in open space zones as relevant.

E38.6.1. Site size and shape

(1) Except where the purpose of the site is for a network utility (including a site to be vested in Council), sites must meet one of the following:

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones;

(b) be in accordance with an approved land use resource consent; or

(c) be around an existing lawfully established development.

E38.6.2. Access and entrance strips

(1) All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:

(a) are being created for reserves and network utilities; or

(b) will be amalgamated with another site that already has legal and physical access to a road.

(2) Entrance strips must be less than 7.5 metres wide unless otherwise stated.

E38.6.3. Services

(1) For all proposed sites capable of containing a building, or for cross lease or unit title, strata title, company lease, each lot must be designed and located so that provision is made for the following services:

(a) collection, treatment and disposal of stormwater;

(b) collection, treatment and disposal of wastewater;

(c) water supply;

(d) electricity supply; and

(e) telecommunications.

(2) Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.

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[new text to be inserted]

E38.6.4. Staging

(1) Where a subdivision is to be carried out in stages, the applicant must provide adequate detail of the proposed timetable and sequencing of the staging at the time they apply for the overall subdivision consent. This must include all of the following:

(a) the time period over which the development is likely to take place;

(b) the areas of land subject to the proposed stages; and

(c) the balance area of the site remaining after the completion of each stage.

E38.6.5. Overland flow paths

(1) All subdivision must be designed to incorporate overland flow paths on the site.

(2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.

E38.6.6. Existing vegetation on the site

(1) All subdivision plans, excluding subdivision plans for boundary adjustments, must show any of the following features that exist on, or on the boundary of, the land being subdivided:

(a) any areas identified as Significant Ecological Area in the Significant Ecological Areas Overlay; or

(b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.

E38.7. Standards for subdivision for specific purposes

E38.7.1. Standards – specific purposes permitted activities

Subdivision listed as permitted activities in Table E38.4.1 Subdivision for specific purposes must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.7.1 Standards – specific purposes permitted activities.

E38.7.1.1. Lease in excess of 35 years of a building or part of a building where a cross lease, company lease or unit title subdivision is not involved:

(1) The subject building must be lawfully established.

(2) The boundaries of the proposed sites must follow existing or proposed walls, ceilings and floors.

(3) The scheme plan must show the proposed sites in relation to the exterior of the building and provide upper and lower elevations in terms of a datum to be established.

(4) Each lease area must have either frontage to a legal road or allow for access through common areas to a legal road.

E38.7.1.2. Subdivision for a network utility

(1) The network utility activity must:

(a) be a permitted activity pursuant to E26 Infrastructure; or

(b) have all resource consents or notices of requirements approved.

(2) A covenant or consent notice will be required to state that land that is no longer required for the network utility after it disestablishes must be amalgamated with the adjoining land.

(3) The balance sites must comply with the relevant overlays, Auckland-wide and zone standards, other than the minimum site size, unless resource consent has been granted for any infringements.

(4) Sites must have access to a legal road through an appropriate legal mechanism.

E38.7.2. Standards – specific purposes controlled activities

Subdivision listed as controlled activities in Table E38.4.1 Subdivision for specific purposes must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.7.2 Standards – specific purposes controlled activities.

E38.7.2.1. Boundary adjustments which do not exceed 10 per cent of the net site area of each site

(1) All sites prior to the boundary adjustment must be contained within the same zone.

(2) All service connections and on-site infrastructure must be located within the boundary of the site they serve, or have legal rights provided by an appropriate legal mechanism.

E38.7.2.2. Conversion of a cross-lease to a fee simple title

(1) All existing development must meet one of the following:

(a) comply with the relevant overlays, Auckland-wide and zone rules;

(b) be in accordance with an approved resource consent;

(c) have existing use rights;

(d) be in accordance with an approved building consent,

(e) have a code of compliance certificate, or

(f) have a certificate of acceptance.

(2) All service connections and on-site infrastructure must be located within the boundary of the site they serve, or have legal rights provided by an appropriate legal mechanism.

E38.7.2.3. Cross lease, company lease, unit title and strata-title subdivision; and Amendments to a cross lease or unit title, including additions and alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners

(1) All buildings must meet one of the following:

(a) have existing use rights;

(b) comply with the relevant Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

(2) All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.

(3) Subdivision consent affecting a building or any part of a building and any proposed covenant, unit or accessory unit boundary, must not result in any infringements of any relevant overlays, Auckland-wide and zone rules.

(4) Parking spaces must not be created as principal units, unless provided for by a resource consent. Instead parking spaces must be created as accessory units or common areas when associated with an approved use or activity.

(5) All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.

E38.7.3. Standards – specific purposes restricted discretionary activities

Subdivision listed as restricted discretionary activities in Table E38.4.1 Subdivision for specific purposes must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.7.3 Standards – specific purposes restricted discretionary activities.

E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary

(1) Where a site has two or more zones the lot boundaries of the subdivision must follow, as near as possible to, the zone boundaries.

(2) Where a proposed site is located entirely within a single zone, the proposed site must comply with the relevant subdivision standards for that zone.

(3) The lots created must comply with the overlay, Auckland-wide and zone rules applying to that particular part of the site.

E38.7.3.2. Subdivision establishing an esplanade reserve

(1) Any subdivision involving the creation of sites less than 4 hectares and the proposed site adjoins the line of mean high water springs or the bank of a river or stream 3 metres or more in width or any lake, must provide a minimum 20 metre wide esplanade reserve in accordance with section 230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.

(2) The width of any esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water spring, or the bank of a river or stream or margin of any lake.

(3) Standards E38.7.3.2(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20 metres has been set aside under the Conservation Act 1987.

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E38.7.3.3. Subdivision of a site within the one per cent annual exceedance probability floodplain

(1) Each proposed site within the one per cent floodplain that is to contain a more vulnerable activity must meet one of the following:

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones; or

(b) be in accordance with a land use consent that authorises development or building in the floodplain.

[new text to be inserted]

E38.7.3.4. Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in E38.7.3.4(a) to (c) below are located outside of any land that may be subject to coastal erosion or coastal storm inundation:

(a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones;

(b) access to all proposed building platforms or areas; and

(c) on-site private infrastructure required to service the intended use of the site.

E38.8. Standards for subdivisions in residential zones

Subdivision listed in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision in E38.6 General standards for subdivision and E38.8.1 General standards in residential zones.

E38.8.1. General standards in residential zones

E38.8.1.1. Site shape factor in residential zones

(1) Access and manoeuvring must meet the requirements of E27 Transport.

(2) All vacant sites must be able to contain a rectangle of 8 metres by 15 metres except the Residential - Terrace Housing and Apartment Buildings Zone must contain a rectangle of 15 metres by 20 metres, to accommodate a building that complies with all applicable standards of the zone and is located outside:

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(a) the 1 per cent annual exceedance probability floodplain;

[new text to be inserted]

(b) the coastal erosion hazard area;

[new text to be inserted]

(c) the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; and the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;

(d) land which may be subject to land instability;

[new text to be inserted]

(e) the protected root zone of trees identified in the Notable Trees Overlay;

(f) areas identified as significant ecological areas, outstanding natural features, outstanding natural landscapes, outstanding natural character areas or high natural character areas in the Significant Ecological Areas Overlay, the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, or the Outstanding Natural Character and High Natural Character Overlay.

(g) areas identified as scheduled historic heritage places, or sites and places of significance to Mana Whenua in the Historic Heritage Overlay or the sites and Places of Significance to Mana Whenua Overlay;

(h) network utilities, including private and public lines;

(i) right-of-way easements;

(j) area of esplanade reserves required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve;

(k) yard setback requirements of the zone including riparian, lakeside or coastal protection yards; and

(l) the National Grid Yard.

E38.8.1.2. Access to rear sites

(1) A single jointly owned access lot or right-of-way easement must not serve more than ten proposed rear sites.

(2) Vehicle access to proposed sites without direct vehicular access to a formed legal road must be by way of an entrance strip, jointly owned access lot or right-of-way easement over adjoining land, or by a combination of these mechanisms, provided the total width and other dimensions of the access comply with the standards in Table E38.8.1.2.1 Access to rear sites below.

Table E38.8.1.2.1 Access to rear sites

	Total number of rear sites served		
	1	**2 – 5**	**6 - 10**
Minimum legal width	3.0m	3.5m	6.9m
Minimum formed width	2.5m	3.0m	5.5m
Minimum service strip	0.5m	0.5m	1.0m
Maximum length	50m	50m	100m Note 1
Maximum gradient	1 in 4	1 in 5	
Minimum vertical clearance from buildings or structures	3.8m		
Minimum inside turning radius for bends	6.5m		

Note 1

Emergency responder access requirements are further controlled by the Building Code. Plan users should refer to the Building Code to ensure compliance can be achieved at building consent stage. Granting of a resource consent does not imply that waivers of Building Code requirements will be granted. Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

(3) Accessways serving six to ten rear sites must provide separated pedestrian access.

(4) The pedestrian access required by E38.8.1.2(3) must meet all of the following:

(a) have a minimum width of 1.4m;

(b) can include the service strip;

(c) be physically separated from the vehicle carriageway; and

(d) have a maximum gradient not exceeding the vehicle access gradient standard in Table E38.8.1.2.1.

Note: See the definition of “physically separated” in standard E27.6.6(2).

(5) Accessways exceeding 30m in length must meet the speed management measures specified by Table E27.6.4.3.3.

E38.8.2. Standards – residential restricted discretionary activities

Subdivision listed as a restricted discretionary activity in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions, E38.8.1 General standards in residential zones and E38.8.2 Standards – residential restricted discretionary activities as relevant.

E38.8.2.1. Subdivision in accordance with an approved land use resource consent

(1) Any subdivision relating to an approved land use consent must comply with that resource consent.

E38.8.2.2. Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must meet one of the following:

(a) have existing use rights;

(b) comply with the relevant overlay, Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

E38.8.2.3. Vacant sites subdivisions involving parent sites of less than 1 hectare

(1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development.

(2) Site sizes for proposed sites must comply with the minimum net site areas specified in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare below.

Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare

Zone	Minimum net site area for vacant proposed sites
Residential - Terrace Housing and Apartment Buildings Zone	1,200m^2
Residential - Mixed Housing Urban Zone	300m^2
Residential - Mixed Housing Suburban Zone	400m^2
Residential - Single House Zone	600m^2
Residential - Large Lot Zone	4,000m^2
Residential - Rural and Coastal Settlement Zone	2,500m^2

E38.8.2.4. Subdivision of sites identified in the Subdivision Variation Control

(1) E38.8.2.3 Vacant sites subdivision involving parent sites of less than 1 hectare and E38.8.3.1 Vacant sites subdivision involving parent sites of 1 hectare or greater do not apply to sites identified in the Subdivision Variation Control in the planning maps.

(2) Proposed sites identified in the Subdivision Variation Control in the planning maps must comply with the minimum net site area in Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control

Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control

Area	Minimum net site area
Beachlands	700m²
Bombay	800m^2 for proposed sites serviced by a private wastewater network 2,500m^2 for proposed sites serviced by on-site wastewater systems
Buckland	800m²
Clarks Beach	800m²
Eastern Whangaparaoa Peninsula	700m²
Glenbrook Beach	800m²
Herald Island	800m²
Maraetai/Omana Beach	700m²
Patumahoe	800m²

Point Wells	1,000m²
Waiau Beach	800m²
Waimauku	800m^2 for proposed sites serviced by a private wastewater network 2,500m^2 for proposed sites serviced by on-site wastewater systems
Parau	4,000m^2
Huia	4,000m^2
Little Huia	4,000m^2
Karekare	4,000m^2
Piha	4,000m^2
Bethells/ Te Henga	4,000m^2
Cornwallis	4,000m^2
Snells Beach	1,000m²
I458 Beachlands South Precinct: Large Lot Zone in Sub-precinct D, Coastal	1,000m^2

E38.8.2.5. Subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay

(1) The subdivision scheme plan must identify the following areas:

(a) the indigenous vegetation scheduled in the Significant Ecological Areas Overlay and to be marked for protection; and

(b) the areas available for residential subdivision.

(2) The following standards apply to the areas available for residential subdivision:

(a) the total number of lots created must not exceed the total number of lots which could be created over the net site area of the parent site subject to meeting Table E38.8.2.3.1 Minimum net site area for subdivision involving parent sites of less than 1 hectare or Table E38.8.3.1.1 Minimum net site area for subdivision involving parent sites of 1 hectare or greater;

(b) residential lots to be created must be located entirely within the areas available for residential subdivision;

(c) the minimum net site areas in Table E38.8.2.3.1 Minimum net site area for subdivision involving parent sites of less than 1 hectare or Table E38.8.3.1.1 Minimum net site area for subdivision involving parent sites of 1 hectare or greater do not apply to the area available for

residential development of the parent site outside the Significant Ecological Areas Overlay as determined under E38.8.2.5(1)(b) above;

(d) a plan showing the proposed development on the areas available for residential subdivision must be provided;

(e) the proposed development must meet the relevant standards in the residential zones; and

(3) The indigenous vegetation area scheduled in the Significant Ecological Areas Overlay must be legally protected and maintained in accordance with the process outlined in Appendix 15 Subdivision information and process; and

(4) The subdivision resource consent must be made subject to a consent condition which requires that the subdivision scheme plan creating the sites is to be deposited after, and not before, the protective covenant has been registered against the title of the site containing the covenanted indigenous vegetation, or area of restoration planting to be protected, as applicable.

E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business

(1) Proposed sites identified in the Special Character Areas Overlay – Residential and Business must comply with the minimum net site area in Table E38.8.2.6.1 Special Character Overlay – Residential and Business subdivision controls.

(2) Proposed sites identified in the Special Character Areas Overlay – Residential and Business that are not listed in Table E38.8.2.6.1 must comply with the relevant minimum net site area for that site's zone in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls

Special Character Areas Overlay – Residential and Business – Sub area	Minimum net site area
Isthmus A	400m^2 or 500m^2 where the site does not comply with the shape factor
Isthmus B1 and B3	1,000m^2
Isthmus B2	600m^2
Isthmus C1	400m^2 or 500m^2 where the site does not comply with the shape factor
Isthmus C2	600m^2

Isthmus C2a (refer to Figure E38.8.2.6 below)	1,000m^2 on sites identified in Figure E38.8.2.6 below
North Shore Area A*	450m^2
North Shore Area B*	500m^2
North Shore Area C*	600m^2

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*The maps showing North Shore Area A, North Shore Area B, and North Shore Area C can be found in Schedule 15 Special Character Schedule, Statements and Maps.

Figure E38.8.2.6 Isthmus C2a sites

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[new text to be inserted]

E38.8.3. Standards – residential discretionary activities

Subdivision listed as a discretionary activity in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions, E38.8.1 General standards in residential zones and E38.8.3 Standards – residential discretionary activities, as relevant.

E38.8.3.1. Vacant sites subdivision involving parent sites of 1 hectare or greater

(1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development.

(2) Site sizes for proposed vacant sites subdivision in the Residential - Large Lot Zone, Residential - Rural and Coastal Settlement Zone and Residential - Terrace Housing and Apartment Buildings Zone, must meet the minimum net site area for subdivision in the relevant zone as set out in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare above.

(3) For other residential zones, each vacant site must comply with the minimum net site area in Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent sites of 1 hectare or greater.

(4) The minimum average net site area calculated over the total of all sites created must comply with Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent site of 1 hectare or greater.

Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent sites of 1 hectare or greater

Zone	Minimum Net Site Area	Minimum Average Net Site area	Maximum Average Net Site area
Single House Zone	480m²	600m²	720m²
Mixed Housing Suburban Zone	320m²	400m²	480m²
Mixed Housing Urban Zone	240m²	300m²	360m²

(5) When calculating the minimum average net site area for the purpose of Standard E38.8.3.1(3), any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table E38.8.3.1.1 Minimum net site areas for subdivision involving parent sites of 1 hectare or greater must be included in the

averaging calculation at the figure specified as the maximum average net site area for the applicable zone.

(6) For all subdivision on a parent site greater than 1 hectare where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.

E38.9. Standards for subdivisions in the business zones

Subdivision listed in Table E38.4.3 Subdivision in business zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivision and E38.9.1 General standards for business zones.

E38.9.1. General standards for business zones

E38.9.1.1. Site shape factor in business zones

(1) All vacant sites must be able to contain a rectangle with an area equal to half the area of the site where the longer sides are no greater than twice the length of the shorter sides to accommodate a building that complies with all applicable controls of the zone and is located outside all of the following:

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(a) the 1 per cent annual exceedance probability floodplain;

[new text to be inserted]

(b) the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;

[new text to be inserted]

(c) the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area;

(d) the coastal erosion hazard area:

(e) land which may be subject to land instability;

[new text to be inserted]

(f) the protected root zone of trees identified in the Notable Trees Overlay;

(g) areas identified as significant ecological areas, outstanding natural features, outstanding natural landscapes, outstanding natural character areas or high natural character areas in the Significant Ecological Areas Overlay, the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay, or the Outstanding Natural Character and High Natural Character Overlay.

(h) areas identified as scheduled historic heritage place, or sites and places of significance to Mana Whenua in the Historic Heritage

Overlay or the Sites and Places of Significance to Mana Whenua Overlay;

(i) private and public network utilities;

(j) private and public stormwater and wastewater lines;

(k) building line restrictions;

(l) right-of-way easements;

(m) area of esplanade reserves required by Standard E38.7.3.2 Subdivision establishing an esplanade reserve;

(n) yard setback requirements of the zone including riparian, lakeside or coastal protection yards; and

(o) National Grid Yard (Uncompromised) (except that if the subdivision is for an activity sensitive to the National Grid, the building platform must not be located within the National Grid Yard (Uncompromised or Compromised).

E38.9.1.2. Parking areas

(1) Where parking spaces are permitted in association with a development or proposed as part of a development, where resource consent has been obtained and any such development is subdivided under the Unit Titles Act 2010, the parking spaces must be:

(a) held together with the principal units; or

(b) form a part of the common property.

(2) Any parking spaces identified as a principal unit must be tied to the approved land use by way of a legal instrument on the title.

(3) Discretion may be applied where specific approval has been granted by resource consent for shared car parking with other development within close proximity to the site.

(4) This standard does not apply to buildings or land used exclusively for car parking.

E38.9.1.3. Signs and billboards

(1) Where signs or billboards have been approved on a building with resource consent and the development is subdivided under the Unit Titles Act 2010, the signs or billboards must not be created as principal units on the survey plan. The sign or billboard must be identified as an accessory unit or alternatively form a part of the common property.

E38.9.2. Standards – business restricted discretionary activities

Subdivision listed as a restricted discretionary activity in Table E38.4.3 Subdivision in business zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions, E38.9.1 General standards in business zones and E38.9.2 Standards – business restricted discretionary activities, as relevant.

E38.9.2.1. Subdivision in accordance with an approved land use resource consent

(1) Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans.

E38.9.2.2. Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must:

(a) have existing use rights;

(b) comply with the relevant overlay, Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

E38.9.2.3. Vacant sites subdivision

(1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings.

(2) Site sizes for proposed sites must comply with the minimum net site areas specified in Table E38.9.2.3.1 Minimum net site size and frontage for vacant site subdivision below.

(3) Rear sites must not exceed 20 per cent of the total number of proposed sites.

(4) Entrance strips and accessways for rear sites must comply with Table E27.6.4.3.2 Vehicle crossing and vehicle access widths.

Table E38.9.2.3.1 Minimum net site size and frontage for vacant site subdivision

Standard	Business - City Centre Zone	Business - Metropolitan Centre Zone	Business - Town Centre Zone	Business - Local Centre Zone	Business - Neighbourhood Centre Zone
Minimum net site size	200m^2	200m²	200m²	200m²	200m²
Minimum frontage	10m for sites over 2,000m^2	10m for sites over 2,000m^2	10m for sites over 2,000m^2	N/A	N/A
Standard	**Business - Mixed Use Zone**	**Business - General Business Zone**	**Business - Business Park Zone**	**Business - Light Industry Zone**	**Business - Heavy Industry Zone**
Minimum net site size	200m²	200m²	1,000m²	1,000m²	2,000m²
Minimum average site size	N/A	N/A	N/A	2,000m²	5,000m²
Minimum frontage	N/A	N/A	10m	20m	20m

E38.10. Standards for subdivision in open space zones

E38.10.1. Standards – open space restricted discretionary activities

Subdivision listed in Table E38.4.4 Subdivision in open space zones must comply with the applicable standards for the proposed subdivision listed in E38.6 General standards for subdivisions and E38.10.1 Standards – open space restricted discretionary activities as relevant.

E38.10.1.1. Subdivision in accordance with an approved land use resource consent

(1) Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans.

E38.10.1.2. Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must meet one of the following matters:

(a) have existing use rights;

(b) comply with the relevant overlay, Auckland-wide and zone rules; or

(c) be in accordance with an approved land use resource consent.

E38.11. Assessment – controlled activities

E38.11.1. Matters of control

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

(1) all controlled activities:

(a) compliance with an approved resource consent except for boundary adjustment subdivision;

(b) the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;

(c) the effects of infrastructure provision; and

PC 120 (see Modifications)

[new text to be inserted]

(d) the effects on historic heritage and cultural heritage items.

E38.11.2. Assessment criteria

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

(1) all controlled activities:

(a) compliance with an approved resource consent except for boundary adjustment subdivision:

(i) refer to Policy E38.3(6);

(b) the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:

(i) the extent to which the design, size, shape, gradient and location of any site including access, existing buildings, manoeuvring areas and outdoor living space affect the safety of pedestrians and cyclists and other users of the space or access;

(ii) whether the sites created are able to accommodate development in accordance with the relevant Auckland-wide and zone rules; and

(iii) refer to Policy E38.3(1), (10) and (22);

(c) the effects of infrastructure provision:

(i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and

PC 120 (see Modifications)

(ii) refer to Policy E38.3(17); and

[new text to be inserted]

(d) the effects on historic heritage and cultural heritage items;

(i) whether the protection or avoidance of any Scheduled Historic Heritage Place, or Site and Places of Significance to Mana Whenua is ensured; and

(ii) refer to Policy E38.3(4).

E38.12. Assessment – restricted discretionary activities

E38.12.1. Matters of discretion

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

PC 120 (see Modifications)

(1) subdivision of a site within the 1 per cent annual exceedance probability floodplain:

(a) the effects of the hazard on the intended use of the site or sites created by the subdivision and the vulnerability of the uses to flood hazard events.

(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal storm inundation events.

(3) subdivision of a site in the coastal erosion hazard area:

(a) the effects of the erosion on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal erosion.

(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment:

(a) the effects of remediating the land instability hazard and the effect of the hazard on the intended use.

(5) subdivision establishing an esplanade reserve:

(a) the effect of the design, purpose and location of any esplanade reserve established by subdivision in terms of public access, and the conservation of coastal and/or riverbank ecological values, natural values, geological features and landscape features.

(6) subdivision around existing buildings and development; and subdivision in accordance with an approved land use resource consent:

(a) the effect of the design and layout of the proposed sites created.

(7) all other restricted discretionary activity subdivisions:

(a) the effect of the design and layout of sites to achieve the purposes of the zone or zones and to provide safe legible and convenient access to a legal road;

(b) the effect of infrastructure provision and management of effects of stormwater

(c) the effect on the functions of floodplains and provision for any required overland flow paths:

PC 120 (see Modifications)

[new text to be inserted]

(d) the effect on historic heritage and cultural heritage items:

(e) the effect of the layout, design and pattern of blocks and roads in so far as they contribute to enabling a liveable, walkable and connected neighbourhood;

(f) the effect of layout and orientation of blocks and sites on the solar gain achieved for sites created, if relevant;

(g) the effects arising from any significant increase in traffic volumes on the existing road network;

(h) the visual effect on landscape and on topographical features and vegetation arising from subdivision of sites zoned Residential - Large Lot Zone and Residential - Rural and Coastal Settlement Zone;

(i) the provision made for the incorporation and enhancement of land forms, natural features and indigenous trees and vegetation;

PC 120 (see Modifications)

[new text to be inserted]

(j) the effect on recreation and open space.

(k) the effect of the design and layout of sites on transport infrastructure and facilities within roads.

(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay:

(a) the matters in E38.12.1(7); and

(b) the effects on the significant ecological area.

(9) subdivision of sites identified in the Subdivision Variation Control:

(a) the matters in E38.12.1(7); and

(b) the effects of the pattern and density of subdivisions on the low-density settlement pattern of those areas.

PC 120 (see Modifications) **[new text to be inserted]**

E38.12.2. Assessment Criteria

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

PC 120 (see Modifications)

(1) subdivision of a site within the one per cent annual exceedance probability floodplain:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to flood hazard events:

(i) whether measures are proposed to ensure the long term protection of flood plain conveyance functions;

(ii) whether the location and design of development including building platforms and access ways are located to avoid the hazard;

(iii) the extent to which changes to the landform and the design of mitigation structures/features are necessary for the subdivision; and

(iv) refer to Policy E38.3(2).

(2) subdivision of a site in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal storm inundation events:

(i) whether the location and design of development including proposed and existing building platforms and access ways include the ability to relocate uses within the proposed site area, taking into account in urban and serviced areas a 1 metre rise in sea levels;

(ii) whether the use of defences to protect the land and any buildings or structures on the land from coastal storm inundation are necessary;

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(iii) whether there is any residual risk posed by coastal storm inundation to the site(s) associated with any existing or proposed coastal defences;

(iv) whether there are effects on landscape values resulting from associated built and/or land form modifications required to provide for the intended use of the site; and

(v) refer to Policy E38.3(2).

(3) subdivision of a site in the coastal erosion hazard area:

(a) the effects of the hazard on the intended use of the sites created by the subdivision and the vulnerability of these uses to coastal erosion:

(i) whether public access to the coast is affected;

(ii) the extent to which the installation of hard protection structures to be utilised to protect the site or its uses from coastal erosion hazards over at least a 100 year timeframe are necessary; and

(iii) refer to Policy E38.3(2).

