

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan, Manager Regional, North, West and Islands Planning

FROM Alison Pye, Senior Policy Planner, Regional, North, West and Islands Planning

DATE 6 May 2022







SUBJECT **Plan Modification to the Auckland Unitary Plan (AUP) Operative in part (15 November 2016);**

Plan Modification to the Auckland District Plan – Hauraki Gulf Islands Section (HGI Plan) Operative 2018

This memorandum requests an update to Auckland Unitary Plan Operative in part

<p>Reason for update To implement Plan Change 54 to the Auckland Unitary Plan; and Plan Modification 13 to the Auckland District Plan - Hauraki Gulf Islands section): To Enable Rainwater Tank Installation in Rural and Residential zones.</p>	
<p>Chapter</p>	<p><u>AUP</u></p> <ul style="list-style-type: none"> • D - Overlays • E – Auckland-wide • H – Zones • I - Precincts • J - Definitions <p><u>HGI Plan</u></p> <ul style="list-style-type: none"> • Part 14 Definitions
<p>Section</p>	<p><u>AUP</u></p> <ul style="list-style-type: none"> ○ D18 - Special Character Overlay – Residential and Business ○ E26 Infrastructure ○ E36 Natural hazards and flooding ○ H1 - Large Lot Zone ○ H2 - Rural and Coastal Settlement Zone ○ H3 - Single House Zone ○ H4- Mixed Housing Suburban Zone ○ H5 - Mixed Housing Urban Zone ○ H6 - Terrace housing and Apartment Buildings Zone ○ H19 Rural zones ○ H20 Rural – Waitakere Foothills Zone ○ H21 Rural - Waitākere Ranges Zone ○ H27 - Special Purpose Maori Zone ○ I420 Māngere 1 Precinct ○ I519 Long Bay Precinct ○ I528 Ōmaha South Precinct ○ I550 Millwater South Precinct ○ Special Housing Areas - Drury 1 ○ J Definitions - Table J1.4.1: Buildings, “Rainwater tank”, “Outdoor living Space” <p><u>HGI Plan</u></p> <ul style="list-style-type: none"> ○ Part 14 Definitions: “Building”, “Rainwater tank”

Designation only	
Designation #	N/A
Locations:	N/A
Lapse Date	N/A
Purpose	N/A
Changes to text (shown in underline and strikethrough)	Refer to Attachment A and Attachment B
Changes to diagrams	N/A
Changes to spatial data	N/A
Attachments	Attachment A – Decision to PC54/PM13: To enable rainwater tank installation in rural and residential zones Attachment B - Updated text to AUP(OIP) and HGI (Strikethrough/underlined) Attachment C - Further Clause 20A changes to text Attachment D - Updated text to AUP(OIP) and HGI (Clean)

Prepared by: Alison Pye Senior Policy Planner - Regional, North, West and Islands Planning	Text Entered by: Sarah El Karamany Planning Technician
Signature: 	Signature: 
Maps prepared by: N/A Geospatial Specialist	Reviewed by: Peter Vari Team Leader - Regional, North, West and Islands Planning
Signature:	Signature: 
Signed off by: Warren MacLennan Manager Regional, North, West and Islands Planning	
Signature: 	

**Attachment A – Decision to PC54/PM13: To enable rainwater tank
installation in rural and residential zones**

Decision following the hearing of a Plan Change (PC 54) to the Auckland Unitary Plan and a Plan Modification (PM 13) to the Auckland Council District Plan – Hauraki Gulf Islands Section under the Resource Management Act 1991



Proposal

The purpose of the plan change and the plan modification is to enable the installation of rainwater tanks in Residential and Rural zones.

PC 54 and PM13 are **APPROVED** with amendments. The reasons are set out below.

Plan change/modification number:	PC54 / PM13
Site address:	Auckland Unitary Plan and Auckland Council District Plan Hauraki Gulf Islands Section
Applicant:	Auckland Council
Hearing commenced:	Monday, 30 August 2021 at 9.30 a.m.
Hearing panel:	Les Simmons (Chairperson) Trevor Mackie
Appearances:	<p><u>For the Submitters:</u></p> <ul style="list-style-type: none"> - Karaka and Drury Consultant Ltd represented by Renee Fraser-Smith - Kāinga Ora represented by Matthew Lindenberg - Bain Allott Cross - Dianne Giles <p><u>For the Local Boards:</u></p> <ul style="list-style-type: none"> - Waitemata Local Board represented by Alexandra Bonham, Deputy Chair - Whau Local Board represented by Jessica Rose - Albert-Eden Local Board represented by Christina Robertson - Aotea / Great Barrier Local Board represented by Izzy Fordham, Chair <p><u>For Council:</u></p> <ul style="list-style-type: none"> - Phill Reid, Manager Planning, Auckland Wide - Alison Pye, Planner - Prasta Rai, Hearings Advisor
Hearing adjourned	Monday 30 August at 12.37pm
Commissioners' site visit	No site visits were undertaken
Hearing Closed:	Wednesday 29 September

Introduction

1. This decision is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioners Les Simmons (Chairperson) and Trevor Mackie 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 54 (“PC 54”) to the Auckland Council Unitary Plan Operative in Part (“the Unitary Plan”) and on Plan Modification 13 (“PM 13”) to the Auckland Council District Plan Hauraki Gulf Islands Section 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 54 and PM 13 are Council-initiated plan changes/plan modifications that have 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. The plan change/plan modification was publicly notified on 9 October 2020 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1.
5. The submission period closed on 9 November 2020. A summary of submissions was notified for further submissions on 19 November and re-notified on 26 November 2020. The further submissions period closed on 10 December 2020. A total of 14 submissions (including 2 late submissions) and one further submission was made on PC 54. A total of 5 submissions (including 1 late submission) were received to PM13.
6. The late submissions were accepted under delegation by Council Officers.
7. PC 54 and PM 13 were initiated and processed together. While they both share a common purpose, they relate to two separate planning documents. In our decision we provide a separate decisions version for PC 54 (in relation to the Auckland Unitary Plan (Operative in Part)) and PM 13 (in relation to the Auckland Council District Plan – Hauraki Gulf Islands Section). Where we have considered appropriate in our decision we have made separate comments with respect to PC54 and PM13 in regard to the specific provisions, the principal issues that remained in contention and our findings on those issues.

SUMMARY OF PC 54/PM 13

8. The proposed plan change and plan modification are described in detail in the section 42A report prepared by Ms Alison Pye.
9. The key components of the proposed plan change/plan modification are set out in Section 3.0 of the section 42A report. They include, in relation to PC 54:
 - amending the definition of “Buildings” to exclude “rainwater tanks” in specified zones and overlays,

- introducing a new definition of “rainwater tank” and
- identifying “rainwater tanks” as a permitted activity in specified Residential and Rural zones and overlays.

In relation to PM13:

- introducing a new definition of “rainwater tank” and
- excluding rainwater tanks from the definition of “building” on the proviso that they meet standards for height, placement and colour.

HEARING PROCESS

10. The pre-circulation of expert evidence had been directed and had been made available prior to the hearing commencing.
11. Due to Level 4 Covid-19 restrictions the hearing was held by way of Microsoft Teams.
12. The hearing was adjourned after the evidence of submitters had been presented. This was to enable the Council reporting team to prepare a written response to the matters raised during the hearing, including an updated tracked change version of the recommended amendments set out in Appendix 10 to the section 42A report. We also agreed to Mr Lindenberg being provided with a copy of the updated Appendix 10 to enable him to insert his recommended amendments and provide that prior to the hearing reconvening. We received all of this further information on 13 September.
13. After considering the reporting team’s written response to the matters raised by submitters, including Mr Lindenberg’s recommended amendments and matters raised during the hearing, the hearing was closed on Wednesday 29 September.

RELEVANT STATUTORY PROVISIONS CONSIDERED

14. The RMA (and settled case law) sets out an extensive set of requirements for the formulation of plans and changes to them. These requirements are set out in the section 42A report and the section 32 assessment that forms part of the hearing report and we do not need to repeat these again.
15. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. We note that Clause 10(3) does not require us to give a decision that addresses each submission individually. The decision must include a further evaluation of any proposed changes to the plan change arising from submissions, with that evaluation to be undertaken in accordance with section 32AA. With regard to Section 32AA, we note Ms Pye’s paragraph 2 in her response to submitters’ evidence dated 10 September. We note that the evidence presented by submitters and Council effectively represents this assessment, and that that material should be read in conjunction with this decision, where we have determined that a change to either PC54 or PM13 should be made.

16. There are a number of provisions of both the Unitary Plan and the Hauraki Gulf Islands Plan that are relevant and these have been identified and discussed in the section 42A and section 32 reports, as well as in the evidence presented on behalf of submitters and the Council's reporting team. We do not see it necessary to specifically summarise these relevant plan provisions. We do record however that we have concluded that all the relevant provisions have been identified by the parties and we have taken into account these provisions and the expert evidence presented to us during the hearing.

CONTEXT AND HISTORY

17. We note the Executive Summary in the section 32 report and the Background section of Ms Pye's section 42A report, which set out the reasons why the Council has initiated PC54 and PM13 as part of the Council's wider response to the impacts of climate change, low water levels in Auckland's storage dams and the resilience of Auckland's water supply system.
18. We recognise that the Auckland region includes extensive rural areas which do not have reticulated water supply and that the role of rainwater tanks for rural and island communities is different from the role of rainwater tanks in urban areas. In addition the physical nature and intensity of development within urban areas requires a careful consideration of the impact of the location of rain water tanks on yards, outdoor living areas and amenity values.
19. We note the support for the enabling nature of PC54 and PM13 from submitters and the Local Boards. The principal issues that were initially in contention focussed on whether or not a more simplified approach could be taken in terms of PC54 and how to improve the wording of specific provisions, rather than whether or not PC54 and PM13 should be declined. We also acknowledge that by the end of the hearing a considerable degree of agreement had been reached.

SUMMARY OF EVIDENCE

On behalf of Auckland Council

20. The section 42A report was prepared by Ms Alison Pye, Auckland Council Senior Policy Planner, Plans and Places. Her report was circulated prior to the hearing and taken as read. Her recommendation was that PC 54 and PM 13 be approved with amendments in response to submissions.¹ She presented an oral summary of her report and identified a number of changes to her recommendations in response to the pre-circulated evidence of submitters. Ms Melanie McKelvie, Team Leader Design Review (Urban Design Unit, Plans and Places) also tabled her written response to the submitter evidence, in support of the updated recommendations identified by Ms Pye.

¹ S42A, Executive Summary, para x.

21. In addition to Ms McKelvie's urban design assessment and advice, Ms Pye's planning assessment was supported by technical advice from Mr Justin De Silva (Engineer) and Mr Stephen Quin (Landscape Architect).
22. Ms Pye updated recommendations and amendments to PC 54 and PM13 in her written response to the evidence presented at the hearing. She recommended approval of both subject to her final amendments².

On behalf of Local Boards

23. Under the Auckland Council's governance model, Local Boards are able to provide feedback on publicly notified plan changes. Ms Pye informed us that such feedback does not carry the same weight as a submission and there are no appeal rights.³ We received written feedback from all 21 Local Boards in support of PC 54 and PM 13. The following Local Board members attended the hearing, spoke in support of their Board's feedback and responded to our questions: Ms Alexandra Bonham (Waitemata), Ms Jessica Rose (Whau), Ms Christina Robertson (Albert-Eden) and Ms Izzy Fordham (Aotea/Great Barrier).
24. All 21 Local Boards supported the proposed changes to enable rainwater tanks installation for the Auckland Region. The Local Boards that were represented at the hearing reflected the unanimous region wide Local Board support.

On behalf of Submitters

25. Ms Renee Fraser-Smith, planning consultant, had pre-circulated planning evidence on behalf of Karaka and Drury Consultant Limited in relation to PC 54. She presented a summary statement of her pre-circulated evidence. Her primary concern was that PC 54 does not achieve the objective of enabling the provision of rainwater tanks. She considered that PC 54 is very complex, modifies 18 different chapters of the AUP and requires an applicant to obtain expert advice to confirm the permitted status of a rainwater tank⁴. In her summary statement she noted her support for some of the specific changes recommended by Ms Pye. It remained her overall view that PC 54 is a cumbersome and over the top approach to resolving what is a simple issue.
26. Mr Matthew Lindenberg, Technical Director at Beca Limited, had pre-circulated planning evidence on behalf of Kainga Ora Homes and Communities in relation to both PC 54 and PM 13. In summary Mr Lindenberg sought simplification of PC 54 and PM13. He identified six broad planning themes in his evidence, being:
 - (1) Enablement of rainwater tanks in rural areas by confining the scope of PC54 to residential zones.
 - (2) Enablement of rainwater tanks in residential zones and the Special Purpose-Maori Purpose zone.

² Written response dated 10 September

³ Para 8.0.1

⁴ Summary statement

- (3) Enablement of rainwater tanks in Rural Waitakere zones.
 - (4) Enablement of rainwater tanks in the Special Character Area Overlay.
 - (5) Matters of Discretion and Assessment Criteria.
 - (6) The definition of 'rainwater' tanks.
27. His evidence was comprehensive and included specific deletions and/or amendments to a large number of the recommended provisions. In response to the final recommendations from Ms Pye, Mr Lindenberg provided a tracked change version that included his final deletions and/or amendments.
28. Mr Bain Cross, retired planner, of Thames, had pre-circulated his evidence in relation to both PC 54 and PM 13. His primary concern related to the proposed wording of the definition of rainwater tanks. With respect to his concerns in relation to the wording of the proposed standards provisions, Mr Cross acknowledged that he agreed with most of the amendments recommended by Ms Pye in her section 42A report. He remained concerned about the proposed restrictions on the location of rainwater tanks in front yards, or forward of a dwelling facing a private driveway. It was his opinion that it was unnecessary to have restrictions on the height and location of such rainwater tanks as these matters could be managed through the resource consent process, particularly for comprehensive residential developments.
29. Ms Diane Giles of 340 Clevedon-Kawakawa Road, Clevedon had pre-circulated her evidence in relation to PC 54. Her concern related to stormwater discharges from rainwater tanks and the potential adverse effects of stormwater runoff on neighbouring properties. She requested that rainwater tanks be connected to and discharge their overflow into an existing public reticulation stormwater network. In rural areas, that public stormwater network would generally consist of the stream network and roadside water table, supplemented by overland flow paths.
30. In addition to the submitters who presented evidence at the hearing we have carefully considered and taken into account the matters raised in all submissions and further submissions to were lodged to PC54 and PM13.

PRINCIPAL ISSUES IN CONTENTION

31. Having considered all of the submissions and further submissions received, the section 42A hearing report, the evidence presented at the hearing and the responses to our questions, together with the reporting team's written response to the evidence presented at the hearing, the following principal issues in contention have been identified:
- Are the proposed changes too complex and can they be simplified?
 - The wording of the proposed provisions.

- Will the proposed changes be the most appropriate method for achieving the objectives of the Plan having regard to efficiency and effectiveness of the proposed provisions?

32. With respect to PM13 we have concluded that there are no issues that remain in contention. Mr Cross in his evidence identified only two issues that remained of concern to him, neither of them related to PM13. As we understood Mr Lindenberg's evidence he also supported the recommendations of Ms Pye in relation to PM13. The only other submissions on PM13 were in support.

FINDINGS ON THE PRINCIPAL ISSUES IN CONTENTION

Are the proposed changes too complex and can they be simplified?

33. It is relevant to recognise that the final recommendations from Ms Pye were that the versions of PC54 and PM13 that were publicly notified in October 2020, should be amended, in response to the matters raised by submitters. In her section 42A report Ms Pye recommended many amendments and/or deletions in order to simplify the proposed provisions. After considering the evidence presented at the hearing she recommended further amendments and/or deletions. While her recommendations may resolve many of the concerns raised by submitters we have concluded that the issue of the complexity and simplification remains a principal issue in contention, in relation to PC54.

34. Ms Pye in her section 42A report stated:

"I acknowledge the desire for a simple approach in the planning regulatory framework to enable the installation of rainwater tanks without the need for resource consent. The options analysis that was undertaken with the section 32 report for PC54 considered a number of different approaches to enable the installation of rainwater tanks whilst maintaining amenity values and minimising risk. The maintenance of some control over amenity values and minimisation of risk was considered important for each of the specified zones and special character overlay. The approach recommended in the section 32 report and adopted for the proposed plan change (PC54) achieves this through combining amendments to the definitions section of the plan – amending the definition of "building"; and providing for rainwater tanks as a permitted activity through the activity tables of the specific zones, and the special character overlay.

By addressing multiple zones, PC54 may appear complex, but I note that the common and intuitive approach to using the Unitary Plan by existing plan users is to check in the first instance the activity status and specific requirements in the zone/overlay provisions. This approach is how a lay person would generally check the activity status and specific requirements for any other activity.

I remain of the view that the approach is the most efficient and effective method to achieve the intended outcomes, which include striking the correct balance of enablement while maintaining the protection of amenity values and minimising risks

in a manner that remains tailored to the specified zones and special character overlay.”⁵

35. While noting her support for some of Ms Pye’s recommendations, Ms Fraser-Smith’s overall conclusion was that:

“In general, I remain of the view that the approach of the multiple development standards fails to consider whether the standards in themselves realistically relate to adverse effects on the environment as outlined in my evidence and whether these in fact are to the detriment of enabling raintanks.”⁶

36. Mr Lindenberg, while also noting his support for a number of Ms Pye’s recommendations, concluded that with respect to the rural, residential-large lot and special character overlay provisions the proposed permitted activity standards and associated matters of discretion and assessment criteria should be deleted. With respect to the urban residential provisions he concluded the equivalent standards, matters of discretion and assessment criteria should be retained. He stated that:

“I consider that adopting the amendments set out in this statement of evidence will set an appropriate and enabling framework for the installation of rainwater tanks in both rural and residential areas.”⁷

37. We will discuss in more detail later in our decision the findings we have made on the specific provisions, including those that remained in dispute between the planning witnesses.

