

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

## Auckland Unitary Plan (Operative in Part)

### Plan Change: Enabling Rain Tanks

~~Strikethrough~~ is to be read as a deletion

Underlining is to be read as an addition

Amend the Auckland Unitary Plan AUP(OP) as detailed below.

## Definitions

### 1. Amend definition Table J1.4.1: Buildings as follows:

Tanks including retention tanks <u>other than Rainwater tanks excluded below.</u>	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.
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### Add to the list of exclusions the following

And excludes the following types of structures:

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

## 2. Add the following definition to Chapter J Definitions:

### Rainwater tank

An above or below ground tank used to collect and store rainwater for later use and/or for stormwater management purposes.

(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)

## **Auckland Council District Plan (Hauraki and Gulf Islands section)**

**Amend the definition of “Building” in the Part 14 definitions section as detailed below:**

### Building

means any structure or part of a structure. It also includes any fixed or moveable structure (including caravans) used for residential purposes, assembly or storage. It does not include any of the following:

- any deck or terrace, in whole or part, under 1m in height
- fences or walls under 2m in height
- retaining walls under 1m in height
- pools under 1m in height
- temporary tents or marquees
- satellite dishes less than 1m in diameter
- masts, poles or antennas, where these are less than 3m in height above the attachment point
- pergolas with a permanently open roof
- signs or billboards
- Rainwater tanks which are all of the following:
  - ❖ no greater than 3 m in height (excluding pipework);
  - ❖ not located in a front yard or frontage controls for the land unit unless they are located below finished ground level;
  - ❖ finished in a recessive colour in a natural colour range (green, brown, grey) with a maximum colour reflectivity of 40%;
  - ❖ not located on or do not outflow across an existing effluent dispersal area;
  - ❖ designed to outflow into the site’s existing stormwater management system;
  - ❖ not located: -
    - in any natural hazard area identified on planning maps;
    - within a horizontal distance of 20 m of any coastal cliff;
    - at an elevation less than 1m above MHWS if less than 100m of MHWS;
  - ❖ not located on a site identified in Appendix 1: Heritage schedules for the inner islands & Appendix 2: Heritage schedules for the outer islands.

**Add the following definition to Part 14 definitions section as detailed below:**

### Rainwater tank

Tanks used for collecting and storing rainwater, or for stormwater management.

## RESIDENTIAL ZONES

### Amend the Residential - Single House Zone as follows:

Add the following to Table H3.4.1 Activity table Residential section and renumber:

Activity	Activity Status	Standards to be complied with
Development		
AX	Rainwater Tank	P Standard H3.6.13 Rainwater tanks

Add the following Standard:

#### Standard H3.6.13 Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining amenity values

- (1) Rainwater tanks must not be located in a:
  - a) riparian, lakeside or coastal protection yard;
  - b) front yard or forward of the street facing building façade or private vehicle access facing building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- (2) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (3) Measures must be implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance.

**Amend H3.8.1. Matters of discretion by adding the following:**

- (4) For Rainwater tanks that do not comply with Standard H3.6.13 Rainwater tanks:
  - a) Effects on residential character and amenity
  - b) Bulk and location
  - c) Stormwater management
  - d) Effects on the amenity of dwellings on adjoining sites through shading, dominance and/or loss of outlook.
  - e) Effects associated with natural hazards.

**Amend H3.8.2. Assessment criteria by adding the following:**

- (9) For Rainwater tanks:
  - a) Whether the bulk and location of the rainwater tank would have adverse effects on residential character and amenity, especially for adjoining sites.
  - b) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or enable stormwater management.
  - c) Whether the rainwater tank is located to avoid natural hazards.

## Amend the Residential - Mixed Housing Suburban Zone as follows:

Add the following to Table H4.4.1 Activity Table Residential - Mixed Housing Suburban Zone and renumber:

Activity	Activity Status	Standards to be complied with
<b>Development</b>		
<u>AX</u>	<u>Rainwater Tank</u>	<u>P</u>
		<u>Standard H4.6.16 Rainwater tanks</u>

### Add the following Standard:

#### Standard H4.6.16 Rainwater tanks

Purpose: To enable rainwater tank installation and maintain amenity values.