(4) subdivision of a site subject to land instability including those areas defined in the Plan as “land which may be subject to land instability”, or other unstable soils as identified through a specific site assessment:

(a) the effects of remediating the land instability hazard and the effect of the hazard on the intended use:

(i) the extent to which the proposed sites are stable and suitable;

(ii) the extent to which the site instability will affect the intended use, including the provision for onsite infrastructure (where applicable) and accessways; and

(iii) refer to Policy E38.3(2).

(5) subdivision establishing an esplanade reserve:

(a) the effect of the design, purpose and location of any esplanade reserve established by subdivision in terms of public access, and the conservation of coastal and/or riverbank ecological values, natural values, geological features and landscape features:

(i) the extent to which the design purpose and location of the esplanade reserve enables public access and the conservation of coastal and/or riverbank ecological values, natural values, geological features and landscape features; and

(ii) refer to Policies E38.3(24), (25) and (26).

(6) subdivision around existing buildings and development, and subdivision in accordance with an approved land use resource consent:

(a) the effect of the design and layout of the proposed sites created:

(i) whether the design and layout of the proposed sites create result in new or increased non-compliance with Auckland-wide and zone rules;

(ii) whether there is appropriate provision made for infrastructure;

(iii) whether there is appropriate creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and

(iv) refer to Policies E38.3(1) and (6).

(7) all other restricted discretionary activity subdivisions:

(a) the effect of the design and layout of sites to achieve the purposes of the zone or zones and to provide safe legible and convenient access to a legal road;

(i) refer to Policies E38.3(1), (10), (12) and (13).

(b) the effect of infrastructure provision and management of effects of stormwater

(i) whether there is appropriate provision of and adequate access to existing and new infrastructure, and provision of appropriate management of effects of stormwater;

(ii) the extent to which drainage reserves are integrated into the layout of the subdivision and neighbourhood;

(iii) whether the design and implementation of any necessary physical works including those associated with site preparation works, infrastructure and access are carried out in accordance with recognised best engineering practice or in accordance with Section 2 - Earthworks and Geotechnical Requirements of the Auckland Council Code of Practice for Land Development and Subdivision Version 1.6 dated 24 September 2013.

(iv) refer to Policies E38.3(19) to (23).

(c) the effect on the functions of floodplains and provision for any required overland flow paths:

(i) refer to Policy E38.3(2).

(d) the effect on historic heritage and cultural heritage items:

(i) the extent to which any sites identified in the Historic Heritage Overlay, or Sites and Places of Significance to Mana Whenua Overlay are protected or avoided; and

(ii) refer to Policy E38.3(4).

(e) the effect of the layout, design and pattern of blocks and roads in so far as they contribute to enabling a liveable, walkable and connected neighbourhood;

(i) refer to Policy E38.3(10).

(f) the effect of layout and orientation of blocks and sites on the solar gain achieved for sites created, if relevant;

(i) refer to Policy E38.3(11).

(g) the effects arising from any significant increase in traffic volumes on the existing road network;

(i) refer to Policies E38.3(15) to (17).

(h) the visual effect on landscape and on topographical features and vegetation arising from subdivision of sites zoned Residential - Large Lot Zone and Residential - Rural and Coastal Settlement Zone;

(i) refer to Policy E38.3(3).

(i) the provision made for the incorporation and enhancement of land forms, natural features and indigenous trees and vegetation;

(i) refer to Policy E38.3(14).

(j) the effect on recreation and open space:

(i) the extent to which reserves and open space are provided and their integration with the surrounding open space network and suitability for the intended function and future requirements of the area;

(ii) refer to Policy E38.3(18).

(k) the effect of the design and layout of sites on transport infrastructure and facilities within roads

(i) refer to Policy E38.3(15); and

(ii) the extent to which the location and design of driveways and vehicle crossings compromises access to and the operation of transport infrastructure and facilities in roads including on-street

parking, bus stops, street trees, network utilities and stormwater infrastructure.

PC 120 (see Modifications) **[new text to be inserted]**

(8) subdivision involving indigenous vegetation scheduled in the Significant Ecological Areas Overlay:

(a) the matters in E38.12.1(7);

(i) the assessment criteria listed in E38.12.2(7); and

(b) the effects on the significant ecological area:

(i) whether the legal protection proposed for the significant ecological area is appropriate;

(ii) whether there are positive effects associated with the protection of the significant ecological area; and

(iii) refer to Policy E38.3(5).

(9) subdivision of sites identified in the Subdivision Variation Control

(a) the matters in E38.12.1(7): and

(i) the assessment criteria listed in E38.12.2(7); and

(b) the effects of the pattern and density of subdivisions on the low-density settlement pattern of those areas:

(i) refer to Policies E38.3(27), (28) and (29).

PC 120 (see Modifications) **[new text to be inserted]**

E38.13. Special information requirements

PC 120 (see Modifications)

There are no special information requirements in this section.

[new text to be inserted]

J1. Definitions

All provisions in this section are regional policy statement, regional coastal plan, regional plan and district plan provisions **[rps/rcp/rp/dp]**.

J1.1. Interpreting the definitions

The meaning of the provisions in the Plan must be ascertained from all relevant text in the Plan and in the light of the purpose of the Resource Management Act 1991 and any relevant objectives and policies in the Plan.

Words and phrases used in the Plan have the meaning set out in their definitions in this chapter unless the context otherwise requires.

Words and phrases that are defined in the Resource Management Act 1991 have the meaning set out in that Act except where expressly provided for otherwise in this chapter or elsewhere in the Plan.

Words in the singular include the plural and words in the plural include the singular.

Where a list is preceded by the word “includes”, that list is not limited to the matters listed.

Where a list is preceded by the word “excludes”, that list is limited to the matters listed.

This chapter does not apply to designations included in the Plan.

J1.1.1. Using Nesting Tables

There are five nesting tables which gather specific land use activities into general groups: Commerce, Community, Industry, Residential and Rural. Within each table, activities are listed with the more general on the left and the more specific on the right. For example, in the Commerce nesting table, retail is the more general activity which includes food and beverage, large format retail and trade suppliers as more specific activities. Those more specific components may also include more specific activities.

Where an activity table for an overlay, zone, Auckland-wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.

J1.1.2. Application of Nesting Tables

(1) Where an activity is included in a nesting table, the class or activity status of that activity in any activity table also applies to the nested activities set out to the right of that activity in the nesting table, unless an activity table expressly provides otherwise for a particular overlay, zone, Auckland-wide or precinct.

(2) Where a specific activity is nested under a general activity, then:

(a) any standard in an overlay, zone, Auckland-wide or precinct for that specific activity will apply despite the class or activity status of the general activity; and

(b) any standard for the general activity will also apply to the specific activity where there is no corresponding standard for the specific activity.

J1.2. Abbreviations and acronyms

Celsius	C
Cubic metres	m^3
Cubic metres per second	m^3/s
Decibel	dB
Gross domestic product	GDP
Kilometre(s)	km
Litres	l
Metre(s)	m
Millimetres	mm
Square metres	m^2
Tonnes	t
Vehicles per hour	v/hr

AEP

Annual exceedance probability

AFA

Average floor area

ANNA

Aircraft noise notification area

AIAL

Auckland International Airport Limited

ARI

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Average rain index

ASAN

Activities sensitive to aircraft noise

BPO

Best practicable option

CFA

Calculated floor area

COC

Certificate(s) of Compliance

CMCA

Common marine and coastal area

CMA

Coastal marine area

FAR

Floor area ratio

GIS

Geospatial information system

GFA

Gross floor area

GMO

Genetically modified organisms

HAIL

Hazardous activities and industries list

HANA

High aircraft noise area

HH

Historic heritage

HSNO

Hazardous Substances and New Organisms Act 1996

HNC

High natural character

HNZPT

Heritage New Zealand/Pouhere Taonga

ITA

Industrial or trade activities

LUC

Land use capability

MANA

Moderate aircraft noise area

MHWS

Mean high water springs

MTFAR

Maximum total floor area ratio

NESETA

National Environmental Standards for Electricity Transmission Activities

NESTF

National Environmental Standards for Telecommunication Facilities

NZCPS

New Zealand Coastal Policy Statement 2010

NZECP 34

New Zealand Electrical Code of Practice for Electrical Safe Distances

NZTA

New Zealand Transport Agency

POAL

Ports of Auckland Limited

ONC

Outstanding natural character

ONF

Outstanding natural feature

ONL

Outstanding natural landscape

RCA

Road controlling authority

RMA

Resource Management Act 1991

RL

Reduced level

RPS

Regional policy statement

RUB

Rural urban boundary

SEA

Significant ecological areas

SMAF

Stormwater management area: flow

SSMW

Sites and places of significance to Mana Whenua

VTA

Vertebrate toxic agent

VOC

Volatile organic compound

WSMA

Water supply management area

J1.3. Nesting Tables

Table J1.3.1 Commerce

Commercial activities	Offices		
	Retail	Food and beverage	Bars and taverns
			Restaurants and cafes
			Drive-through restaurant
		Dairies	
		Show home	
		Large format retail	Supermarket
			Department store
		Trade supplier	
		Service station	
		Markets	
		Marine retail	
		Motor vehicle sales	
		Garden centres	
	Commercial services	Veterinary clinic	
		Funeral director premise	
		Commercial sexual services	
	Entertainment facilities		

Table J1.3.2 Community

Care centres	
Cemeteries	
Community facilities	
Correction facilities	Justice facilities
	Community correction facilities
Education facilities	Community use of education and tertiary education facilities
Emergency services	
Healthcare facilities	

Hospitals	
Informal recreation	
Motorsport activities	
Organised sport and recreation	
Public places	Public open spaces
Recreation facilities	
Showgrounds	
Temporary activities	Temporary military training activities
Tertiary education facilities	Community use of education and tertiary education facilities

Table J1.3.3 Industry

Industrial activities	Freight depots	Warehousing and storage	
	Industrial laboratories		
	Manufacturing	Light manufacturing and servicing	
	Repair and maintenance services		
	Waste management facilities	Refuse transfer station	Recycling facility
	Rail siding		
	Bus depots		
	Storage and lockup facilities		
	Wholesalers		

Table J1.3.4 Infrastructure

Infrastructure	Network utilities	Roads
		Road network activities
		Service connections
		Minor infrastructure upgrading
		Minor utility structure
		Substations
		Gas distribution regulator stations
		Airports
		Aerials

		Antenna
	Electricity generation activities	Large scale wind farms
		Research and exploratory-scale investigations for renewable electricity generation activities
		Small scale energy generation

Table J1.3.5 Residential

Dwellings	
Home occupations	
Visitor accommodation	
Camping grounds	
Boarding houses	Student accommodation
Integrated residential development	
Retirement village	
Supported residential care	

Table J1.3.6 Rural

Rural commercial services	Animal breeding or boarding
Farming	Horticulture
	Free-range poultry farming
	Poultry hatcheries
	Conservation planting
Produce sales	
Intensive farming	Intensive poultry farming
Forestry	
Quarries – farm or forestry	
Equestrian centres	
Rural industries	
On-site primary produce manufacturing	
Post-harvest facilities	

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

J1.4. Definitions

A

Access site

Any separate site used primarily for access to a site or to sites having no legal frontage.

Excludes:

- sites 5m or more in width that are not legally encumbered to prevent the construction of buildings.

Accessible car park

Has the same meaning as in the National Policy Statement on Urban Development 2020, May 2022 except that the requirement for marking is subject to the provisions of this plan.

Accessory activities

Activities located on the same site as the primary activity, where the activity is incidental to, and serves a supportive function of the primary activity.

Includes:

- permitted car parking.

Accessory building

Buildings used in a way that is incidental to the use of any other buildings on that site, or on a vacant site, a building that is incidental to any use which may be permitted on that site.

Excludes:

- dwellings.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Activities sensitive to aircraft noise

Any dwellings, boarding houses, marae, papakāinga, integrated residential development, retirement villages, supported residential care, care centres, education facilities, tertiary education facilities, hospitals, and healthcare facilities with an overnight stay facility.

Activities sensitive to air discharges

Activities sensitive to reduced air quality.

Includes:

- dwellings;

- care centres;
- hospitals;
- healthcare facilities with an overnight stay facility;
- educational facilities;
- marae;
- community facilities;
- entertainment facilities; and
- visitor accommodation.

Activities sensitive to hazardous facilities and infrastructure

Activities sensitive to hazardous facilities and infrastructure are:

- visitor accommodation;
- care centres;
- hospitals;
- healthcare facilities;
- educational facilities;
- tertiary education facilities;
- community facilities;
- marae;
- retirement villages;
- organised sport and recreation;
- recreation facilities;
- entertainment facilities;
- dwellings; and
- boarding houses.

Activities sensitive to noise

Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities and healthcare facilities with an overnight stay facility.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Activities sensitive to the National Grid

Any dwellings, papakāinga, visitor accommodation, boarding houses, integrated residential development, retirement villages, supported residential care, education facilities, hospitals and healthcare facilities and care centres.

Adaptive management approach

A systematic, iterative process of decision making in the face of uncertainty, with an aim of reducing uncertainty over time through system monitoring and changes to management in response to the results of monitoring.

Aftercare

Aftercare (or post-closure care) activities involve any operation, maintenance and monitoring associated with the management of closed (and closed parts of) managed fills and landfills. Aftercare is on-going until the closed managed fill and landfill no longer poses any unacceptable risk to human health or the environment.

Includes:

- groundwater and surface water management;
- leachate management;
- gas management;
- stability management;
- cover and surface vegetation maintenance;
- environmental nuisance control;
- monitoring; and
- site security and access.

Agrichemicals

Any substance, whether inorganic or organic, artificial or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture or related activity, to eradicate, modify or control flora and fauna. For the purposes of this definition, it includes agricultural compounds, but excludes fertilisers, vertebrate pest control products and oral nutrition compounds.

Aircraft operations

Includes:

- the landing and take-off of any aircraft at an airport or airfield;

- the taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the airport to another; and
- aircraft flying along any flight path.

Aircraft noise notification area

The area generally between the 55 dB Ldn and 60 dB Ldn future noise contours as shown in on the Aircraft Noise Overlay map for Auckland International Airport.

Airport

Any defined area of land or water intended or designated to be used either wholly or partly for the landing, departure, movement, or servicing of aircraft, and includes land wholly or partly connected with such activities or their administration, or used for the wider operations and activities to meet the needs of passengers, visitors and employees and businesses located at the airport.

Excludes:

- private helipads used by the occupiers of a property on a non-commercial basis; and
- rural airstrips.

Airport authority

The person or body responsible for establishing, maintaining, operating, or managing an airport or aerodrome. Airport operator has the same meaning.

Airport Noise Boundary

The 55 dB Ldn and 65 dB Ldn lines shown, on the Aircraft Noise Overlay maps for North Shore Airport, Whenuapai Airbase and Kaipara Flats Airfield.

Air show

A sequence of aircraft operations of a maximum of three days in duration, occurring at a frequency not exceeding one per year, which is organised to provide a spectacle for members of the public.

Airspace restriction designation

The area shown in the planning maps under Designations and referred to in the relevant airport designation.

Amateur radio configuration

Antenna, aerials and associated support structures which are owned and operated by licensed amateur radio operators.

Ancillary farming earthworks

Disturbance of soil, earth or substrate land surfaces ancillary to farming.

Includes:

- land preparation and cultivation (including establishment of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops (farming);
- burying of material infected by unwanted organisms as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993;
- irrigation and land drainage; and
- maintenance and construction of facilities, devices and structures typically associated with farming activities including but not limited to farm tracks, driveways and unsealed parking areas, stock races, silage pits, farm drains, farm effluent ponds, and feeding lots, fencing, crop protection and sediment control measures.

Ancillary forestry earthworks

Disturbance of soil, earth or substrate land surfaces ancillary to forestry.

Includes:

- land preparation for the establishment, planting and growing operations, and harvesting of forestry including establishment of erosion and sediment control measures; and
- construction and maintenance of infrastructure and facilities typically associated with forestry including but not limited to tracks, roads and landings, and related erosion and sediment control measures.

Animal breeding or boarding

Breeding, boarding or day care centres for domestic pets or working dogs.

This definition is nested within the Rural nesting table.

Animal feedlots

Intensive feeding of livestock on food other than pasture grasses.

Includes:

- covered feedlots;

- uncovered feedlots; and
- standoff pads.

Excludes:

- concentrated but temporary wintering of stock as part of normal farming operations, such as using animal feedpads and standoff pads.

Annual exceedance probability

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

The probability of exceeding a given threshold within a period of one year. It can be applied to any type of risk. For example in relation to flooding, a one per cent AEP flood plain is the area that would be inundated in a storm event of a scale that has a one per cent or greater probability of occurring in one year.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Equivalent average return intervals (ARI) are:

- one per cent AEP = 100 year ARI.
- two per cent AEP = 50 year ARI.
- 10 per cent AEP = 10 year ARI.
- 20 per cent AEP = 5 year ARI.
- 50 per cent AEP = 2 year ARI.

Antenna

Any telecommunications, radio communications device including dish, aerials (any array of rods, wires and tubes) or panels, or broadcasting equipment that receives or transmits signals.

Includes the following ancillary components which are not subject to antenna size limits in the infrastructure rules:

- radio frequency units or similar devices;
- lightning rods, shrouds and ancillary equipment, such as amplifiers, controller boxes and tilt motors; and
- Global Positioning System (GPS) antennas.

Excludes:

- supporting masts or other structures.

Aquifer

A permeable water bearing geological formation capable of yielding, storing, receiving or transmitting water at a sufficient rate to be a practical water supply.

Archaeological investigations

Recovery of information from an archaeological site using archaeological techniques. These include invasive/destructive methods such as excavation or sampling, and non-invasive, repeatable methods such as survey, recording or remote sensing.

Archaeological site

Has the same meaning as in Heritage New Zealand Pouhere Taonga Act 2014.

Artificial crop protection structures

Open structures that are used to protect crops from damage.

Includes:

- bird netting; and
- wind-break netting.

Excludes:

- greenhouses.

Artificial watercourse

Constructed watercourses that contain no natural portions from their confluence with a river or stream to their headwaters.

Includes:

- canals that supply water to electricity power generation plants;
- farm drainage canals;
- irrigation canals; and
- water supply races.

Excludes:

- naturally occurring watercourses.

Automotive and marine suppliers

A business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft.

Includes:

- boats and boating accessories;
- trucks, cars and motorcycles;
- auto parts and accessories;

- trailers and caravans; and
- tyres and batteries.

Average floor area

The average of the horizontal areas measured at 1.5m above all floor levels from the external faces of the building, including all voids and the thickness of external and internal walls, except:

- for sites with a gross site area of 2,000m² or less, where the horizontal area at any floor level totals less than 20 per cent of the site area, the horizontal area at that level shall be deemed to be 20 per cent of the site area for the purpose of calculating average floor area; and
- for sites with a gross site area greater than 2,000m², where the horizontal area at any floor level totals less than 400m², the horizontal area at that level shall be deemed to be 400m2 for the purpose of calculating average floor area.

Excludes:

- basement space;
- approved through site links and works of art; and
- any entrance foyer/lobby or part of it including any void forming an integral part of it, provided that entrance foyer/lobby is publicly accessible, accessed directly from a street or public open space and has an overhead clearance of at least 6m.

Average recurrence interval

Average time between rainfall or flow rates which exceed a certain magnitude.

B

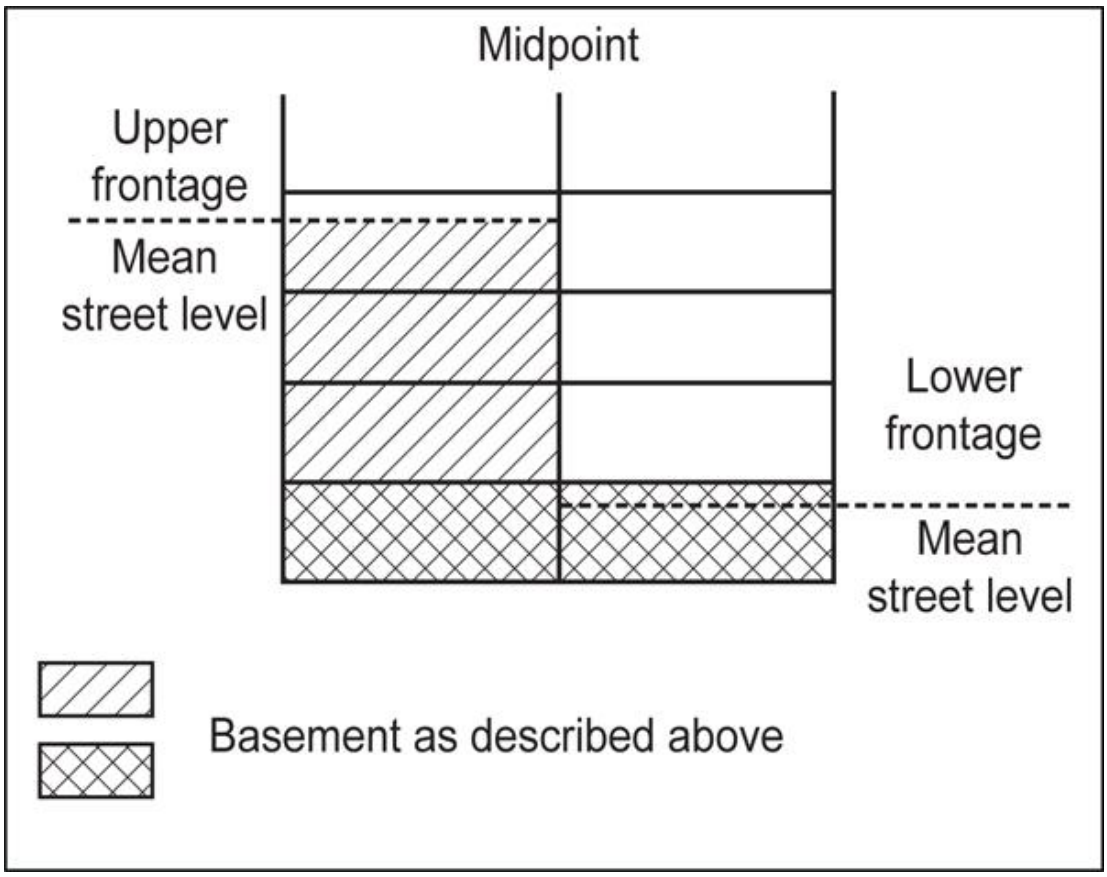
Base flow

The part of river flow derived from groundwater seeping into the river.

Basement

Any floor level of a building where the greater part of the volume of that floor level is below the mean street level of the frontage of the building. Where a building has two or more frontages, the basement includes any floor level used for parking, manoeuvring, or access where the greater part of that floor level is below the mean street level of the upper frontage to the midpoint of the site measured horizontally between the upper frontage and the lower frontage (see Figure J1.4.1 Basement).

Figure J1.4.1 Basement



Best practicable option

Has the same meaning as in section 2 of the Resource Management Act 1991.

Billboard

Any sign, message or notice conveyed using any visual media which is used to advertise any business, service, good, products, activities or events that are not directly related to the primary use or activities occurring on the site of the sign.

Includes:

- the sign and any associated frame and supporting device, whether permanent, temporary or moveable, whose principal function is to support the message or the notice.

Excludes:

- stencil signage or similar markings;
- a poster or poster signage as defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- a banner or flag situated on or over a road or public place;

- real estate signage or directional real estate signage;
- vehicle signage as defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- community event signage as defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- regional and major event signage defined in the Auckland Transport, Auckland Council Signage Bylaw 2015;
- any election sign as defined and controlled by the Auckland Transport Election Signs Bylaw 2013.

Biodiversity offset

Compensation for significant residual adverse biological effects arising from subdivision, use and development.

Biosecurity tree works

The alteration or removal of any tree or vegetation infected by an unwanted organism as defined in the Biosecurity Act 1993 as part of a disease eradication or control programme within an infected area.

Biosolids

Sewage or sewage sludge derived from a sewage treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land and does not include products derived from industrial wastewater treatment plants.

Boarding house

Has the same meaning as section 66B of the Residential Tenancies Act 1986.

Bore

Any drilled hole that has been constructed to provide access to groundwater. For example, for monitoring of ground or groundwater conditions, taking of groundwater or the discharge of stormwater. This includes piezometers, other than piezometers that are constructed into structures such as dams or the refuse in landfills.

Boundary adjustment

A subdivision of existing sites that:

- maintains the same number of sites following subdivision as existed prior to it;

- alters the boundaries between two or more contiguous sites, and
- may result in any one or more of the sites becoming larger or smaller.

Brownfield

Any already urbanized land to be redeveloped, often for more intensive or different land use.

Building

Any permanent or temporary structure.

On land for the purposes of district plan provisions, “building” includes the following types of structures listed in Table J1.4.1, only where they meet the qualifying dimensions or standards:

Table J1.4.1: Buildings

Type of structure	Qualifying dimension or standard (for height the rolling height method is to be used)
Decks, steps or terraces	Over 1.5m in height
Fences or walls	Over 2.5m in height
Flagpoles, masts or lighting poles	Over 7m higher than its point of attachment or base support or Has a width at any point exceeding 1.2m
Grandstands, stadia or other structures that provide seating or standing accommodation (whether or not open or covered or enclosed)	Over 1m in height
Retaining walls or breastwork	Over 1.5m in height or Located within 1.5m of the boundary of a road or public place
Satellite dishes	Over 1m diameter
Stacks or heaps of materials	Over 2m in height and In existence for more than one month
Free-standing signs	Over 1.5m in height
Swimming pools, spa pools, swirl pools, plunge pools or hot tubs	Over 1m in height from ground level, inclusive of the height of any supporting structure or More than 25,000l capacity
Tanks including retention tanks other than Rainwater tanks excluded below.	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
Verandahs and bridges over any public open	Above ground level

space	
In an Open Space Zone: Bicycle stand/parking structures Board walks Boxing or edging Drinking and water fountains Gates, bollards and chains Rubbish and recycling bins Seating and tables Stairs	Over 1.5m in height from ground level, inclusive of the height of any supporting structure
Type of structure	**Qualifying dimension or standard (for height either the average ground level or rolling height method)**
Structures used as a dwelling, place of work, place of assembly or storage, or structures that are in a reserve or camping ground	Over 1.5m in height and In use for more than 32 days in any calendar year

and excludes the following types of structures:

- any scaffolding or falsework erected temporarily for construction or maintenance purposes;
- roads, road network structures, manoeuvring areas, parking areas (other than parking buildings) and other paved surfaces;
- any film set, stage or similar structures less than 5m in height that exist for less than 30 consecutive days; and
- aerials and water overflow pipes.