FINDINGS

38. With respect to the question of whether or not PC54 can, or should be simplified, we have concluded that the location of rainwater tanks on any property should not undermine the existing development standards that apply to that property. In general terms we find that it would not be appropriate, for example, to simply allow rainwater tanks in any location on an urban residential property, given the size of most urban sites. Greater flexibility however is generally appropriate in rural environments, given the larger site sizes compared to urban areas.
39. In urban areas, the unitary plan provisions enable a wide range of residential development and intensification, with specific standards that require yard setbacks, outdoor living space and outlook areas, which generally keep these areas free of buildings. These areas need to be carefully assessed rather than simply identified as the only onsite location available for rainwater tanks.
40. The unitary plan provides for a large number of zones, each of which enable different development and environmental outcomes. We agree with Ms Pye that most people firstly identify what the zoning of their land is, then look at the activities

⁵ 9.2.1 S42A report

⁶ Para 14 Summary Statement

⁷ Para 11.4

that are permitted on that land, along with the standards that determine how their land can be developed. It is logical therefore that each zone contains the relevant standards that relate to rainwater tanks.

41. We have preferred and adopted the evidence of Ms Pye in relation to the effectiveness and efficiency of the zone and overlay approach that PC54 has adopted. Overall we find that she has struck the right balance between enabling the installation of rainwater tanks and the protection and maintenance of the amenity values that distinguish individual zones from each other.
42. During the hearing we specifically noted with approval the information provided on the Auckland Council website that enables property owners to check what planning and building consent standards apply in relation to the installation of rainwater tanks in all zones. While this information is not part of PC54 or PM13, or the respective planning documents, it does provide a 'one stop shop' for people to be informed of the relevant Council requirements that need to be taken into account when considering where to locate rainwater tanks. As a separate recommendation to the Council we recommend that the current website information be updated to incorporate the approved provisions for PC54 and PM13. The ability for people to access the relevant requirements without needing to consult the planning and building documents would appear to be a very useful tool for most property owners.

The wording of the proposed provisions.

43. Firstly we record that hearing process has enabled a considerable degree of agreement on the wording of many provisions.

FINDINGS

44. Before discussing the provisions that remained in contention, we record our findings on some general matters. We have taken an approach of consistency in wording, particularly in relation to the location of rainwater tanks.
45. Where rainwater tanks were required to be located "below ground level", or "below finished ground level" or "underground," we have used the wording "wholly below ground level" in all provisions.
46. Where the height of rainwater tanks were required to be measured "from ground level", or "above ground level" we have used the wording "above ground level" in all provisions.
47. Where "Advice Notes" had been provided we have instead used "Notes." We find that while "Advice Notes" can be used in relation to the wording of conditions in resource consents, "Notes" is the terminology used with the AUP. Where "Notes" have been provided in provisions throughout PC54 and PM13, we have standardised the wording, again for consistency.
48. We have used the headings in Ms Pye's report dated 10 September in relation to the wording of specific provisions.

Natural Hazard standards, distance from retaining walls standard

49. We accept the uncontested expert evidence that the natural hazard and the distance from retaining wall standards be deleted as these issues are already provided for elsewhere in either the planning or building requirements.

Unitary Plan J.1.4 Definition of Building

50. For the reasons set out by Ms Pye we prefer and adopt her evidence. No further amendments are made to the definition of building

Unitary Plan –Chapter E26 Infrastructure

51. For the reasons set out by Ms Pye we prefer and adopt her evidence. We agree that privately installed rainwater tanks are not network utility structures. We accept Ms Fraser-Smith's point that clarification of this would be beneficial and a consequential change has been made to Table E26.2.3.1 (A52).

Rainwater tank provisions simplification

52. We have addressed the need for simplification of provisions earlier in our decision.

Rainwater tank standards

53. In relation to the **front yard standards** Mr Lindenberg considered rainwater tanks should not be permitted in front yards. We see no need to exclude the possibility of rainwater tanks with a maximum height of 1 metre, or wholly below ground level, that are set back at least 1.5 metres from the front boundary. We note Ms Pye's evidence that the exclusion of rainwater tanks in front yards would impose greater restrictions than currently exist. We adopt Ms Pye's evidence and retain the option for rainwater tanks in front yards.
54. In relation to rainwater tanks being **forward of private vehicle access facing façade**, Mr Cross and Ms Fraser-Smith sought the deletion of this standard. The standard mirrors the front yard standard in that rainwater tanks must be of a maximum height of 1 metre and at least 1.5 metres from the front boundary. Based on the urban design evidence of Ms McKelvie, we adopt Ms Pye's evidence that restrict rainwater tanks in these locations in the identical manner they are provided for in front yards.
55. In relation to **rear service lanes** there was agreement between Ms McKelvie, Ms Pye and Ms Fraser-Smith and we have accepted their uncontested evidence and have included the agreed exception wording in relation to rear service lanes where dwellings have frontage to a public street.
56. In relation to rainwater tanks within **rear yards of the Drury 1 Precinct** there was also agreement between the above expert witnesses that there was no justification to require a lower height limit in this precinct. The Drury 1 Precinct provisions initially

recommended by Ms Pye in Appendix 10 to her section 42A report have therefore been amended by deleting the proposed 2 metre height limit.

57. In relation to **riparian, lakeside and coastal protection yards** agreement was reached between Ms Fraser-Smith, Mr Lindenberg and Ms Pye and we have accepted their uncontested evidence. Rainwater tanks are to be permitted within these yards provided the tanks are less than 1 metre in height, or are wholly below ground level.
58. In relation to the **height of rainwater tanks outside yard areas**, we noted that there was no maximum height limit for rainwater tanks in these locations. Based on the further information provided as part of Ms Pye's report dated 10 September with respect to the 3.6 metre maximum height of rainwater tanks available from 24 tank suppliers to the Auckland market, we accept Ms Pye's and Ms McKelvie's evidence, together with the standard that allows 3 metre high tanks in rear yards, there is no resource management justification for imposing a maximum height limit in relation to tanks outside required yards.
59. In relation to the **height of rainwater tanks and the provisions of Chapter 26 Infrastructure**, Ms Pye had recommended Rule E26.2.5.2(3) be amended. As notified this rule added a new clause (c) as follows:
- “(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.”*
60. In her 10 September recommendations Ms Pye no longer supported the unlimited height provisions for network utility rainwater tanks in the listed zones. She considered that the scale of rainwater tanks for a network utility purpose is likely to be much greater than a private rainwater tank. In that regard we agree. Her final recommendation was a maximum height of 3 metres for network utility rainwater tanks as follows:
- “(c) The maximum height for rainwater tanks is 3m.”*
61. In relation to **rainwater tanks within required outlook space**, as notified any rainwater tank was required to be located below ground level. Ms Fraser-Smith, sought the deletion of the proposed standard and identified that tanks less than 1 metre in height and 25,000 litres in volume are currently excluded from the definition of building. PC54 did not propose a change to this aspect of the definition. Mr Lindenberg supported the provision of rainwater tanks in required outlook space and sought that the standard be deleted. Ms McKelvie considered that rainwater tanks up to 1 metre in height would be acceptable in urban design terms. On balance, Ms Pye supported a 1 metre maximum height limit in recognition of the current requirements and that the status quo would uphold the amenity values consistent with a quality built environment.

62. We have preferred the evidence of Ms Pye and Ms McKelvie for the reasons identified by Ms Pye above. The standard has been amended to enable rainwater tanks up to 1 metre in height within required outlook space.
63. In relation to **rainwater tanks within required outdoor living space**, as notified any rainwater tank was required to be located below finished ground level, or unless they can maintain a minimum 20m² outdoor living space with a minimum dimension of 4 metres. Ms Fraser-Smith again identified that currently tanks up to 1 metre in height are currently permitted. She considered that the status quo should be retained. Mr Lindenberg considered that rainwater tanks should not be able to locate in the required outdoor living space as it would compromise the functionality of the space. Mr Cross considered any such tanks should be underground. He suggested the definition of outdoor living space should be amended accordingly. Ms McKelvie supported Mr Cross in this regard. Overall Ms Pye supported the status quo of tanks up to 1 metre in height provided they are outside the required 20m² minimum and 4 metre dimension. If they are to be located inside the required area, she considered that they should be underground.
64. We accept the evidence of Ms Pye and Mr Cross that any rainwater tank must be installed underground if it is to be located within the required minimum dimensions of an outdoor living area. We also accept the evidence of Mr Cross and Ms McKelvie that the definition of 'outdoor living space' should be amended to reflect the 1 metre height maximum if rainwater tanks are outside the required minimum dimension of 20m² and that they must be wholly below ground level if located within the required minimum dimensions.
65. In relation to **rainwater tanks below finished ground level**, as notified the relevant provisions used the wording "below finished ground level" when requiring rainwater tanks to be 'underground' if they were to be a permitted activity. Mr Cross opposed this wording and noted that "ground level" is a defined term in the AUP. That definition already includes reference to the finished ground level of the ground. Ms Pye agreed that the wording as notified could be simplified and recommended "below ground" be used instead of "below finished ground level."
66. In addition to this wording in the standards relating to outdoor living and outlook areas, we have noted that standard for riparian, lakeside and coastal protection yards includes the wording "underground."
67. For consistency and clarity in wording we have amended all relevant references to read "wholly below ground level" in both PC54 and PM13.
68. In relation to **overflow discharge (nuisance)** Ms Giles was concerned about the potential adverse effects from rainwater tank overflow discharges and particularly possible damage and nuisance to neighbouring properties. She was also concerned with the notified wording, which required measures to ensure that discharges beyond the boundary of any site are to be "...avoided or limited such that it does not cause nuisance." She considered this wording to be too vague and potentially difficult to enforce. She also considered that the proposed provisions should be limited to urban areas where public stormwater networks are available for discharges from tanks.

69. Ms Fraser-Smith opposed the reference to Chapter E8 in the proposed standards as this would require certification of compliance of these external requirements.
70. Healthy Waters and Ms Pye recommend the reference to Chapter E8 should instead be by way of an 'Advice Note' rather than being incorporated in the standard itself. We agree but noted this as being a 'Note' consistent with our inclusion of 'Notes' rather than 'Advice Notes.'
71. In relation to the issue raised by Ms Giles we have accepted the wording recommended by Ms Pye in her report dated 10 September as set out below.

"Any overflow from the rainwater tank must discharge to the authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with."

72. While appreciating the specific concerns raised by Ms Giles in relation to the potential impact of stormwater discharges in rural areas, we have included the above wording in both urban and rural zones. We find overall that this approach is the most efficient and effective method of managing the discharge of overflows from rainwater tanks in rural areas, particular as reticulated water supply is not generally available, rainwater tanks are therefore essential and the vast majority of sites are of a size where any adverse effects can be appropriately managed, in terms of Chapter E8 and the relevant Building Act requirements.
73. In relation **the colour of rainwater tanks** it was Mr Lindenberg's view that the colour of water tanks does not need regulation. We note that the Aotea/Great Barrier Local Board sought that non-reflective black and white tanks be permitted in terms of PM13 provisions.
74. Ms Pye, supported by the urban design/landscape evidence of Mr Quin, noted that the colour standard is not a blanket provision and it has only been applied to zones with sensitive landscape and amenity values. We note these zones include the Hauraki Gulf Islands, Rural Waitakere Ranges and Rural Coastal zones.
75. We accept and adopt the evidence from Ms Pye and Mr Quin and have retained the relevant standards in both PC54 and PM13.

Restricted Discretionary Activities – Assessment criteria

76. In relation to the "Matters of Discretion" and "Assessment Criteria" where the permitted standards are not met and consent is required as a restricted discretionary activity, the expert planners had differing views.
77. The notified version of PC54 included standard wording for "Matters of Discretion" and "Assessment Criteria" in each zone. In response to the submission from Karaka Drury Consultants Limited, Ms Pye in her section 42A report recommended deleting

these provisions. She agreed that General Rule C.1.9 provided the opportunity for rainwater tanks that did not meet the permitted standards to be assessed, without the need for specific provisions being listed in each zone. Ms Pye and Ms Fraser-Smith supported this approach at the hearing.

78. Mr Lindenberg opposed the use and reliance on C.1.9. He considered that an assessment under C.1.9 was too broadly based and instead he sought a simple set of specific matters of discretion and associated assessment criteria. Rule C.1.9 restricts discretion to the following:

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

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

79. Mr Lindenberg set out in his evidence, at his paragraph 8.4, his suggested wording for the Single House Zone. It was his opinion that such an approach was only necessary for the urban zones and did not support similar provisions in rural zones, consistent with Kainga Ora’s submission that PC54 should not apply to rural zones. In summary, he identified the matters of discretion to be: effects on residential character and amenity values, bulk and location and stormwater management. In summary, he identified assessment criteria relating to adverse effects on residential character and amenity, especially for adjoining sites through increased shading, dominance and/or loss of outlook, avoidance of natural hazards and stormwater management.

80. We have preferred and adopt the evidence of Ms Fraser-Smith and Ms Pye. Their approach simplifies the provisions of PC54, will utilise an existing general rule within the AUP and will enable an assessment that will include the matters raised by Mr Lindenberg. As PC54 will apply to both urban and rural zones Rule C1.1.9 enables all applications that do not comply with standards for rainwater tanks to be considered and assessed. We find overall this approach is the most efficient and effective method of considering applications for any rainwater tanks that do not comply with the permitted standards.

Consequential Amendments

81. Ms Pye recommended a number of consequential amendments in section 4 of her 10 September report. These amendments were not contentious and we have accepted her recommendations, but modified some wording as set out below.

82. In relation to Activity Table E26.2.3.1 we have for clarity reworded (A52)* to now read:

*“*rainwater tank standards listed below do not apply to item (A52) which only relates to network utility tanks.”*

83. In relation to the amended definition of “Outdoor Living Space” we have modified the wording as **highlighted** below.

Chapter J.1 Definitions

Amend definition ‘Outdoor living Space

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 20m² minimum dimension 4m area if located **wholly below ground level**;

Will the proposed changes be the most appropriate method for achieving the objectives of the Plan having regard to efficiency and effectiveness of the proposed provisions?

84. After carefully considering the evidence presented at the hearing, particularly the expert planning evidence, as well as the section 32 report and the section 42A report, we have concluded that the decisions version of PC54 and PM13 attached to this decision is the most appropriate method for achieving all of the objectives of each Plan.

85. The objectives of the Plans are deemed to be the most appropriate way to achieve the purpose of the Act as they are part of the operative Plans.

STATUTORY PROVISIONS

86. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 report accompanying the notified plan change and in the section 42A report. We confirm that we have considered and addressed those matters in reaching our decision.
87. We also note that section 32 clarifies that analysis of efficiency and effectiveness 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.
88. Having considered the evidence and relevant background documents, we are satisfied, overall, that PC54 and PM13 have been developed in accordance with the relevant statutory and policy matters with regard to and will clearly assist the Council in its effective administration of both the Auckland Unitary Plan (Operative in Part) and the Auckland District Plan Hauraki Gulf Islands Section.

DECISION

89. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that PC54 to the Auckland Unitary Plan (Operative in Part) AND that PM13 to the Auckland Council District Plan Hauraki Gulf Islands Section be **approved, subject to the modifications as set out in this decision.**
90. In terms of the requirements of Schedule 1, Clause 10 (3) of the RMA we are not required to give a decision that addresses each submission individually. While acknowledging that Ms Pye in her Section 42A report had provided recommendations on individual submissions, we have not followed that approach in our decision.
91. Instead, we have either **accepted** or **accepted in part** all submissions (including the further submissions) that either **supported**, or **sought amendments** to PC54 or PM13, to the extent that our decision enables the installation of rainwater tanks for the reasons set out below and in our findings on the principal matters that were in contention. The only submission that has been rejected relates to the request that the installation of rainwater tanks be made mandatory. The reason for rejecting this submission is that we have accepted Ms Pye's recommendation that we do not have scope to consider this request.⁸
92. The reasons for the decision are that PC54 and PM13:
- a. will assist the Council in achieving the purpose of the RMA;
 - b. gives effect to the Auckland Regional Policy Statement;

⁸ Recommendation 9.8.2 S42A report

- c. is consistent with the relevant provisions of the Auckland Unitary Plan (Operative in Part) and the Auckland Council District Plan Hauraki Gulf Islands Section;
- d. will promote the sustainable management of natural and physical resources as contemplated by Part 2 of the RMA;
- e. is supported by necessary evaluation in accordance with sections 32 and 32AA;
- f. gives effect to the relevant national policy statements, in particular the National Policy Statement for Freshwater Management 2020 and the National Policy Statement on Urban Development 2020; and
- g. will help with the effective implementation of the Auckland Unitary Plan (Operative in Part).
- h. will be effective and efficient and appropriately provides for the enablement of rainwater tank installation while protecting and maintaining the amenity values associated with the relevant rural and residential zones, special purpose zones and special character areas overlays.

ADDITIONAL RECOMMENDATION

During the hearing we specifically noted with approval the information provided on the Auckland Council website that enables property owners to check what planning and building consent standards apply in relation to the installation of rainwater tanks in all zones. While this information is not part of PC54 or PM13, or the respective planning documents, it does provide a 'one stop shop' for people to be informed of the relevant Council requirements that need to be taken into account when considering where to locate rainwater tanks.

As a separate recommendation to the Council we recommend that the current website information be updated to incorporate the approved provisions for PC54 and PM13. The ability for people to access the relevant requirements without needing to consult the planning and building documents would appear to be a very useful tool for most property owners.



Les Simmons
Chairperson

Date: 23 November 2021

Proposed Plan Change 54 to the Auckland Unitary Plan (Operative in part) 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 above 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.
---	---

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

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.

2. Add the following definition to Chapter J Definitions:

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)

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		
<u>AX</u>	<u>Rainwater Tank</u>	<u>P</u>
		<u>Standard H3.6.13</u> <u>Rainwater tanks</u>

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 unless they are less than 1m in height, or wholly below ground level;
 - 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 3 m in height in a rear or side yard.
- (3) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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
Development		
<u>AX</u>	<u>Rainwater Tank</u>	<u>P</u> <u>Standard H4.6.16</u> <u>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:
 - a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
 - b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
 - c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
 - d) Clause (c) does not apply
 - (i) to sites with (or proposed to have) three or less dwellings;
 - (ii) to a rear service lane where the dwellings have frontage to a public street.
- 2) Rainwater tanks located within any required outlook area must be no higher than 1 m.
- 3) Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m must be installed wholly below ground level.
- 4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- 5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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
Development		
<u>AX</u>	<u>Rainwater tank</u>	<u>P</u> <u>Standard H1.6.8</u> <u>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 unless less than 1m in height, or wholly below ground level;
 - 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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
Development		
<u>AX</u>	<u>Rainwater Tank</u>	<u>P</u>
		<u>Standard H5.6.17</u> <u>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:
 - a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
 - b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
 - c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
 - d) Clause (c) does not apply
 - (i) to sites with (or proposed to have) three or less dwellings;
 - (ii) to a rear service lane where the dwellings have frontage to a public street.