- 1) Rainwater tanks must not be located in a:
  - a) riparian, lakeside or coastal protection yard;
  - b) front yard or forward of any street facing or private vehicle access facing building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- 2) Rainwater tanks must not be located within a specified outlook area unless located below finished ground level.
- 3) Rainwater tanks must not be located in an outdoor living space unless located below finished ground level or unless they can maintain a minimum 20m<sup>2</sup> outdoor living space with minimum dimensions of 4m.
- 4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.

### Amend H4.8.1. Matters of discretion by adding the following:

- (6) For Rainwater tanks the matters of discretion are limited to:
  - a) Effects on residential and streetscape character and amenity values.
  - b) Bulk and location including visual dominance effects.
  - c) Cumulative effects on the function and amenity of outdoor living and/or outlook spaces.
  - d) Stormwater management.
  - e) Adverse effects on adjoining sites through shading, dominance and/or loss of outlook.
  - f) Effects associated with natural hazards.

**Amend H4.8.2. Assessment criteria by adding the following:**

(17) For Rainwater tanks:

- a) Whether the bulk and location characteristics associated with the rainwater tank would adversely impact on residential character and amenity, including the subject site; adjoining sites and the street or private accessway through shading, dominance and/or loss of outlook.
- b) Whether the tank design and appearance are appropriate for the site context and planned built character.
- c) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or to enable stormwater management.
- d) Whether the rainwater tank is located to avoid natural hazards.

**Amend the Residential - Large Lot Zone as follows:**

Add the following to Table H1.4.1 Activity table Large Lot section and renumber:

Activity	Activity Status	Standards to be complied with
<b>Development</b>		
<u>AX</u>	<u>Rainwater tank</u>	<u>P</u> <u>Standard H1.6.8 Rainwater tanks</u>

**Add the following Standard:**

Standard H1.6.8 Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining amenity values.

- (1) Rainwater tanks must not be located in a:
  - a) riparian, lakeside or coastal protection yard;
  - b) front yard unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- (2) Rainwater tanks (excluding any pipework) must not exceed 3m in height in a rear or side yard.
- (3) Rainwater tanks must not be located on or outflow across an effluent dispersal area.
- (4) Measures must be implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance.

**Amend H1.8.1. Matters of discretion by adding the following:**

(4) For Rainwater tanks the matters of discretion are limited to:

- a) Effects on residential character and amenity.
- b) Effects on landscape character, landscape qualities and natural features
- c) Bulk and location.
- d) Stormwater management.
- e) Effects associated with natural hazards.
- f) Adverse effects on adjoining sites through shading, dominance and/or loss of outlook.

**Amend H1.8.2. Assessment criteria by adding the following:**

(7) For Rainwater tanks:

- a) Whether the bulk and location associated with the rainwater tank would have adverse effects on residential character and amenity, especially for adjoining sites through shading, dominance and/or loss of outlook.
- b) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or to enable stormwater management.
- c) Whether the rainwater tank is located to avoid natural hazards.

**Amend the Residential - Mixed Housing Urban Zone as follows:**

Add the following to Table H5.4.1 Activity table Mixed Housing Urban and renumber:

Activity	Activity Status	Standards to be complied with
<b>Development</b>		
<u>AX</u>	<u>Rainwater Tank</u>	<u>P</u>
		<u>Standard H5.6.17 Rainwater tanks</u>

**Add the following Standard:**

Standard H5.6.17 Rainwater tanks

Purpose: To enable rainwater tank installation and maintain amenity values.

- 1). Rainwater tanks must not be located in a:
  - a) riparian, lakeside or coastal protection yard;
  - b) front yard or forward of any street facing or private vehicle access facing building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- 2). Rainwater tanks must not be located within a specified outlook area unless located below finished ground level.