Rainwater tanks in the following zones and overlays:

- Single House Zone
- Large Lot Zone
- Rural and Coastal Settlement Zone
- Mixed Housing Suburban Zone
- Mixed Housing Urban Zone
- Terrace Housing and Apartment Buildings Zone
- Special Character Areas Overlay - Residential and Business
- Rural Production Zone
- Mixed Rural Zone

- Rural Coastal Zone
- Rural Conservation Zone
- Countryside Living Zone
- Waitākere Foothills Zone
- Waitākere Ranges Zone
- Special Purpose - Māori Purpose Zone

Note: For the avoidance of doubt, rainwater tanks outside of the above listed zones and overlay are NOT exempt from the definitions of 'buildings.'

Note: Rainwater tanks remain defined as a building under the Building Act. A building consent may still be required under the Building Act.

In the coastal marine area for the purposes of the regional coastal plan, "building" includes any covered or partially covered permanent or temporary structure, whether or not it is enclosed.

Building coverage
The part of the net site area covered by buildings.

Includes:
- overhanging or cantilevered parts of buildings
- any part of the eaves or spouting that projects more than 750mm horizontally from the exterior wall of the building
- accessory buildings.

Excludes:
- uncovered swimming pools
- pergolas
    - uncovered decks
- open structures that are not buildings.

Building line restriction

A line shown on the title and on the survey plan to:

- create a new boundary for the purpose of assessing yards; and
- to prevent buildings being erected between the building line restriction and the relevant site boundary.

Building suppliers

A business primarily engaged in selling materials for use in the construction, modification, cladding, fixed decoration or outfitting of buildings.

Includes:

- glaziers;
- locksmiths; and
- suppliers of:
    - awnings and window coverings;
    - bathroom, toilet and sauna installations;
    - electrical materials and plumbing supplies;
    - heating, cooling and ventilation installations;
    - kitchen and laundry installations, excluding standalone appliances;
    - paint, varnish and wall coverings;
    - permanent floor coverings;
    - power tools and equipment;
    - safes and security installations; or
    - timber and building materials.

This definition is nested within the Commerce nesting table.

Bus depots

Sites for bus parking, servicing and repair.

Includes:

- accessory administrative offices and facilities.

This definition is nested within the Industry nesting table.

Business activities

Commercial and industrial activities.

Business zones

Means:

- Business – City Centre Zone;
- Business – Metropolitan Centre Zone;
- Business – Town Centre Zone;

- Business – Local Centre Zone;
- Business – Neighbourhood Centre Zone;
- Business – Mixed Use Zone;
- Business – General Business Zone;
- Business – Business Park Zone;
- Business – Heavy Industry Zone; and
- Business – Light Industry Zone.

C

Camping ground

Site where the primary use is short term accommodation where the following apply:

- used by two or more groups of people living independently of each other;
- where the continuous term of occupancy of each independent group of people never exceeds 50 days in any one calendar year;
- where rent, hire, donation, or other reward is usually collected;
- which may accommodate tents, caravans, or mobile camping vehicles; and
- which may include cabins or other structures or shelters, some or all of which would not normally comply with the New Zealand Building Code for residential buildings.

Includes shared or communal:

- entrances;
- water supplies;
- cook houses;
- sanitary fixtures and conveniences;
- parking areas;
- recreation areas;
- use of other premises and equipment; and
- identified overnight campervan and non-serviced camping areas.

This definition is nested within the Residential nesting table.

PC 120 (see Modifications)

[new text to be inserted]

Capital works dredging

Excavating material from the bed of the coastal marine area and removing the excavated material, where the excavation is for the purpose of providing increased water depths beyond existing approved levels or beyond natural levels where there is no existing approved level.

Care centre

Facility used for any one or more of the following:

- children, in addition to the children of the person in charge, aged six years or younger are educated and cared for, and includes: childcare centres, crèches, kindergartens, kōhanga reo, playcentres and play groups;
- early childhood learning services;
- children, in addition to the children of the person in charge, aged five years or older and are cared for out of school hours;
- elderly people are cared for during the day; and
- people with disabilities (including mental health, addiction, illness or intellectual disabilities) are cared for during the day.

Excludes:

- supported residential care.

This definition is nested within the Community nesting table.

Carriageway

The part of a driveway or road formed for the movement of motor vehicles.

Catchpit

An inlet to a stormwater system incorporating a grate and small chamber to separate gross solids from stormwater prior to connection to a pipe.

Cemetery

Place used for human burial and cremation.

Includes:

- accessory retail;
- crematoria;
- interment and re-interment;
- funeral services and receptions;
- mausoleums;

- administration offices and meeting rooms;
- vehicle parking; and
- landscaping.

Excludes:

- urupā.

This definition is nested within the Community nesting table.

Centre zones

Means:

- Business – City Centre Zone;
- Business – Metropolitan Centre Zone;
- Business – Town Centre Zone;
- Business – Local Centre Zone; and
- Business – Neighbourhood Centre Zone.

Changeable message signage

Has the same meaning as in the Auckland Transport, Auckland Council Signage Bylaw 2015.

Channel clearance

The clearance of vegetation and debris from river channels and river mouths to maintain efficient water flow, reduce the risk of flooding and erosion, maintain structures, remove plant pest species and remove hazards for navigational uses.

Includes:

- clearing, cutting or realigning rivers and streams;
- maintenance of land drainage and stormwater systems; and
- maintenance and clearing of road and drainage and water tables.

Excludes:

- mangrove removal, other than mangroves in channels.

Cleanfill

Facility where cleanfill material is accepted for deposit.

Excludes:

- storage and use of cleanfill material within an earthworks site for the purpose of engineering contours for specific activities;
- placement of cleanfill material associated with road construction and road maintenance activities; and
- onsite storage and use of overburden or aggregate by-product that is cleanfill material associated with mineral extraction activities.

Cleanfill material

Means natural material such as clay, gravel, sand, soil and rock which has been excavated or quarried from areas that are not contaminated with manufactured chemicals or chemical residues as a result of industrial, commercial, mining or agricultural activities.

Excludes:

- hazardous substances and material (such as municipal solid waste) likely to create leachate by means of biological breakdown;
- product and materials derived from hazardous waste treatment, stabilisation and disposal practices;
- materials such as medical and veterinary waste, asbestos, and radioactive substances;
- soil and fill material which contain any trace element specified in Table E30.6.1.4.2 at a concentration greater than the background concentration in Auckland soils specified;
- sulfidic ores and soils;
- combustible components;
- more than 5% by volume of inert manufactured materials (e.g. concrete, brick, tiles); and
- more than 2% by volume of attached biodegradable material (e.g. vegetation).

Clubrooms

Premises which are set aside for the use, convenience and enjoyment of a group associated with the particular public open space, sport, recreational or community organisation and may be licensed to hold a club licence under the Sale and Supply of Alcohol Act 2012.

Includes:

- the emergency services component associated with surf lifesaving clubs.

Coastal cell

A stretch of coast, typically bounded by rock headlands, where there is no significant net loss of sediment by waves and currents.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Coastal erosion hazard area

Any land which is:

(a) within a horizontal distance of 20m landward from the top of any coastal cliff with a slope angle steeper than 1 in 3 (18 degrees); or

(b) at an elevation less than 7m above mean high water springs if the activity is within:

(i) Inner Harbours and Inner Hauraki Gulf: 40m of mean high water springs; or

(ii) Open west, outer and Mid Hauraki Gulf: 50m of mean high water springs; or

(c) within a lesser distance from the top of any coastal cliff, or mean high water springs, than that stated in (a) and (b), where identified in a site-specific coastal hazard assessment technical report prepared by a suitably qualified and experienced professional to establish the extent of land which may be subject to coastal erosion over at least a 100 year time frame.

[new text to be inserted]

Coastal marine area

Has the same meaning as in the Resource Management Act 1991 except where the line of mean high water springs crosses a river specified in Appendix 7 Coastal Marine Area boundaries, the landward boundary must be the point defined in the appendix.

Coastal marine area depositing of material

The placement of sand, shell, shingle or other natural material in the coastal marine area where the intended design purpose is associated with a beneficial end use.

Includes:

- beach replenishment;
- environmental enhancement;
- restoration or enhancement of natural coastal defences from coastal hazards; or

- where the material is a result of river mouth dredging; to maintain or gain access to an existing lawful structure or dredging to clear the exit of any lawful stormwater outfall or pipe.

Excludes:

- depositing dredged material or solid matter for reclamation purposes;
- disposal of waste or other matter; and
- hard protection structures.

Coastal marine area disturbance

Disturbance of the foreshore and seabed.

Includes:

- excavation, drilling and tunnelling.

Excludes

- common marine and coastal area mineral extraction;
- dredging;
- coastal marine area depositing of material; and
- disposal of material in the coastal marine area.

Coastal marine area structure

Any building, equipment, device or other facility made by people and which is fixed to land, including the foreshore and seabed covered by water.

Includes:

- wharves;
- jetties;
- seawalls;
- buildings, or other structures built on piles, wharves or jetties;
- moorings;
- ramps;
- rafts;
- breakwaters, groynes and other wave attenuation devices;
- infrastructure including bridges, tunnels, pipelines, cables and transmission lines laid on, over (including in the air space above) or under the foreshore or seabed;
- marine and port facilities; and

- marine and port accessory structures and services.

Excludes:

- signs.

Coastal protection yard

A yard measured in a landward direction from mean high water springs.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Coastal storm inundation 1 per cent annual exceedance probability (AEP) area

The area of coastal land subject to inundation caused by high sea level elevations during storm events, where the sea level elevation is of such height as to have a one per cent chance of being equalled or exceeded in any year. This includes wave set up for open coastal areas and excludes wave set up for inner harbours and estuaries. Wave run up is not included.

The Coastal storm inundation 1 per cent AEP area is:

- the area shown in the Council's publicly available online GIS viewer as the modelled extent of affected land for a 100 year return period (Average Recurrence Interval); or
- as identified in a site-specific technical report prepared by a suitably qualified and experienced professional.

Note: The Coastal Storm Inundation maps included in the Council's GIS viewer represent the area of inundation indicated in the tables of the report: Stephens, S., Wadhwa, S., and Tuckey, B., (2016) Coastal inundation by storm-tides and waves in the Auckland Region, prepared by NIWA and DHI for Auckland Council, Auckland Council Technical Report TR2016/17). These maps may be amended should more updated information be made available.

PC 120 (see Modifications)

Coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area

The area inundated during a coastal-storm inundation 1 per cent AEP event plus an additional one metre of sea-level rise relative to the present-day mean sea level.

The area of coastal storm inundation 1 per cent AEP plus 1m sea level rise is defined as:

- the area shown in the Council's publicly available online GIS viewer as the modelled extent of affected land for a 100 year return period (Average Recurrence Interval) plus 1m sea level rise; or
- as identified in a site-specific technical report prepared by a suitably qualified and experienced professional.

Coastal zones

Means:

- Coastal – General Coastal Marine Zone;
- Coastal – Marina Zone;
- Coastal – Mooring Zone and moorings outside the Coastal – Mooring Zone;
- Coastal – Minor Port Zone;
- Coastal – Ferry Terminal Zone;
- Coastal – Defence Zone; and
- Coastal – Coastal Transition Zone.

Combined sewer network

A network which is designed to convey wastewater and stormwater in the same pipe.

Commercial activities

The range of commercial activities including offices, retail and commercial services providers.

Commercial services

Businesses that sell services rather than goods. For example: banks, real estate agents, travel agents, dry cleaners and hair dressers.

Commercial sexual services

Has the same meaning as in section 4 of the Prostitution Reform Act 2003 No. 28

This definition is nested within the Commerce nesting table.

Common marine and coastal area

Has the same meaning as in the Marine and Coastal Area (Takutai Moana) Act 2011.

Common marine and coastal area mineral extraction

Removal of sand, shell, shingle and other natural material from the common marine and coastal area under sections 12(2)(b) and 12(4)(b) of the Resource Management Act 1991.

Excludes:

- excavation of material undertaken as part of extraction activities.

Community correction facility

Buildings and land used for administrative and non-custodial services. Services may include probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, and offices may be used for the administration of and a meeting point for community work groups.

Community facilities

Facilities for the well-being of the community, generally on a not for profit basis.

Includes:

- arts and cultural centres (including art galleries and museums);
- places of worship;
- community centres;
- halls;
- libraries;
- marae;
- Citizens Advice Bureau;
- community correction facilities; and
- justice facilities.

Excludes:

- entertainment facilities;
- care centres; and
- healthcare facilities.

This definition is nested within the Community nesting table.

Community scale electricity generation

Systems or equipment that generate electricity from renewable sources for an immediate community, or connection into a distributed energy network.

Includes:

- photovoltaic systems;
- biomass;
- wind generation; and
- hydro generation.

Community use of education and tertiary education facilities

The use of any school or tertiary education facility for community purposes not directly associated with the primary education function of the school facility.

Includes:

- classes;
- meetings of community groups;
- church services;
- places of worship;
- private functions;
- social, leisure and recreational use;
- licensed premises; and
- associated parking.

This definition is nested within the Community nesting table.

Comprehensive development signage

Has the same meaning as in the Auckland Transport, Auckland Council Signage Bylaw 2015.

Conservation planting

Planting principally for:

- soil and water conservation;
- waste water disposal or purification;
- landscape preservation or enhancement;
- preservation for particular historic or archaeological value; and
- conservation for scientific or ecological value.

Includes:

- planting trees; and
- tending trees.

Excludes:

- growing trees for timber production.

Contiguous vegetation

Vegetation with a continuous or near continuous canopy, or sub canopy or ground cover and any adjacent individual plants or groups of plants that connect to the continuous area in terms of species, structure or ecological gradient. It does not include vegetation planted as a crop, garden or pasture or the understorey in forests.

Contributing buildings, structures or features

Buildings, structures or features within the extent of a scheduled historic heritage area that have heritage value or make a contribution to the significance of the area.

Corner site

A site which is located on the corner of two intersecting roads.

Refer to Figure J1.4.8 Site.

Cultivation

Preparing soil for the planting of seeds or plants.

Includes:

- discing;
- hoeing;
- mould boarding;
- ploughing;
- ripping; and
- turning and lifting.

Excludes:

- direct drilling of seed and no-tillage practice;
- harrowing; and
- forestry.

Culvert

A structure with an inlet from and an outlet to a lake, river, stream or the coastal marine area, designed to enable access across a river, such as a road or stock crossing.

D

Dairy effluent

Effluent from dairy cows kept in a confined area.

Includes:

- associated process water;
- washwater; and
- dairy sludge.

Dairy sludge

The accumulated organic solids from dairy oxidation ponds, barrier ditches, storage ponds, wintering barns or hard-stand areas.

Dam

A structure which, either:

- permanently impounds surface water; or
- temporarily impounds surface water as its primary function, and includes weirs but excludes culverts, rain gardens and culvert headwalls.

Damming

The activity of impounding surface water (and any substances dissolved in, suspended in or otherwise combined with the water) with any structure. This excludes water held in tanks, rain gardens, culverts and culvert headwalls and reclamation or drainage which results in the creation of dry land.

Dead wood removal

The alteration or removal of dead trees, dead wood and dead vegetation provided that it does not involve the trimming, alteration or partial or complete removal of any other live protected trees or vegetation and is carried out in accordance with the currently accepted arboricultural practice.

Declamation

Permanent removal of land so that the area becomes part of the coastal marine area.

PC 120 (see Modifications)

[new text to be inserted]

Demolition

The destruction or damage, in whole or in part, of any building or structure.

Department store

A shop that retails a wide variety of goods, other than food or groceries, but the variety is such that no predominant product line can be determined. These units have predominant retail sales in clothing and at least three of the following six product groups:

- furniture;
- kitchenware, china, glassware and other housewares;
- textile goods;
- electrical, electronic and gas appliances;
- perfumes, cosmetics and toiletries; or
- sporting goods.

The products primary to these headings, as well as other products, are normally sold by or displayed in separate departments or sections.

This definition is nested within the Commerce nesting table.

Detailed site investigation (contaminated land)

An investigation that:

- is done by, or is done under the management of, a suitably qualified and experienced person;
- is done in accordance with the Contaminated Land Management Guidelines No. 5 – Site Investigation and Analysis of Soils, Wellington, Ministry for the Environment (2011);
- is reported on in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- results in a report that is certified by a suitably qualified and experienced person.

Discharge system

In respect of rural production discharges, means a system used to discharge liquid contaminants and includes any facilities and devices used to collect, store or treat the liquid.

Diversion of stormwater

Altering the natural course of stormwater flow, primarily through recontouring land or the establishment of impervious surfaces and associated drainage.

Domestic type wastewater

Wastewater originating from toilets, urinals, kitchens, bathrooms, showers, baths, basins and laundries from dwellings, commercial, industrial or other premises. It excludes wastewater from commercial laundries, schools, cafes and restaurants, trade waste and industrial or trade process wastewater or wash water.

Drilling

A method of boring into the ground mainly by rotation, percussion, or washing action.

Excludes:

- excavation of pits by digging, blasting or other forms of excavation, driven posts or driven solid piles.

Drive-through restaurant

Any land and/or building on or in which food and beverages are prepared, served and sold to the public inclusive of a facility designed to serve customers in their vehicles, for the consumption on or off the premises and may include an ancillary cafe and/or playground area.

Dry proofing

Sealing a building to prevent flood waters entering the building.

Dune stabilisation

Soft engineering works to stabilise dunes.

Includes:

- revegetation;
- wind fencing; and
- dune reshaping.

Excludes:

- hard protection structures.

Dwelling

Living accommodation used or designed to be used for a residential purpose as a single household residence contained within one or more buildings, and served by a food preparation facility/kitchen.

A food preparation facility/kitchen includes all of the following:

- means for cooking food, food rinsing, utensil washing and waste water disposal; and
- space for food preparation (including a suitable surface) and food storage including a refrigerator or a perishable food storage area capable of being cooled.

PC 120 (see Modifications)

[new text to be inserted]

This definition is nested within the Residential nesting table.

E

Earthworks

Disturbance of soil, earth or substrate land surfaces.

Includes:

- blading;
- boring (greater than 250mm diameter) ;
- contouring;
- cutting;
- drilling (greater than 250mm diameter);
- excavation;
- filling;
- ripping;
- moving;
- placing;
- removing;
- replacing;
- trenching; and
- thrusting (greater than 250mm diameter).

Excludes:

- ancillary forestry earthworks; and

- ancillary farming earthworks.

Easement

A specified area of land over which another party has reserved a right of access or use.

Education facility

Facility used for education to secondary level.

Includes:

- schools and outdoor education facilities; and
- accommodation, administrative, cultural, religious, health, retail and communal facilities accessory to the above.

Excludes:

- care centres; and
- tertiary education facilities.

This definition is nested within the Community nesting table.

Electric Vehicle Supply Equipment

Electric Vehicle Supply Equipment for car parks includes the power outlets, wiring, cable trays, circuits, metering, electrical distribution boards and communications technology required to connect a type 2 (7 kilowatt, 32 Amp) electric vehicle charger with the electricity network and enable smart electrical load management.

Emergency services

Places occupied by organisations that respond to and deal with accidents, emergencies, or urgent problems such as fire, illness, or crime.

Includes:

- police, fire and ambulance stations;
- surf lifesaving activities;
- administration related to emergency services;
- vehicle and equipment storage and maintenance; and
- personnel training.

Excludes:

- healthcare facilities;
- hospitals; and

- private security companies.

This definition is nested within the Community nesting table.

Emergency tree works

The alteration or removal of any tree or vegetation immediately necessary to avoid any actual and imminent threat to the safety of persons or damage to property or to maintain or restore utility services.

End-of-trip facilities

Facilities provided for cyclists, walkers and runners at the end of their trip.

Includes:

- cycle parking and/or storage;
- lockers;
- toilets;
- showers; and
- changing areas.

Entertainment facility

Facility used for leisure or entertainment.

Includes:

- nightclubs;
- theatres; and
- concert venues.

This definition is nested within the Commerce nesting table.

Entrance strip

All that part of a site extending from the road frontage to a point at which it becomes over 7.5m wide, measured at right angles to its course. “Course” is deemed to mean the bisection of the directions of the boundaries forming the side of the entrance strip. Refer to Figure J1.4.8 Site.

Ephemeral stream

Stream reaches with a bed above the water table at all times, with water only flowing during and shortly after rain events. This category is defined as those stream reaches that do not meet the definition of permanent river or stream or intermittent stream.

Equestrian centre

Facility used for:

- paid lessons in horse riding; and
- training, racing or showing horses competitively.

Includes:

- accessory retail;
- accessory restaurants and cafes; and
- animal feedlots.

Excludes:

- pony clubs.

This definition is nested within the Rural nesting table.

Equivalent runoff

The same stormwater runoff volumes and rates from a site as would be achieved by a specified percentage of impervious surface on that site with the remainder covered in grass. The equivalent runoff is achieved by using stormwater runoff mitigation techniques and devices to reduce volumes and runoff rates to the required equivalent level.

Exfiltration

Leakage from a reticulated wastewater network or combined sewer system.

Excludes:

- planned or unforeseen discharges from pump stations or overflow points.

Experimental aquaculture activities

Aquaculture activities that test new species, including polyculture, and or new technology or techniques.

F

Farming

Land used for horticulture, beekeeping, or raising, caring, breeding and grazing of livestock.

Includes:

- arable, pastoral, and other forms of farming;
- keeping or training horses and facilities accessory to keeping or training horses, such as: agistment, arenas (e.g. for dressage), breeding, sand rolls, stables, provided they are not open to the public;
- conservation planting;
- viticulture;
- equestrian activities; and
- free-range poultry farming.

Excludes:

- intensive farming;
- any form of racing, show jumping, or other activity which the general public may attend free of charge, or by payment of an entrance fee;
- equestrian centres;
- forestry;
- rural commercial activities; and
- rural industries.

This definition is nested within the Rural nesting table.

Farming and agriculture supplier

A business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry.

Includes:

- equestrian and veterinary suppliers;
- farming and horticultural equipment suppliers;
- seed and grain merchants; and
- stock and station outlets.

Feedpad

An area of artificially sealed land used principally for feeding animals.

Ferry terminal

Facility located on land and within the coastal marine area that provide in an integrated manner for the transfer of passengers to and/or from ferry services.

Includes:

- areas for bus parking;
- areas of park and ride;
- passenger waiting areas;
- shelters;
- transport related signs;
- devices and facilities to enable the movement, circulation and security of pedestrians:
- ticketing and other passenger facilities (including but not limited to end of trip facilities):
- information kiosks:
- accessory food and beverage:
- offices associated with ferry terminal facilities and services: or
- accessory retail.

Fertiliser

Any substance or biological compound described as able to sustain or increase the growth, productivity or quality of plants or, indirectly, animals through the application of nutrients or additives to plants or soils in solid or fluid form.

Excludes:

- products discharged or applied as part of a waste treatment process;
- substances containing human faecal matter, biosolids, pathogens, or any other agent that could transmit disease or pests; and
- plant growth regulators that modify the physiological functions of plants.

Finished floor level

The level of the finished top surface of the bottom floor of a building.

Floodplain

The area of land that is inundated by runoff from a specified rainfall event, with an upstream catchment generating $2m^3/s$ or greater of above ground flow, taking into account:

- any increases in impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan;
- the effects of climate change over a 100 year timeframe in respect of the frequency and duration of rain fall events and a 1m sea level rise; and
- assuming that primary drainage is not blocked.

Excludes the following areas:

- constructed depressions or pits within the Special Purpose - Quarry Zone

Note: The Council holds publicly available information showing the modelled extent of floodplains, developed at a catchment level, in its GIS viewer for the one per cent annual exceedance probability (AEP) rainfall event (the floodplain maps). The floodplain maps are indicative only. A party will usually be required to provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the frequency, extent, depth and flow characteristics of the floodplain specific to their property and development proposal.

Site assessments will need to take account of impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan, and recognition should be given to any existing or planned flood attenuation works either existing or planned in an integrated catchment (or stormwater) management plan.

Council will continually update the floodplain maps to reflect the best information available.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

PC 120 (see Modifications)

Flood tolerant activity

Flood tolerant activities for the purpose of the Plan are:

- informal recreation and leisure;
- organised sports and recreation including park fields structures;
- public amenities;
- farming and intensive farming and artificial crop protection structures and crop support structures;
- forestry;
- mineral extraction;
- car parking and loading areas; and
- buildings for network utilities.

Floor area ratio

Floor area ratio (FAR) is the relationship between gross floor area and site area, and is expressed by the formula:

- floor area ratio = gross floor area/site area.

For the purpose of calculating FAR, site area excludes:

a) any portion of a site affected by a building line restriction

b) any part of a site which is made up of an interest in any airspace above or subsoil below a road.

Food and beverage

Premises where the primary business is selling food or beverages for immediate consumption on or off site.

Includes:

- restaurants and cafes;
- food halls; and
- take-away food bars.

Excludes:

- retail shops; and
- supermarkets.

This definition is nested within the Commerce nesting table.

Forestry

Growing trees to produce timber, or where the land cover is principally timber tree species. Forest has a corresponding meaning.

Includes:

- clearing understorey;
- harvesting trees;
- portable sawmills;
- planting trees;
- tree alteration;
- replanting trees;
- thinning trees; and
- accessory vegetation removal.

Excludes:

- planting or growing fruit, citrus, nut, or other food producing trees (refer to farming).

This definition is nested within the Rural nesting table.