- 2). Rainwater tanks located within a required outlook area must be no higher than 1m.
- 3). Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m (Rule H5.6.14(1)) must be installed wholly below ground level.
- 4). Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- 5). Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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
<u>Development</u>		
<u>(AX)</u>	<u>Rainwater Tank</u>	<u>P</u>
		<u>Standard H2.6.11</u>

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:
 - i. in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
 - ii. in a 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 3 m in height in a rear or side yard
- 3) Rainwater tanks must not be located on or outflow across an effluent dispersal area.
- 4) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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>		
(AX)	Rainwater Tank	P Standard H6.6.18

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:
 - a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - b) in a 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. Clause b) shall not apply to a rear service lane where the dwellings have frontage to a public street.
3. Rainwater tanks located within a required outlook space area must be no higher than 1m.
4. Rainwater tanks located within the required minimum 20m² outdoor living space with minimum dimensions of 4m must be installed wholly underground.
5. Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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 unless they are at least 1.5m from the front boundary and located wholly below ground level. This standard shall not apply to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks directly adjoining a side yard facing building façade or located within a side yard must be wholly below ground level or set back at least 1m behind a line from the street facing building façade.
- (3) Rainwater tanks must not obscure (partially or totally) any window or door of the dwelling on the subject site.
- (4) Rainwater tanks directly adjoining a side façade or located within a side yard must be no greater than 800mm in width.
- (5) Rainwater tanks directly adjoining a side facade of a building must match the colour of that façade.
- (6) Rainwater tanks must not exceed 2 m in height, or 3 m in height where the rainwater tank directly adjoins an existing building.
- (7) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

Special Purpose - Māori Purpose Zone

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

Add the following Standard:

Standard H27.6.9 Rainwater tanks

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

- (1) Rainwater tanks must not be located:
 - a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - b) in a 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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 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:
 - a) in a riparian, lakeside or coastal protection yard unless less than 1 m in height or wholly below ground level;
 - b) in a 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. Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.
4. Rainwater tanks located in the Rural Coastal zone must be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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:

	Activity	Activity Status
Development		
<u>A(X)</u>	<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:
 - i. in a riparian yard unless less than 1m in height or wholly below ground level;
 - ii. in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
- e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

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:
 - i. in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - ii. in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
- e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

PRECINCTS

I519 Long Bay precinct

Amend precis text to the I519 Long Bay precinct Table I519.5 as follows:

I519.4. Activity table

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

For the purposes of this precinct rainwater tanks are not exempt from the definition of 'building' in Chapter J.4.1; and the rainwater tank standards of the underlying Single House zone (H3.6.13); Large Lot zone (H1.6.8); Mixed Housing Suburban zone (H4.6.16) and Mixed Housing Urban zone (H5.6.17) do not apply.

I550 Millwater South Precinct

Amend standard I550.6.4 'Private outdoor living space' as follows:

I550.6.4. Private outdoor living space

1. For sites less than 450m², the Residential - Mixed Housing Suburban zone standards apply.
2. In applying the Residential – Mixed Housing Suburban standard for outdoor living space, rainwater tanks shall be considered as 'buildings'.

Amend I550 Millwater South Precinct standards I550.6.5 'Sunlight access to the private outdoor living space of proposed and existing dwellings' as follows:

I550.6.5. Sunlight access to the private outdoor living space of proposed and existing dwellings

(1)....

(2) *A wall, building or rainwater tank on a side or rear boundary allowed by clause H3.6.8.2 in the Residential - Single House zone must not reduce sunlight to the private outdoor living space of another dwelling to less than five hours between 9am and 3pm on 22 March/September...*

I528 Omaha South Precinct

Amend standard I528.6.6. 'Potable Water Supply' as follows:

I528.6.6. Potable Water Supply

- (1) *All potable water must be supplied using on site tanks. For the purposes of this rule, site tanks (rainwater tanks) shall be considered as buildings.*

I420 Mangere 1 Precinct

Amend I420.4.1- 'Activity Table' as follows:

- Add an Asterix to item (A15) in Table I420.4.1 Activity Table with a supporting instruction as follows (words added are double-underlined):

(A15) New buildings and additions to existing buildings*

for the purposes of the precinct, a rainwater tank shall be considered a building

Drury 1 Precinct

Amend Rule 4. Development controls – Mixed Housing Suburban zone as follows:

Rule 4. Development controls – Mixed Housing Suburban

*The following development controls apply to activities listed in Activity Table 1.1 of this precinct and Activity Table H4.4.1 of the Residential – Mixed Housing Suburban Zone instead of the development standards listed in Standard H4.6, **with the exception** of the following standards:*

- a) *H4.6.2 Home occupations*
- b) *H4.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings*
- c) *H4.6.16 Rainwater tanks*

Amend Rule 5. Development controls – Mixed Housing Urban zone as follows:

5. Development Controls – Residential Mixed Housing Urban Zone

The following development controls apply to activities listed in Activity Table 1.1 of this precinct and Activity Table H5.4.1 of the Residential – Mixed Housing Urban Zone instead of the development standards listed in Standard H5.6, with the exception of the following standards:

- a) H5.6.2 Home occupations
- b) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- c) H5.6.17 Rainwater tanks

Consequential Changes

E26 Infrastructure

Amend Table E26.2.3.1 Activity table - Network utilities and electricity generation – All zones and roads as follows:

Water, wastewater and stormwater structures								
(A52)*	Water, wastewater and stormwater storage tanks	P	P	P	p	p	P	P

...

*** 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

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

- (c) The maximum height for rainwater tanks is 3m

E36 Natural Hazards and Flooding

Amend Table Activity Table E36.4.1 as follows

Activities on land in the coastal erosion hazard area		Activity status
(A5)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields on land in the coastal erosion hazard area	RD

...

Activities on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area		Activity status
(A10)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks <u>including rainwater tanks</u> or stormwater pipes or soakage fields on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD

Chapter J.1 Definitions

Amend definition 'Outdoor living Space

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 20m², minimum dimension 4m area if located wholly below ground level;

Proposed Plan Modification 13 to the Auckland Council District Plan - Hauraki Gulf Islands Section to enable Rainwater Tank Installation.

Plan Change: Enabling Rain Tanks

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

Underlining is to be read as an addition

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 wholly below ground level;
 - ❖ finished in a recessive colour in a natural colour range (green, brown, grey) unless they are located wholly below ground level;
 - ❖ 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;
 - at an elevation less than 3m above mean high water springs if the activity is within 20m of mean high water springs;
 - at an elevation less than 2m above mean high water springs if the activity is located more than 20m from mean high water springs.
- ❖ not located on a site identified in Appendix 1: Heritage schedules for the inner islands & Appendix 2: Heritage schedules for the outer islands.

Note: Rainwater tanks remain defined as a building under the Building Act. A building consent may still be required under the Building Act.

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

Rainwater tank

A tank used for collecting and storing rainwater.

**Attachment B - Updated text to AUP(OIP) and HGI
(Strikethrough/underlined)**

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

- (1) 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.
- (2) Words and phrases used in the Plan have the meaning set out in their definitions in this chapter unless the context otherwise requires.
- (3) 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.
- (4) Words in the singular include the plural and words in the plural include the singular.
- (5) Where a list is preceded by the word “includes”, that list is not limited to the matters listed.
- (6) Where a list is preceded by the word “excludes”, that list is limited to the matters listed.
- (7) 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:

J1 Definitions

- (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

AEP

Annual exceedance probability

AFA

Average floor area

ANNA

Aircraft noise notification area

AIAL

Auckland International Airport Limited

ARI

Average rain index

ASAN

Activities sensitive to aircraft noise

J1 Definitions

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

J1 Definitions

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

J1 Definitions

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

J1 Definitions

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		

J1 Definitions

		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	

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.

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 or required 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.

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.

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

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.

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

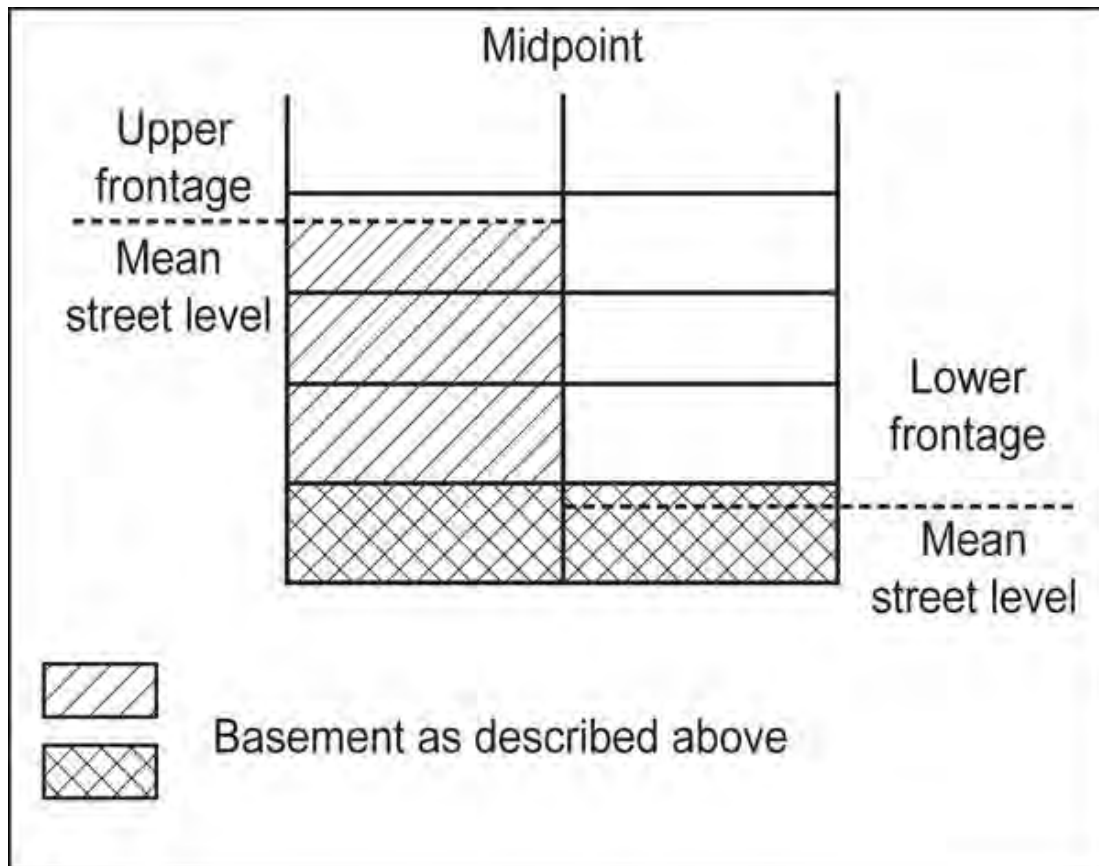
Base flow

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 <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
Verandahs and bridges over any public open	Above ground level

J1 Definitions

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.

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.

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.

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.

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.

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:

(8) permanently impounds surface water; or

(9) 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.

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.

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) ;

J1 Definitions

- 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.

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 2m³/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 affecting specific properties in its GIS viewer for the one per cent annual exceedance probability (AEP) rainfall event (the floodplain maps). The floodplain map is indicative only although Council accepts its accuracy with regard to land shown on the floodplain map as being outside the floodplain. A party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the extent, depth and flow characteristics of the floodplain.

When taking account of impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan, recognition should be given to any existing or planned flood attenuation works either existing or planned in an integrated catchment management plan.

Council will continually update the floodplain map to reflect the best information available.

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

(1) 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:

J1 Definitions

- 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.

(2) 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 m³ 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.

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.

J1 Definitions

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:

(1) 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;

(2) 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.

(3) 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:

J1 Definitions

- 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.
- (4) 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

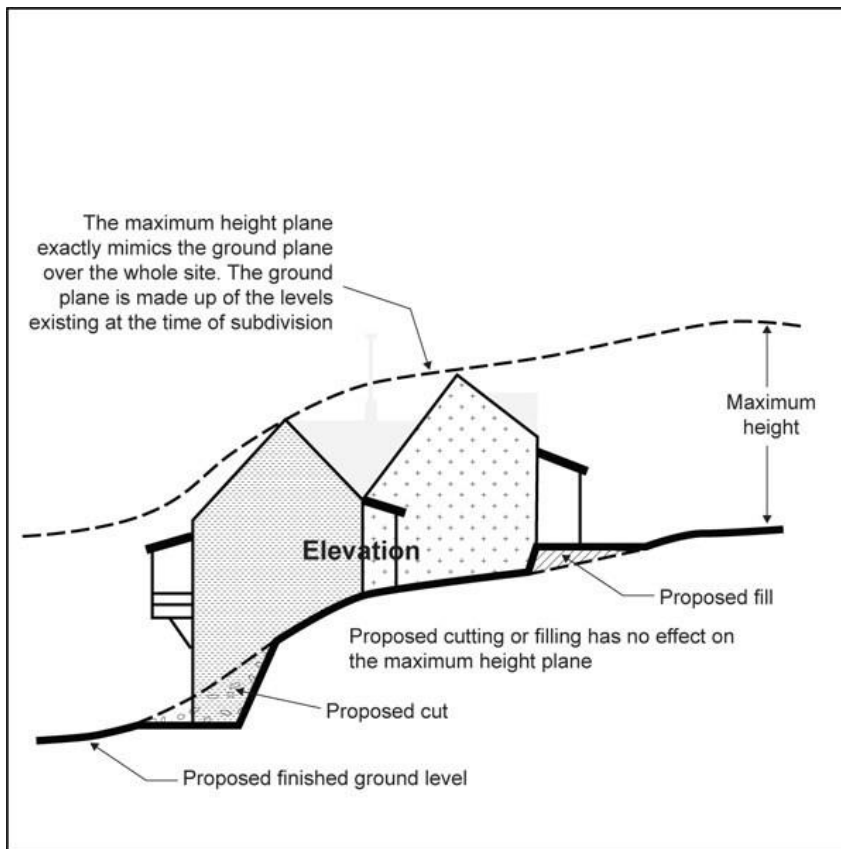
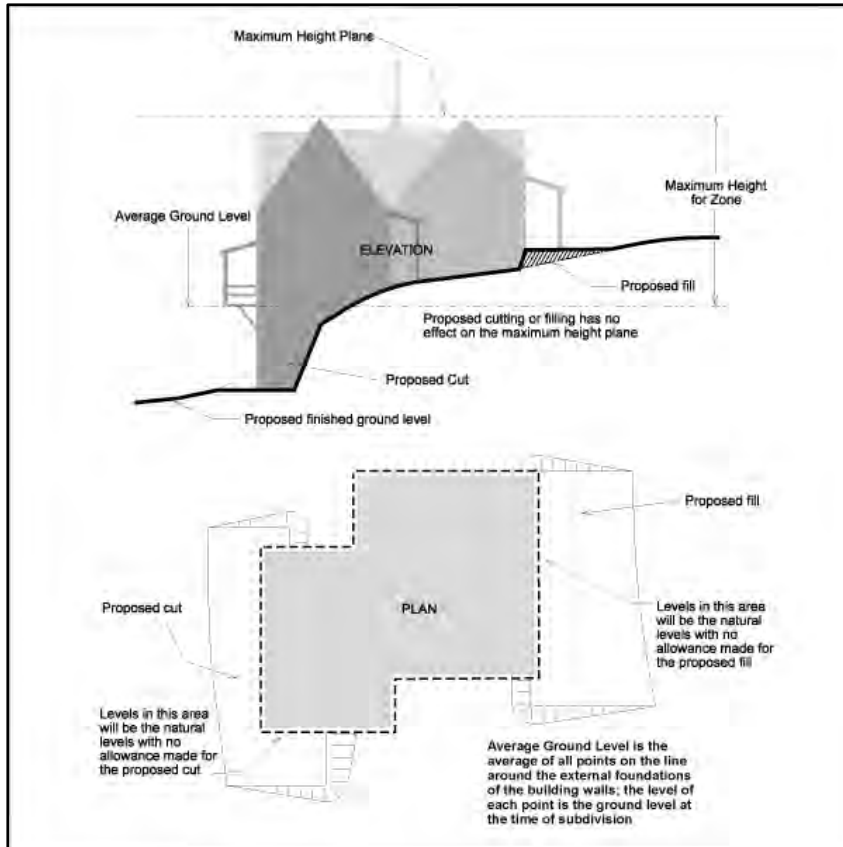


Figure J1.4.3 Height - average ground level method

J1 Definitions



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 unbanded 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 2,000m² 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 5000m² 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.

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

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:

- (1) 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;
- (2) non-permeable pathways not exceeding 1.5m in width;
- (3) 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;

J1 Definitions

- 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.

(4) 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.

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 450m², 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.

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.

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

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);
- wharenuī/wharehui (main building or meeting house);
- wharemoe (sleeping house);
- kāuta (kitchen, cookhouse, cooking shed);
- wharekai (dining hall);
- māra kai (food garden):

J1 Definitions

- 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

Has the same meaning as section 129 of Te Ture Whenua Maori Act 1993.

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 through 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.