- 3). Rainwater tanks must not be located within a specified outdoor living space unless located below finished ground level or unless able to maintain a minimum 20m<sup>2</sup> outdoor living space with minimum dimensions of 4m.
- 4). Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.

**Amend H5.8.1. Matters of discretion by adding the following:**

- (6) For Rainwater tanks the matters of discretion are limited to:
  - a) Effects on residential and streetscape character and amenity values.
  - b) Bulk and location including visual dominance effects.
  - c) Cumulative effects on the function and amenity of outdoor living and/or outlook spaces.
  - d) Stormwater management.
  - e) Effects associated with natural hazards.
  - f) Adverse effects on adjoining sites through shading, dominance and/or loss of outlook.

**Amend H5.8.2. Assessment criteria by adding the following:**

- (18) For Rainwater tanks:
  - a) Whether the bulk and location characteristics associated with the rainwater tank would adversely impact on residential character and amenity, including the subject site; adjoining sites and the street or private accessway through shading, dominance and/or loss of outlook.
  - b) Whether the tank design and appearance are appropriate for the site context and planned built character.
  - c) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or to enable stormwater management.
  - d) Whether the rainwater tank is located to avoid natural hazards.

**Amend the Residential – Rural and Coastal Settlement Zone as follows:**

**Amend Activity Table H2.4.1 Residential – Rural and Coastal Settlement Zone by adding the following:**

Activity	Activity Status	Standards to be complied with
Development		
(AX)	Rainwater Tank	P Standard H2.6.11

**Add the following Standard:**

Standard H2.6.11 Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining amenity values

- 1) Rainwater tanks must not be located in a:
  - i. riparian, lakeside or coastal protection yard;
  - ii. front yard or forward of the street facing building façade or private vehicle access facing building façade unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- 2) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard
- 3) Measures must be implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance.

**Amend H2.8.1. Matters of discretion by adding the following:**

- (5) For Rainwater tanks that do not comply with Standard H2.6.11 Rainwater tanks:
  - a) Effects on residential character and amenity
  - b) Bulk and location
  - c) Stormwater management
  - d) Effects associated with natural hazards.
  - e) Effects on the amenity of dwellings on adjoining sites through shading, dominance and/or loss of outlook.

**Amend H2.8.2. Assessment criteria by adding the following:**

- (10) For Rainwater tanks:
  - a) Whether the bulk and location of the rainwater tank would have adverse effects on residential character and amenity, especially for adjoining sites.
  - b) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or to enable stormwater management.
  - c) Whether the rainwater tank is located to avoid natural hazards.

**Amend the Residential - Terrace Housing and Apartment Buildings Zone (THAB) as follows:**

**Amend Activity Table H6.4.1 Terrace Housing and Apartment Buildings Zone by adding the following:**

Activity	Activity Status	Standards to be complied with
<u>Development</u>		
<u>(AX)</u>	<u>Rainwater Tank</u>	<u>P</u>
		<u>Standard H6.6.18</u>



**Add the following Standard:**

Standard H6.6.18 Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining amenity values.

1. Rainwater tanks must not be located in any:
  - a) riparian, lakeside or coastal protection yard;
  - b) front yard or forward of any street facing or private vehicle access facing building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
  - c) Rainwater tanks must not be located in a designated outlook space area unless located below finished ground level.
  - d) Rainwater tanks must not be located in an outdoor living area unless located below finished ground level or unless able to maintain a minimum 20m<sup>2</sup> outdoor living space with minimum dimensions of 4m.

**Amend H6.8.1. Matters of discretion by adding the following:**

- (6) For Rainwater tanks that do not comply with Standard H6.6.18 Rainwater tanks:
  - a) Effects on residential and streetscape character and amenity values.
  - b) Bulk and location including visual dominance effects.
  - c) Cumulative effects on the function and amenity of outdoor living and/or outlook spaces.
  - d) Stormwater management.
  - e) Effects associated with natural hazards.
  - f) Adverse effects on adjoining sites through shading, dominance and/or loss of outlook.