Formed (in relation to road)

Construction of the road and includes gravelling, metalling, sealing or permanently surfacing the road and includes construction of all or part of the legal road.

Fossil or sub-fossil

An object easily seen without magnification constituting the remains or traces of a non-human organism that lived in New Zealand prior to European settlement, irrespective of how it is preserved; including (but not limited to) the whole organism or parts of it, or trace evidence of its behaviour.

Free-range poultry farming

Places where poultry are housed in either stationary, permanent or moveable structures or buildings, which enable them to have access to the outdoors.

This definition is nested within the Rural nesting table.

Free standing sign

Any sign placed or mounted on the ground and independent of any other building or structure for its support.

Includes:

- any footpath sign.

Freight depot

Facility used for receiving, despatching or consolidating goods in transit by road, rail, air or sea.

Includes:

- carriers' depots;
- courier services;
- mail distribution centres; and
- trucking depots.

Excludes:

- composting plants; and
- refuse transfer stations.

This definition is nested within the Industry nesting table.

Freshwater system

The beds, banks, margins, flood plains and waters of rivers and natural lakes and wetlands, and groundwater systems together with their natural functioning and interconnections.

Frontage

The boundary line on which the site adjoins a road, and any state highway excluding motorways.

Front boundary

The boundary line on a site which adjoins a road.

Excludes:

- Boundary lines which adjoin motorways or pedestrian access ways, whether or not they are further classed as a road.
- Any boundary on a rear site.

Front site

A site that is not a rear site.

Refer to Figure J1.4.8 Site.

Front yard

The area along the full length of a front boundary of a site that is between:

- the front boundary of that site;
- a building line restriction or a designation for road widening purposes; and
- a line parallel to that front boundary, restriction or designation.

Refer Figure J1.4.7 Yards.

Fuel storage system

A system in which at least one of the following is underground:

- a storage tank for aviation kerosene, diesel, kerosene, lubricating oil or petroleum;
- the whole of the tank's accessory equipment; or
- part of the tank's ancillary equipment.

Functional need

The need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment.

Funeral director's premises

Facility used for holding funerals.

Includes:

- mortuary facilities; and
- funeral chapels.

This definition is nested within the Commerce nesting table.

G

Garden centre

Shop for the sale of plants, trees or shrubs.

Includes the sale of:

- landscaping supplies;
- bark and compost; and
- statuary and ornamental garden features

provided that their sale is accessory to the sale of plants, trees or shrubs.

This definition is nested within the Commerce nesting table.

Gas distribution regulator station

Those parts of works or gas installations, being a building, structure or enclosure incorporating fittings, valves and other ancillary equipment that are used principally for the purposes of the control of the distribution of gas.

Genetically modified organism

Unless expressly provided otherwise by regulations, any organism in which any of the genes or other genetic material:

- have been modified by in vitro techniques; or

- are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in vitro techniques.

This does not apply to genetically modified products that are not viable and are no longer genetically modified organisms, or products that are dominantly non-genetically modified but contain non-viable genetically modified ingredients, such as processed foods.

Genetically modified veterinary vaccine

A veterinary vaccine that is a genetically modified organism as defined in this Plan.

Genetically modified organism field trials

The carrying out of outdoor trials, on the effects of the organism under conditions similar to those of the environment into which the organism is likely to be released, but from which the organism, or any heritable material arising from it, could be retrieved or destroyed at the end of the trials.

Genetically modified organism release

To allow the organism to move within New Zealand free of any restrictions other than those imposed in accordance with the Biosecurity Act 1993 or the Conservation Act 1987. A release may be without conditions under section 34 of the Hazardous Substances and New Organisms Act 1996 or subject to conditions set out in section 38A of Hazardous Substances and New Organisms Act 1996.

Genetically modified medical applications

The manufacture, trialling or use of viable and/or non-viable genetically modified organisms for medical purposes recognised as medicines under the Medicines Act 1981 and approved as safe to use by the Ministry of Health, including EPA approved releases, except for the outdoor cultivation of pharmaceutical producing organisms.

Geological feature

Landform created through geologic processes such as erosion, weathering, deposition and plate tectonics, or exposures of rock or other geological material.

Girth

The circumference of the trunk of a tree measured at 1.4m above natural ground level. For trees with multiple trunks, such as Pōhutukawa, the girth measurement is the collective measurement of all trunks with a circumference of 250mm or more.

Greenfield

Land identified for future urban development that has not been previously developed.

Greenhouse

Facility used for growing plants inside.

Includes:

- glasshouses;
- plastic houses;
- shade houses; and
- tunnel houses.

Excludes:

- domestic greenhouses accessory to dwellings; and
- outdoor crop support structures.

Greenhouse nutrient solution

The liquid that provides plants in a soil-less growing system with water and nutrients.

Green waste

Vegetative garden waste material.

Includes:

- grass clippings;
- branches;
- weeds; and
- leaves.

Gross floor area

- For all purposes other than for the calculation of floor area ratio (FAR):

  the sum of the area of all floors of all buildings measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two adjoining activities, but excluding:

  - car parking;
  - loading docks and spaces;

- vehicle access aisles and manoeuvring areas/ramps;
- cycle parking and end of trip facilities;
- plant and equipment rooms and enclosures;
- floor space in open or roofed outdoor areas, external balconies, or porches, provided no more than 50 per cent of the perimeter of these areas is enclosed. In this context the perimeter of an area is 'enclosed' where a parapet is 1.2m or higher, or a railing is less than 50 per cent open and 1.4m or higher;
- voids; and
- publicly accessible pedestrian circulation space between individual tenancies.

For the purposes of calculating floor area ratio (FAR):

the sum of the total floor area of all buildings on a site as measured:

- from the exterior faces of the exterior walls; or
- from the centre lines of walls separating two buildings or tenancies; or
- from the exterior edge of the floor, if there are no walls to measure; or
- in accordance with any specific exemptions applying to a historic heritage or special character building.

Includes, except where more specific elements are excluded:

- elevator shafts, stairwells and lobbies at each floor, including external entrances/breezeways;
- floor area in interior balconies and mezzanines;
- floor area in terraces (open or roofed), external balconies, porches if they are more than 75 per cent enclosed;
- voids except as otherwise provided, where vertical distance between storey levels exceeds 6m, the gross floor area of the building or part of the building so affected must be taken as the volume of that airspace in m^3 divided by 3.6; and
- all other floor area not specifically excluded.

Excludes:

- basement areas used for parking including manoeuvring areas, access aisles and access ramps;
- plant areas within the building;
- basement areas for stairs, escalators and elevators essential to the operation of a through site link or servicing a floor used primarily for parking and loading;
- open or roofed outdoor areas, external balconies, porches, provided no more than 75 per cent of the perimeter of these areas is enclosed;

- any entrance foyer/lobby or part of it including any void forming an integral part of it. The entrance foyer/lobby must be publicly accessible, accessed directly from a street or public open space and have an overhead clearance of at least 6m;
- non-habitable floor space in rooftop structures;
- required off-street loading spaces; and
- publicly accessible pedestrian circulation space between individual tenancies.

Gross stormwater pollutants

Pollutants such as litter, plastics and other coarse material that may become entrained in stormwater flows.

Ground level

The finished level of the ground at the time of the completion of the most recent subdivision in which additional sites were created, unless stated otherwise in the subdivision consent, except that where no such subdivision has occurred since 31 January 1975, ground level must be deemed to be the finished level of the ground on 23 November 2013.

In relation to the measurement of the girth of a tree, ground level must be taken from the uphill side of the tree trunk.

Groundwater diversion

Significantly changing the permeability of the aquifer and/or rerouting the ambient groundwater flow regime by draining, piping or physically impeding the flow of groundwater.

H

Habitable room

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.

Hard protection structure

Includes:

- seawalls;

- rock revetments;
- groynes;
- breakwaters;
- stop banks
- retaining walls; or
- comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a coastal hazard, including erosion.

Hazardous facility

Facility where hazardous substances are used, stored or disposed of on a site (but does not include where they are stored in or on vehicles being used in transit on public or private roads or in the strategic transport corridor for the transport of hazardous substances) unless excluded below.

Excludes:

- installations where the combined transformer oil capacity of the electricity transformers is less than 1,000l;
- fuel in mobile plant, motor vehicles, boats and small engines;
- gas and oil pipelines, including associated equipment, that are part of a network utility service;
- hazardous activities not involving hazardous substances;
- retail outlets selling domestic scale usage of hazardous substances, such as supermarkets, department stores, hardware shops, pharmacies, garden centres;
- the accessory use and storage of hazardous substances in minimal domestic scale quantities;
- activities involving Hazardous Substances and New Organisms sub-classes 1.4, 1.5, 1.6, 6.1D, 6.1E, 9.1D and 9.2D;
- the temporary storage, handling and distribution of national or international cargo in the port precinct designed for carriage in a ship;
- trade waste sewers;
- waste treatment and disposal facilities;
- vehicles applying agrichemicals and fertilisers for their intended purpose; and
- marine transport vessels.

Hazardous substance

Substances defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.

In addition includes any substance with one or more of the following intrinsic properties:

- radioactivity; and
- high BOD5 more than 10,000mg/l.

Hazardous waste

Wastes exhibiting hazardous characteristics, such as explosiveness, flammability, a capacity to oxidise, corrosiveness, toxicity, or ecotoxicity, or which generate a substance with one or more of these properties on contact with air or water, which require special care from creation to eventual disposal.

Healthcare facility

Facilities used for providing physical or mental health or welfare services.

Includes:

- medical practitioners;
- dentists, and dental technicians;
- opticians;
- physiotherapists;
- medical social workers and counsellors;
- midwives;
- paramedical practitioners;
- alternative therapists;
- providers of health and well-being services;
- diagnostic laboratories; and
- accessory offices.

This definition is nested within the Community nesting table.

Heavy vehicle

A motor vehicle that has a gross vehicle mass exceeding 3,500 kilograms.

Height

Height is the vertical distance between the highest part of a building or structure and a reference point. The reference point outside the coastal marine area is ground level unless otherwise stated in a rule. The reference point inside the coastal marine area is mean sea level. Height rules or standards are always a maximum unless otherwise stated in a rule or standard.

The exclusions below apply both outside and inside the coastal marine area.

Any reference in the exclusions below to 'zones' includes a reference to any precinct that applies to relevant parts of those zones. The exclusions apply to any such precinct, unless a specific exclusion is varied by the precinct.

Excludes:

- In all zones, projections (other than those listed in (2)-(4) below) that are up to:

  a) 2m in width on any elevation; and

  b) 1.5m above the maximum permitted activity height or the height in relation to boundary standard for the site, whichever is the lesser height;

In all zones:

(a) Steeples, spires, minarets and similar structures on places of worship that do not exceed 2m in width on any elevation or 4m above the maximum permitted activity height for the site;

(b) Chimneys that do not exceed 1.1m in width on any elevation or that do not exceed 1.5m above the permitted activity height for the site;

(c) Flagpoles, masts, lighting poles, aerials or antennas that do not exceed:

  i. One third of the maximum permitted activity height for the site; or

  ii. 300mm in diameter; or

  iii. The footprint of the building

(d) Handrails or transparent safety barriers that do not exceed 1.5m above the permitted activity height for the site;

(e) Solar panels and solar hot water heating systems;

(f) Guy wires.

The following projections:

- lift wells;
- lift towers;
- elevator and stair bulkheads;

- roof water tanks;
- machinery rooms;
- plant, including cooling towers, air-conditioning units, including any access walkways and any screening directly associated with the plant;

Provided that:

a) in business zones, Terraced Housing and Apartment Building zone and the special purpose zones:

   i. the projection does not exceed the greater of either 3m above maximum permitted activity height for the site or an additional 20% of the maximum permitted activity height for the site, up to a maximum of 6m; and

   ii. the cumulative area of the projections does not exceed an area measured in a horizontal plane equal to 15% of the area of the roof to the storey immediately below such structures.

b) In all other zones:

   i. The projection does not exceed 1.5m above the maximum permitted activity height for the site: and

   ii. The cumulative area of the projections does not exceed an area measured in a horizontal plane equal to 10% of the area of the roof to the storey immediately below such structures.

In the Coastal – Minor Port Zone, Coastal – Ferry Terminal Zone, Coastal – Defence Zone, industrial zones, Port precinct (including the Auckland War Memorial Museum Viewshaft Overlay) and Gabador Place precinct:

- Cranes;
- Derricks;
- Cargo stacking and lifting devices;
- Conveyors.

Outside the coastal marine area there are two techniques available for measuring height:

(a) the rolling height method where height is measured as the vertical distance between ground level at any point and the highest part of the building or structure immediately above that point. The rolling height method is illustrated in Figure J1.4.2 Height – rolling height method below; and

(b) the average ground level method where height is measured as the vertical distance between the highest part of the building or structure and the average ground level, being the average level of the ground measured at 1m intervals at

the external foundations of the building walls or the base of the structure, provided that no part of the building or structure exceeds the maximum permitted height for the site by 2m if measured using the rolling height method. The average ground level method is illustrated in Figure J1.4.3 Height – average ground level method below.

Inside the coastal marine area, height is the vertical distance between the highest part of the building or structure and mean sea level.

Figure J1.4.2 Height - rolling height method

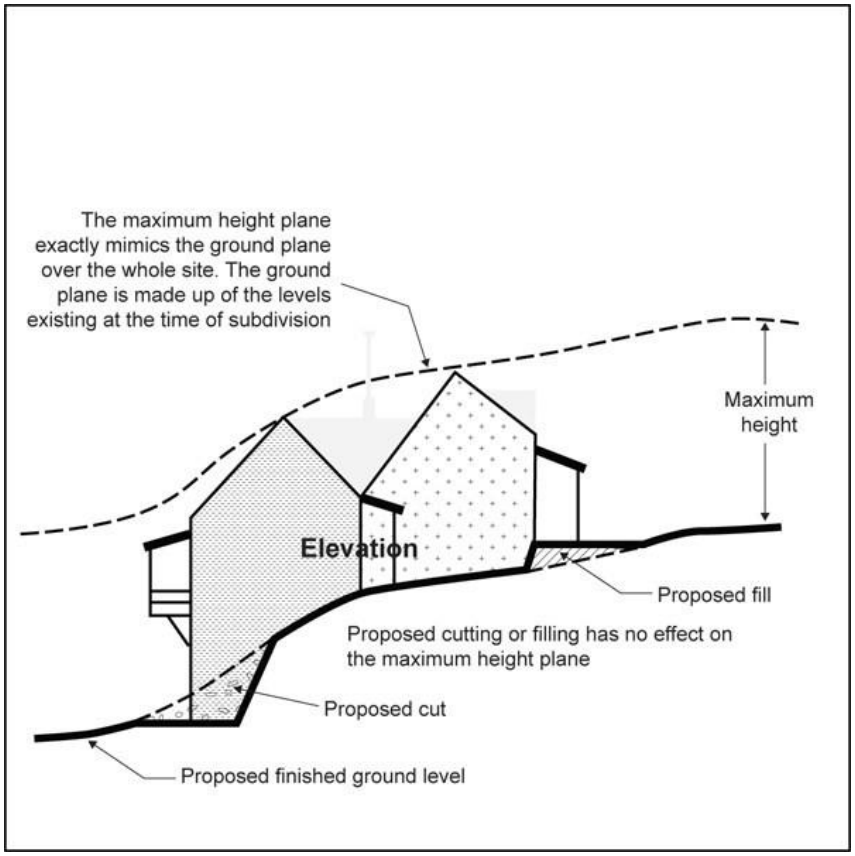
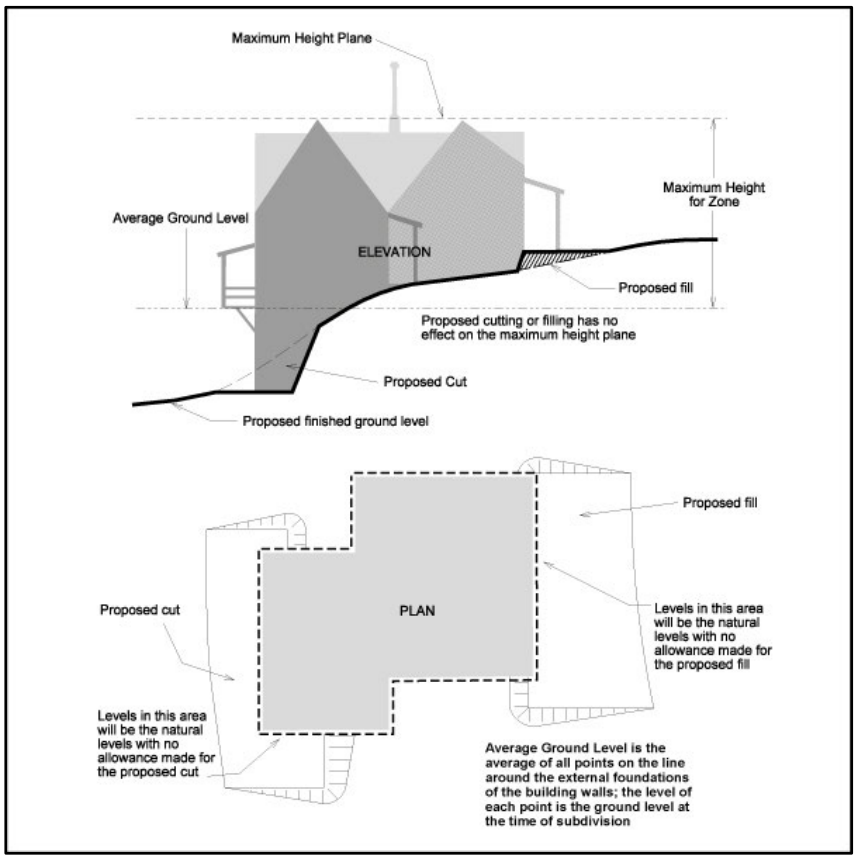


Figure J1.4.3 Height - average ground level method



Height in relation to boundary

The height of a building relative to its distance from the boundary of a site. The allowable height increases as the distance from the boundary increases up to the maximum height allowed.

High aircraft noise area

The area generally within the 65dB L_{dn} future noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

High contaminant generating car park

Formal vehicle parking areas on a site (including that which is an accessory activity to the main use of the site) that are:

- exposed to rainfall; and
- designed for a total of more than 30 vehicles.

The parking area include associated accessways (manoeuvring, entries and exits) but excludes any parking or accessways located within an industrial and trade activity area.

High use road

A road, motorway or state highway that carries more than 5000 vehicles per day, excluding cycle lanes, footpaths and ancillary areas that do not receive stormwater runoff from the road carriageway.

Hire premises

Facility used for the hiring of machinery and equipment.

Includes:

- servicing and maintenance of hire equipment; and
- storing of hire equipment.

Excludes:

- premises for the hire or loan of books, video, DVD, and other similar home entertainment items.

This definition is nested within the Commerce nesting table.

Home occupation

Place where an occupation, business or homestay activity occurs which is secondary to the use of the site as a dwelling.

Excludes:

- produce sales.

This definition is nested within the Residential nesting table.

Horse racing activities

Means the racing of horses, equestrian activities and includes training, stabling, care, farrier's shops and workshops, sales and auction of horses and bloodstock, totalisator agency premises and associated veterinarian services.

Horticulture

Production of flowers, fruit, vegetables, and grains.

Includes:

- greenhouses;
- plant nurseries; and
- orchards.

Excludes:

- forestry;
- garden centres; and
- intensive farming.

This definition is nested within the Rural nesting table.

Hospital

Facility that provide for the medical, or surgical or psychiatric care and treatment of persons.

Includes:

- accessory offices;
- accessory retail including pharmacies, food and beverage, and florists;
- accessory commercial services including banks and dry cleaners;
- ambulance facilities and first aid training facilities;
- conference facilities;
- helicopter facilities;
- hospices;
- hospital maintenance and service facilities, including kitchens and laundries;
- medical research and testing;
- mortuaries;
- rehabilitation facilities;
- supported residential care; and
- training.

This definition is nested within the Community nesting table.

Houseboat

Any vessel or floating structure designed, fitted and used primarily for a residential purpose, as opposed to transport or recreation.

Impact and vibratory piling

Underwater piling in the coastal marine area using impact and vibratory methods.

Excludes:

- vibrated casings required to support bored piling methods.

Impervious area

An area with a surface which prevents or significantly retards the soakage of water into the ground.

Includes:

- roofs;
- paved areas including driveways and sealed/compacted metal parking areas, patios;
- sealed and compacted metal roads; and
- layers engineered to be impervious such as compacted clay.

Excludes:

- grass and bush areas;
- gardens and other vegetated areas;
- porous or permeable paving and living roofs;
- permeable artificial surfaces, fields or lawns;
- slatted decks;
- swimming pools, ponds and dammed water; and
- rain tanks.

Impervious layer

A layer of material, including but not limited to buildings, concrete, asphalt and compacted earth, which is designed to minimise the downward infiltration of water and to prevent human contact with the underlying soil.

Industrial activity

The manufacturing, assembly, packaging or storage of products or the processing of raw materials and other accessory activities.

Excludes:

- mineral extraction activities.

This definition is nested within the Industry nesting table.

Industrial laboratory

Facility used for scientific, industrial, or medical research and monitoring

Excludes:

- the manufacture, or production of radioactive material.

This definition is nested within the Industry nesting table.

Industrial or trade activity

Has the same meaning as industrial or trade process under section 2 of the Resource Management Act 1991 but does not include a production land activity.

Industrial or trade activity area

The area of land or coastal marine area where a particular industrial or trade activity is being undertaken, which may result in the discharge of environmentally hazardous substances associated with that activity onto or into land or water.

The calculation of the industrial or trade activity area must be based upon the following areas:

- all roof areas onto which environmentally hazardous substances generated by the activity are deposited;
- all outdoor storage, handling or processing areas of materials and/or products that may contribute to the quality or quantity of environmentally hazardous substance discharges (including occasional or temporary use of areas);
- the area at risk from failure of the largest unbunded container used for the activity that may contribute to the quality or quantity of environmentally hazardous substance discharges: and
- all areas (including roofs) that contribute runoff to the Industrial or trade activity area.

The calculation of the industrial or trade activity area excludes the following areas:

- all areas that discharge lawfully into an authorised trade waste system;
- areas that are not used for or affected by the industrial or trade activity;
- all indoor or roofed areas which do not discharge onto or into land or water; and
- areas used for the storage of inert materials, provided that if suspended solids are generated by the materials and entrained in stormwater, the stormwater from such storage areas is treated in accordance with the best practicable option or is otherwise lawfully authorised.

Industrial zones

Means:

- Business - Heavy Industry Zone; and
- Business - Light Industry Zone.

Infiltration

Groundwater entering the stormwater or wastewater network.

Informal recreation

A pastime, leisure, sport or exercise activity that occurs on an ad-hoc basis or irregularly and contributes to a person's enjoyment and/or relaxation.

Excludes:

- regular organised sport and recreation.

This definition is nested within the Community nesting table.

Information facility

Permanent or temporary facility or structure for the primary purpose of storing and displaying information relating to particular features and resources of educational, ecological, marine, scientific, safety or heritage value about a particular site or sites.

Includes:

- interpretative signs;
- way finding signs;
- park information signs.

Excludes:

- billboard signs.

This definition is nested within the Community nesting table.

Infrastructure

Infrastructure has the same meaning as in section 2 of the Resource Management Act 1991 and also means:

- bulk storage for wholesale or distribution purposes of natural or manufactured gas over 15 tonnes, or petroleum over 1 million litres;
- storage and treatment facilities for a water supply distribution system;
- storage, treatment and discharge facilities for a drainage or sewerage system;
- municipal landfills;
- national defence facilities; and
- facilities for air quality and meteorological services.

Integrated catchment management plan

A plan for the management of stormwater and/or wastewater discharges, diversions and associated activities within the catchment prepared in accordance with previous regional plans and identifies:

- the stormwater or wastewater issues facing the catchment and the range of effects from those discharges, diversions and associated activities;
- strategic objectives for the management of stormwater and wastewater discharges, diversions and associated activities within the catchment;
- a range of management options and the preferred management approach for avoiding, remedying or mitigating environmental effects and risks;
- roles and responsibilities for implementation of the management approach;
- tools to support implementation of the management approach; and
- a process for review.

Integrated Māori development

An integrated development comprising one or more activities on Māori Land, Treaty Settlement Land or in the Māori Purpose Zone.

The activities provided for may include, but are not limited to:

- marae;
- papakāinga;
- urupā
- wānanga
- care centres, including kohanga reo;
- cultural activities;
- dwellings;
- commercial activities;
- tourism activities;
- educational facilities;
- healthcare services;
- community facilities; and
- organised sport and recreation.

Integrated residential development

A residential development on sites greater than 2,000m^2 which includes supporting communal facilities such as recreation and leisure facilities, supported residential care, welfare and medical facilities (inclusive of hospital care), and other non-residential activities accessory to the primary residential use. For the avoidance of doubt this would include a retirement village.

Integrated retail development

An integrated and comprehensively designed development that may include internalized and/or street facing activities, and:

- is operated by a single management entity;
- comprises a wide range of predominantly retail activities, with at least two large format retail outlets;
- is at least 5000m^2 gross floor area; and
- provides for shared accessory car parking for all tenancies.

Intensive farming

Intensive growing of fungi, livestock, or poultry within a building or structure or on animal feed lots with:

- limited or no dependence on natural soil quality on the site; and
- food required to be brought to the site.

Includes:

- intensive pig farming;
- intensive poultry farming; and
- animal feedlots.

Excludes:

- free-range poultry and pig farming;
- a kennel for a single dog or one bitch with pups;
- a shelter for a single animal on a chain;
- a shelter for any other single animal that is kept as a household pet;
- greenhouses; and
- shelters for working dogs.

This definition is nested within the Rural nesting table.

Intensive poultry farming

Raising or keeping poultry for human consumption or egg production, where the predominant productive processes are carried out primarily within buildings.

Excludes:

- free-range poultry farming.