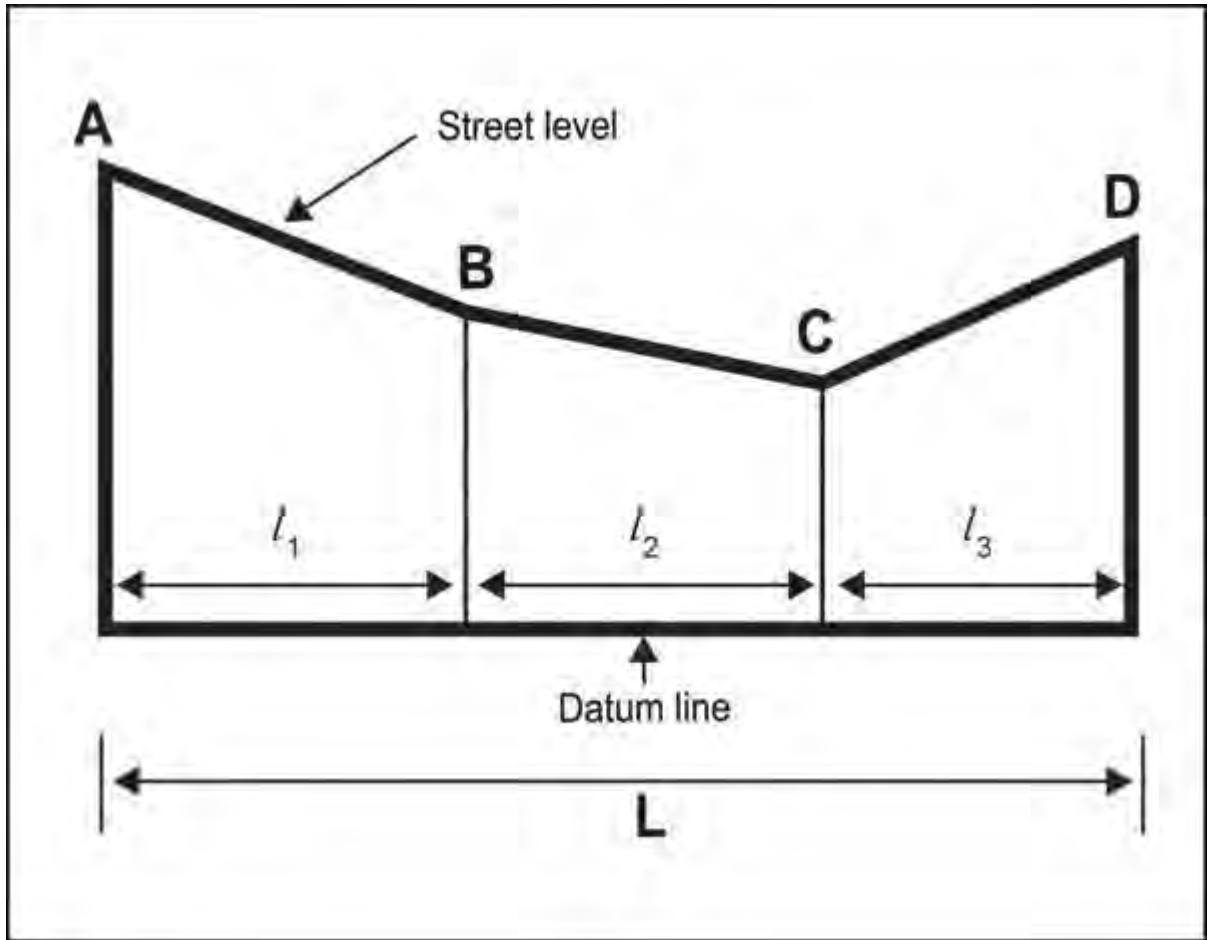
Mean high water springs

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.

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.

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:

- parking required or permitted accessory 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 required or permitted on that other site or sites.

PC 71 ([see Modifications](#))

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 field 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 20m², 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.

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.

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

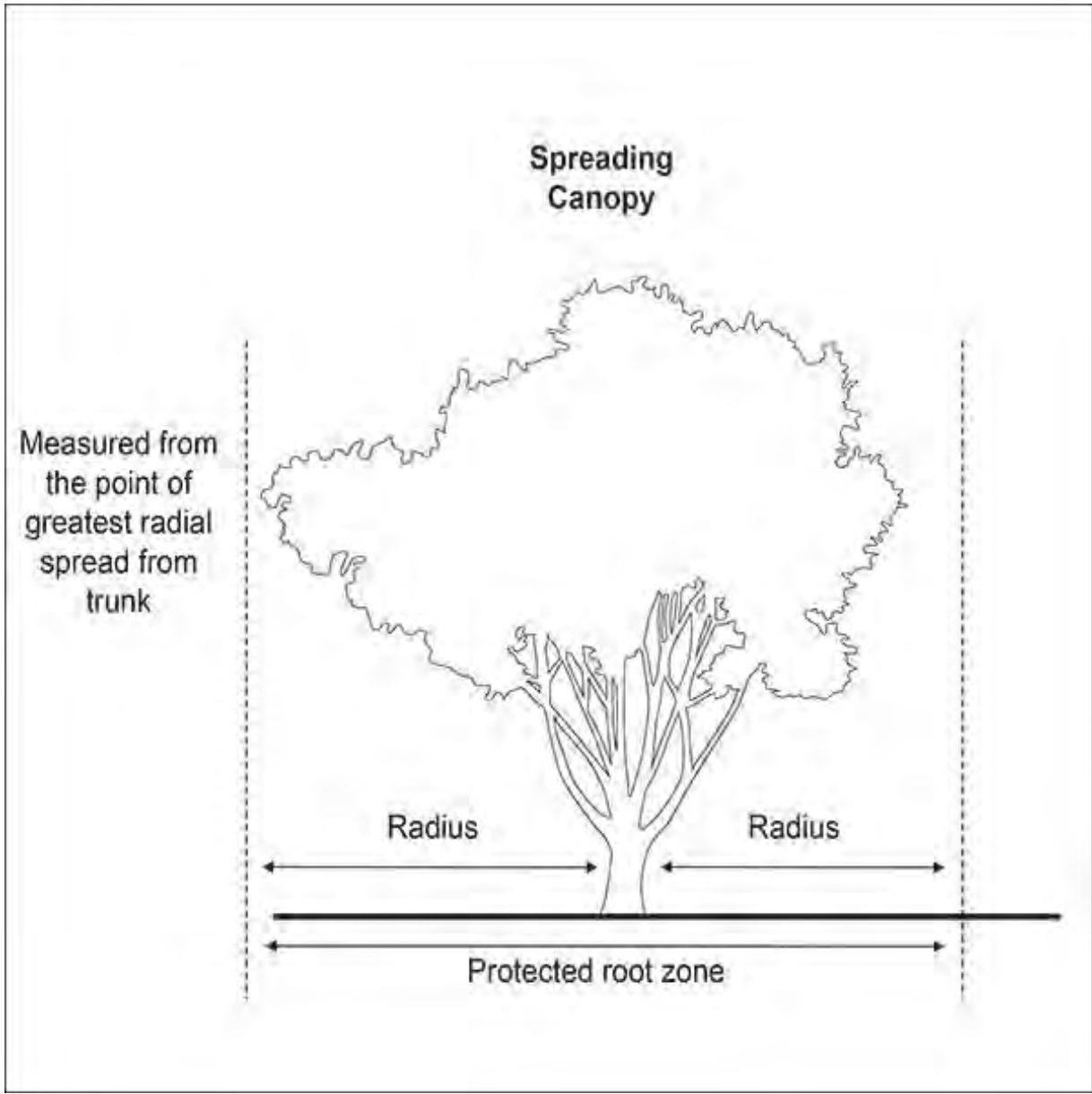
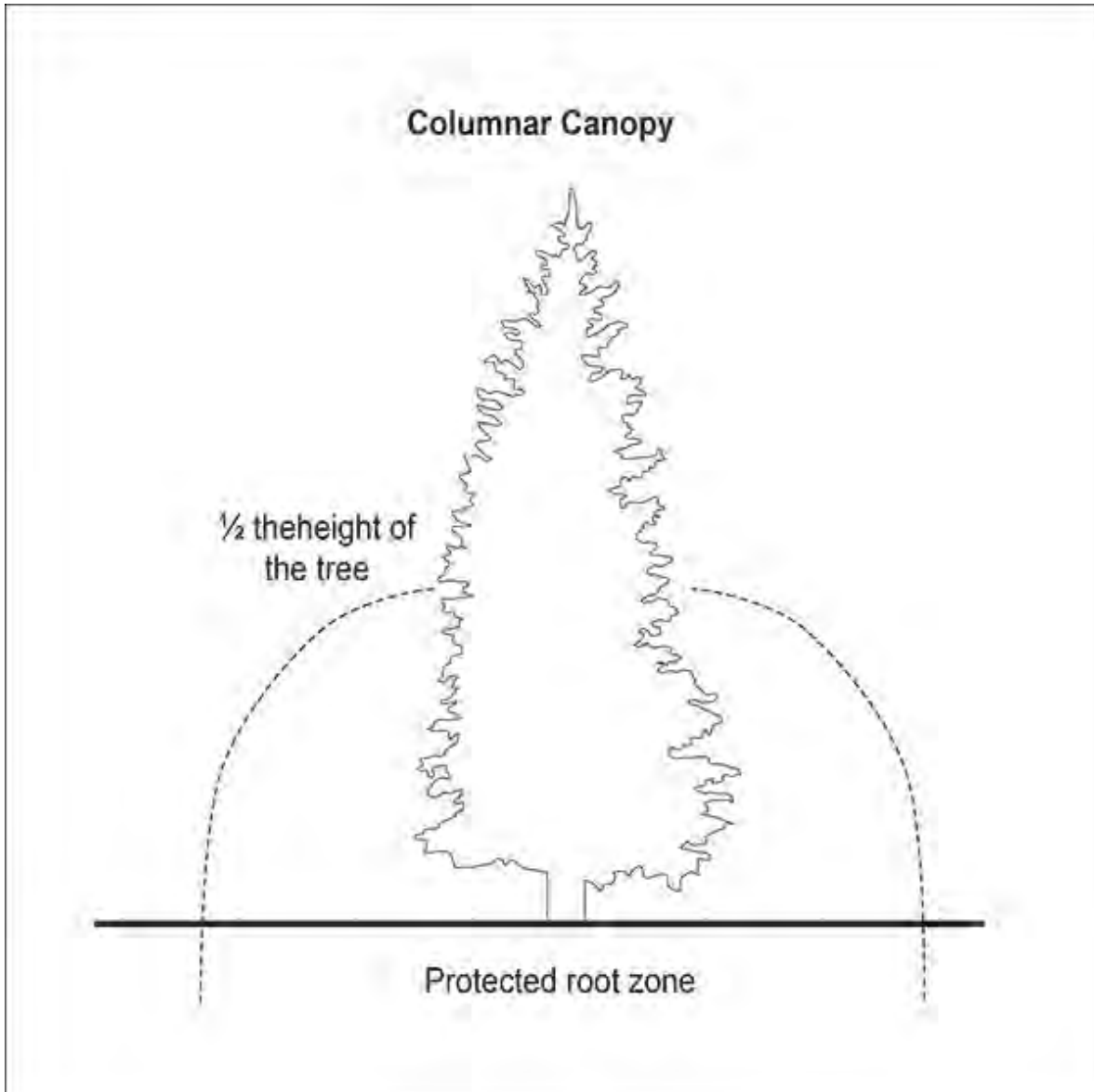


Figure J1.4.6 Protected root zone B



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:

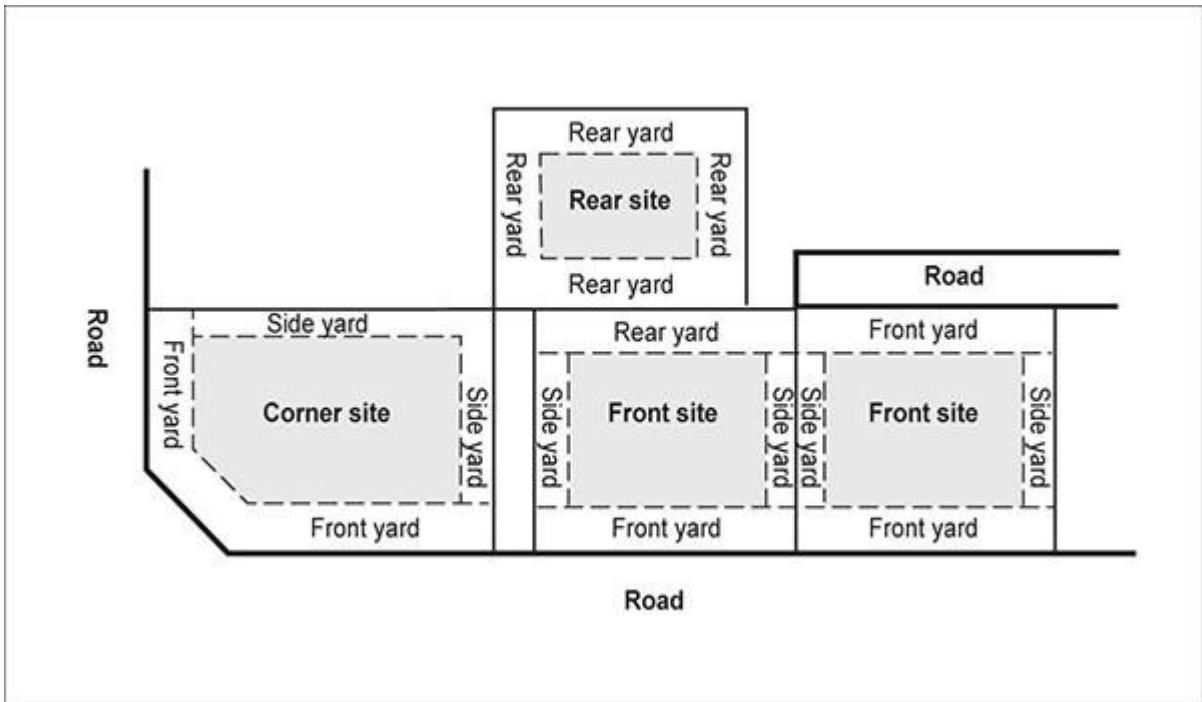
- all yards on a rear site.

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 1,000m² 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;

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 Roding 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;

J1 Definitions

- 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.

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/m³ 5-day biochemical oxygen demand and 30g/m³ 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 1,000m² 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.

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:

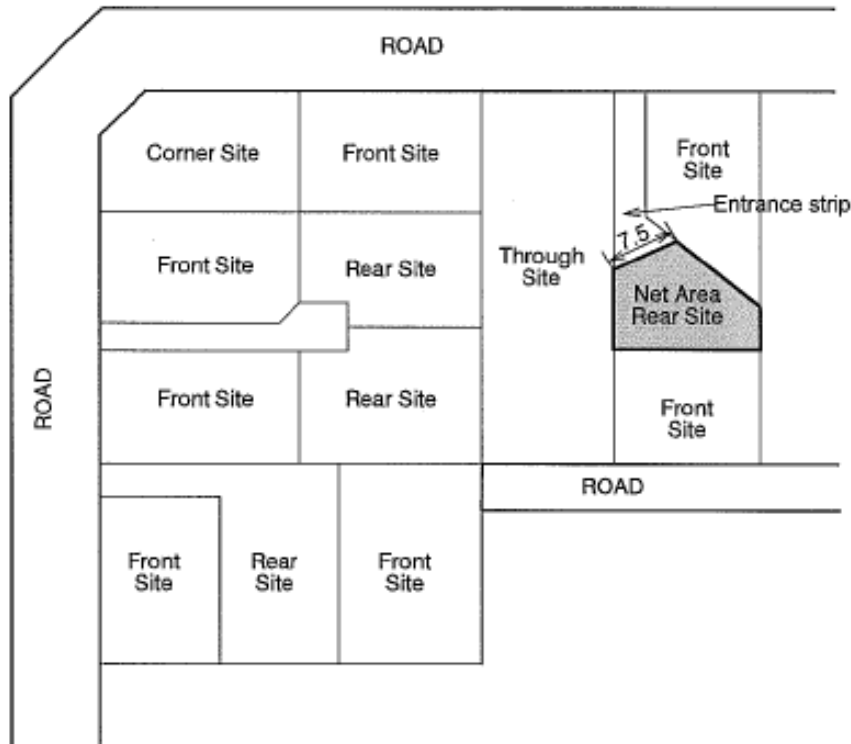
- (i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or
- (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or

(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.

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 Commerce 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

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:

[PC 71 \(see Modifications\)](#)

J1 Definitions

- 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.

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;

J1 Definitions

- 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.

D18. Special Character Areas Overlay – Residential and Business

D18.1. Background

The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

Each special character area is supported by a Special character area statement identifying the key special character values of the area. Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

- (1) Special Character Areas - Business; and
- (2) Special Character Areas – Residential; and
- (3) Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas are identified as special character areas:

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay – Business : Howick	Special Character Areas Overlay – General : Balmoral Tram Suburb, East
Special Character Areas Overlay – Residential : Helensville	Special Character Areas Overlay – Business : Balmoral Shopping Centre	Special Character Areas Overlay – General : Foch Avenue and Haig Avenue
Special Character Areas Overlay – Residential : North Shore – Birkenhead Point	Special Character Areas Overlay – Business : Eden Valley	Special Character Areas Overlay – General : Hill Park
Special Character Areas	Special Character Areas	Special Character Areas

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Overlay – Residential : North Shore – Devonport and Stanley Point	Overlay – Business : Ellerslie	Overlay – General : Puhoi
Special Character Areas Overlay – Residential : North Shore – Northcote Point	Special Character Areas Overlay – Business : Grey Lynn	
Special Character Areas Overlay – Residential : Early Road Links	Special Character Areas Overlay – Business : Helensville Central	
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Kingsland	
Special Character Areas Overlay – Residential : Isthmus A	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B - Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay – Residential : Isthmus B – Remuera / Meadowbank	Special Character Areas Overlay – Business : Mt Eden Village	
Special Character Areas Overlay – Residential : Isthmus B – Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay – Residential : Isthmus B – St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay – Residential : Isthmus B – Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay – Residential : Isthmus B - Parnell	Special Character Areas Overlay – Business : Sandringham	
Special Character Areas Overlay – Residential : Isthmus B - Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas	Special Character Areas	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Overlay – Residential : Isthmus B – Epsom/Greenlane	Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business : Onehunga	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	
Special Character Areas Overlay – Residential : Isthmus B - Mount Albert		
Special Character Areas Overlay – Residential : Isthmus B - Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B - Otahuhu		
Special Character Areas Overlay – Residential : Isthmus C : St Heliers		
Special Character Areas Overlay – Residential : Isthmus C - Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C -Three Kings		
Special Character Areas Overlay – Residential : Isthmus C - Mount Albert		
Special Character Areas Overlay – Residential : Isthmus C – Remuera/Epsom		
Special Character Areas Overlay – Residential : Station Road, Papatoetoe		
Special Character Areas		

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Overlay – Residential : Pukehana Avenue		

The special character area statements are located in [Schedule 15 Special Character Schedule, Statements and Maps](#).