**Amend H6.8.2. Assessment criteria by adding the following:**

- (18) For Rainwater tanks:
  - a) Whether the bulk and location characteristics associated with the rainwater tank would adversely impact on residential character and amenity, including; the subject site adjoining sites and the street or private accessway through shading, dominance/and or loss of outlook.
  - b) Whether the tank design and appearance are appropriate for the site context and planned built character.
  - c) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or enable stormwater management.
  - d) Whether the rainwater tank is located to avoid natural hazards.

## Overlays

Amend the Special Character Areas Overlay - Residential and Business as below.

Amend Table D18.4.1 Activity table – Special Character Areas Overlay – Residential by adding the following:

	Activity	Activity Status
A(X)	Rainwater tank	P

Amend section D18.6.1 to be: **D18.6.1. Standards for activities buildings in the Special Character Areas Overlay – Residential**

Add a new section to D18.6.1 ): **D18.6.1.(X) Rainwater tanks**

Add the following section to new section D18.6.1

### **D18.6.1.(X) Rainwater tanks**

**Purpose:** To enable rainwater tank installation while maintaining the character of the streetscape

- (1) Rainwater tanks must not be located in a front yard or forward of any street or private vehicle access facing building façade unless they are located below ground level and at least 1.5m from the front boundary.
- (2) Rainwater tanks adjoining a side yard facing building façade or located within a side yard must be below ground level or set back at least 1m behind a line from the street facing building façade.
- (3) Rainwater tanks must not obscure (partially or totally) any window or door of the dwelling on the subject site.
- (4) Rainwater tanks adjoining a side façade or located within a side yard must be no greater than 800mm in width.
- (5) Rainwater tanks directly adjoining a side facade of a building must match the colour of that façade.
- (6) Rainwater tanks must not exceed 2 m in height, or 3 m in height where the rainwater tank adjoins an existing building.

Any consequential changes necessary and arising from the Council’s decision on Plan Change 26: Clarifying the relationship between the Special Character Areas Overlay and the underlying zone provisions, which are necessary to clarify and confirm that the rainwater tank standards specified above for the Special Character Areas Overlay – Residential are the only standards that shall apply to rainwater tanks for the underlying zone.

## Special Purpose - Māori Purpose Zone

Activity	Activity Status	Standards to be complied with
<b>Development</b>		
<u>AX</u>	<u>Rainwater Tank</u>	<u>P</u> <u>Standard H27.6.9</u> <u>Rainwater tanks</u>

### Add the following Standard:

Standard H27.6.9 Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining amenity values.

- (5) Rainwater tanks must not be located in a:
  - a) riparian, lakeside or coastal protection yard;
  - b) front yard unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- (6) Rainwater tanks (excluding any pipework) must not exceed 3m in height in a rear or side yard.
- (7) Rainwater tanks must not be located on or outflow across an effluent dispersal area.
- (8) Measures must be implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance.

### Amend H27.8.1. Matters of discretion by adding the following:

- (7) For Rainwater tanks the matters of discretion are limited to:
  - a) Effects on residential character and amenity.
  - b) Effects on landscape character, landscape qualities and natural features
  - c) Bulk and location.
  - d) Stormwater management.
  - e) Effects associated with natural hazards.
  - f) Adverse effects on adjoining sites through shading, dominance and/or loss of outlook.

### Amend H27.8.2. Assessment criteria by adding the following:

- (7) For Rainwater tanks:
  - a) Whether the bulk and location associated with the rainwater tank would have adverse effects on residential character and amenity, especially for adjoining sites through shading, dominance and/or loss of outlook.

- b) Whether the rainwater tank is designed and maintained to effectively collect and store rainwater and/or to enable stormwater management.
- c) Whether the rainwater tank is located to avoid natural hazards.