Intermittent stream

Stream reaches that cease to flow for periods of the year because the bed is periodically above the water table. This category is defined by those stream reaches that do not meet the definition of permanent river or stream and meet at least three of the following criteria:

(a) it has natural pools;

(b) it has a well-defined channel, such that the bed and banks can be distinguished;

(c) it contains surface water more than 48 hours after a rain event which results in stream flow;

(d) rooted terrestrial vegetation is not established across the entire cross-sectional width of the channel;

(e) organic debris resulting from flood can be seen on the floodplain; or

(f) there is evidence of substrate sorting process, including scour and deposition.

Iwi planning document

Documents developed by whānau, hapū or iwi which are recognised by the relevant whānau, hapū or iwi as a planning document and has been lodged with the Council.

Includes:

- iwi management plans.

J

Justice facilities

Facility used for judicial, court, or tribunal purposes, and/or activities including collection of fines and reparation, administration and support, together with custodial services as part of the operation of New Zealand's justice system.

L

Lakeside yard

Means the area around a lake measured horizontally and at right angles from the top of the bank.

At Lake Pupuke, any land which lies between Lake Pupuke and a line which is measured horizontally and at right angles to the lake edge (according to the 5.73m contour which has been accepted as mean winter lake level) for 30m in a landward direction.

- The lakeside yard for Lot 1 DP 49189 (being 27 Lake View Rd) must be all that land on the lakeward side of a line originating at a point 30m from the lake edge on the north western boundary, and terminating at a point 20m from the lake edge on the south eastern boundary.
- The lakeside yard for lot 18 DP 47080 (being 29 Lake View Road) must be all that land on the lakeward side of a line originating at a point 40m from the lake edge on the promontory on the south eastern boundary, and terminating at a point 15m from the lake edge on the north western boundary.
- The lakeside yard for lot 17 DP 47080 (being 31 Lake View Road) must be all that land on the lakeward side of a line originating at a point 15m from the lake edge on the south eastern boundary, and terminating at a point 27m from the lake edge on the north western boundary.
- The lakeside yard for Lot 1 DP 187562 (being 33/35A Lake View Rd) must be all that land on the lakeward side of a line originating at a point 30m from the lake edge on the north-western boundary, and terminating at a point 27m from the lake.

Land containing elevated levels of contaminants

Land that contains contaminants at levels exceeding the controls for in-situ soil and fill material in rule E30.6.1.4. This excludes stormwater treatment devices.

Land containing elite soil

Land classified as Land Use Capability Class 1 (LUC1). This land is the most highly versatile and productive land in Auckland. It is:

- well-drained, friable, and has well-structured soils;
- flat or gently undulating; and
- capable of continuous cultivation.

Includes:

- LUC1 land as mapped by the New Zealand Land Resource Inventory (NZLRI);

- other lands identified as LUC1 by more detailed site mapping;
- land with other unique location or climatic features, such as the frost-free slopes of Bombay Hill;
- Bombay clay loam;
- Patumahoe clay loam;
- Patumahoe sandy clay loam; and
- Whatitiri soils.

Land containing prime soil

Land identified as land use capability classes two and three (LUC2, LUC3) with slight to moderate physical limitations for arable use.

Factors contributing to this classification are:

- readily available water;
- favourable climate;
- favourable topography;
- good drainage; and
- versatile soils easily adapted to a wide range of agricultural uses.

Land disturbance

The disturbance of the surface of land by earthworks, ancillary farming earthworks, or ancillary forestry earthworks.

PC 120 (see Modifications)

Land which may be subject to land instability

Any land with one of the following characteristics:

(a) Where the land which is underlain by Allochthonous soils has slope angles greater than or equal to 1 vertical to 7 horizontal;

(b) Where the land which is underlain by Holocene or Pleistocene sediments which has a slope angle greater than or equal to 1 vertical to 4 horizontal;

(c) Where the land is underlain by any other soil type and has a slope angle greater than or equal to 1 vertical to 3 horizontal;

(d) On sloping sites where fill greater than 600mm depth has been placed in uncontrolled conditions or not to engineered (certified) standards and where the original underlying natural terrain gradient was greater than or equal to:

(i) 1 vertical to 7 horizontal for slope comprising Allochthonous soils;

(ii) 1 vertical to 4 horizontal for slopes comprising Holocene or Pleistocene soils; or

(iii) 1 vertical or 3 horizontal for slopes comprising any other soil types;

(e) Within a horizontal distance of 2.5 times the cliff vertical height behind the base of any natural cliff; or

(f) Within a horizontal distance of 2 times the cliff vertical height in front of the base of any natural cliff.

Note

A natural cliff may be considered to be any slope with a vertical height of greater than 3.5m and a gradient equal to or greater than 1 vertical to 1 horizontal (45-degrees). The vertical height of the cliff must only be measured over that part of the cliff where the slope gradient is equal to or greater than 45 degrees.

Geological conditions, including soil types not mapped in the Plan and soil conditions as referred to in the above definition may be identified at a regional level through the following sources:

- *reference to information in GNS Sciences Qmaps;*
- *Geology of Auckland (compiled by Edbrooke for IGNS 2001);*
- *property files material and reports held by Council; and*
- *by a suitably qualified professional.*

Landfill

Facility where household, commercial, municipal, industrial and hazardous, or industrial waste is accepted for disposal.

Landscaped area

PC 120 (see Modifications)

In relation to any site, means any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:

- One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:

  (a) ornamental pools;

  (b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;

  (c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;

- non-permeable pathways not exceeding 1.5m in width;
- permeable artificial lawn in the residential zones, except:

  (a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;

  (b) Permeable artificial lawn must:

    - be permeable;
    - resembles grass in colour including a mix of natural looking green tones;
    - have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;
    - is resistant to ultra violet degradation, weathering and ageing during its normal service life; and
    - is recyclable.

- Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.

Excludes any area which:

- falls within the definition of building coverage;
- is part of a non-permeable pathway that is greater than 1.5m in width;
- is used for the parking, manoeuvring or loading of motor vehicles.

Landscape supplier

Facility used for the sale of goods for permanent exterior installation or planting.

Includes suppliers of:

- bark and compost;
- clothes hoists and lines;
- conservatories, sheds and other outbuildings;
- firewood;
- garden machinery;
- outdoor recreational fixtures and installations;
- monumental masonry;
- patio furniture and appliances;
- paving and paving aggregates;
- statuary and ornamental garden features; and
- swimming pools and spa pools.

This definition is nested within the Commerce nesting table.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Land use capability (LUC) classes

These classes describe land according to physical factors and land use, ranging from LUC 1 to 8. They are mapped in the "NZ Land Resource Inventory" and a full description of the land use classes are found in "Land Use Capability Survey Handbook. A New Zealand handbook for the classification of land 3rd edition 2009".

Large format retail

Any individual shop tenancy with a floor area greater than 450m^2, where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy.

Excludes:

- food and beverage;
- garden centres;
- marine retail;
- motor vehicle sales; and
- trade suppliers.

This definition is nested within the Commerce nesting table.

Large-scale wind farm

Buildings, structures, access tracks and turbines used to generate electricity from wind and convey the electricity to an associated substation in order to supply the wholesale electricity market.

Lawfully established aquaculture activities

Aquaculture activities consented and operational at 30 September 2013.

Leachate

Liquid that has percolated through, or emerged from, solid waste and contains dissolved or suspended liquids, solids or gases.

PC 120 (see Modifications)

Less vulnerable activities

Means activities listed in the following nesting tables:

- Commerce;
- Community, excluding care centres, and healthcare facilities with overnight stay facilities;
- Industry; and
- Rural.

Level of fouling

Expressed in the international Level of Fouling (LOF) - A scale used to assess the level of macrofouling on vessels, ranging from 1 to 5 based on the percentage macrofouling cover.

- 1 = Slime layer fouling only. Nil macrofouling cover.
- 2 = Light fouling. Hull covered in biofilm and 1-2 very small patches of macrofouling. 1 – 5 per cent macrofouling cover.
- 3 = Considerable fouling. Presence of biofilm, and macrofouling still patchy but clearly visible. 6 – 15 per cent macrofouling cover.
- 4 = Extensive fouling. Presence of biofilm, and abundant fouling assemblages consisting of more than one species. 16 – 40 per cent macrofouling cover.
- 5 = Very heavy fouling. Diverse assemblages covering most of visible hull surfaces. 41 – 100 per cent macrofouling cover.

Licensed premises

Places where liquor is sold.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Light manufacturing and servicing

Places where articles, goods or produce are made, prepared and/or repaired for sale or rent and the light manufacturing and servicing activity is contained entirely within a building, does not require the use, storage or handling of hazardous substances requiring separate resource consent and does not require any air discharge consent.

Excludes:

- sales or servicing of motor vehicles.

This definition is nested within the Industry nesting table.

Light spill

Light from both direct and indirect sources, which falls outside an artificially lit area. Measurement of both the horizontal and vertical components is required.

Livestock

Animals raised for food or other products, or kept for use, especially farm animals.

Includes:

- meat and dairy cattle;
- pigs;
- poultry;
- deer;
- horses;
- goats; and
- sheep.

Long-term parking (non-accessory)

Where:

(a) the parking is for public use on a long stay basis in excess of 240 minutes (4 hours) between 7am and 6pm Monday to Friday inclusive, but excluding public holidays; and

(b) the parking may also be used outside the times and days set out in (a) above.

Lux

The unit of illumination, being one lumen per m².

M

Maintenance dredging

Excavating material from the bed of the coastal marine area and removing the excavated material, where the excavation is for the purpose of removing accumulated sediment so that the seabed is returned to previously approved levels.

Mana Whenua

Māori with ancestral rights to resources in Auckland and responsibilities as kaitiaki over their tribal lands, waterways and other taonga. Mana Whenua are represented by iwi authorities.

Mana Whenua cultural heritage

PC 120 (see Modifications)

In a Plan context, this includes sacred sites and places and the cultural landscape context in which sites and places are located. Mana Whenua cultural heritage includes:

- archaeology of Māori origin;
- wāhi (location, locality, place);
- wāhi tapu (sacred ancestral sites and places of significance to iwi, hapū or whānau);
- sites and places are significant to Mana Whenua for the tangible and intangible values they hold;
- Māori cultural landscapes;
- wāhi pakanga (battle site);
- wāhi tohi (ritual site);
- urupā (Māori burial ground);

- tō waka (waka portage);
- rākau pito and wāhi pito (tree marking the burial site of a placenta or umbilical cord);
- taonga (a treasured item, it can be tangible or intangible); and
- cultural and spiritual associations with these areas, features or sites.

Managed fill

Facility where managed fill material is accepted for deposit.

Managed fill material

Managed fill material is:

- contaminated soil and other contaminated materials;
- natural materials such as clay, gravel, sand, soil, rock; or
- inert manufactured materials such as concrete and brick: and

That does not contain:

- hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown;
- products or materials derived from hazardous waste treatment stabilisation or disposal practices;
- materials such as medical and veterinary waste, asbestos, or radioactive substances;
- combustible components; or
- more than 2 per cent by volume of incidental or attached biodegradable materials (e.g. vegetation).

Mangrove removal

Partially or wholly removing, burying or clearing mangroves.

Includes:

- pruning mangrove branches;
- pulling out mangrove seedlings;
- removing mangroves at the trunk; and
- removing mangrove root systems.

Mangrove seedling

A mangrove with:

- a single supple stem and is no more than 60cm tall; and
- shows no reproductive capability.

Manufacturing

Making items by physical labour or machinery.

Includes:

- assembly of items.

This definition is nested within the Industry nesting table.

Māori cultural activities

Activities undertaken in accordance with tikanga, including ceremonial, ritual, transferring marking areas or boundaries, or recreational activities.

Marae

Facilities used for the provision of a focal point for social, cultural, and economic activity for Māori and the wider community.

Can include one or more of the following:

- marae ātea (sacred courtyard);
- wharenui/wharehui (main building or meeting house);
- wharemoe (sleeping house);
- kāuta (kitchen, cookhouse, cooking shed);
- wharekai (dining hall);
- māra kai (food garden):
- accessory dwellings (including kaumatua housing);
- whare oranga (Healthcare centre);
- kōhanga reo (Care centre);
- wānanga (Education facility);
- papa tākaro (organised sport and recreation);
- overnight accommodation of visitors; and
- events and gatherings.

Excludes:

- industry.

Māori land

PC 120 (see Modifications)

Has the same meaning as section 129 of Te Ture Whenua Maori Act 1993.

[new text to be inserted]

Marina

A facility for the accommodation of vessels.

Includes:

- berths;
- gangways;
- moorings;
- piers;
- piles;
- pontoons;
- wave attenuation devices;
- land-based areas for parking and land-based vessel storage; and
- associated facilities and servicing.

Marina berths

Structures used to berth a vessel.

Includes:

- pontoons;
- piers;
- gangways;
- piles; and
- other accessory fixtures.

Marine and port activities

Activities associated with:

- the navigation, anchoring, mooring, berthing, manoeuvring, refuelling, storage, servicing, maintenance and repair of vessels;
- embarking and disembarking of passengers;
- loading, unloading and storage of cargo and containers;

- operation, maintenance, repair, cleaning, and refuelling of associated plant and equipment;
- educational activities associated with these activities; and
- the use of buildings and structures associated with these activities, including accessory offices, seafood processing and parking.

Marine and port accessory structures and services

Structures and services accessory to marine and port activities and marine and port facilities.

Includes:

- fenders;
- piles;
- pontoons;
- gangways;
- handrails;
- hardstands;
- wash-down facilities;
- ramps and other boat launching facilities;
- canopies;
- lighting poles and fittings;
- refuse facilities;
- dinghy racks;
- dinghy locker and storage facilities;
- power and telecommunication cables;
- water and sewer reticulation;
- floating oil booms and barriers;
- fuelling and sewage pumpout facilities; and
- navigational aids.

Marine and port facilities

Facilities and structures that are associated with marine and port activities and serve more than an accessory role.

Includes:

- drydocks;

- travel lifts;
- shiplifts;
- cranes;
- cargo stacking and lifting devices;
- conveyors;
- derricks;
- gantries;
- landings;
- wharves;
- jetties;
- piers; and
- dolphin structures (a structure that extends above the water level and is not connected to land above mean high water springs other than for access purposes, and is used for the berthing of vessels).

Excludes:

- buildings.

Marine industry

The manufacturing, servicing, repair, transportation, storage of boats and accessory equipment.

Includes:

- accessory offices; and
- training facilities.

Marine retail

The sale or hire of boats, wholesale and retail sale of fish, and accessory goods and services

Includes:

- accessory offices.

This definition is nested within the Commerce nesting table.

Marine seismic survey

A method of exploration geophysics that uses active acoustic sources to estimate the structure, stratigraphy and properties beneath the sea floor. The method generates a controlled sound wave from an acoustic source, and detects returned sound energy

though an array of acoustic receivers that may be either towed behind the vessel or combined with seismographs placed upon the sea floor.

Maritime passenger facility

Structure associated with maritime passenger operations.

Excludes:

- buildings.

Maritime passenger operations

Activities associated with ferries, water taxis and charter boat services.

Includes:

- passenger and tourist operations;
- berthing and maintenance of passenger vessels;
- vehicular ferry operations;
- ancillary administration activities including ticket sales; and
- associated freight movement and storage.

Mast

Means either the primary structure that antennae, dishes, and aerials are fixed to or an HF vertical antenna. The mast may be a guyed pole mast, a self-supporting pole mast, a guyed lattice mast, or a self–supporting lattice mast.

Includes:

- any poles subsidiary to the primary mast.

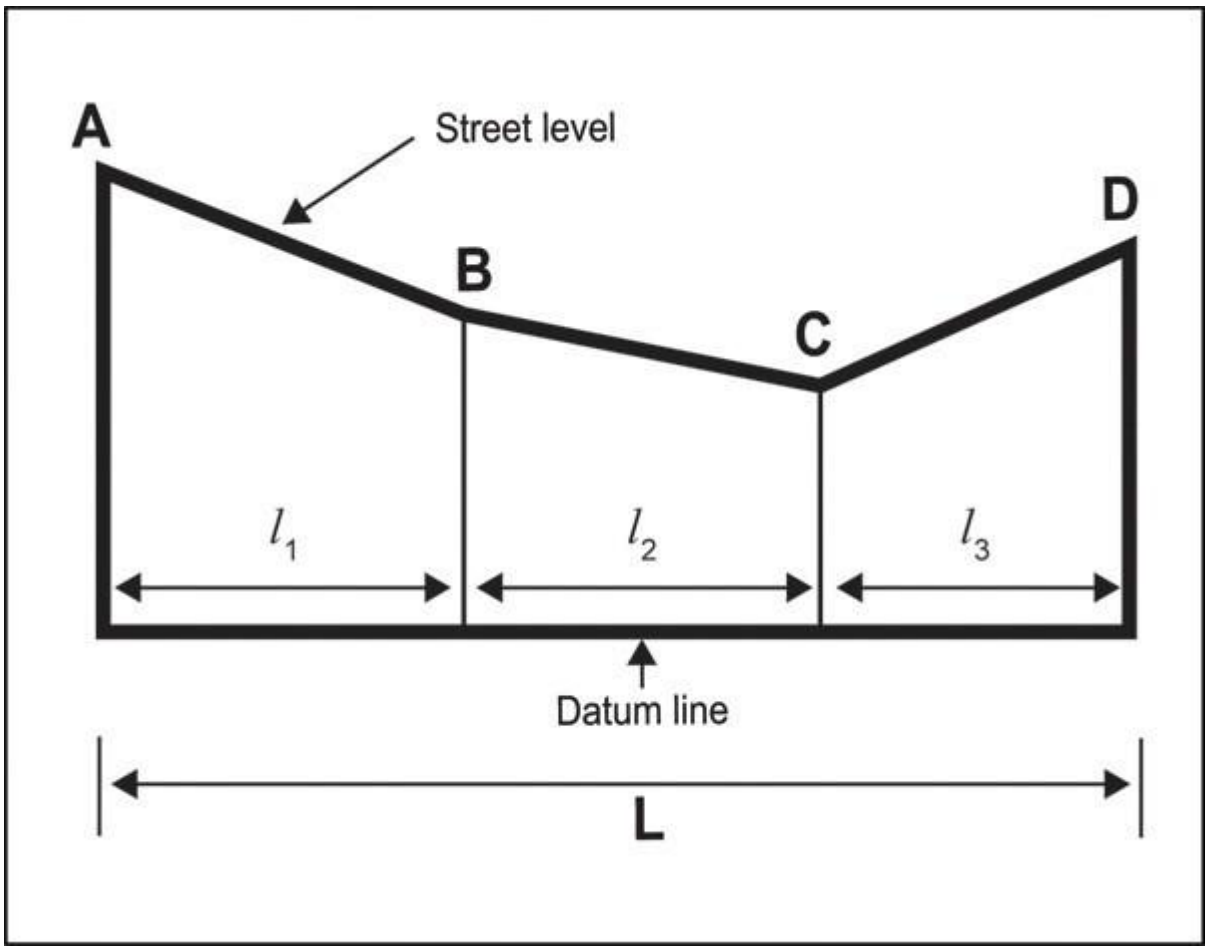
Mean high water springs

The highest level that spring tides reach on average over an 18.6 year tidal cycle. There is no single definitive method that can be used to establish mean high water springs and the method used depends on the particular issue under consideration and natural characteristics of the location. Further advice on methods of measurement can be found at Ministry for the Environment and Land Information New Zealand websites.

Mean street level

The average level of all points on the surface of the street measured at the centre line of the street parallel to the street boundary of the site. Figure J1.4.4 Mean street level below and the following formula illustrate how mean street level should be calculated.

Figure J1.4.4 Mean street level



(A, B, C and D represent the street levels at given points where the street gradient changes. L represents the length of the boundary).

$$MSL = \frac{\left(\frac{A+B}{2} \times l_1\right) + \left(\frac{B+C}{2} \times l_2\right) + \left(\frac{C+D}{2} \times l_3\right)}{L}$$

$$l_1 + l_2 + l_3 = L$$

The following qualifications apply:

(a) For a through site, the mean street level at each frontage applies for half the distance between those frontages.

(b) For a corner site, the mean street level is the average of all points measured at the centre lines of the streets parallel to all street boundaries of the site.

(c) Where a site has three frontages or more it shall be treated as a through site in accordance with (a) above, between the highest and lowest frontages.

Metal thermal spraying

Spraying a fine metallic material onto a surface, in a molten or semi-molten state, to form a coating.

Includes:

- molten metal flame spraying;
- electric arc spraying;
- powder flame spraying; and
- plasma arc spraying.

Mineral

Has the same meaning as in the Crown Minerals Act 1991.

Mineral exploration

Has the same meaning as in the Crown Minerals Act 1991.

Mineral extraction activities

Activities carried out at a quarry.

Includes:

- blasting;
- excavating minerals;
- processing minerals by crushing, screening, washing, or blending;
- storing, distributing and selling mineral products;
- accessory earthworks;
- removing and depositing overburden;
- treating stormwater and waste water;
- landscaping and rehabilitation of quarries;
- cleanfill and managed fills;
- recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt;
- accessory activities and accessory buildings and structures such as laboratories; and
- workers accommodation.

Excludes:

- common marine and coastal area mineral extraction.

Mineral prospecting

Has the same meaning as in the Crown Minerals Act 1991.

Minor Dwelling

A dwelling that is secondary to the principal dwelling on the site.

Minor reclamation

A reclamation created adjoining an existing reclamation as part of maintenance, repair or upgrading a reclamation's seawall.

Includes:

- the "standing up" of a sloping seawall or bund to a more vertical form; and
- the reconstruction of an existing vertical seawall.

Minor utility structure

Any aboveground box-like structure or enclosure associated with a network utility or that receives or transmits to or from any part of a network utility.

Includes:

- electricity junction pillars;
- transformers;
- switchgear;
- gas infrastructure;
- telecommunications plinths and pillars;
- water infrastructure;
- cabinetry for stormwater/wastewater networks;
- electricity storage; and
- link pillars.

Moderate aircraft noise area

The area generally between the 60dB Ldn and 65dB Ldn future noise contours as shown on the Aircraft Noise Overlay map for Auckland International Airport.

Mooring

Any weight, pile or article placed in, or on the foreshore or seabed or bed of any lake, river or stream to secure a vessel, raft, aircraft, or floating structure.

Includes:

- any float, wire, rope, or other device attached or connected to such a weight, pile or article.

Excludes:

- an anchor normally removed with a vessel, raft, aircraft, or floating structure when it leaves a site or anchorage; and
- the non-permanent laying and relaying of buoys.

PC 120 (see Modifications)

More vulnerable activities

Means activities listed in the residential nesting table and also includes care centres, and healthcare facilities with overnight stay facilities.

Motorsport activities

Motor vehicle racing activities, including any practice activities or any demonstration of the following on sealed or unsealed surfaces:

- car, truck and motorbike racing;
- speedway racing;
- go kart racing;
- jet sprint racing;
- motocross racing;
- vehicle drifting events;
- 4-wheel drive vehicle racing;
- radio controlled car racing;
- any other activities where demonstrations or tricks are performed involving motor vehicles;
- administration and meeting rooms to support motor sport activities;
- parking for motorsport activities; and
- landscaping, barriers and structures which protect or screen motorsport activities.

This definition is nested within the Community nesting table.

Motor vehicle sales

The sale or hire of motor vehicles and caravans.

Includes:

- accessory offices.

This definition is nested within the Commerce nesting table.

Moving aerial or antenna

A moving aerial or antenna is one that has a visible moving or spinning part where that part;

- has a dimension greater than 60cm in diameter; and
- rotates at more than 2 revolutions per minute or changes direction more than once every minute.

Municipal water supply

Water taken and distributed through a reticulated network for supply to urban communities.

Mustelid farming

Intensive farming where the main purpose is farming one or more fitches, mustelids (including ferrets, weasels and stoats) or possums, within the confines of a building, dwelling house, enclosure, or structure.

N

National Grid

The assets owned or operated by Transpower New Zealand Limited.

National Grid Substation Corridor

The area identified on the planning maps which is within:

- 12m of the site boundary of a National Grid substation;
- the road carriageway (excluding footpath, berms, kerbs and the road verge) on roads identified on the planning maps.

National Grid Corridor Overlay

The area identified on the planning maps which is within:

- the National Grid Yard
- the National Grid Substation Corridor
- the National Grid Subdivision Corridor.

National Grid Subdivision Corridor

The area which is within a variable width area extending each side of the centre line of a National Grid overhead line as identified on the planning maps.

National Grid support structure

A tower or pole comprising part of the National Grid that supports conductors as part of a transmission line. For the purpose of defining the National Grid Yard and the rules in this Plan, measurements are taken horizontally from the outer visible edge of the foundation of the support structure at existing ground level.

National Grid Yard

Includes:

- The area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- The area located 12 metres either side of the centreline of any overhead National Grid line.

  The National Grid Yard is identified on the planning maps as National Grid Yard (Compromised) or National Grid Yard (Uncompromised).

Natural background levels

Concentrations of chemical constituents which occur in soil and ground water at a specific locality due to natural lithological and hydrogeochemical processes.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Natural Stream Management Area

Area of rivers and streams and associated riparian vegetation identified in the Natural Stream Management Areas Overlay that meets the following criteria:

(a) have predominantly indigenous riparian vegetation cover along a length (reach) of at least 600m and:

(i) an average total width of vegetation cover of 80m i.e. an average width of 40m on either side; or

(ii) a minimum total width of vegetation cover of 10m from the stream edge for a length not exceeding 10 per cent of the total reach; and

(b) where there are cleared areas for tracks and stream crossings or formed carriageways, these are included in the measurements of vegetation length and width but excluded from the provisions of the Natural Stream Management Areas Overlay.

For the purpose of the Natural Streams Management Areas, predominantly indigenous vegetation means areas of vegetation where the canopy is intact and is dominated by indigenous species, and contains a regenerating understory. It includes strands of predominant kanuka and manuka, and areas of wetland vegetation. It can include areas with exotic species in the canopy or emergent above the canopy, as long as they do not comprise more than 25 percent of the canopy composition.