The maps for the following special character areas are located in [Schedule 15 Special Character Schedule, Statements and Maps](#):

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay – Business : Balmoral Shopping Centre	Special Character Areas Overlay – General : Balmoral Tram Suburb, East
Special Character Areas Overlay – Residential : Helensville	Special Character Areas Overlay – Business : Eden Valley	Special Character Areas Overlay – General : Foch Avenue and Haig Avenue
Special Character Areas Overlay – Residential : North Shore – Birkenhead Point	Special Character Areas Overlay – Business : Ellerslie	
Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point	Special Character Areas Overlay – Business : Grey Lynn	
Special Character Areas Overlay – Residential : North Shore – Northcote Point	Special Character Areas Overlay – Business : Helensville Central	
Special Character Areas Overlay – Residential : Early Road Links	Special Character Areas Overlay – Business : Kingsland	
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B - Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay – Residential :	Special Character Areas Overlay – Business : Mt Eden	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Isthmus B – Remuera / Meadowbank	Village	
Special Character Areas Overlay – Residential : Isthmus B – Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay – Residential : Isthmus B – St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay – Residential : Isthmus B – Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay – Residential : Isthmus B - Parnell	Special Character Areas Overlay – Business : Sandringham	
Special Character Areas Overlay – Residential : Isthmus B - Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas Overlay – Residential : Isthmus B – Epsom/Greenlane	Special Character Areas Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business : Onehunga	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	
Special Character Areas Overlay – Residential : Isthmus B - Mount Albert	Special Character Areas Overlay – Business : Howick	
Special Character Areas Overlay – Residential : Isthmus B - Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B - Otahuhu		
Special Character Areas Overlay – Residential :		

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Isthmus C – St Heliers		
Special Character Areas Overlay – Residential : Isthmus C - Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C -Three Kings		
Special Character Areas Overlay – Residential : Isthmus C - Mount Albert		
Special Character Areas Overlay – Residential : Isthmus C – Remuera/Epsom		
Special Character Areas Overlay – Residential : Station Road, Papatoetoe		
Special Character Areas Overlay – Residential : Pukehana Avenue		

The maps for the following special character areas are only provided in the planning maps:

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus A		Special Character Areas Overlay – General : Hill Park
Special Character Areas Overlay – Residential : Pukehana Avenue		Special Character Areas Overlay – General : Puhoi

D18.2. Objectives

- (1) The special character values of the area, as identified in the special character area statement are maintained and enhanced.
- (2) The physical attributes that define, contribute to, or support the special character of the area are retained, including:

- (a) built form, design and architectural values of buildings and their contexts;
 - (b) streetscape qualities and cohesiveness, including historical form of subdivision and patterns of streets and roads; and
 - (c) the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.
- (3) The adverse effects of subdivision, use and development on the identified special character values of the area are avoided, remedied or mitigated.

D18.3. Policies

Special Character Areas Overlay - Residential

- (1) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (2) Maintain and enhance the built form, design and architectural values of the buildings and the area, as identified in the special character area statement, so that new buildings, alterations and additions to existing buildings, infrastructure and subdivision (where applicable):
 - (a) maintain the continuity or coherence of the identified special character values of the area;
 - (b) maintain the streetscape qualities and cohesiveness;
 - (c) respond positively to the design, scale, height, setback and massing of existing development, any distinctive pattern of subdivision, intensity of development, its relationship to the street, streetscape cohesiveness and is of a compatible form which contributes to the identified special character values of the area;
 - (d) maintain the relationship of built form to open space and landscape context;
 - (e) maintain the setting of the special character area, where these features, such as mature trees and landform, contribute to the special character values of the area;
 - (f) enable the removal of additions and features that detract from the special character of the building or identified special character of the wider area;
 - (g) minimise the loss of built fabric and encourage maintenance and repair;

- (h) require new materials to be compatible with the age, detailing, finishes and colour; and
 - (i) recover or reveal special character values of buildings and features.
- (3) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (4) Require any application for demolition or removal of a building in a special character area to, on its own or cumulatively as a result of other removals or demolition, demonstrate that the loss of the building:
- (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (5) Encourage the on-going use and maintenance of buildings in special character areas.
- (6) Manage the design and location of car parking, garaging and accessory buildings to maintain and enhance the streetscape and special character values of the area, as identified in the special character statement.
- (7) Encourage the retention of special features such as boundary walls, fences, paths and plantings that contribute to the character of the area.

Special Character Areas Overlay - Business

- (8) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (9) Identify individual buildings that contribute to the identified special character according to the following descriptions:
- (a) character defining – makes a considerable contribution to the character of the area because of historical, physical and visual qualities; and
 - (b) character supporting – makes a moderate contribution to the character of the area. The building should contribute to the appearance, quality, and identity of the area and should be consistent with the values of character-defining places.
- (10) Require any application for demolition or removal of a character-defining and character-supporting building in a Special Character Area- Business to, on its

own or cumulatively as a result of other demolition, demonstrate that the loss of the building:

- (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (11) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (12) Require new buildings, alterations or additions to existing buildings, or infrastructure, which are within the overlay but are not character defining or character supporting buildings, to maintain the integrity of the context of the area by providing quality design, materials, colour and decoration which respects and enhances the built form and streetscape of the area.
- (13) Require additions and alterations to existing character defining and character-supporting buildings, to be compatible with and respect the special character and existing scale of development.
- (14) Encourage the ongoing use and maintenance of buildings in special character areas.

D18.4. Activity table

Table D18.4.1 Activity table Special Character Areas Overlay – Residential specifies the activity status of land use and development for activities in the Special Character Area Overlay – Residential pursuant to section 9(3) of the Resource Management Act 1991.

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply.

Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).

Table D18.4.1 Activity table – Special Character Areas Overlay - Residential

Activity		Activity status
Development		
(A1)	Restoration and repair to a building on all sites in the Special Character Areas Overlay–Residential or the Special Character Areas Overlay - General (with a residential zoning)	P
(A2)	Minor alterations to the rear of a building on all sites in the Special Character Area Overlay – Residential or Special	P

	Character Areas Overlay - General (with a residential zoning) where works to the building use the same design and materials to the existing building	
(A3)	Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within the site on: <ul style="list-style-type: none"> (a) all sites in all the following Special Character Areas Overlay - Residential: <ul style="list-style-type: none"> (i) Special Character Area Overlay – Residential : Isthmus A; (ii) Special Character Areas Overlay – Residential : Pukehana Avenue; (iii) Special Character Area Overlay – General : Hill Park (those sites with a residential zone); and (iv) Special Character Area Overlay – General : Puhoi (those sites with a residential zone); and (b) all other sites identified as subject to demolition, removal or relocation rules as shown in the maps in the Special Character Areas Overlay Statements. 	RD
(A4)	External alterations or additions to a building on all sites in the Special Character Areas Overlay–Residential or Special Character Areas Overlay - General (with a residential zoning)	RD
(A5)	Construction of a new building or relocation of a building onto a site on all sites in the Special Character Area Overlay–Residential or Special Character Areas Overlay - General (those sites with a residential zone)	RD
(A5A)	<u>Rainwater tank</u>	<u>P</u>

Table D18.4.2 Activity table – Special Character Area – Business specifies the activity status of land use and development for activities in the Special Character Area Overlay – Business pursuant to section 9(3) of the Resource Management Act 1991.

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply.

Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).

Table D18.4.2 Activity table – Special Character Areas Overlay - Business

Activity		Activity status
Development		
Special Character Areas Overlay – Business with identified character defining buildings		
(A6)	External redecoration and repair to a character defining building	P
(A7)	Alterations to the rear of a character defining building	P
(A8)	Additions to a character defining building	RD
(A9)	Total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building	D
(A10)	Any demolition of the front façade of a character defining building	RD
(A11)	Alterations to a character defining building not otherwise provided for above	RD
(A12)	New buildings	RD
(A13)	Alterations and additions to buildings, not identified as character defining buildings	RD
Special Character Areas Overlay – Business with identified character supporting buildings		
(A14)	External redecoration and repair of a character supporting building	P
(A15)	Alterations to the rear of a character supporting building, except on corner sites where the works use a similar design and materials to the existing building	P
(A16)	Additions to a character supporting building	RD
(A17)	Alterations to a character supporting building not otherwise provided for above	RD
(A18)	Total or substantial demolition of a character supporting building (exceeding 30 per cent or more, by area, of wall elevations and roof area)	RD
(A19)	Any demolition of the front façade of a character supporting building	RD
(A20)	New buildings	RD
(A21)	Alterations and additions to buildings not identified as character supporting buildings	RD
Special Character Areas Overlay – Business with no identified character defining or character supporting buildings		
(A22)	External redecoration and repair of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A23)	Alterations to the rear of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A24)	Additions to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD

(A25)	Alterations to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A26)	Total or substantial demolition of a building (exceeding 30 per cent or more, by area, of wall elevations and roof area) in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A27)	New buildings in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD

D18.5. Notification

- (1) Any application for resource consent for an activity listed in Table D18.4.1 or Table D18.4.2 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

D18.6. Standards

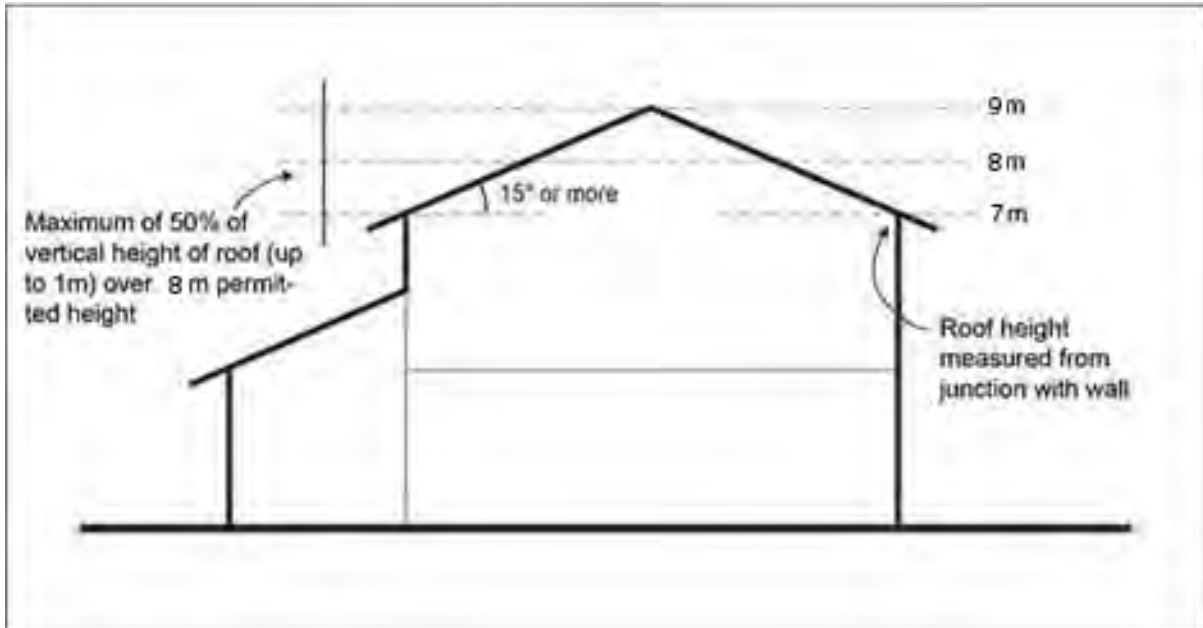
D18.6.1. Standards for activities buildings in the Special Character Areas Overlay - Residential

All activities listed in Table D18.4.1 Activity table - Special Character Areas Overlay - Residential must comply with the following standards.

D18.6.1.1. Building height

- (1) Buildings in the Special Character Areas Overlay – Residential must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential.

Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay - Residential



D18.6.1.2. Height in relation to boundary

- (1) Buildings in the Special Character Areas Overlay – Residential must not project above a 45-degree recession plane measured from a point 3m above the ground level along any boundary of the site.

D18.6.1.3. Yards

- (1) A building or parts of a building in the Special Character Overlay – Residential must be set back from the relevant boundary by the minimum depth listed in Table D18.6.1.3.1 Yards below:

Table D18.6.1.3.1 Yards

Yard	Minimum depth
Front	The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site
Side	1.2m
Rear	3m

D18.6.1.4. Building coverage

- (1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential below:

Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential

Site area	Building coverage
Up to 200m ²	55 per cent of the net site area
200m ² – 300m ²	45 per cent of the net site area
300m ² – 500m ²	40 per cent of the net site area
500m ² – 1,000m ²	35 per cent of the net site area
Greater than 1,000m ²	25 per cent of the net site area

D18.6.1.5. Landscaped area

- (1) The minimum landscaped area for sites in the Special Character Areas Overlay – Residential is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential

Site area	Landscaped area
Up to 200m ²	28 per cent of the net site area
200m ² – 500m ²	33 per cent of the net site area
500m ² – 1,000m ²	40 per cent of the net site area
Greater than 1,000m ²	50 per cent of the net site area

- (2) The front yard must comprise at least 50 per cent landscaped area.

D18.6.1.6. Maximum paved area

- (1) The maximum paved area for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum paved area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.6.1 Maximum paved area in the Special Character Areas Overlay – Residential

Site area	Paved area
Up to 200m ²	17 per cent of the net site area
200m ² – 500m ²	20 per cent of the net site area
500m ² – 1,000m ²	25 per cent of the net site area
Greater than 1,000m ²	25 per cent of the net site area

D18.6.1.7. Fences, walls and other structures

- (1) Fences, walls and other structures, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed a height of 1.2m above ground level.

D18.6.1.8. Rainwater tanks

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

- (1) Rainwater tanks must not be located in a front yard unless they are at least 1.5m from the front boundary and located wholly below ground level. This standard shall not apply to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks directly adjoining a side yard facing building façade or located within a side yard must be wholly below ground level or set back at least 1m behind a line from the street facing building façade.
- (3) Rainwater tanks must not obscure (partially or totally) any window or door of the dwelling on the subject site.
- (4) Rainwater tanks directly adjoining a side façade or located within a side yard must be no greater than 800mm in width.
- (5) Rainwater tanks directly adjoining a side facade of a building must match the colour of that façade.
- (6) Rainwater tanks must not exceed 2 m in height, or 3 m in height where the rainwater tank directly adjoins an existing building.
- (7) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

D18.6.2. Standards for buildings in the Special Character Areas Overlay – Business

All activities listed in Table D18.4.2 Activity table - Special Character Areas Overlay - Business must comply with the standards for the zone in which they are located, unless otherwise specified.

D18.7. Assessment – controlled activities

There are no controlled activities in this section.

D18.8. Assessment – Restricted discretionary activities

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay - Residential

- (1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:
 - (a) the effects on the streetscape and special character context as outlined in the special character area statement;
 - (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
 - (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its loss or relocation would result in the loss of a character value attributable to the group;
 - (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004;
 - (e) where a replacement building is proposed, its design, quality, purpose and amenities and the contribution that such as building might make to the qualities of streetscape character; and
 - (f) the effect on landscape and vegetation.
- (2) for external alterations or additions to buildings; or for the construction of a new building or the relocation of a building onto a site:
 - (a) the effects on the streetscape and special character context as outlined in the Special Character Area Statement;
 - (b) the building and its contribution to streetscape character; including its design, quality, purpose and amenities including matters of scale, form, massing, materials, setbacks and the relationship to the street; and
 - (c) the effects on landscape and vegetation.
- (3) for an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

- (a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

- (b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

D18.8.1.2. Special Character Business Areas

- (1) For all restricted discretionary activities:

- (a) the effects of the activity on the streetscape and special character context as outlined in the special character area statement;
- (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
- (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its demolition, alteration or addition would result in the loss of a character value attributable to the group; and
- (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004.

- (2) for an infringement of the any of the standards on the zone in which the building is located :

- (a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.

Note 1

Where more than one standard is infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

D18.8.2. Assessment criteria

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

D18.8.2.1. Special Character Areas Overlay – Residential

(1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:

(a) Policies D18.3(1) to (7);

(b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the building has retained its original (or repaired) visual design features relating to form, mass, proportion and materials so that restoration/renovation of the building is practical and reasonable. When determining what is practical and reasonable, regard shall be had to providing amenity for occupants and compliance with any requirement of the Building Act;
- (ii) the extent to which any special character qualities and original design features of the existing building are visible from the street or a public realm;
- (iii) whether the building is beyond rehabilitation to its original state and the costs of the rehabilitation to reproduce the special character qualities of the building and enhance the architectural qualities and special character of the streetscape and the surrounding area, in comparison to the costs of a new building of a similar size and quality;
- (iv) whether in rare cases the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair work or upgrading necessary to extend the useful life of the building are prohibitive, (in comparison to the costs of a new building of similar size), an application for a new building may be considered favourably in accordance with assessment criteria D18.8.2.1(1)(b)(v) below;
- (v) whether any proposed replacement building, in terms of its design, quality and amenities, makes a positive contribution to the qualities of streetscape character;

(c) for Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the special character and architectural value of the existing building (irrespective of age) and its contribution to streetscape character warrants its retention;
- (ii) whether the special character value of the building by reference to its architectural style, whether as an exemplar of the type or as being representative of the type warrants its retention;
- (iii) whether the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts warrants its retention;
- (iv) whether its relationship to other adjacent buildings and whether the contribution it makes to a group of buildings is such that its loss would result in the loss of a character value attributable to the group;
- (v) whether its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or to relationships to open space shared with adjacent buildings warrants its retention;
- (vi) whether the practicability and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act warrants its demolition;
- (vii) whether any proposed replacement building, in terms of its design, quality and amenities makes a positive contribution to the qualities of streetscape character.
- (viii) in Special Character Areas Overlay – Residential : Isthmus C; the extent to which the nature and extent of any disturbance to the biophysical components that contribute to streetscape character such as landform or vegetation cover can be avoided, remedied or mitigated.