## RURAL ZONES

**Amend the Rural Zone provisions as below.**

**Amend the section titled “H19.8 Activity table” as follows:**

Tables H19.8.1 and H19.8.2 specify the activity status of land use and development activities pursuant to section 9(2) and 9(3) of the Resource Management Act and subdivision pursuant to section 11 the Resource Management Act 1991.

The activity status of the activities in the table below also applies to new buildings including accessory buildings that will accommodate or are needed to facilitate the activity unless otherwise specifically provided for in the table.

**Add an additional row to Table H19.8.1 as follows:**

	Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
Development					
(AX) Rainwater tank	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

**Amend the section titled “H19.10 Standards” by adding the following:**

(3) Notwithstanding the above Rainwater tanks must only comply with rainwater tank standard H19.10.17

**Amend the section titled “H19.10 Standards” by adding the following:**

H19.10.17 Rainwater tanks

1. Rainwater tanks must not be located in a:
  - a) riparian, lakeside or coastal protection yard;

- b) front yard unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- 2. Rainwater tanks must not be located on or outflow across an existing effluent dispersal area.
- 3. Measures must be implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance.
- 5) Rainwater tanks located in the Rural Coastal zone must be finished in a recessive colour in a natural colour range (green, brown, grey) with a maximum colour reflectivity of 40% unless buried below finished ground level or fully screened by vegetation.

**Amend the section titled “H19.12.1. Matters of discretion” by adding the following:**

(7) infringement of Standard H19.10.17 Rainwater tanks:

- a) the effects on rural character, integrity of distinctive landscape features, natural character and amenity;
- b) stormwater management;
- c) Effects associated with natural hazards;
- d) effects on adjoining sites.

## **Rural-Waitākere Foothills Zone**

**Amend the Rural-Waitākere Foothills Zone as below.**

**Amend Activity Table H20.4.1 – Waitākere Foothills Zone – by adding the following:**

	<b>Activity</b>	<b>Activity Status</b>
<b>Development</b>		
A(X)	<u>Rainwater tank</u>	<u>P</u>

**Amend standard H20.6.9 Dwellings as follows:**

**The following standards apply to dwellings....**

(5) rainwater tanks must:

- a) not be located in a:
  - i. riparian yard;
  - ii. front yard unless they are at least 1.5m from the front boundary and are located below ground level;
- b) not exceed 3m in height (excluding any pipework) in a rear or side yard;
- c) not be located on or outflow across an existing effluent dispersal area;
- d) be operated so that measures are implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance.

- e) be finished in a recessive colour in a natural colour range (green, brown, grey) with a maximum colour reflectivity of 40% unless buried below finished ground level or fully screened by vegetation.

## Rural-Waitākere Ranges Zone

Amend the Rural- Waitākere Ranges Zone as below.

Amend Activity Table H21.4.1 – Waitākere Ranges Zone – by adding the following:

	Activity	Activity Status
Development		
A(X)	Rainwater tank	P

Amend standard H21.6.9 Dwellings as follows:

(5) rainwater tanks must:

- a) not be located in a:
  - i. riparian, lakeside or coastal protection yard;
  - ii. front yard unless they are at least 1.5m from the front boundary and are located below ground level;
- b) not exceed 3m in height (excluding any pipework) in a rear or side yard;
- c) not be located on or outflow across an existing effluent dispersal area;
- d) be operated so that measures are implemented to ensure that any discharge of water beyond the boundary of the site from rainwater tank overflow pipes is avoided or limited such that it does not cause nuisance;
- e) be finished in a recessive colour in a natural colour range (green, brown, grey) with a maximum colour reflectivity of 40% unless buried below finished ground level or fully screened by vegetation.

## Consequential Changes

Amend E26.2.5.2(3) by adding the following:

(c) The maximum height for rainwater tanks is 3m except in the THAB, Rural Conservation, Countryside Living, Rural Coastal, Mixed Rural and Rural Production zones where there is no maximum height limit for a rainwater tank.