Navigational aid

Any device to assist navigation of vessels and aircraft.

Includes:

- beacons;
- buoys;
- fog signal apparatus;
- lights;
- markers;
- radio devices;
- signs; or
- aeronautical navigational aids including runway lighting.

Excludes:

- lighthouses.

Nearest equivalent roadside monitoring site

A roadside monitoring site that is located on the State Highway being assessed or on another State Highway or local road with comparable traffic flow and dispersion characteristics.

Net internal floor area

The floor space between the finished surfaces of internal walls between rooms.

Excludes:

- balconies or decks;
- parking; and
- Garages.

Net site area

The total area of a site excluding:

- any area subject to a road widening designation;
- any part of an entrance strip;
- any legal right of way; and
- any access site.

Network utilities

Any activity relating to any or all of the following:

- distribution or transmission of natural or manufactured gas petroleum or geothermal energy by pipeline;
- telecommunications, or radio communications or broadcasting;
- transformation, transmission, or distribution of electricity;
- transmission and distribution of water, (whether treated or untreated), for supply including irrigation;
- stormwater drainage or sewerage reticulation systems;
- railway lines, tramways and roads;
- airports as defined by the Airport Authorities Act 1966, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990;
- lighthouse, navigation aids and beacons;
- meteorological services; and
- a project or work described as a network utility operation by regulations made under the Resource Management Act 1991.

Includes:

- all structures necessary for operation; and
- the operation and maintenance of the network.

New aquaculture

Aquaculture activities not consented and operational at 30 September 2013.

Noise event

An event that exceeds the general noise controls for a site (or area within the coastal marine area) either in level or duration.

Noise (rating) level

A noise level for comparison with the noise limit following measurement and assessment in accordance with New Zealand Standard 6801:2008 Acoustics - Measurement of environmental sound and New Zealand Standard 6802:2008 Acoustics - Environmental noise.

Noise sensitive space

Any indoor space within an activity sensitive to noise excluding any bathroom, water closet, laundry, pantry, walk in wardrobe, corridor, hallway, lobby, stairwell, clothes drying area, kitchens not part of a dwelling, garage or other space of a specialised nature occupied neither frequently nor for extended periods.

Non-accessory parking

Parking which is provided as a principal activity on the site and is not accessory to any of the approved activities on the site. The parking may be:

- available to members of the public for a charge or fee; and
- reserved or leased.

Includes:

- short term parking (non-accessory); and
- long term parking (non-accessory).

Excludes:

- permitted accessory parking to other land uses; and
- off-site parking.

Non-contributing buildings, structures or features

Buildings, structures or features within the extent of a scheduled historic heritage area that make little or no contribution to, or detract from, the values for which the area has been scheduled.

Notional boundary

A line 20m from any side of a building containing an activity sensitive to noise, or the legal boundary where this is closer to the building.

O

Obstacle limitation surfaces

Defined surfaces in the airspace above and adjacent to the aerodrome necessary to enable an aircraft to maintain a satisfactory level of safety while manoeuvring at a low altitude in the vicinity of the aerodrome. The obstacle limitation surfaces comprise of:

- approach slopes;
- horizontal surface;
- transitional surfaces;
- conical surface; and
- procedure turning area surfaces.

Offal

Dead animal matter resulting from normal farm operations.

Includes:

- carcasses.

Office

Activity conducted within a building and focusing on business, government, professional, medical, or financial services and includes the personal service elements of these activities offered to consumers or clients where visits by members of the public are accessory to the main use.

This definition is nested within the Commerce nesting table.

Office furniture, equipment and system suppliers

A business primarily engaged in selling goods for office-type use or consumption.

Includes:

- computers and related equipment;
- copiers, printers and facsimile machines;
- integrated telephone systems and equipment; and
- office furniture, equipment and utensils.

This definition is nested within the Commerce nesting table.

Off-road pedestrian and cycling facilities

Sections of Auckland's public walkway and cycleway network that are not located within the road network or the Strategic Transport Corridor Zone.

Off-site parking

Parking on a site which is dedicated to the use of an activity taking place on another site. It provides parking which would have otherwise been permitted on that other site or sites.

Off-stream dam

Any structure which impounds surface water but which is not located on the bed of a lake or any river or stream.

On-site primary produce manufacturing

Rural facilities used for manufacturing goods from primary produce grown on the same site or:

- on other sites in the same ownership; or
- on other sites leased by the owner of the primary site.

This definition is nested within the Rural nesting table.

On-stream dam

Any structure which impounds surface water which is located on the bed of a lake or any river or stream.

Operational need

The need for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.

Open space zones

Means:

- Open Space - Conservation Zone;
- Open Space - Informal Recreation Zone;
- Open Space - Sport and Active Recreation Zone;

- Open Space - Civic Spaces Zone; and
- Open Space - Community Zone.

Organised sport and recreation

Activities that require physical effort and skills, are competitive, occur on a regular basis, have formal rules, referees and officials, and are organised within formal structures.

The activity typically involves the following:

- use of sport and recreation structures;
- exclusive use of public open space during the course of the activity;
- participants and spectators;
- use of clubrooms, changing facilities;
- training and practice sessions;
- payment of money to conduct activity;
- organised by a club, sporting body or group;
- booking and recording system of scheduled hours per week of each sports filed by the owner or administrator of the sports field.

Includes, but is not limited to:

- team sports; and
- competitive sports.

This definition is nested within the Community nesting table.

Outdoor burning

Burning of materials in the open.

Includes:

- single chamber incinerators; and
- backyard incinerators.

Outdoor living space

Outdoor area which is:

- clear of any parking or manoeuvring area; and
- set aside for the exclusive use of the occupants of the dwelling to which they relate.

All outdoor living spaces must be clear of any buildings, except for the following:

- pools;

- rainwater tanks less than 1m in height if located outside of required 20m2 minimum dimension 4m area
- Rainwater tanks within the required 20m^2, minimum dimension 4m area if located wholly below ground level;
- building eaves;
- pergolas, lattice fences or similar open structures; and
- decks and terraces.

Outfall

The endpoint of any pipe, conduit, or drain from which discharges enter a receiving environment.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

Overland flow path

Low point in terrain, excluding a permanent watercourse or intermittent river or stream, where surface runoff will flow, with an upstream contributing catchment exceeding 4,000m².

Excludes the following areas:

- constructed depressions and pits within Special Purpose - Quarry Zone.

Note

The Council holds publicly available information showing the modelled Overland Flow Paths in its GIS viewer for specific properties. The Overland Flow Path map is indicative only. A party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the location, depth or flow characteristics of the Overland Flow Path.

Council will continually update the Overland Flow Path map to reflect the best information available.

Overland stormwater

Stormwater flowing over the ground and excluding stormwater from impervious surfaces and buildings.

P

Pacific oyster reef

Where Pacific oyster shells have accumulated together into a consolidated formation that changes the seabed profile and reduced water depth from previous levels.

Park-and-ride

Parking which is purpose designed and provided specifically for users of a public transport network who travel by private vehicle to the park and ride parking area, and then transfer to public transport to continue their journey.

Includes:

- pedestrian and cyclist facilities.

Parks infrastructure

General infrastructure located in Open Space zones to support management of, and access to open space

Includes:

- buildings for storage and maintenance purposes;
- entry gates;
- track marking bollards;
- traffic management infrastructure such as bollards and chains;
- non-boundary post and rail fences;
- farm fencing or similar fencing;
- foot bridges and/or boardwalks;
- culverts;
- subsoil drainage;
- minor storm water management devices e.g. rain gardens; and
- porous paving.

Parks maintenance

Maintenance and repair undertaken within parks and cemeteries.

Includes:

- maintenance and repair of any buildings and structures;
- maintenance and repair of footpaths (concrete, gravel and shell);
- track and trail maintenance and repair including re-metalling and re-surfacing of bush tracks;
- clearing or reforming drainage channels;
- re-topsoiling, reseeding, sandslitting for parks sports fields and parks;

- weed management;
- grass mowing;
- replacement, repairs, maintenance or upgrading of existing bridges, boardwalks, and culverts;
- resealing and sealing metal parking and access drives and internal park roads;
- maintenance of jetties and boat ramps;
- ecosystem restoration by replanting and re-vegetation; and
- maintenance and construction of sand carpet surfaces.

Particulate

A complex mixture of extremely small particles and liquid droplets, made up of a number of components including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles (also known as particulate matter or PM).

Includes:

- PM10: and
- PM2.5

Pedestrian access way

Has the same meaning as access way in section 315 of the Local Government Act 1974.

Pedestrian circulation space

Pedestrian circulation space is a covered area within a building which is accessible to the public during trading hours of business and:

(a) contains a minimum horizontal measurement of 5m; and

(b) has a minimum vertical dimension of 2.5m between the finished ceiling and the floor of the pedestrian area, and which is unobstructed and clear of buildings, retail kiosks and retail display cases.

Includes:

- escalators, ramps and stairs within the pedestrian circulation space;
- decorative features such as fountains and planting within the pedestrian circulation space; and
- stages or display areas for free public entertainment associated with any integrated retail development.

Excludes:

- seating areas for food courts/eating area;

- any space leased for retail display or sales purposes; and
- any space for entertainment which is either leased or subject to a charge.

Pedestrian and cycle overpass or underpass

Fully enclosed walkway or cycleway which is constructed over or under a road or other public space with the authority of the road controlling authority. It excludes the use of airspace over roads and subsoil space below the road for the purpose of increasing the floor area of a building on adjoining sites.

Permanent river or stream

The continually flowing reaches of any river or stream.

Pest plant removal

The alteration or removal of any tree or vegetation listed as a plant pest within the Auckland Regional Pest Management Strategy or the National Pest Plant Accord (excluding research organisms) under the Biosecurity Act 1993.

Excludes:

- the removal of notable trees.

Petroleum

Has the same meaning as in the Crown Minerals Act 1991.

Pig equivalent

A pig equivalent equates to a 50kg pig.

Pig keeping

Keeping, raising or breeding on one site not more than:

- five pigs which have been weaned; or
- two sows whose progeny are not retained on the site beyond the weaner stage.

PM2.5

Particulate matter with an aerodynamic diameter of 2.5 microns or less.

PM10

Particulate matter with an aerodynamic diameter of 10 microns or less.

Post-harvest facility

Building operated by any number of growers and used for the storage, packing, washing, inspecting and grading of eggs, fruit, vegetables, or other (natural and unprocessed) primary produce brought to the post-harvest facility from a range of locations, and includes all activities that are an integral aspect of post-harvest operations.

Includes:

- use of the site for the collection and distribution of horticultural products;
- slicing and dicing agricultural products in preparation for distribution to retail outlets, including the disposal of associated waste material from these activities;
- preparation and shrink wrapping horticultural products in preparation for distribution to retail outlets;
- collection and distribution of agricultural products including the cross loading of trucks used in the collection and delivery of horticultural products; and
- the on-site servicing and maintenance of vehicles and equipment associated with the activities.

Excludes:

- on-site primary produce manufacturing; and
- rural industries.

Poultry

Domestic fowl kept in captivity to produce meat, eggs, or other products or for sale.

Includes:

- chickens;
- ducks;
- geese;
- guinea fowl;
- pigeons;
- turkeys;
- peacocks;
- doves;
- pheasants;
- swans; and
- quail.

Poultry hatchery

Place where fertile eggs are incubated and hatched in controlled environment cabinets.

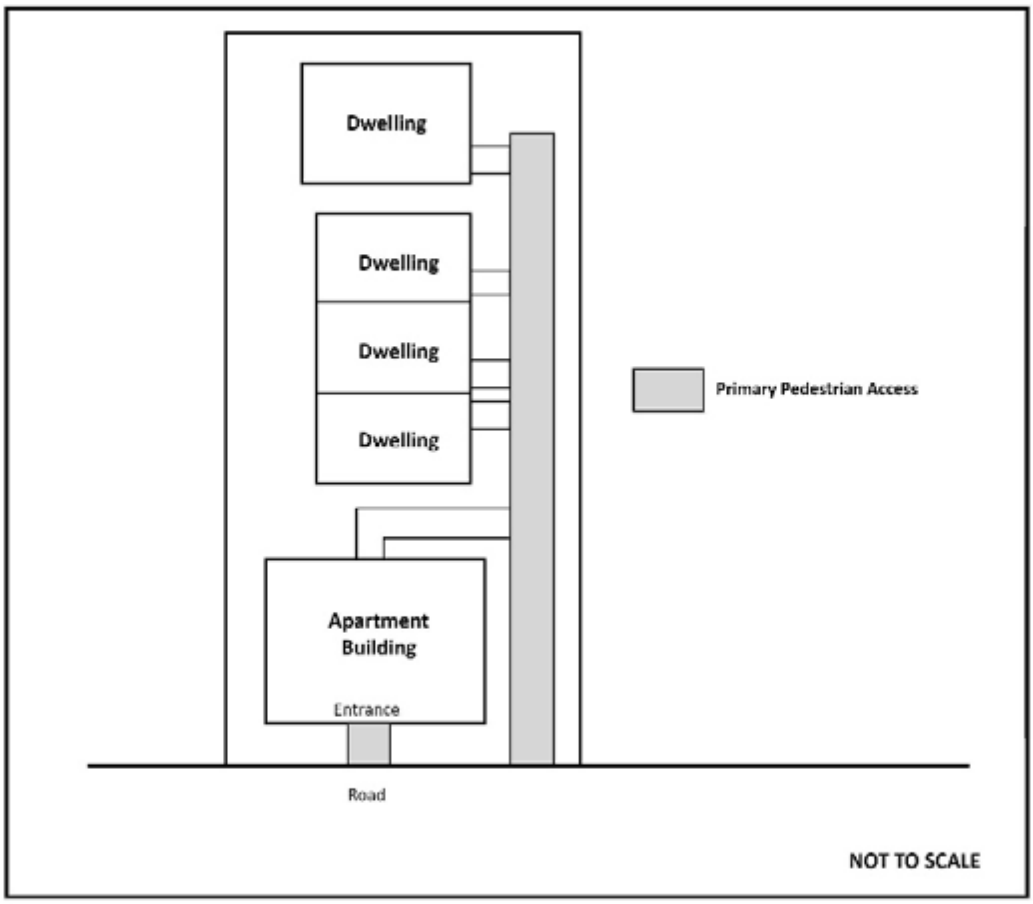
Preliminary site investigation (contaminated land)

An investigation that:

- is done by, or is done under the management of, a suitably qualified and experienced person;
- is reported on in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- results in a report that is certified by a suitably qualified and experienced person.

Primary Pedestrian Access

The main pedestrian route serving two or more dwellings in any residential zone, including any segment that serves only the final dwelling, providing pedestrian and micro-mobility access from the road to the individual paths accessing the front doors of the dwellings (or, where applicable, the shared front door serving more than one dwelling).



Produce sales

Place where farm produce or handcrafts produced on the site are sold.

Includes:

- sale of plants; and
- sale of food from 'occasional food premises' as defined in section 2 of the Food Hygiene Regulations 1974.

This definition is nested within the Rural nesting table.

Protected New Zealand object

Has the same meaning as section 2 of the Protected Objects Act 1975.

Protected root zone

The circular area of ground around the trunk of a protected tree, the radius of which is the greatest distance between the trunk and the outer edge of the canopy. For columnar crown species the protected root zone is half the height of the tree.

Figure J1.4.5 Protected root zone A

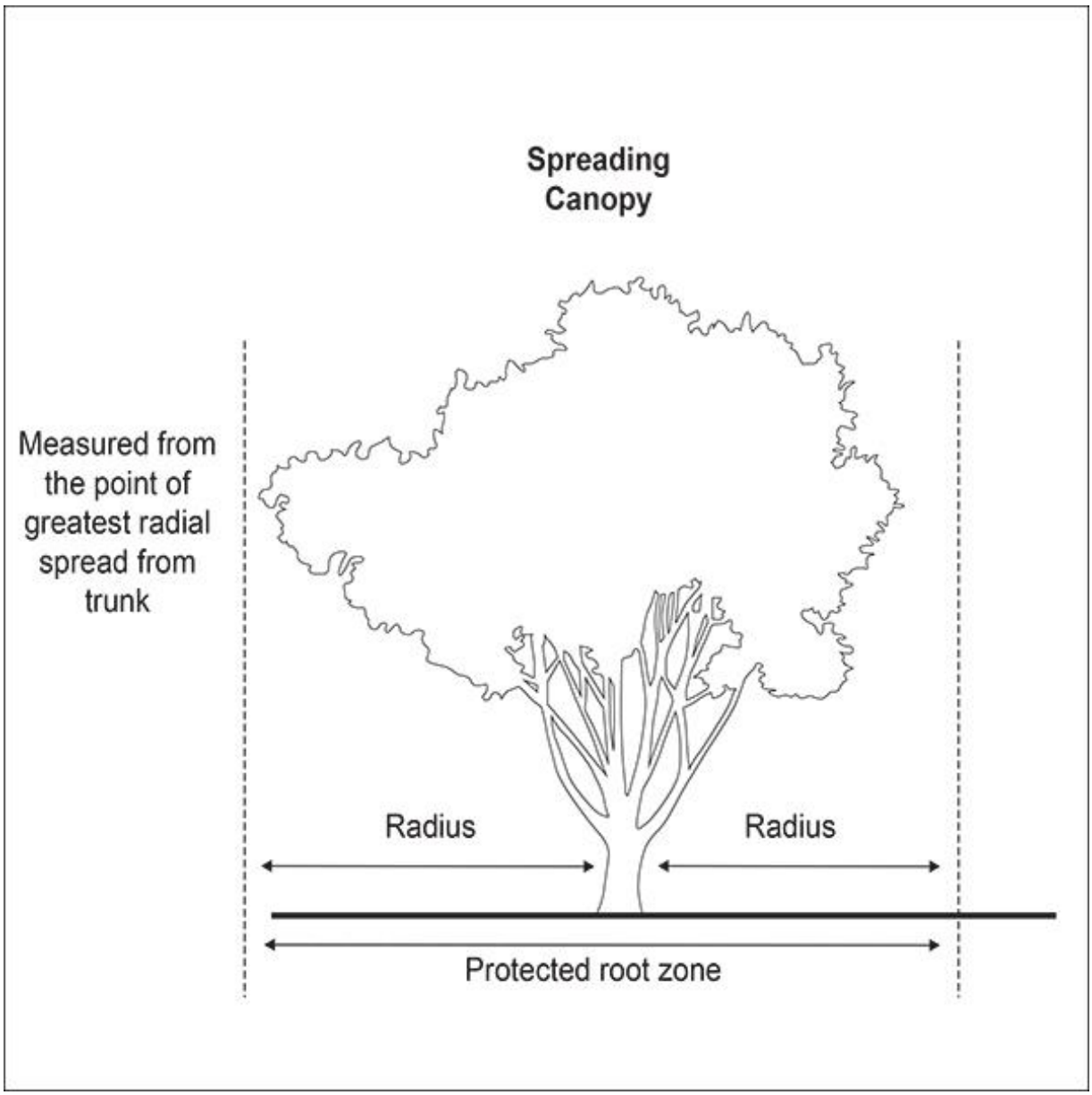
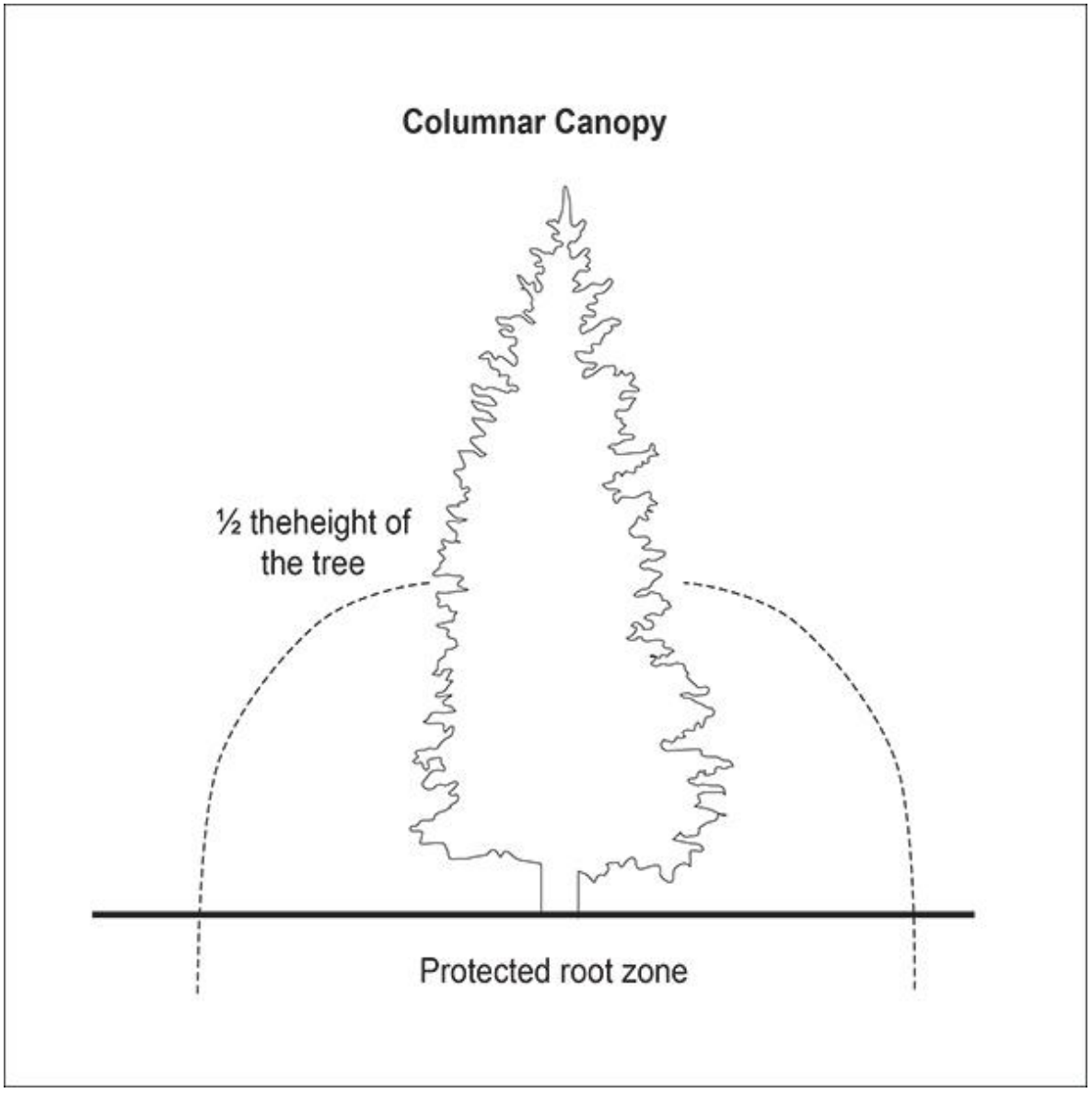


Figure J1.4.6 Protected root zone B



Public amenities

Facilities established for the convenience and amenity of the public.

Includes:

- landscaping and planting;
- public toilets;
- seating and picnic tables;
- bicycle stands and cycle parking structures;
- fountains;

- drinking fountains;
- rubbish bins;
- directional signage and information boards;
- barbeques;
- lighting;
- shelters;
- changing facilities; and
- playgrounds and playground equipment.

Public memorial

A sign, plate or monument that contains commemorative inscription for the purpose of remembering or celebrating the deceased or an event in history

Includes:

- plaques; and
- memorials.

Public place

Has the same meaning as defined in the Trading and Events in Public Places Bylaw 2015:

- any place that, at any material time, is owned, managed, maintained or controlled by the council or council controlled organisation and is open to or, being used by the public, whether free or on payment of a charge. It includes any road, footpath, public square, grass verge, berm, public gardens, reserves and parks, beaches, wharves, breakwaters, ramps and pontoons, foreshore and dunes, access ways, recreational grounds and sports fields.

Public transport facility

Facility for the transfer of passengers on/off and between public transport services.

Includes:

- areas for bus parking;
- passenger waiting areas;
- shelters;
- ticketing and other passenger facilities, including end-of-trip facilities;
- information kiosks;

- transport related signs;
- bus layovers and drive rest facilities;
- offices supporting the operation, maintenance and security of the facilities;
- devices and facilities to enable the movement, circulation and security of pedestrians;
- accessory food and beverages and other accessory retail; and
- ferry terminal facilities

Excludes:

- servicing and repair of buses.

Q

Qualified arborist

A person holding a minimum of a level 4 NZQA advanced certificate in arboriculture or equivalent arboricultural qualification.

Quarries - farm or forestry

The extraction of minerals for uses accessory to farming, horticulture, conservation forestry or forestry, where:

- the quarried material is used only on the property of extraction;
- no extracted material, including any aggregate is removed from the property of origin; and
- there are no retail or other sales of quarried material.

Includes:

- extraction of material for use on the property of origin, for:
    - farm and forestry tracks;
    - access ways; and
    - hardstand areas.

This definition is nested within the Rural nesting table.

R

Rainwater tank

A tank used for collecting and storing rainwater.

Note: If a rainwater tank is to be used for firefighting please refer to the Firefighting Water Supplies Code of Practice as mandated by the Fire and Emergency New Zealand Act)

Rear site

A site with frontage of less than 7.5m to a legal road or private road.

Refer to Figure J1.4.8 Site.

Rear yard

The area along the full width of a site that is between the rear boundary and a line parallel to that boundary.