(2) For external alterations and additions to a building:

- (a) policies D18.3(1) to (7);
- (b) for Special Character Areas Overlay – Residential : Helensville; Residential : General (with a residential zone); Residential – Balmoral Tram Suburb, West; Residential : Early Road Links; Residential : Kings Road and Princes Avenue; and Residential : Pukehana Avenue; Residential : Station Road, Papatoetoe:

- (i) whether the effect of the additions and/or alterations on the special character of the building maintains or enhances its contribution to the streetscape of the area;
 - (ii) whether the design and appearance of the additions and/or alterations respond positively to the building, in terms of scale, proportions, architectural form, massing, materials and detailing;
 - (iii) whether the addition or alteration is of a design and uses materials similar or compatible with the traditional character and material of the building;
 - (iv) whether consideration has been given to retaining as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them;
 - (v) whether the colour scheme is compatible with the age and detailing of the building; and
 - (vi) whether the location and design of attachments, such as aerials and air conditioning units, are sympathetic to the existing building through the use of appropriate colour, design, form and location on the building.
- (c) for Special Character Areas Overlay – Residential : Isthmus A:
- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered.
- (d) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C:
- (i) whether the form, mass, proportion and scale of the external additions and alterations are such that they maintain or enhance the streetscape character and amenity.
- (e) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C1:
- (i) whether the alterations and/or additions to expand the building within a roof space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
 - (ii) whether, where decoration and architectural features are used, they follow the characteristic form and detail of the existing

building on the site, or if the original features have been removed/altered, they follow the characteristic form and detail of other buildings of the same period in the street;

- (iii) whether materials used are the same or similar as the existing materials of the building so that the new building work is consistent with the traditional character and material of existing buildings on the site and in the street;
- (iv) whether any existing traditional fencing along the road frontage boundary is preserved or reinstated at the completion of development; and
- (v) whether, for those parts of the buildings highly visible to the street or public place the proportions and detail of the new windows and doors are consistent with those traditionally present in buildings of the style including the overall window to wall ratio.

(f) for Special Character Areas Overlay – Residential : Isthmus B:

- (i) whether the alteration or addition has regard to, or complements the form, style and materials of the existing building;
- (ii) whether the proposed change contributes positively to the street; and
- (iii) whether the alteration or addition is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical, replacement planting or a replacement structural/built element is proposed.

(g) for Special Character Areas Overlay – Residential : Isthmus C:

- (i) whether the scale, form, mass, proportion and colour of the external addition or alteration is compatible with the prevailing architectural style of the existing building on the site; and
- (ii) whether the additions and alterations which are visible from the street or public realm detract from the architectural character of period housing or landscape qualities that are predominant in the street.

(h) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where

visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered, unless such alternative locations create adverse visual effects on a volcanic landform;

- (ii) whether the addition or alteration or associated site-works for any proposed addition or relocation has avoided physical effects on the natural volcanic landform, including cumulative effects; and
 - (iii) whether the addition, alteration or relocation has minimized adverse visual effects on the volcanic landscape by minimising alteration to the natural landform, and by appropriate placement of additions or alterations on the site.
- (i) for Special Character Areas Overlay – Residential : Isthmus C2:
- (i) whether, the additions, alterations or relocation are located so that larger trees on the site are retained, where this is not practical, whether replacement planting, particularly of indigenous trees will be undertaken where appropriate; and
 - (ii) whether, the addition, alteration or relocation minimizes adverse visual effects on the landscape context by avoiding visually obtrusive excavation, and by appropriate placement of additions on the site.
- (j) for Special Character Areas Overlay – Residential : North Shore:

Note1

The threshold limits outlined below and illustrated in Figure D18.8.2.1(2)(j).1 Threshold limits for alterations and additions have been determined in consideration of the sensitivity to change inherent in the various elements of special character buildings. These thresholds distinguish between relatively minor proposals for change and proposals which will require additional consideration and assessment.

An application which proposes the following may be assessed only against criteria D18.8.2.1(2)(j)(i) – (v) below, where relevant:

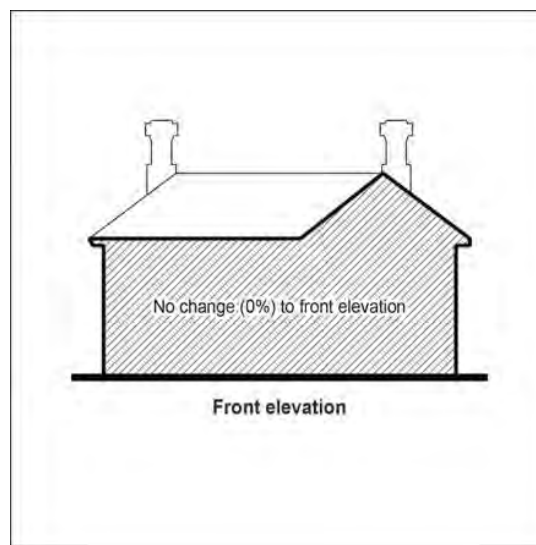
- no change to the front elevation (excluding the roof); and/or
- changes involving up to 20 per cent of the area of one or each of the side elevations (excluding the roof); and/or
- changes involving up to 80 per cent of the area of the rear elevation (excluding the roof); and/or

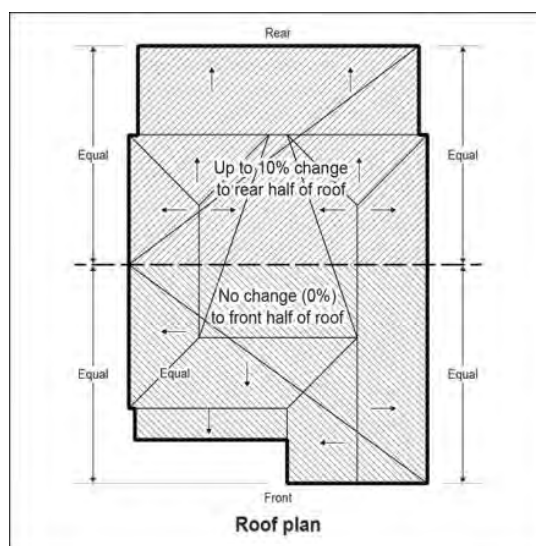
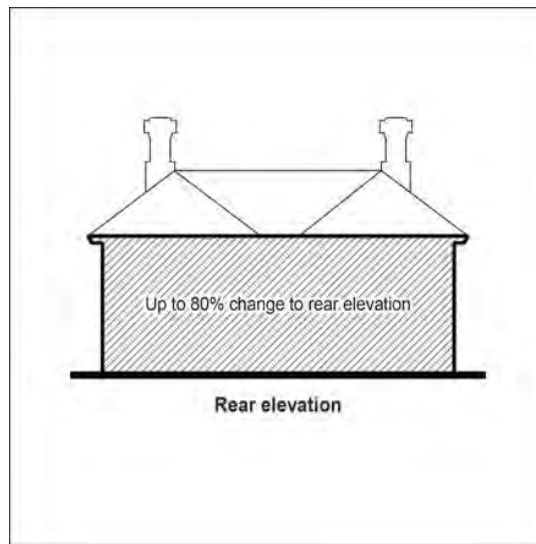
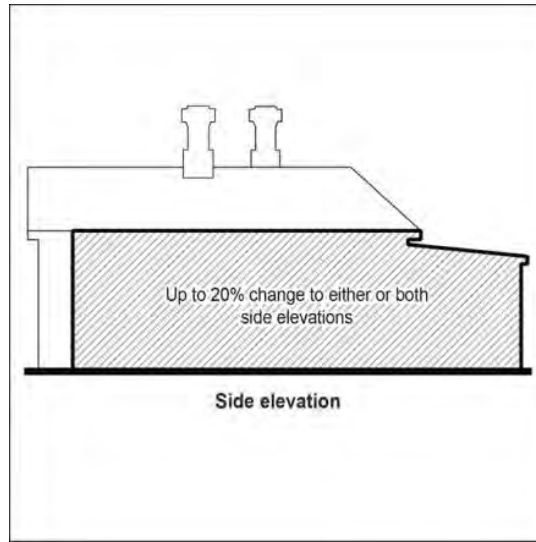
- no change to the front half of the roof; and/or
- changes involving up to 10 per cent of the rear half of the roof.

An application which proposes the following may be assessed against D18.8.2.1(2)(j)(i) – (vi) below, where relevant:

- any change to the front elevation (excluding the roof); and/or
- changes involving more than 20 per cent of the area of either side elevation (excluding the roof); and/or
- changes involving more than 80 per cent of the area of the rear elevation (excluding the roof); and/or
- any change to the front half of the roof; and/or
- changes involving more than 10 per cent of the rear half of the roof.

Figure D18.8.2.1(2)(j).1 Threshold limits for additions and alterations





- (i) whether the proposed additions/alterations to pre-1940 buildings retain the architectural and historic fabric, including the original

roof form, proportions and style of the building and other design characteristics such as design detailing, built fabric and materials, finishes, proportions, and window size, proportion and location within walls. Whether alterations to post-1940s buildings are designed to avoid dominance of, or contrast with, the streetscape character;

- (ii) whether the alterations and/or additions to expand the building within a roof-space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
 - (iii) whether the additions and/or alterations adversely affects the contribution the subject building makes to a group of buildings which contribute to the special character of the area, particularly when the subject site is adjacent to or in the vicinity of any scheduled historic heritage place;
 - (iv) whether the design and appearance of alterations or additions use materials that are the same or similar to existing materials to maintain the integrity of the special character of the area. Traditional materials such as corrugated steel sheet, timber shingles, timber weatherboards, and timber joinery are considered generally appropriate, especially where these materials match or are very similar to the original materials, and are used in the same manner as those of the subject building;
 - (v) whether alterations and additions, to buildings that are clearly visible from the street or public realm should fit compatibly within the context of surrounding buildings and the neighbourhood and avoid dominance of, or contrast with the character of that context. Special attention must be paid to the bulk, scale, form, massing and use of materials and consistency with the style and detailing of the building; and
 - (vi) whether the additions/alterations have been designed to avoid cumulative adverse effects arising from successive additions and alterations. Where cumulative effects cannot be avoided, whether proposals include initiatives to recover original built form and lost details, particularly at the front of the buildings.
- (3) For the construction of a new building or relocation of a building onto a site:
- (a) policies D18.3(1) to (7);
 - (b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the design and external appearance of the proposed building is compatible with the streetscape and the identified special character of the area;
- (ii) whether the form, mass, proportion and scale of the building is compatible with the special character of the area;
- (iii) whether the building preserves the sense of visual frontage access and interactivity between residential buildings and the street, and does not present blank or near-blank façades to the street;
- (iv) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of buildings in the street;
- (v) whether those parts of a building which are highly visible to the street maintain a window to wall ratio visible from the street that is similar to that surviving original predominant character buildings in the street;
- (vi) whether the building is located on a site that reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street front buildings;
- (vii) whether particular attention has been paid to the continuity of the front façade alignment to the street;
- (viii) whether the building has a roof form that is compatible with the traditional roof forms predominant in the special character area and identified in the special character statement;
- (ix) whether the provision of any vehicle access and parking complements the character of the streetscape, having particular regard to location, design, detailing, use of materials and landscaping;
- (x) whether garages and carports allow good visibility of the building from the street, and where possible are located to the rear of, underneath (where appropriate in terms of topography), or alongside the building on the site.
- (xi) consent to the location of a garage or carport in the front yard may be considered acceptable where:
 - no practical location is available elsewhere on the site;

- any structure associated with the parking provisions is minimal in scale, (which in most circumstances will exclude a double-width garage or double-width carport) and is designed in a manner which is coherent with the architectural character of any buildings on the site; and
 - the garage or carport will not significantly obscure the visibility of the existing building from the street or public realm;
- (xii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development; and
- (xiii) the extent to which a building is designed to have regard to any particular landscape elements including mature trees, which make a significant contribution to the streetscape and special character of the area, or how the proposal mitigates this through replacement planting.
- (c) for Special Character Areas Overlay – Residential : Isthmus B:
- (i) the design of a proposed new/relocated building will complement the existing patterns of bulk and location, and the relationship to the street in the vicinity of the site;
 - (ii) if a new/relocated building is significantly larger than existing adjacent buildings, its architectural design acknowledges the predominant scale of those existing buildings, through its massing and formal arrangement on the site. In the case of non-residential buildings, it is acknowledged that such formal arrangement may not be appropriate;
 - (iii) whether bulk and location standards prevent the achievement of an architectural scale which might otherwise be appropriate to the locality or to the prevailing scale, or whether some relaxation of such standards will enable development of more appropriate form and scale;
 - (iv) whether the design of a new/relocated building in a contemporary idiom can be shown by analysis to have qualities which are sympathetic to existing established architectural forms and scale, in such a way as to make a positive contribution to streetscape; and
 - (v) whether a new/relocated building is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical,

replacement planting or a replacement structural/built element is proposed

(d) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings along the street;
- (ii) whether the scale, form, mass, proportion and colour of the building is compatible with the architectural style predominant in the street;
- (iii) whether those parts of a building highly visible to the street maintain a window to wall ratio visible from the street that is similar to the predominant special character buildings in the street;
- (iv) whether the building is located on a site so that it reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street-front buildings;
- (v) whether buildings are located on a site so as not to detract from the continuity of the front façade alignment of residential buildings in the street;
- (vi) whether any new or relocated building is visually compatible with and minimises the adverse effects on the volcanic landscape by minimising alteration to the landform and the appropriate placement of the building on the site;
- (vii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development;
- (viii) whether the buildings preserves the sense of visual frontage access and interactivity between houses and the street, and does not present blank or near-blank façades to the street;
- (ix) whether the building maintains the predominance of pitched roof form; and
- (x) whether garages and carports obscure the visibility of the existing dwelling from the street or give rise to adverse visual effects on the volcanic landscape.

(e) for Special Character Areas Overlay – Residential : Isthmus C2:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings on the street;
 - (ii) whether the scale, form, mass, proportion and materials of the building is compatible with the architectural style of the existing building on the site, or the architectural style predominant in the street;
 - (iii) whether the new building detracts from or adds to the consistency and harmony of building forms in the street and the coherence of the streetscape;
 - (iv) whether the building contributes positively to the special character and coherence of the streetscape;
 - (v) whether the building is located so that larger trees on the site are retained, and where this is not practical, replacement planting, particularly of indigenous trees are undertaken where appropriate;
 - (vi) whether any building or site-works avoids physical effects on the natural land-form, including cumulative effects;
 - (vii) whether any new or relocated building minimises adverse visual effects on the landscape by avoiding visually obtrusive excavation and by appropriate placement of the building on the site; and
 - (viii) whether pitched roofs, in gabled and/or hipped forms, are used to mitigate adverse visual effects on the natural environment.
- (4) for an infringement of any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:
- (a) policies D18.3(1) to (7).

D18.8.2.2. Special Character Areas Overlay - Business

- (1) For the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building or a character supporting building; or for the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings; or for any demolition of the front façade of a character supporting building:
- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:

- (i) whether the proposal significantly adversely affects the built special character of the area, including the contribution the individual building makes to the context, character or cohesiveness of the streetscape;
- (ii) the contribution the building makes to adjoining or nearby scheduled buildings and other character defining or supporting buildings or to the wider character area where there are no identified character supporting or character defining buildings, either through the context and the relationship of the building or through the building's mass, height or rhythm of façades;
- (iii) whether the existing building forms part of a cohesive group of buildings in terms of similarity of age, scale, proportion or design and the extent to which the building's demolition or partial demolition would detract from the contribution that group makes to streetscape, the special character and context of the area;
- (iv) whether the building is beyond rehabilitation to a state which would display its special qualities, architectural qualities or special characteristics of the streetscape and the surrounding area; and
- (v) whether the costs of restoration and repair are significantly greater in comparison to the costs of a new building of similar size and quality.

(2) For additions to a character defining building:

- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:
 - (i) whether the additions are appropriate when considered against the relevant assessment criteria for additions in the zone;
 - (ii) whether at the street elevation(s) maintains an appearance similar to the original façade of the character defining building;
 - (iii) where relevant, whether the addition to building is positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings and the established horizontal or vertical modulation;
 - (iv) whether the design and materials respect and respond positively to those originally used and contribute strongly to the architectural character and detailing of the building;

- (v) whether the additions to building are compatible with the architectural form, mass, proportions and style of the existing building(s) on the site;
 - (vi) whether the additions to the building retain as much of the existing building fabric as practicable;
 - (vii) whether the additions to building use a colour scheme which is compatible with the age and detailing of the building;
 - (viii) for retail premises whether the additions to the building have main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street; and
 - (ix) whether the additions to the building locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.
- (3) For alterations or additions to buildings identified as character supporting:
- (a) policies D18.3(8) to (14);
 - (b) whether the alterations or additions to the building:
 - (i) are appropriate when considered against the relevant assessment criteria for alterations or additions in the zone;
 - (ii) have street elevation(s) sympathetic to the existing building, and any other surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
 - (iii) where relevant, are positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings, and the adjoining established horizontal or vertical modulation;
 - (iv) are compatible with the dominant architectural style of the existing building in terms of form, mass, proportion and materials;
 - (v) use materials which maintain the integrity of the special character and materiality of the building;
 - (vi) propose to combine adjoining buildings and whether the finished appearance/façade retains visual evidence of the historic pattern of development by vertical modulation;
 - (vii) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building

entries reflecting traditional forms in order to maintain good visual connections with the street; and

- (viii) locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.