Includes:

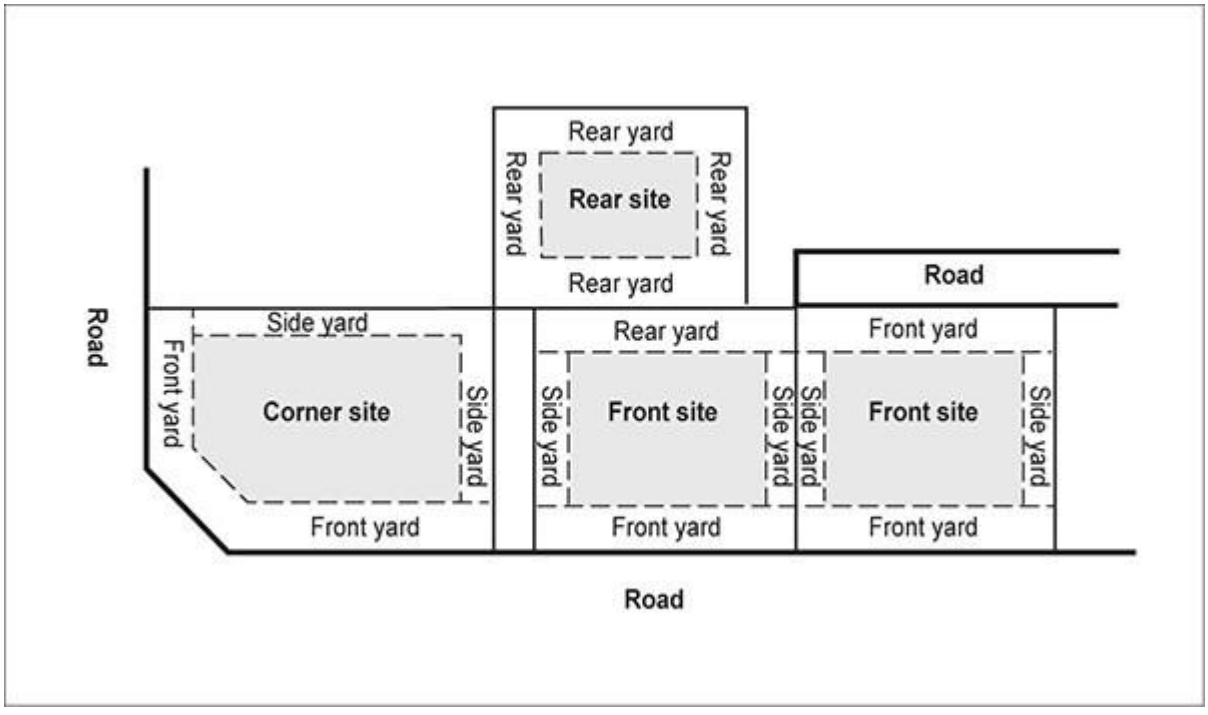
- all yards on a rear site.

Excludes:

- all yards on a corner site.

Refer to Figure J1.4.7 Yards.

Figure J1.4.7 Yards



Receiving waters

Water in the coastal marine area or in a body of fresh water.

Includes:

- rivers;
- streams;
- lakes;
- groundwater aquifers; and
- modified natural watercourses.

Excludes:

- any artificial watercourse, such as an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canals.

Reclamation

Permanent filling of the coastal marine area or the bed of any lake, wetland river or stream to create dry land.

Includes:

- filling associated with piping a stream.

Excludes:

- piles;
- pylons;
- boat ramps;
- rubble mound breakwaters;
- filling behind seawalls (unless the purpose of the seawall and filling is primarily for the purpose of creating land);
- beach nourishment where the newly created land is still subject to the ebb and flow of the tide;
- any area of surface water impounded by a dam; and
- culverts parallel to the direction of water flow.

Recreation facility

A facility where the primary purpose is to provide for sport and recreation activities.

Includes:

- recreation centres;
- aquatic facilities, swimming pools, both indoor and outdoor;
- fitness centres and gymnasiums; and

- indoor sports centres.

Recreational trail

A sealed or unsealed pathway or greenway that is used for informal or organised purposes such as footpaths, cross country mountain biking, bridle trails, fitness trails, off road cycleways and walkways.

Redevelopment of a road

Works that involve the reconstruction of the road carriageway and incorporate the addition of more than 1,000m^2 of new road impervious surfaces.

Redevelopment of impervious area

The replacement or reconstruction of a site's impervious area, excluding:

(a) maintenance or repairs, such as:

(i) pothole repairs to parking areas, driveways and paving; and

(ii) painting of roofing and exterior cladding;

(b) resurfacing that does not involve re-direction of existing stormwater flows or drainage networks; and

(c) trenching and resurfacing associated with the installation, maintenance, repair and replacement of underground equipment, infrastructure or underground utility works.

Refuse transfer station

Facilities used for receiving, storing, collecting, processing and transferring waste materials not generated on-site and may include a recycling station.

This definition is nested within the Industry nesting table.

Remedial action plan (contaminated land)

A remedial action plan:

- prepared by, or prepared under the management of, a suitably qualified and experienced person;

- prepared in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment 2011; and
- certified by a suitably qualified and experienced person.

Repair and maintenance services

Servicing, testing or repairing vessels, vehicles or machinery.

Includes:

- automotive mechanics;
- panel beating; and
- devanning, storage and testing of LPG cylinders.

This definition is nested within the Industry nesting table.

Research and exploratory-scale investigations for renewable electricity generation activities

Undertaking monitoring and measuring activities of solar, wind, hydro-electricity or geothermal energy sources for potential renewable electricity generation activities.

Residential zones

Means:

- Residential - Large Lot Zone;
- Residential - Rural and Coastal Settlement Zone.
- Residential - Single House Zone;
- Residential - Mixed Housing Suburban Zone;
- Residential - Mixed Housing Urban Zone; and
- Residential - Terrace Housing and Apartment Buildings Zone;

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Restaurant and cafe

Facilities used for selling food for consumption on the premises.

This definition is nested within the Commerce nesting table.

Retail

Selling goods to the general public.

This definition is nested within the Commerce nesting table.

Reticulated

A system of pipes, lines and cables and accessory development owned and operated by a network utility operator to supply gas, telecommunications, power, water, or stormwater or wastewater drainage.

Retirement village

A managed comprehensive residential development used to provide accommodation for aged people,

Includes:

- the use or development of any site(s) containing two or more units that provides accommodation, together with any services or facilities, predominantly for persons in their retirement, which may also include their spouses or partners; and
- recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities accessory to the retirement village.

Excludes:

- dwellings.

This definition is nested within the Residential nesting table.

Riparian margin

An area of land immediately adjacent to a permanent or intermittent river or stream.

Riparian yard

The area along the top of a permanent or intermittent river or stream measured horizontally and at right angles from the top of the bank.

River or stream

A continually or intermittently flowing body of fresh water, excluding ephemeral streams, and includes a stream or modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal except where it is a modified element of a natural drainage system).

River mouth dredging

Clearing, cutting or realigning a river channel, river mouth or watercourse used for drainage purposes.

Road

Has the same meaning as in section 315 of the Local Government Act 1974 but also includes motorways as defined in section 2(1) of the Government Roading Powers Act 1989.

Road ancillary area

Paved area that is not part of the road carriage way, carries very low traffic loads and is not high contaminant generating areas, but which is required for the safe and efficient functioning of the road network.

Includes:

- access to road infrastructure, signage and utility services;
- maintenance lanes;
- emergency stopping areas and lanes;
- vehicle pull over or rest areas; and
- maintenance and service vehicle access and stopping areas.

Road controlling authority

Has the same meaning as section 5 of the Land Transport Management Act 2003.

Road network activities

Road infrastructure and transport services provided within the road including:

- footpaths, footways and footbridges, bridges for roads, tunnels, retaining walls for roads both above and below the road;
- road verges and berms;
- site access including vehicle crossings;
- road carriageways;
- road pavements;
- cycle facilities;
- road lighting and support structures;
- traffic operation and safety signs, direction signs, road name signs;

- road safety devices including interactive warning signs, road markings, rumble strips, barriers, fences, speed tables and speed cushions, traffic separators, bus friendly vertical deflection devices;
- ancillary equipment and structures associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets;
- traffic control devices including traffic islands, pedestrian crossings and roundabouts and intersection controls, traffic and cycle monitoring devices, traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals;
- devices and structures to implement regulatory controls (no-stopping, no-overtaking, parking control, buslane controls, vehicle restrictions) including speed limit and parking restriction signs, parking meters and pay and display kiosks, speed cameras and red light/traffic cameras and on street parking areas;
- road drainage devices including culverts, sub-soils, catchpits, watertables, manholes, inlets, outlets, flumes;
- scour and erosion control devices;
- stormwater management devices including rain gardens, wetlands, stormwater treatment areas and ponds; and
- noise attenuation walls or fences;
- devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification, and infra-red vehicle occupancy counters), lane control signals, ramp signals, variable messaging signs, CCTV cameras, incident detection, emergency telephones, cables and ducting.

Runoff

The uncontrolled flow or channelling of stormwater away from a site as a result of the rate of application being greater than the soil's capacity for absorption.

Rural airstrip

Any area of land in any rural zone that aircraft (including helicopters) use for take-off and landing for the purpose of servicing rural land.

Includes:

- aerial topdressing, pest control and aerial spraying;
- forestry;
- fencing;
- delivery of farm supplies and equipment;
- the collection of farm produce.

Excludes:

- airfields;
- airports;
- aerodromes; and
- any activity located in a rural zone for which resource consent is required.

Rural commercial services

Commercial services that:

(a) have, as their principal function, a clear connection to, or provide services to:

(i) rural production activities; or

(ii) aquaculture activities; and

(b) involve the sale of:

(i) rural produce and other products produced by a handcraft industry or home occupation on the same site; or

(ii) rural services that support rural production activities or aquaculture; and

(c) may have some form of accessory depot, office, base, or storage area, from which the activity is normally operated or commenced.

Includes:

- farm visits;
- laboratories and research facilities associated with rural production activities;
- rural topdressing, pest control and spraying services;
- servicing, assembling or repair of agricultural or aquaculture machinery or equipment;
- the services of a trenchers, post rammers, or fencing contractors; or
- aquaculture equipment storage or maintenance.

Excludes:

- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site;
- stock yards that are accessory to farming carried out on the same site;
- shops for sale or hire of goods;
- freight or transportation services;

- storage of vehicles or equipment for hire;
- sale yards;
- sawmills and portable sawmills;
- grain silos or feed mills;
- aquaculture equipment storage or maintenance;
- meat or poultry processing;
- dairy factories;
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- packing sheds.

This definition is nested within the Rural nesting table.

Rural industries

Industries that:

(a) have, as their principal function, a clear connection to, or provide services to:

(i) rural production activities; or

(ii) aquaculture activities; or

(b) use raw materials derived from:

(i) rural production activities;

(ii) aquaculture activities, or

(iii) the natural resources on the site other than topsoil or aggregate; and

(c) may have some form of:

(i) processing facility;

(ii) accessory depot; or

(iii) base or storage area, from which the activity is normally operated or started.

Includes:

- freight or transportation services;
- storage of vehicles or equipment for hire;
- sale yards;
- sawmills other than portable sawmills;

- grain silos or feed mills;
- meat or poultry processing;
- dairy factories; and
- processing raw materials derived from farming, forestry, intensive farming, aquaculture activities, fishing activities, or resources of the site.

Excludes:

- home occupations;
- shops (sale or hire of goods);
- rural topdressing, pest control and spraying services;
- processing or manufacturing goods or products from material not directly related to or directly derived from farming, intensive farming, aquaculture activities, fishing activities, or resources of the site; and
- stock yards that are accessory to farming carried out on the same site.

This definition is nested within the Rural nesting table.

Rural tourist and visitor activities

Recreation activities or pursuits:

(a) derived from and interacting with the rural environment or communities, including their history; and

(b) functionally dependent on the natural or rural environment.

Includes:

- paint ball games;
- bush walks;
- tree top walking;
- bird watching, including viewing birds in aviaries;
- outdoor obstacle courses;
- mini-golf;
- sculpture parks; and
- sale of souvenirs and goods accessory to the activity.

Excludes:

- zoological parks;
- gun clubs;
- archery;

- golf driving ranges; and
- sports focused on motor vehicles.

Rural production activities

Activities that involve the production of primary products such as those from farming, intensive farming, horticultural, or forestry activities, and which have a functional need for a rural location.

Rural zones

Means:

- Rural – Rural Production Zone;
- Rural – Mixed Rural Zone;
- Rural – Rural Coastal Zone;
- Rural – Rural Conservation Zone;
- Rural – Countryside Living Zone;
- Rural – Waitākere Foothills Zone; and
- Rural – Waitākere Ranges Zone.

S

Satellite town

Town in the region which functions semi-independently from the Auckland metropolitan area, providing a full range of services and employment opportunities to the surrounding rural areas. It applies to the towns of Pukekohe and Warkworth.

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Secondary flow path

The route over land that stormwater will follow when the reticulated stormwater system reaches capacity or is blocked.

Secondary treatment

Treated effluent to a standard of 20g/m^3 5-day biochemical oxygen demand and 30g/m^3 total suspended solids or better.

Sediment control

Measures to prevent or minimise the discharge of sediment that has been eroded.

Sediment Control Protection Area

(a) 100m either side of a foredune or 100m landward of the coastal marine area (whichever is the more landward of mean high water springs); or

(b) 50m landward of the edge of a lake, river or stream, or the edge of a wetland of 1,000m^2 or greater.

Sensitive receiving environment

Area where wastewater, stormwater or other discharges are likely to have adverse impacts on important natural or human uses or values in marine, freshwater, and terrestrial environments.

Separate phase hydrocarbons

Hydrocarbons at concentrations that exceed the capacity of the soil to absorb and retain them such that they are able to be mobilised by natural forces or ground disturbance associated with a proposed activity.

Separate phase liquid contaminants

Contaminants at concentrations that exceed the capacity of soil to absorb and retain them such that they are able to be mobilised by natural forces or ground disturbance associated with a proposed activity.

Service connection

Part or all of any structure, pipe, equipment or cable that relates to:

- radio communication or telecommunication lines; or
- wastewater or stormwater treatment or disposal; or
- water, gas or electricity;

and which serves a dwelling or other building or the occupants of that dwelling or building.

Service station

A facility where the primary business is selling motor vehicle fuels.

Includes the following accessory activities:

- retail;
- car wash facilities;
- mechanical repair, servicing and testing of motor vehicles and domestic equipment;
- sale of lubricating oils, kerosene, LPG, or spare parts and accessories for motor vehicles; and
- trailer hire.

This definition is nested within the Commerce nesting table.

PC 120 (see Modifications)

[new text to be inserted]

Sewage

Has the same meaning as in the Resource Management (Marine Pollution) Regulations 1998.

Sewage sludge

Un-stabilised organic solid material generated by the treatment of sewage and wastewater.

Short-term parking (non-accessory)

Where:

(a) the parking is for public use on a casual and short stay basis between 7am and 6pm Monday to Friday inclusive, but excluding public holidays;

(b) any pricing schedule severely penalises parking exceeding 240 minutes (4 hours) during the time periods set out in clause (a) above; and

(c) the parking may also be used on a longer stay basis outside the times and days set out in clause (a) above.

Show home

Building erected to display the design, construction materials, building techniques, or fittings available to potential buyers.

Includes:

- office facilities accessory to the show home; and
- outside living areas and gardens.

This definition is nested within the Commerce nesting table.

Showgrounds

Facilities used for concerts, festivals, carnivals, exhibitions, boat shows and trade shows.

This definition is nested within the Community nesting table.

Side or rear building facade

A building façade that is not a street facing building façade.

Side yard

The area along the full length of a side boundary of a site that is between the side boundary and a line parallel to that boundary.

Includes:

- any boundary of a corner site not facing a street.

Excludes:

- any portion of a site comprising a front or rear yard.

Refer to Figure J1.4.7 Yards.

Sign

A visual device which can be seen from a public open space (including the coastal marine area) or an adjoining property, to attract people's attention by:

- providing directions;
- giving information; and
- advertising products, businesses, services, events or activities.

Includes:

- the frame, supporting device and any associated ancillary equipment whose principal function is to support the message or notice;
- murals, banners, flags, posters, balloons, blimps, light projections, footpath signs, hoardings, projections of lights; and
- signs affixed to or incorporated within the design of a building.

Sign height

The distance from the lowest point of the sign to the highest point of the sign. In the case of a free standing billboard it is the distance from ground level immediately below the billboard to the top of the billboard.

Silage

Any plant material harvested while green for fodder and kept succulent by partial fermentation.

Excludes:

- baleage;
- hay; and
- wrapped silage.

Silage leachate

The liquids generated from the biological processes that occur when vegetative matter is preserved as silage, or when soluble components are dissolved out of silage by percolating or infiltrating rainwater, surface water or groundwater.

Excludes leachate from the making of baleage or hay.

Silage storage facility

Land or structures, on which silage is stored, processed or directly utilised. Bales of plant material completely encapsulated in plastic are not considered a ‘silage storage facility‘.

Single chamber incinerator

A single chamber appliance used primarily for destroying waste through combustion.

Site

Any area of land which meets one of the descriptions set out below:

(a) an area of land which is:

(i) comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or

(ii) contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;

being in any case the smaller area of clauses (i) or (ii) above; or

(b) an area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:

(i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or

(ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or

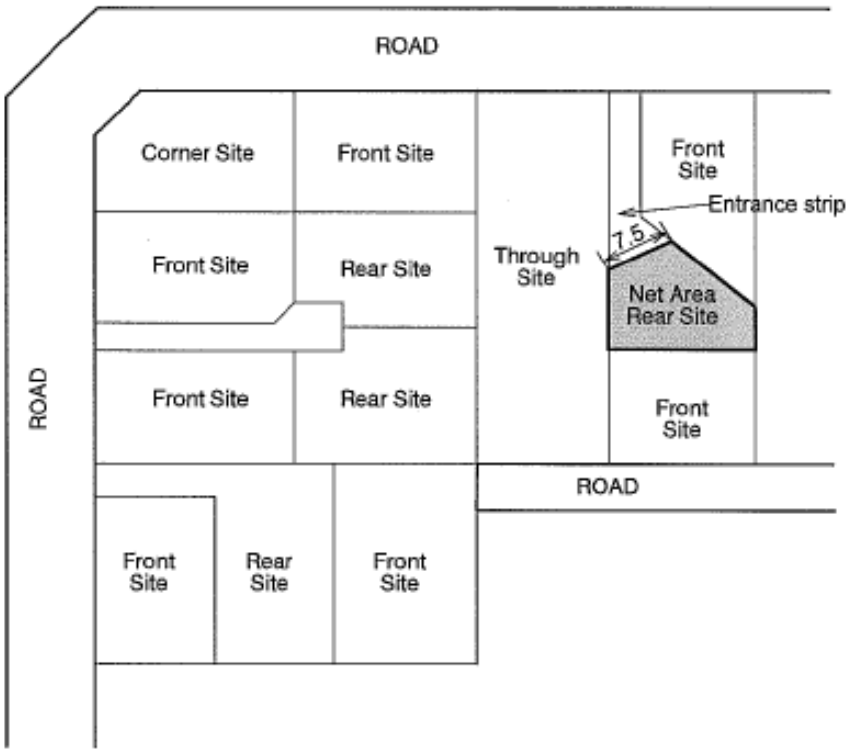
(c) an area of land which is:

(i) partly made up of land which complies with clauses (a) or (b) above; and

(ii) partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjacent and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;

Except in relation to each description that in the case of land subdivided under the Unit Titles Act 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.

Figure J1.4.8: Site



See also: entrance strip, rear site, access site, front site, corner site and through site.

Site management plan (contaminated land)

A site management plan:

- prepared by, or prepared under the management of, a suitably qualified and experienced person;
- prepared in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- certified by a suitably qualified and experienced person.

Site validation report (contaminated land)

A site validation report:

- prepared by, or prepared under the management of, a suitably qualified and experienced person;
- prepared in accordance with the Contaminated Land Management Guidelines No. 1 – Reporting on Contaminated Sites in New Zealand, Wellington, Ministry for the Environment (2011); and
- certified by a suitably qualified and experienced person.

Sleeping area

Area that is specifically designed and constructed within activities sensitive to noise that provide for sleep but are not residential bedrooms. These areas include rooms such as hospital wards, sleeping areas in care centres and studio apartments.

Small scale electricity generation

Systems or equipment that:

- generate electricity from renewable sources to meet on-site energy requirements and/or connect into a distributed energy network.

Includes:

- roof-top wind turbines with a maximum blade diameter of 2.5m; and
- photovoltaic systems.

Excludes:

- hydro generation.

Speed Management Measures

The application of engineering and other physical measures to a vehicle access to reduce vehicle speeds and provide for the safety of users of the vehicle access and adjoining road network.

Includes:

- speed humps
- raised tables
- side islands
- lane narrowing
- chicanes
- lateral shifts
- surface treatments
- landscaping.

Sport and recreation structure

Accessory structure required to undertake a sport or recreational activity associated with a park or sports field.

Includes:

- goal posts;
- courts;
- artificial playing surfaces;
- fences;
- scoreboards (fixed or moveable);
- floodlight poles and transformers;
- fences associated with the sport e.g. ball nets, crowd control, safety barriers;
- sideline shelters;
- site screens;
- cricket nets;
- skate parks;
- cycle parking structures;
- basketball bowls;
- horse jumps;
- BMX tracks and jump structures;

- mountain bike downhill structures; and
- public address systems.

Excludes:

- clubrooms.

Standoff pad

An area of sealed or unsealed land, excluding paddocks, where farmed animals are regularly held or fed.

Storage and lockup facility

Business that provides facilities to the public for storing possessions.

This definition is nested within the Industry nesting table.

Stormwater

Rainfall runoff from land, including constructed impervious areas such as roads, pavement , roofs and urban areas which may contain dissolved or entrained contaminants, and which is diverted and discharged to land and water.

Stormwater management devices

A device or facility used to reduce stormwater runoff volume, flow and/or contaminant loads prior to discharge.

Includes:

- rain gardens;
- porous or permeable paving;
- infiltration trenches;
- swales;
- sand filters;
- green roofs;
- wetlands;
- ponds; and
- proprietary devices.

Stormwater network

A system of stormwater pipes, open channels, devices and associated ancillary structures used for the purpose of conveying, diverting, storing, treating, or discharging stormwater.

Excludes:

- roads and drainage networks that are for the purpose of road drainage such as road water table drains.

Stormwater network discharge consent

A resource consent for the diversion and discharge of stormwater for a stormwater network applied for and held by a stormwater network utility operator.

Street facing building façade

A wall or façade of a building that faces, directly or obliquely, the front boundary or boundaries of the site. In the case of a curved or circular wall or building it must be 45 degrees either side of that point of the wall that is nearest to the front boundary.

Street furniture

Bus shelters, phone booths or permanent public seating placed in the road reserve.

Streetscape

The visual elements of a street, including the road, footpaths, trees, landform, open space and interface to adjoining buildings that combine to form the street's character.

Student accommodation

Living accommodation, primarily used or designed to be used by registered students or guests of a tertiary education facilities or education facilities and which is served by one or more communal living areas, including kitchens.

This definition is nested within the Residential nesting table.

Substation

Those parts of works or electrical installations being a building, structure or enclosure incorporating fittings and other ancillary equipment that are used principally for the purpose of the control of the distribution and/or transmission of electricity.

Suitably qualified and experienced person

A person who can provide sufficient evidence to demonstrate their suitability and competence.

Suitably qualified on-site wastewater system provider

For the purposes of the on-site and small scale wastewater treatment and disposal provisions, a suitably qualified on-site wastewater service provider means:

A provider (including an individual contractor, professional person or company) who can demonstrate all the qualities of a “suitably qualified and experienced person” in the field of on-site and small scale wastewater treatment and disposal systems. This includes on-site wastewater system designers, installers and maintenance contractors.

Surf lifesaving activity

Place occupied by surf lifesaving organisations that provides for the prevention of and response to accidents, emergencies or urgent problems within the coastal environment.

Includes:

- administration relevant to surf lifesaving organisations;
- vehicle and equipment storage and maintenance;
- personnel training, development and short-term accommodation; and
- public education programmes.

Supermarket

An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of:

(a) domestic supplies, fresh food and groceries, such as:

- fresh meat and produce;
- chilled, frozen, packaged, canned and bottled foodstuffs and beverages;
- general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and cigarettes, magazine and

newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and

(b) non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to):

- barbecue and heating fuels;
- audio visual products;
- electrical appliances;
- clothing and footwear;
- furniture; and
- office supplies.

For the purposes of this definition, retail floor space is that area of the premises to which the public has access for the purpose of shopping, together with any area:

- taken up for the purpose of display of goods; and
- any counter areas used by or occupied exclusively by staff members whilst actively engaged in serving the public.

This area does not include floor space used for:

- storerooms;
- back of house including delivery areas;
- trolley storage areas;
- entrance lobbies;
- behind counter areas; and
- checkouts.

This definition is nested within the Commerce nesting table.

Supported residential care

Facilities used to provide accommodation and full-time care for aged, or disabled people (including mental health, addiction, illness or intellectual disabilities). The facility must be certified under the Health and Disability Services (Safety) Act 2001 and comply with the Health and Disability Sector Standards 2001.

Includes:

- a rest home defined in section 58(4) of the Health and Disability Services (Safety) Act 2001; and
- accessory nursing and medical care.

Excludes:

- hospitals.

This definition is nested within the Residential nesting table.

Surface water

Any freshwater waterbody located above the ground surface.

Includes:

- lakes;
- rivers;
- streams;
- springs;
- water impounded by dams; and
- wetlands.

Surf break

Has the same meaning as in the New Zealand Coastal Policy Statement 2010.

Suspected harmful aquatic organisms

Suspected harmful aquatic organisms include any organisms suspected of meeting one of the following criteria:

(a) designated by Ministry of Primary Industry as a marine pest;

(b) listed as an “unwanted organisms” under the Biosecurity Act 1993; or

(c) designated as pests in the relevant pest management plan prepared under the Biosecurity Act 1993.

T

PC 120 immediate legal effect under s86B(3)(f) RMA (see Modifications)

[new text to be inserted]

Telecommunication kiosk

Any structure intended for public use to facilitate telecommunication and include boxes or booths for telephone, video or internet services.

Temporary activity

An activity that:

- is outside the normal expected use of a site (or area within the coastal marine area); and
- has a start and end date and time.

Includes:

- filming activities at temporary locations and activities accessory to that filming activity;
- activities accessory to a building or construction project, such as scaffolding, fencing, offices or storage sheds;
- Council HazMobile collections;
- carnivals;
- concerts;
- fairs;
- festivals and events;
- public meetings;
- parades;
- special events;
- sporting events;
- overflow parking;
- temporary military training (land based only);
- emergency response training, including live burns carried out by Fire and Emergency New Zealand; and
- structures accessory to temporary activities.

Excludes:

- markets;
- temporary military training activities within the coastal marine area;
- temporary structures within the coastal marine area; and
- temporary signs.

Temporary military training activity

A temporary activity undertaken for defence purposes. Defence purposes are those in accordance with the Defence Act 1990.

Excludes:

- underwater explosives training exercises involving divers.

This definition is nested within the Community nesting table.

Tenancy

One area of occupancy of a retail or office activity that is created by freehold, leasehold, licence or any other arrangement to occupy.

Tertiary education facility

Facility used for education at a post-secondary level, and associated secondary-tertiary programs (section 31A-L of the Education Act 1989).

Includes:

- universities;
- polytechnics and institutes of technology;
- teachers' and other specialist colleges;
- any other institution within the meaning of section 159 of the Education Act 1989; and
- accessory accommodation, administrative, cultural, health, retail and communal facilities.

Through site

A site, other than a corner site, with two or more road frontages.

Refer to Figure J1.4.8 Site.

Total gross heat release

Total units of energy in megawatts (MW) required to operate all combustion appliances on a site.

Trade supplier

A supplier in one or more the categories listed below, engaged in sales to businesses and institutional customers but may also include sales to the general public:

- automotive and marine suppliers;
- building suppliers;
- catering equipment suppliers;
- farming and agricultural suppliers;
- garden and patio suppliers;

- hire premises (except hire or loan of books, video, DVD and other home entertainment items);
- industrial clothing and safety equipment suppliers;
- landscape suppliers; and
- office furniture, equipment and systems suppliers.

This definition is nested within the Commerce nesting table.

Transport equipment

Equipment located within state highways and rail corridors to facilitate the movement of vehicles, goods, and pedestrians.

Includes:

- parking control devices;
- passenger shelters;
- quantity and conveyance infrastructure related to the transport network.;
- real time passenger information displays;
- road signage;
- artworks;
- street and rail furniture;
- street lights;
- tidal flow mechanisms and stormwater management arrangements and structures;
- toll and ticketing infrastructure;
- traffic and pedestrian monitoring cameras;
- traffic and rail lights and associated control structures;
- underpasses and overpasses; and
- ventilation structures.

Transport storage yard

Area for storage of materials related to transport activities or transport equipment, including but not limited to equipment, raw products and machinery.

Travel plan

A plan which sets out how travel demand is to be managed for a particular site or proposal to:

- maximise the efficient use of transport systems; and
- promote the use of more sustainable and active modes of transport such as public transport, walking and cycling, and carpooling as alternatives to sole occupancy private cars.

A travel plan includes:

- a description of the site and the proposal;
- details of the physical infrastructure that is or will be established on the site to support the use of walking and cycling, public transport, carpooling;
- details of how the travel plan is to be communicated, promoted, implemented and monitored;
- information about the amount and nature of any onsite parking and how is to be managed to support efficient use and promote alternatives; and
- expected outcomes.

Note

Best practice guidance on the preparation of a travel plan can be provided by Auckland Transport.

A travel plan is also sometimes referred to as a travel demand management plan.

Treated effluent

Dairy effluent that has been treated through a minimum specification two-pond treatment system.

Treaty settlement land

Property which is either:

- vested with claimant groups by the Crown as a result of Treaty settlement legislation and final deeds of settlement; or
- acquired by a claimant group from the Crown pursuant to a right of first refusal process provided that the properties were specifically identified by reference to site or title in Treaty settlement legislation enacted prior to the date on which the Unitary Plan became operative as Right of First Refusal land for that claimant group.

Includes:

- cultural redress properties;
- commercial redress properties including:
    - properties returned via deferred selection,
    - properties transferred to other iwi, hapū or whānau entities associated or affiliated with the claimant group; and

- properties transferred to a company in which the claimant group holds a controlling interest.

Excludes:

- unspecified properties within geographic areas over which claimant groups have been awarded Right of First Refusal in Treaty settlement legislation;
- any properties over which claimant groups have been awarded Right of First Refusal in Treaty settlement legislation enacted after the date on which the Unitary Plan became operative;
- properties covered by Statutory Acknowledgement or Deed of Recognition but not owned by claimant groups;
- properties in which the claimant group, or an iwi, hapū or whānau entity associated or affiliated with the claimant group, no longer retains a legal freehold interest;
- properties leased by the claimant group to an unrelated entity for a term which, including renewals, is or could be more than 35 years; and
- properties transferred to a company in which the claimant group has a minority interest.

Trenching

Excavating trenches for services including gas, electricity, water, and drainage and transport equipment.

U

Underwater blasting

Blasting undertaken underwater in the coastal marine area for construction, demolition, dredging or other purposes.

Underwater explosives training

Activities undertaken for defence purposes in accordance with the Defence Act 1990 that involve the release of explosives by divers.

Unenclosed substations

A substation incorporating an uncovered equipment yard or other elements not fully enclosed within a roofed building or structure.

Unformed road

Land that was legally established as a road prior to 1996 but which is not formed or maintained by Auckland Transport as a public road.

Uniformity ratio

The ratio of the minimum illuminance to the average illuminance.

Unit

A defined part of a building under different ownership, including apartments and separate leased areas within a building.

Universal access

The provision of buildings that are accessible and usable to the greatest extent possible by people of all ages and abilities.

Unusual organism

Organism that regular marine users of specific areas have not previously seen or are not familiar with.

Urban area

Land zoned residential or business, together with adjoining special purpose and open space zones.

PC 120 (see Modifications)

[new text to be inserted]

Urupā

Māori burial ground.

Includes:

- closed Māori burial grounds; and
- open Māori burial grounds.

V

Vegetation alteration or removal

Damaging, cutting, destroying or removing any part of vegetation.
Includes:

- roots; and
- crown pruning.

Excludes:

- the alteration or removal of vegetation planted as a crop or pasture.

Vehicle crossing

Facility for vehicle access between a road carriageway and a site boundary.

Vertebrate toxic agent

Substance used to eradicate, modify or control vertebrate animals.

Vessel

Boat or craft used in navigation in or on the water, with or without propulsion.

Includes:

- barges, lighters, or similar vessels;
- hovercraft or similar craft;
- submarines or other submersibles; and
- houseboats.

Veterinary clinic

Facility used for animal healthcare.

Includes:

- animal hospital treatment.

This definition is nested within the Commerce nesting table.

Veterinary vaccine

A biological compound that:

- is used to produce or artificially increase immunity to a particular disease;
- is controlled by the Agricultural Compounds and Veterinary Medicines Act 1997; and

- has been tested and approved as safe to use by a process similar to that conducted for approval and use of medical vaccines.

Viable genetically modified veterinary vaccine

A genetically modified veterinary vaccine that could survive or replicate in the environment or be transmitted from the inoculated recipient.

Vibe

A quality of a plan that is incapable of being defined.

Visitor accommodation

Facility used for accommodating tourists and short-stay visitors away from their normal place of residence.

Includes:

- backpacker lodges;
- motels and hotels;
- services or amenities such as restaurants, bars, gyms and ancillary retail provided on-site for the exclusive use of people staying in the accommodation and their guests;
- serviced rental accommodation for visitors offered at a daily tariff or with a pricing structure consistent with short stay accommodation; and
- timeshare accommodation.

Excludes:

- boarding houses and hostels;
- letting of dwellings, including for holiday purposes; and
- accommodation on a marae.

This definition is nested within the Residential nesting table.

Volatile organic compound

A hydrocarbon based compound with a vapour pressure greater than 2mm of mercury (0.27 kilopascals) at a temperature of 25°C or having a corresponding volatility under the particular conditions of use, but does not include methane.

W

Wāhi tapu

Sacred ancestral sites and places of significance to iwi, hapū or whānau.

Warehousing and storage

Facilities used for the receipt, storage, handling and distribution of materials, articles or goods destined for a retail outlet, trader or manufacturer.

Includes:

- direct collection of materials; and
- articles or goods by traders.

Excludes:

- retail.

This definition is nested within the Industry nesting table.

Washwater

Water that has been used to wash or clean vehicles, structures, machinery or equipment.

Includes:

- any cleaning chemicals used; and
- any contaminants mobilised by the process.

Waste management facility

Facility used for receiving waste for transfer, treatment, disposal, or temporary storage.

Includes:

- refuse transfer stations; and
- recycling.

Excludes:

- landfills.

This definition is nested within the Industry nesting table.

Wastewater

Liquid (and liquids containing solids) waste from domestic, industrial, commercial premises including (but not limited to) toilet wastes, sullage, trade wastes and gross solids.

Wastewater network

A system of wastewater pipes and associated accessory structures to convey, divert, store, treat, or discharge wastewater.

Water intake structure

A structure located in or adjacent to a surface water body for the purpose of taking water. Water intake structures are typically located on or above the bed of a river or lake and comprise an open pipe, a screen and anchoring which may secure the intake in a fixed position or allow it to move in response to changing water levels. Alternative designs, such as infiltration galleries, provide for water to be diverted to and taken from a location adjacent to the water body.

A water intake structure does not include a culvert or pipe or other similar structure whose principal purpose is to allow the passage of water along a river bed.

Water take

The activity of removing water from a water body (including rivers, streams, lakes, wetlands, water impounded by dams and aquifers), by pumping and/or gravity, typically for consumptive use, but also including groundwater de-watering and groundwater removal as part of land drainage. Take does not include the removal of water from a water body where that removal is by a discharge (for example, where water is discharged over a dam spillway).

Wave attenuation device

Device to reduce wave height and dissipate wave energy.

Includes:

- rubble breakwaters;
- floating breakwaters; and
- groynes.

Wholesaler

A business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers. Sales to the public are an accessory activity.

Workers' accommodation

A dwelling for people whose duties require them to live on-site, and in the rural zones for people who work on the site or surrounding rural area.

Includes:

- accommodation for rangers;
- artists in residence;
- farm managers and workers; and
- staff.

Works within the protected root zone

Carrying out work within the protected root zone.

Includes:

- excavation;
- depositing of materials;
- construction activity;
- installation of services;
- discharge or dispersal of any toxic substance;
- placement of any weed control membrane; and
- storage of vehicles, machinery, or materials.

Y

Yard

The part of a site that must be kept clear and unobstructed by buildings from the ground upwards. Yards are always measured in a horizontal plane and at right angles to the site boundary or other line that substitutes for the site boundary. A yard control is always a minimum dimension unless otherwise stated.

Excludes:

- eaves of any building and any roof, gutter or downpipe that projects over any yard by not more than 750mm;
- fire escapes required under the Building Act 2004; and
- any crop supports structures, artificial crop protection structures, hedges, or shelter belts.

See also: Front yard, Side yard, Rear yard, Lakeside yard and Riparian yard.

Appendix 17 Documents incorporated by reference

An indicative list of documents incorporated by reference into the Plan is set out below. Documents are listed under the heading of the section they are found in. References to Acts of parliament and national policy statements are not included.

B1 Issues

The Local Government (Auckland Regional Parks) Order 2008

National Code of Practice for Utility Operators' Access to Transport Corridors under the Utilities Access Act 2010

New Zealand Code of Practice for Electrical Safe Distances 2001 under the Electricity Act 1992

Auckland Plan under the Local Government (Auckland Council) Act 2009

Long-term Plan under the Local Government Act 2002

Regional Land Transport Plan under the Land Transport Management Act 2003

B3 Infrastructure, transport and energy

Regional Land Transport Plan made under the Land Transport Management Act 2003

B10 Environmental risk

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Wellington, Ministry for the Environment (2011)

D1 High-use Aquifer Management Areas Overlay

Geology of the Auckland Area, 1:250,000 Geological Map 3, Institute of Geological and Nuclear Sciences, Edbrooke (2001)

D12 Waitākere Ranges Heritage Area Overlay

Auckland Council Trading and Events in Public Places Bylaw 2015

D17 Historic Heritage Overlay

New Zealand Heritage List/Rārangi Kōrero

D24 Aircraft Noise Overlay

Part G4 of the New Zealand Building Code

New Zealand Standard on Ventilation for Acceptable Indoor Air Quality (NZS 4303:1990)

D25 City Centre Port Noise Overlay

New Zealand Standard on Acoustics - Measurement of environmental sound (NZS 6801: 2008)

New Zealand Standard on Acoustics - environmental noise (NZS 6802: 2008).

D26 National Grid Corridor Overlay

New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001)

E1 Water quality and integrated management

New Zealand Macroinvertebrate Working Group Report No. 1, Stark, J.D. et al., Prepared for the Ministry for the Environment 2001

E2 Water quantity, allocation and use

New Zealand Building Code

New Zealand Standard on the Environmental Standard for Drilling of Soil and Rock (NZS 4411:2001)

Auckland Council Technical Report 2011/009: Stream Ecological Valuation

Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al, August 2014

Auckland Council Navigational Safety Bylaw 2014

Auckland Council Technical Publication 108

Guideline for stormwater runoff modelling in the Auckland Region, April 1999

Farm Technical Manual – Lincoln University; Fleming, P. (Ed.); 2011

E3 Lakes, rivers, streams and wetlands

Auckland Council Technical Report 2011/009: Stream Ecological Valuation (SEV): a method for assessing the ecological functions of Auckland Streams (October 2011)

Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al, August 2014

Auckland Council Technical Publication 108: Guideline for stormwater runoff modelling in the Auckland Region, April 1999

Farm Technical Manual – Lincoln University; Fleming, P. (Ed.); 2011

E4 Other discharges of contaminants

Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000 (ANZECC 2000 Guidelines)

E5 On-site and small scale wastewater treatment and disposal

Technical Publication 58 On-site Wastewater Systems: Design and Management Manual 2004

E6 Wastewater network management

Drinking-water Standards for New Zealand 2005 (revised 2008)

E7 Taking, using, damming and diversion of water and drilling

Dam Safety Guidelines – Auckland Council Technical Publication 109

New Zealand Dam Safety Guidelines – New Zealand Society of Large Dams 2000

NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock

New Zealand Building Code

E9 Stormwater quality - High contaminant generating car parks and high use roads

'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01) December 2017'

E11 Land disturbance - Regional

Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

'Guidance Document 2016/005 Erosion and Sediment Control Guideline for Land Disturbing Activities (GD05)'

Erosion and Sediment Control Guidelines for Vegetable Production Horticulture New Zealand (June 2014)

E12 Land disturbance - District

Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001

PC 120 (see Modifications)

[new text to be inserted]

E13 Cleanfills, managed fills and landfills

Australian and New Zealand Environment and Conservation Council Guidelines for Fresh and Marine Water Quality 2000

E14 Air quality

Resource Management (National Environmental Standards for Air Quality) Regulations 2004

NSW Environment Protection Agency Guidelines for estimating Chimney Heights for small and medium sized Fuel Burning Equipment February 1993

E15 Vegetation management and biodiversity

Auckland Council District Plan – Hauraki Gulf Islands section

PC 120 (see Modifications)

[new text to be inserted]

E17 Trees in roads

Electricity (Hazards from Trees) Regulations 2003

E23 Signs

Auckland Transport/Auckland Council Signage Bylaw 2015

Auckland Transport Elections Signs Bylaw 2013

Austroads Guide to Road Design

Australian Standards AS 4282 - 1997 (Control of the Obtrusive Effects of Outdoor Lighting)

E24 Lighting

Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting

CIE 150:2003 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations – International Commission on Illumination ISBN 3 901 906 19 3

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E25 Noise and vibration

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NZS 6803:1999 Acoustics – Construction noise

NZS 6808: 2010 Acoustics – Wind farm noise

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E26 Infrastructure

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E27 Transport

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Identifying, Investigating and Managing Risks Associated with Former Sheep Dip Sites: A Guide for Local Authorities, by the Ministry for the Environment November 2006

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E32 Biosolids

Guidelines for the Safe Application of Biosolids to Land in New Zealand, August 2003

E33 Industrial and trade activities

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E34 Agrichemicals and vertebrate toxic agents

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E35 Rural production discharges

Dairy Effluent Storage Calculator for the Auckland Region 2012

The Fertiliser Association of New Zealand's Code of Practice for Nutrient Management (2013)

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Resource Management (Exemption) Regulations 2017 - Schedule 2 Conditions on exemptions

E36 Natural hazards and flooding

PC 120 (see Modifications)

National Rural Fire Authority New Zealand Wildfire Threat Analysis

New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001

PC 120 (see Modifications)

[new text to be inserted]

E38 Subdivision – Urban

NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008

PC 120 (see Modifications)

[new text to be inserted]

E39 Subdivision – Rural

NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008

PC 120 (see Modifications)

[new text to be inserted]

E40 Temporary activities

New Zealand Standard on Acoustics – Construction Noise (NZS 6803:1999)

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H28 Special Purpose - Quarry Zone

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I101 Motorsport Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

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I102 Rowing and Paddling Precinct

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I201 Britomart Precinct

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I208 Port Precinct

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I211 Viaduct Harbour Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

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I214 Wynyard Precinct

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I300 Alexandra Park Precinct

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I301 ASB Showgrounds Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

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I302 ASB Tennis Arena Precinct

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New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

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I304 Auckland Zoo Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I307 Avondale Racecourse Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I310 Eden Park Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I313 Ellerslie Racecourse Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I318 Monte Cecilia Precinct

Pah Farm Conservation Plan

I319 MOTAT Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

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CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I321 Mount Smart Stadium Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I322 Mount Wellington 5 Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

I327 Ōrakei 2 Precinct

Whenua Rangatira Reserve Management Plan

Ngāti Whātua Iwi Management Plan 2012

I328 Ōrakei Point Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

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I335 Western Springs Stadium Precinct

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Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I400 Ardmore 3 Precinct

International Civil Aviation Organization standard for a Type A obstruction light

I402 Auckland Airport Precinct

Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region

I405 Big Bay Precinct

British Standards BS5252 – standard specification colour ranges

I407 Bruce Pulman Park Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I408 Clevedon Precinct

NZS HB8630:2004 – Design of Walking Tracks

I409 Clevedon Waterways Precinct

NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008

I410 Drury South Industrial Precinct

New Zealand Standard NZS6806:2010 "Acoustics – Road Traffic Noise – New and Altered Roads

I411 ECOLight Stadium Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I413 Franklin A&P Showgrounds Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I414 Franklin Trotting Club Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

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Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I415 Glenbrook Steel Mill Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

I418 Kingseat Precinct

TP 10 – Stormwater Management Devices: Design Guidelines Manual (May 2003)

ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value

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I426 Matingarahi Precinct

British Standards BS5252 – standard specification colour ranges

I427 Pacific Events Centre Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I430 Patumahoe Precinct

Patumahoe Integrated Catchment Management Plan

I432 Puhinui Precinct

NZTA Code of Practise for Temporary Traffic Management

I434 Pukekohe Park Precinct

Land Transport Rule – Vehicle Equipment Amendment 2007 (Rule 32017/2)

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CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I438 Takanini Precinct

New Zealand Standard NZS6802:1991 “Assessment of Environmental Sound

New Zealand Building Code

Catchment Management Plan

I439 Waiuku Precinct

Health and Safety in Employment (Pipelines) Regulations 1999

Standard NZ/AS2885 Pipelines– Gas and Liquid petroleum

I441 Whitford Precinct

Electricity (Hazards from Trees) Regulations 2003

Whitford Precinct guidelines for native revegetation planting

I442 Whitford Village Precinct

Whitford Integrated Catchment Management Plan

New Zealand Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2003

Whitford Village Design Guidelines

New Zealand Tracks and Outdoor Visitor Structures Standard (SNZ)

I503 AUT Millennium Institute of Sport Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

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I511 Hatfields Precinct

New Zealand Cycle Trail Design Guide (prepared for MBIE), February 2015 (4th Edition)

I513 Kaipara Flats Airfield Precinct

New Zealand Standard on Airport Noise Management and Land Use (NZS6805:1992)

FAA Integrated Noise Model (INM)

New Zealand aeronautical information publication – Visual Flight Guide, dated June 2011

I524 North Harbour Stadium and Domain Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3

I525 North Shore Airport Precinct

New Zealand Standard on Airport Noise Management and Land Use (NZS6805:1992)

FAA Integrated Noise Model (INM)

New Zealand aeronautical information publication – Visual Flight Guide, dated June 2011

I526 North Shore Events Centre Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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I535 Rodney Landscape Precinct

BS5252 standard colour palette

I537 Silverdale 3 Precinct

Council’s Standards for Engineering Design

Auckland Transport's Code of Practice

I539 Smales 2 Precinct

2013 Integrated Transport Assessment

I547 Wēiti Precinct

SNZ HB8630:2004 for Walking Tracks (1 January 2004)

I603 Hobsonville Corridor Precinct

Auckland Council Technical Publication 10: Design Guideline Manual for Stormwater Treatment Devices (2003)

I605 Hobsonville Point Precinct

New Zealand Building Code

Energy Efficiency and Conservation Authority Water Heating Assessment Tool

Water Efficiency Labelling Scheme

I606 Lincoln Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

I610 Redhills Precinct

New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001

I613 Trusts Arena Precinct

New Zealand Standard on Acoustics - Measurement of Environmental Sound (NZS 6801:2008)

New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008)

Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting)

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1615 Westgate Precinct

Totara Integrated Catchment Management Plan

J1 Definitions

NESETA National Environmental Standards for Electricity Transmission Activities

NESTF National Environmental Standards for Telecommunication Facilities

NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances

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Auckland Transport Election Signs Bylaw 2013

New Zealand Building Code for residential buildings

Contaminated Land Management Guidelines No.5 Site investigation and Analysis of Soils Wellington Ministry for the Environment (2011)

Contaminated Land Management Guidelines No.1 Reporting on Contaminated Sites in New Zealand Wellington Ministry for the Environment (2011)

New Zealand Land Resource Inventory (NZLRI)

GNS Sciences Qmaps

Geology of Auckland (compiled by Edbrooke for IGNS 2001)

Land Use Capability Survey Handbook 3rd Edition 2009

New Zealand Standard 6801:2008 Acoustics - Measurement of environmental sound

New Zealand Standard 6802:2008 Acoustics - Environmental noise

Auckland Regional Plant Pest Strategy

Department of Conservation Pest Plants List

National Pest Plant Accord Under the Biosecurity Act 1993

Food Hygiene Regulations 1974

PC 120 (see Modifications)

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Appendix 1 Structure plan guidelines

The Auckland Plan

Regional Land Transport Plan

Auckland Transport's Integrated Transport Programme

Watercare's Asset Management Plan

Auckland Council's Parks and Open Space Strategy Action Plan

Auckland Council's Auckland Design Manual

Auckland Council's Code of Practice for Land Development and Subdivision

Appendix 8 Biodiversity offsetting

New Zealand government Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al, August 2014

Appendix 15 Subdivision information and process

Auckland Council's current Regional Pest Management Strategy

Appendix 18 Qualifications required for the application of agrichemicals and vertebrate toxic agents

New Zealand Standard - Management of Agrichemicals (NZS 8409:2004)

PC 120 (see Modifications)

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Appendix 23 Parking Demand Guidelines to Calculate the Number of Required

Activity		Minimum rate	
	Retirement village		0.7 per unit plus 0.2 visitor space per unit plus 0.3 per bed for rest home beds within a retirement village
	Supported residential care		0.3 per bed
	Visitor accommodation		1 per unit or, where accommodation is not provided in the form of units, 0.3 per bedroom
	Boarding houses		0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the H29 Special Purpose – School Zone)
Offices			A minimum of 1 per 100m2 GFA
Commercial services, excluding the following: veterinary clinics, storage and lockup facilities			1 per 25m2 GFA
	Motor vehicle sales		1 per 10 vehicle display spaces, plus 1 per additional 50m2 GFA
	Trade suppliers		1 per 50m2 GFA plus 1 per 100m2 of outdoor storage or display areas
	Large Format Retail (excluding supermarkets and department stores)		1 per 50m2 GFA
	All other retail (excluding food and beverage)		1 per 50m2 GFA
	Food and beverage		1 per 25m2 GFA
Industrial activities and storage and lock -up facilities	Repair and maintenance services		4 per repair / lubrication bay, plus 1 per additional 50m2 GFA
	Warehousing,		1 per 100m2 GFA, or

	storage and lock up facilities		0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
	All other industrial activities		1 per 50m2 GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of onsite parking
Entertainment facilities and community facilities provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces not separately use shall be disregarded)			0.2 per person the facility is designed to accommodate
Emergency services			1 per employee on site plus 1 per emergency service appliance based at the facility
Care centres			0.10 per child or other person, other than employees plus 0.5 per FTE employee
Educational facilities	Primary and secondary		0.5 per FTE employee plus 1 visitor space per classroom
	Tertiary		Massey University at Albany Campus: 0.32 per EFT student Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student the facility is designed to

			accommodate
Medical facilities	Hospitals not shown on the Parking Variation Control planning maps		1 per 50m2 GFA
	Grafton Hospital 2 Park Road, Grafton		No minimum
	Greenlane Clinical Centre 210 Green Lane West, Epsom		1 per 55m2 GFA
	Mt Albert 50 Carrington Road, Mt Albert		1 per 60m2 GFA
	Mercy Hospital 98 Mountain Road, Epsom		1 per 40m2 GFA
	Healthcare facilities		1 per 20m2 GFA
	Veterinary clinics		1 per 20m2 GFA
Land used for organised sport and recreation			12.5 spaces per hectare
Clubrooms			0.2 per person the facility is designed to accommodate
Water transport	Land adjacent to a public boat launching ramp		No minimum rate for accessory parking associated with boat launching
Marine and port activities and facilities	Marinas		0.35 per berth provided
	Minor ports at Gabador Place, Tamaki and Onehunga		0.5 per employee intended to be working in or at the facility at any one time
All other activities, except for activities within rural zones			1 per 50m2 GFA
All other activities where located in rural zones			No minimum