(4) For new buildings; or alterations and additions to buildings not identified as character defining or character supporting:

(a) policies D18.3(8) to (14);

(b) whether the new building or alterations and additions to buildings not identified as character defining or character supporting:

- (i) are appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflect and have regard to the special character statement for the area;
- (iii) are designed to respond positively to the architectural form, bulk, proportions, materials and colour of any existing buildings on the site and/or any surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
- (iv) are designed to respond positively to the built form characteristics and urban structure of the special character area;
- (v) are designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character statement;
- (vi) where possible, are positioned to reflect and/or enhance the continuity of the historic front façade alignments of the adjoining character defining or character supporting buildings;
- (vii) are constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing of any scheduled historic heritage place, character-defining or character-supporting buildings;
- (viii) are designed to respond positively to the established horizontal or vertical modulation evident on the front façade of any existing scheduled historic heritage place, character-defining or character-supporting buildings;
- (ix) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building

entries reflecting traditional forms in order to maintain good visual connections with the street;

- (x) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (xi) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

(5) For additions or alterations to a building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings; or for a new building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings:

(a) policies D18.3(8) to (14);

(b) whether the proposal:

- (i) is appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflects and has regard to the special character statement for the area;
- (iii) is designed to respond positively to the architectural form, bulk, proportions, materials, colour and other built form characteristics and urban structure of the special character area;
- (iv) is designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character statement;
- (v) where possible, is positioned to reflect and/or enhance the continuity of the front façade alignments of the adjoining buildings;
- (vi) is constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing identified in the special character statement;
- (vii) is designed to respond positively to the established horizontal or vertical modulation evident on the front façade of the existing buildings in the character area;
- (viii) for retail premises, has main frontage(s) incorporating significant areas of unobscured display glazing and building entries

reflecting traditional forms in order to maintain good visual connections with the street;

- (ix) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (x) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

D18.9. Special information requirements

There are no special information requirements in this section.

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.

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	3
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 generation – Earthworks overlays except	53 62

	Outstanding Natural Features Overlay E26.7 Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay	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

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 – Health care 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
(A2)	Minor infrastructure upgrading of network utilities	P	P	P	P	P	P
(A3)	Service connections	P	P	P	P	P	P
(A4)	Minor utility structure	P	P	P	P	P	P
(A5)	Electric vehicle charging stations	P	P	P	P	P	P
(A6)	Removal of network utilities and electricity generation facilities	P	P	P	P	P	P
(A7)	Ancillary telecommunication equipment/devices 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	P	P	P	P	P	P

E26 Infrastructure

	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#
(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
(A21)	Unenclosed Substations *Business – Heavy Industry Zone	NA	RD#	D	D	D	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	D	D	D	D	D RD*	D	D

E26 Infrastructure

	* Business – Heavy Industrial Zone							
(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 28 and 29 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: <ul style="list-style-type: none"> • 300mm high and 130mm in diameter • small cell units/antennas that do not exceed a volumetric dimension of 0.25m³ Omni-directional antennas: <ul style="list-style-type: none"> • 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	P	P	P	P	P	P	P

E26 Infrastructure

	existing telephone exchanges							
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.

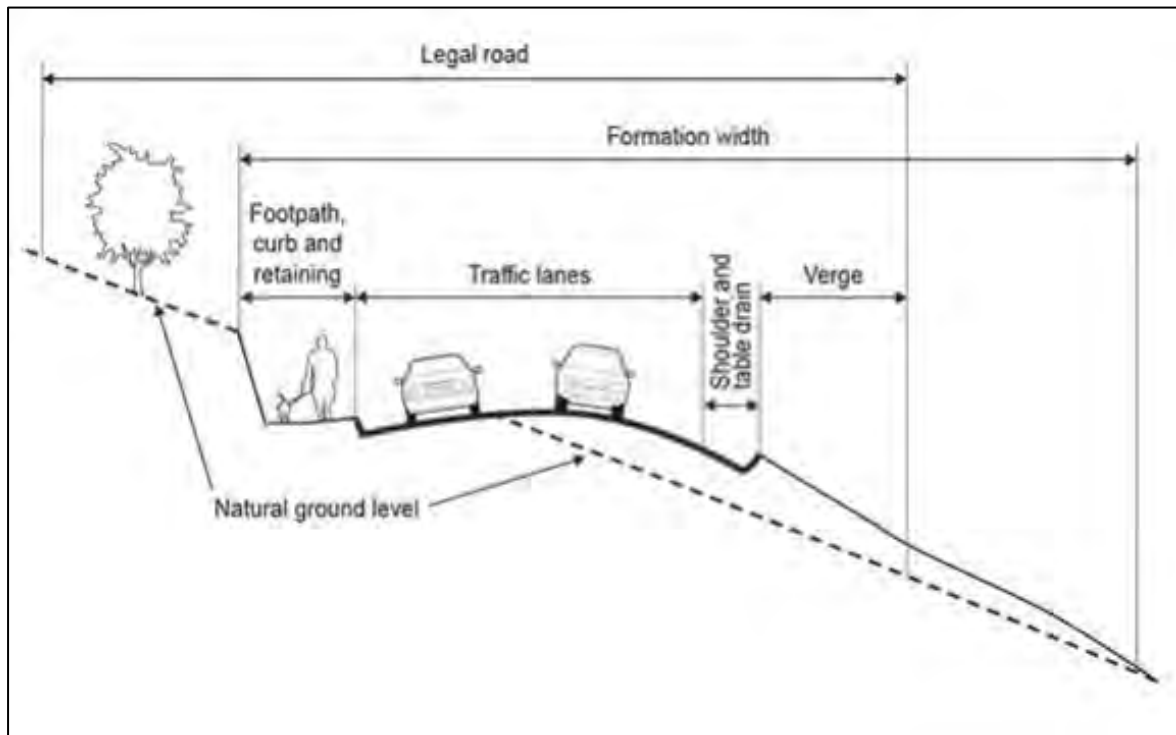
- H3.6.13 Single House Zone
- H1.6.8 Large Lot Zone

- 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(4) 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) 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 20m²;
 - (ii) in all other zones is 30m²;
 - (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 2m³
- (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 LAm_{ax} 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
<ul style="list-style-type: none"> • Rural zones; • Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land); • Future Urban Zone; • Special Purpose – Quarry Zone; 	5m

<ul style="list-style-type: none"> • 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 	
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • 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) Electric vehicle charging stations must be:

- (a) maximum height of 1.8m;

- (b) maximum area of 1.5m²; 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 20m² of vegetation within a significant ecological area.
- (4) Must not result in the removal of more than 50m² 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 50m² 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 20m² 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 500m² 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 250m² 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 50m² 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 50m² of vegetation within an overlay.
- (3) Must not result in the removal of more than 20m² 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 250m² 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(4) 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 1m²;

(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

E26 Infrastructure

	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	
(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	
(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	
(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	
(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(4) 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 5m² or 5m³; for general earthworks;
 - (c) less than 10m² or 5m³ 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 10m³ 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 mātaītai;
 - (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]	WSM A [rp]	ONL and HNC [dp]	Historic Heritage [dp]	SSMW [dp]	Special Charact er [dp]
(A110) Earthworks for maintenance, renewal	P	P	P	P	P	P	P

E26 Infrastructure

	and repair of network utilities and electricity generation activities RD* where archaeological controls apply as listed in Schedule 14					RD*		
(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 network activities within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14.1	P	P	P	P	P RD*	P	P
(A115)	Earthworks for network utilities and	RD	RD	RD	RD	RD	RD	RD

	electricity generation facilities that do not comply with the standards in E26.6.5.2							
(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 10m² and 5m³
- (3) Earthworks for the minor upgrading of road network activities that exceed 10m² or 5m³ 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 10m² and 5m³
- (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 10m² and 5m³
- (16) Earthworks for the minor upgrading of road network activities that exceed 10m² and 5m³ 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 5m² or 5m³; for general earthworks;
 - (c) less than 10m² or 5m³ 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 10m³ 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* within the legal road or the formation width of the road	P	P	RD P*	RD P*	RD	RD	RD	RD	RD	RD
(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	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD

	provided for										
(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.

Resumption 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 10m² and 5m³.
- (3) Earthworks for the minor upgrading of road network activities that exceed 10m² or 5m³ 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 5m² or 5m³; for general earthworks;
 - (c) less than 10m² or 5m³ 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 10m³ 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 0.5m²; 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:

E26 Infrastructure

- (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.

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.

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 construction 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 0.5m²
- (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:
 - (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
 - (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 utilities 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 0.5m²; 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 utilities 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

E26 Infrastructure

	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 50m² in high natural character and outstanding natural landscapes and 25m² 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.

E36. Natural hazards and flooding

E36.1. Background

Auckland is affected by natural hazards including:

- those that occur frequently such as flooding, coastal erosion (including the effects of sea level rise), freshwater erosion and land instability; and
- those that occur less frequently such as wildfires, volcanic activity, tsunamis, earthquakes and meteorological hazards such as cyclones, tornados and drought.

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

The risk that these natural hazards pose is made up of factors including:

- the nature, magnitude and extent of the hazard;
- the anticipated frequency or probability of the hazard event occurring; and
- the exposure and vulnerability of the environment to the hazard.

Decisions on how to avoid or mitigate natural hazards can affect not only the subject site but also neighbouring properties and the wider environment, and may unintentionally exacerbate the risk. Risk assessment is a key means to identify and understand risks, and to determine which aspects of risk can be managed through appropriate land use planning tools and development methods. Both current and future risks (including the effects of climate change such as sea level rise) need to be considered.

A flexible risk-based approach has been taken to address the risks associated with natural hazards. A risk management approach applies to existing development and infrastructure while a risk reduction (including avoidance where appropriate) approach applies to development of greenfield land.

The Plan has defined criteria to identify land which may be subject to natural hazards. The Plan requires the use of the best information available to identify greenfield land or land which is proposed for redevelopment which may be subject to natural hazards. This includes hazard maps, databases and reports held by the Council. The level of detail and the quality of this information is variable. This affects the Council's ability to identify and map land that may be subject to natural hazards. At this time, the provisions in the Plan are focussed on the following hazards:

- coastal erosion;
- coastal storm inundation;
- flooding;
- land instability; and
- wildfires.

The Council is working to gather, assess and refine information so that a more comprehensive range of natural hazards can be assessed and, as appropriate, subdivision, use and development can be better managed through provisions in the Plan.

Some risks from events with low probability but high potential impact (e.g. volcanic activity, tsunamis and earthquakes) cannot be addressed through land use planning and may be better addressed through measures put in place by emergency management groups such as Civil Defence. These include education, warning systems and emergency preparedness.

E36.2. Objectives

- (1) Subdivision, use and development outside urban areas does not occur unless the risk of adverse effects to people, property, infrastructure and the environment from natural hazards has been assessed and significant adverse effects are avoided, taking into account the likely long-term effects of climate change.
- (2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long term effects of climate change.
- (3) Subdivision, use and development on rural land for rural uses is managed to ensure that the risks of adverse effects from natural hazards are not increased and where practicable are reduced.
- (4) Where infrastructure has a functional or operational need to locate in a natural hazard area, the risk of adverse effects to other people, property, and the environment shall be assessed and significant adverse effects are sought first to be avoided or, if avoidance is not able to be totally achieved, the residual effects are otherwise mitigated to the extent practicable.
- (5) Subdivision, use and development including redevelopment, is managed to safely maintain the conveyance function of floodplains and overland flow paths.
- (6) Where appropriate, natural features and buffers are used in preference to hard protection structures to manage natural hazards.

E36.3. Policies

General

- (1) Identify land that may be subject to natural hazards, taking into account the likely effects of climate change, including all of the following:
 - (a) coastal hazards (including coastal erosion and coastal storm inundation, excluding tsunami);
 - (b) flood hazards;
 - (c) land instability; and

- (d) wildfires.
- (2) Investigate other natural hazards to assess whether risks to people, property or the environment should be managed through the Plan or otherwise.
- (3) Consider all of the following, as part of a risk assessment of proposals to subdivide, use or develop land that is subject to natural hazards:
 - (a) the type, frequency and scale of the natural hazard and whether adverse effects on the development will be temporary or permanent;
 - (b) the type of activity being undertaken and its vulnerability to natural hazard events;
 - (c) the consequences of a natural hazard event in relation to the proposed activity;
 - (d) the potential effects on public safety and other property;
 - (e) any exacerbation of an existing natural hazard risk or the emergence of natural hazard risks that previously were not present at the location;
 - (f) whether any building, structure or activity located on land subject to natural hazards near the coast can be relocated in the event of severe coastal erosion, inundation or shoreline retreat;
 - (g) the ability to use non-structural solutions, such as planting or the retention or enhancement of natural landform buffers to avoid, remedy or mitigate hazards, rather than hard protection structures;
 - (h) the design and construction of buildings and structures to mitigate the effects of natural hazards;
 - (i) the effect of structures used to mitigate hazards on landscape values and public access;
 - (j) site layout and management to avoid or mitigate the adverse effects of natural hazards, including access and exit during a natural hazard event; and
 - (k) the duration of consent and how this may limit the exposure for more or less vulnerable activities to the effects of natural hazards including the likely effects of climate change.
- (4) Control subdivision, use and development of land that is subject to natural hazards so that the proposed activity does not increase, and where practicable reduces, risk associated with all of the following adverse effects:
 - (a) accelerating or exacerbating the natural hazard and/or its potential impacts;
 - (b) exposing vulnerable activities to the adverse effects of natural hazards;

- (c) creating a risk to human life; and
- (d) increasing the natural hazard risk to neighbouring properties or infrastructure.

Coastal hazards (including coastal erosion and coastal storm inundation)

- (5) Ensure that subdivision, use and development on rural land for rural uses and in existing urban areas subject to coastal hazards avoids or mitigates adverse effects resulting from coastal storm inundation, coastal erosion and sea level rise of 1m through location, design and management.
- (6) Avoid subdivision, use and development in greenfield areas which would result in an increased risk of adverse effects from coastal hazards, taking account of a longer term rise in sea level.
- (7) Ensure that buildings in areas subject to coastal hazards are located and designed to minimise the need for hard protection structures.
- (8) Ensure that when locating any new infrastructure in areas potentially subject to coastal hazards consider, where appropriate, an adaptive management response taking account of a longer term rise in sea level.
- (9) Require habitable areas of new buildings and substantial additions, alterations, modifications or extensions to existing buildings located in coastal storm inundation areas to be above the 1 per cent annual exceedance probability (AEP) coastal storm inundation event including an additional sea level rise of 1m.

Defences against coastal hazards

- (10) Avoid the modification, alteration or removal of sand dunes and vegetation on sand dunes which would compromise their function as natural defences for an area subject to coastal hazards and ensure adverse effects on wider coastal processes are avoided or mitigated.
- (11) Consider hard protection works to protect development only where existing natural features will not provide protection from the natural hazard and enhancement of natural defences is not practicable.
- (12) Require hard protection works involving the placement of any material, objects or structures in or on any area located above mean high water springs to be designed and located to avoid, remedy or mitigate adverse environmental effects including all of the following:
 - (a) location of structures as far landward as possible to retain as much natural beach buffer as possible;
 - (b) any likely increase in the coastal hazard, including increased rates of erosion, accretion, subsidence or slippage;
 - (c) undermining of the foundations at the base of the structure;

- (d) erosion in front of, behind or around the ends or down-drift of the structure;
- (e) settlement or loss of foundation material;
- (f) movement or dislodgement of individual structural elements;
- (g) offshore or long-shore loss of sediment from the immediate vicinity;
- (h) long-term adverse visual effects on coastal landscape and amenity values;
and
- (i) effects on public access.

Floodplains in urban areas

- (13) In existing urban areas require new buildings designed to accommodate more vulnerable activities to be located:
 - (a) outside of the 1 per cent annual exceedance probability (AEP) floodplain; or
 - (b) within or above the 1 per cent annual exceedance probability (AEP) floodplain where safe evacuation routes or refuges are provided.
- (14) Require redevelopment of sites where existing more vulnerable activities are located within the 1 per cent annual exceedance probability (AEP) floodplain to address all of the following:
 - (a) minimise risks from flood hazards within the site;
 - (b) minimise the risks from flood hazards to people and property upstream and downstream of the site;
 - (c) remedy or mitigate where practicable or contribute to remedying or mitigating flood hazards in the 1 per cent annual exceedance probability floodplain;
 - (d) location of habitable rooms above flood levels; and
 - (e) provide safe evacuation routes or refuges from buildings and sites.
- (15) Within existing urban areas, enable buildings containing less vulnerable activities to locate in the 1 per cent annual exceedance probability (AEP) floodplains where that activity avoids, remedies or mitigates effects from flood hazards on other properties.

Floodplains in rural areas

- (16) In rural areas, avoid where practicable locating buildings accommodating more vulnerable activities in the 1 per cent annual exceedance probability (AEP) floodplain and manage other buildings and structures so that flood hazards are not exacerbated.

Floodplains in greenfield areas

- (17) On greenfield land outside of existing urban areas, avoid locating buildings in the 1 per cent annual exceedance probability (AEP) floodplain.
- (18) Enable flood tolerant activities to locate in the 1 per cent annual exceedance probability (AEP) floodplain where these activities do not involve buildings or structures that exacerbate the flood hazard to other properties upstream or downstream of the site.
- (19) Require fences, storage of materials and goods and car parking in the 1 per cent annual exceedance probability (AEP) floodplains to not exacerbate the flood hazard to other properties upstream or downstream of the site.
- (20) Require earthworks within the 1 per cent annual exceedance probability (AEP) floodplain to do all of the following:
 - (a) remedy or mitigate where practicable or contribute to remedying or mitigating flood hazards in the floodplain;
 - (b) not exacerbate flooding experienced by other sites upstream or downstream of the works; and
 - (c) not permanently reduce the conveyance function of the floodplain.

Floodplains - general

- (21) Ensure all development in the 1 per cent annual exceedance probability (AEP) floodplain does not increase adverse effects from flood hazards or increased flood depths and velocities, to other properties upstream or downstream of the site.
- (22) Required the storage and containment of hazardous substances in floodplains so that the integrity of the storage method will not be compromised in a flood event.
- (23) Provide for flood mitigation measures which reduce flood-related effects and provide for the reconstruction of culverts and bridges where those measures do not create or exacerbate flooding upstream or downstream or otherwise increase flood hazards.
- (24) Enable the planting and retention of vegetation cover to enhance amenity values, green linkages and ecological values in floodplains as long as it does not create or exacerbate flooding upstream or downstream or otherwise increase flood hazards.
- (25) When considering mitigation of flood hazards where buildings are located in floodplains, promote measures such as use of water resistant materials and flood-proof utility connections to increase resilience to flood damage.
- (26) Construct accessways, including private roads, so that flood hazard risks are not increased.

- (27) Enable the construction and maintenance of flood mitigation works to reduce flood risks to people, property, infrastructure and the environment.
- (28) Take into account any authorised earthworks or drainage infrastructure which avoids, remedies or mitigates flood hazards when assessing proposed subdivision, use or development.

Overland flow paths

- (29) Maintain the function of overland flow paths to convey stormwater runoff safely from a site to the receiving environment.
- (30) Require changes to overland flow paths to retain their capacity to pass stormwater flows safely without causing damage to property or the environment.

Land instability

- (31) Identify land that may be subject to land instability taking into account all of the following features:
 - (a) proximity to cliffs;
 - (b) steepness of land;
 - (c) geological characteristics; and
 - (d) uncontrolled fill.
- (32) Require risk assessment prior to subdivision, use and development of land subject to instability.
- (33) Locate and design subdivision, use and development first to avoid potential adverse effects arising from risks due to land instability hazards, and, if avoidance is not practicably able to be totally achieved, otherwise to remedy or mitigate residual risks and effects to people, property and the environment resulting from those hazards.

Wildfire hazards

- (34) Ensure that plan provisions for subdivision and vegetation management appropriately take into account wildfire hazards.

Note 1

Areas of high wildfire risk may be determined applying the National Rural Fire Authority New Zealand Wildfire Threat Analysis.

Infrastructure in areas subject to natural hazards

- (35) Allow for the operation, maintenance, upgrading and construction of infrastructure, in areas subject to natural hazards when:

- (a) infrastructure is functionally or operationally required to locate in hazard areas or it is not reasonably practicable that it be located elsewhere;
- (b) in coastal hazard areas the infrastructure does not significantly increase risk to people, property and the environment, and where risks cannot be avoided, adverse effects are mitigated; and
- (c) in all flood hazard areas risks to people, property and the environment are mitigated to the extent practicable.

E36.4. Activity table

Table E36.4.1 Activity table specifies the activity status of land use and development activities pursuant to section 9(3) of the Resource Management Act 1991.

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

If any activity listed in rules (including standards) E36.4.1 to E36.6.1 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

Note 1

Where activities are located in the coastal marine area then see Chapter F Coastal.

Table E36.4.1 Activity table

Activity		Activity status
Activities on land in the coastal erosion hazard area		
(A1)	External alterations to buildings which do not increase the gross floor area of the building, on land in the coastal erosion hazard area	P
(A2)	External alterations to buildings which increase the gross floor area of the building on land in the coastal erosion hazard area	RD
(A3)	New structures and buildings (excluding dwellings) ancillary to farming	P

E36 Natural hazards and flooding

	activities with a gross floor area of up to 100m ² on land in the coastal erosion hazard area Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures.	
(A4)	All other buildings and structures on land in the coastal erosion hazard area	RD
(A5)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields on land in the coastal erosion hazard area	RD
Activities on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area		
(A6)	External alterations to buildings which do not increase the gross floor area on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	P
(A7)	External alterations to buildings which increase the gross floor area of the building on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD
(A8)	New structures and buildings (excluding dwellings) ancillary to farming activities with a gross floor area of up to 100m ² on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures.	P
(A9)	All other buildings and structures on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD
(A10)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD
Activities on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area		
(A11)	Additions of habitable rooms up to 25m ² to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area	P
(A12)	Habitable rooms in new buildings and additions of habitable rooms (greater than 25m ²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area that comply with standard E36.6.1.1	P
(A13)	Habitable rooms in new buildings and additions of habitable rooms (greater than 25m ²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area that do not comply with Standard E36.6.1.1	D
Defences against coastal hazards		
(A14)	Beach nourishment	P
(A15)	Dune stabilisation	P
(A16)	Beach nourishment which does not comply with Standard E36.6.1.2	D
(A17)	Dune stabilisation which does not comply with Standard E36.6.1.3	D
(A18)	Modification, alteration or removal of sand dunes and vegetation on	D

E36 Natural hazards and flooding

	sand dunes within 40m of mean high water springs not otherwise provided for	
(A19)	Repair, maintenance or minor upgrade (which does not increase the area occupied by the structure) of lawfully established hard protection structures landward of mean high water springs that may serve as a defence against coastal erosion or inundation	P
(A20)	Extension (including upgrading that increases the area occupied by the structure) or alteration of existing lawfully established hard protection structures	RD
(A21)	New hard protection structures located landward of the coastal protection yard that may serve as a defence against coastal erosion or inundation	RD
(A22)	Hard protection structures not otherwise provided for	D
Activities in the 1 per cent annual exceedance probability (AEP) floodplain		
(A23)	Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A24)	Surface parking and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain, that comply with Standard E36.6.1.7	P
(A25)	Surface parking areas and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain, that do not comply with Standard E36.6.1.7	C
(A26)	Below ground parking or parking areas in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A27)	Maintenance, repair and construction of private roads and accessways in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A28)	Storage of goods and materials in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A29)	Storage of hazardous substances in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A30)	On-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A31)	Operation, maintenance, renewal, repair and minor infrastructure upgrading of land drainage works, stormwater management devices and flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A32)	Construction of stormwater management devices or flood mitigation works that are to be vested in the Council or which are identified in a precinct plan incorporated into the Plan or an approved network discharge consent in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A33)	Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A34)	New structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m ² within the 1 per cent annual exceedance probability (AEP) floodplain that comply with standard E36.6.1.9	P
(A35)	New structures and buildings designed to accommodate flood tolerant activities up to 100m ² gross floor area within the 1 per cent annual	P

E36 Natural hazards and flooding

	exceedance probability (AEP) floodplain	
(A36)	New structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m ² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9	RD
(A37)	All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A38)	Use of new buildings to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability (AEP) floodplain	RD
Activities in overland flow paths		
(A39)	Fences and walls located within or over an overland flow path that do not obstruct the overland flow path	P
(A40)	Flood mitigation works within an overland flow path required to reduce the risk to existing buildings from flooding hazards	P
(A41)	Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	RD
(A42)	Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path	RD
Activities on land which may be subject to land instability		
(A43)	Buildings and structures on land which may be subject to land instability that comply with Standard E36.6.1.11	P
(A44)	On-site septic tanks, onsite wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and access ways on land which may be subject to land instability that comply with Standard E36.6.1.12	P
(A45)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields, on land which may be subject to land instability that do not comply with Standard E36.6.1.12	RD
(A46)	Storage of hazardous substances on land which may be subject to land instability	RD
(A47)	External alteration to any building, on land which may be subject to land instability which does not increase the gross floor area	P
(A48)	New structures and buildings (excluding dwellings) ancillary to farming activities with a gross floor area up to 100m ² on land which may be subject to land instability Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures	P
(A49)	Alterations to existing structures and buildings (excluding dwellings) ancillary to farming activities which do not increase the gross floor area, on land which may be subject to land instability Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures	P
(A50)	External additions to buildings and to any structures excluding decks under 1.2m high and 20m ² gross floor area on land which may be	RD

	subject to land instability	
(A51)	All other buildings and structures, on land which may be subject to land instability not otherwise provided for	RD
Infrastructure: <ul style="list-style-type: none"> • in the coastal erosion hazard area; • in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; • in the 1 per cent annual exceedance probability (AEP) floodplain; • in overland flow paths • on land which may be subject to land instability 		
(A52)	Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in areas listed in the heading above that complies with Standard E36.6.1.13	P
(A53)	Construction, operation, maintenance, renewal and repair of road network activities within the legal road or road formation width in areas listed in the heading above	P
(A54)	Infrastructure within roads or the Strategic Transport Corridor Zone in areas listed in the heading above	P
(A55)	Operation, maintenance, renewal, repair and minor infrastructure upgrading of infrastructure in areas listed in the heading the above that do not comply with Standard E36.6.1.13	RD
(A56)	All other infrastructure in areas listed in the heading above not otherwise provided for	RD

E36.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table E36.4.1 Activity table 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(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table E36.4.1 Activity table and which is not listed in E36.5(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\(4\)](#).

E36.6. Standards

E36.6.1. Permitted activity standards

Activities listed as a permitted activity in Table E36.4.1 Activity table must comply with the specified permitted activity standards.

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area

E36.6.1.1. Habitable rooms in new buildings and additions of habitable rooms (greater than 25m²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area

- (1) Finished floor levels of habitable rooms must be above the inundation level of the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area.

Defences against coastal hazards

E36.6.1.2. Beach nourishment

- (1) Depositing must be for the purpose of:
 - (a) erosion management;
 - (b) beach (including dune system) replenishment or re-contouring;
 - (c) habitat enhancement; or
 - (d) depositing of material excavated during stream mouth and stormwater outfall clearance operations.
- (2) Written advice must be given to the council at least 10 working days prior to the work starting.
- (3) Placement of sediment must avoid existing areas of indigenous vegetation and any bird nesting area.
- (4) The deposited material must have similar physical characteristics to the sediment at the location it will be deposited, and must generally be of slightly coarser grain size.
- (5) The deposited sediment must not permanently prevent or hinder public access or prevent or hinder the operation of any existing infrastructure.
- (6) There must be no release of contaminants from equipment being used for the activity.
- (7) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.

E36.6.1.3. Dune stabilisation

- (1) Dune stabilisation must be for the purpose of:
 - (a) erosion management;
 - (b) beach (including dune system) replenishment or re-contouring;

- (c) habitat enhancement; or
 - (d) depositing of material excavated during stream mouth and stormwater outfall clearance operations.
- (2) Written advice must be given to the Council at least 10 working days prior to the work starting.
 - (3) Placement of sediment must avoid existing areas of indigenous vegetation and any bird nesting area.
 - (4) The deposited sediment must not permanently prevent or hinder public access or prevent or hinder the operation of any existing infrastructure.
 - (5) There must be no release of contaminants from equipment being used for the activity.
 - (6) The reshaped dune toe must not extend seaward of the typical extent of the natural dune toe position, and the seaward slope must lie within the slope range of 1:5 (around 11 degrees) to 1:3 (around 18 degrees).
 - (7) Any foreign material; including clay fill or soil material that has been placed on the dune must be removed and lawfully disposed off-site.
 - (8) Works must be timed in accordance with favourable weather patterns and, where necessary, carried out in stages to enable planting work to commence immediately to minimise risk of wind erosion.
 - (9) Planting of native vegetation must be sourced from the same ecological district and must use plants that are appropriate for the location considering dune form and function.

E36.6.1.4. The repair, maintenance or minor upgrade (which does not increase the area occupied by the structure) of lawfully established hard protection structures, landward of mean high water springs that may serve as a defence against coastal erosion or inundation

- (1) The work must maintain the structure or building in a good and safe working condition.
- (2) The work must not use materials which alter the form or external appearance of the structure in more than a minor way.
- (3) The work must not change the area occupied by the structure.

Activities in the 1 per cent annual exceedance probability (AEP) floodplain

E36.6.1.5. Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain

- (1) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain must be designed to allow for the passage of flood waters where those flood waters exceed 300mm in depth.
- (2) Standard E36.6.1.5(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.

Note 1

The following fence designs would comply with Standard E36.6.1.5(1) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain:

- post and wire fences and wire mesh fences;
- railing type fences where at least 70 per cent of the surface area of the fence is not solid; or
- solid fences and walls with an opening of sufficient size at flood level that can convey the 1 per cent annual exceedance probability (AEP) flood flow.

E36.6.1.6. Storage of goods and materials in the 1 per cent annual exceedance probability (AEP) floodplain

- (1) Goods and materials stored in the 1 per cent annual exceedance probability (AEP) floodplain for longer than 28 consecutive days must:
 - (a) not impede flood flows; and
 - (b) where capable of creating a safety hazard by being shifted by floodwaters, be contained and secured in order to minimise movement in times of floods; and
 - (c) be stored in watertight containers if they are hazardous substances.

E36.6.1.7. Surface parking areas and above ground parking areas within the 1 per cent annual exceedance probability (AEP) flood plain

- (1) Surface parking areas and vehicle entry and exit points to above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain must be located where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 200mm above ground level.

E36.6.1.8. Maintenance, repair and construction of private roads and accessways in the 1 per cent annual exceedance probability (AEP) floodplain

- (1) Where the road or accessway serves more than two lots, the road or accessway is to be located where the depth of flood waters in a 1 per cent

annual exceedance probability (AEP) event does not exceed 200mm above ground level.

E36.6.1.9. New structures and buildings with a gross floor area of up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain

- (1) The structure or building is to be located where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 300mm above ground level.

Activities in overland flow paths

E36.6.1.10. Fences and walls located within or over an overland flow path that do not obstruct the overland flow path

- (1) Any ponding of floodwater caused by any fence or wall must not extend beyond (upstream of or adjacent to) the site.
- (2) Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.

Note 1

The following fence designs would comply with Standard E36.6.1.10(1) above:

- (a) post and wire fences and wire mesh fences;
- (b) railing type fences where at least 70 per cent of the surface area of the fence is not solid; or
- (c) solid fences and walls with an opening at ground level sufficient to convey the overland flow.

Activities on land which may be subject to land instability

E36.6.1.11. Buildings and structures on land which may be subject to land instability

- (1) Buildings and structures located on land which may be subject to land instability must be constructed in accordance with:
- (a) a geotechnical completion report or similar professional report, approved by Council; and
- (b) any conditions of resource consent or subdivision consent associated with the site relating to stability or geotechnical matters.

E36.6.1.12. On-site septic tanks, on-site wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and accessways on land which may be subject to land instability

(1) On-site septic tanks, on-site wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and accessways on land which may be subject to land instability must be constructed in accordance with:

- (a) a geotechnical completion report or similar professional report, approved or endorsed by Council; and
- (b) any conditions of resource consent or subdivision consent associated with the site relating to stability or geotechnical matters.

Infrastructure:

- *in the coastal erosion hazard area;*
- *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;*
- *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;*
- *in the 1 per cent annual exceedance probability (AEP) floodplain;*
- *in overland flow paths and*
- *on land which may be subject to land instability*

E36.6.1.13. Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in areas listed in the heading above

(1) Minor infrastructure upgrading of infrastructure must comply with the following (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; or
 - (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 per cent; or
- (ii) 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, 1 hot water pilot line, 1 street light line, and 2 for telecommunication purposes.

E36 Natural hazards and flooding

Where the hot water pilot and street light lines are not required, the maximum number of new conductors must not exceed 6;

- (iii) the provisions in E36.6.1.13(b)(i) and (ii) above exclude service connections and lateral network connections;
 - (iv) include additional cross arms that do not exceed the length of the existing cross arm by more than 100 per cent, up to a maximum of 4m;
 - (v) additional or replacement electricity and telecommunication lines that do not exceed 30mm in diameter;
- (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 per cent and in the case of double pole 100 per cent, 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 stay wires, anchor blocks, on overhead electricity and telecommunication lines; or
 - (ii) when modifications to structures are required to meet mechanical loading requirements provided that the height and profile of any modified support structures remains the same as existed prior to the improvements;
- (f) the installation of new mid-span electricity poles in existing networks to address clearances in New Zealand Electrical Code of Practice for Electrical Safe Distances 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 E36.6.1.13(c) to (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 per cent increase in the width, length and/or height of the structure;
 - (ii) the structure must be located within the 2m of existing alignment or location;
 - (iii) must not involve a new or relocated outfall structure that discharges to an area outside the influence of the current outfall structure;
- (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 per cent increase in the diameter of the pipe;
- (j) the replacement of any antennae with a new antenna provided that the new antenna does not exceed the maximum dimension of the antenna, or the diameter where it is a dish antenna, by more than 20 per cent, and 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.

E36.6.2. Controlled activity standards

Activities listed as a controlled activity in Table E36.4.1 Activity table must comply with the specified controlled activity standards.

E36.6.2.1. Surface parking areas and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.7

- (1) Surface parking areas and above ground parking areas (excluding parking on roads) within the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) must be located where depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 500mm above ground level; and
 - (b) vehicles can be contained within the site during the flood event.

E36.7. Assessment – controlled activities

E36.7.1. Matters of control

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

- (1) for surface parking areas and above ground parking areas (excluding parking on roads) in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) the effects of the location and design of parking;
 - (b) actions necessary to protect people in flood events; and
 - (c) the design of containment structures.

E36.7.2. Assessment criteria

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

- (1) for surface parking areas and above ground parking areas (excluding parking on roads) in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) the adequacy of the site design to contain vehicles displaced by flood waters within the site;
 - (b) whether actions are necessary to ensure that people will not be placed in danger during a flood event when parking or retrieving vehicles; and
 - (c) the extent to which the containment structures will not result in increased flood hazards upstream or downstream through blockage or displacement of flood waters.

E36.8. Assessment – restricted discretionary activities

E36.8.1. Matters of discretion

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

Activities in the coastal erosion hazard area

- (1) for external alterations to existing buildings which increase the gross floor area of the building in the coastal erosion hazard area; for all other buildings and structures in the coastal erosion hazard area; and for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal erosion hazard area:
 - (a) the type of activity being undertaken and its vulnerability to natural hazard events including the consequences of a natural hazard event in relation to more or less vulnerable activities;
 - (b) the likelihood of a natural hazard event occurring and the likely extent of any damage to people, property or the environment taking in to account the likely effects of climate change, including sea level rise;

- (c) the effects on public access, landscape and other environmental values, caused by any works proposed in association with the building or structure, including any associated earthworks and land form modifications, to address the hazard by way of mitigation; and
- (d) the ability to relocate buildings or structures including the proposed duration of occupation of the building or structure within a hazard area, taking into account the long term likely effects of climate change.

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

- (2) for external alterations to existing buildings which increase the gross floor area of the building in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for all other buildings and structures in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area:
 - (a) the type of activity being undertaken and its vulnerability to natural hazard events including the consequences of a natural hazard event in relation to more or less vulnerable activities;
 - (b) the likelihood of a natural hazard event occurring and the likely extent of any damage to people, property or the environment taking into account the likely effects of climate change, including sea level rise;
 - (c) the effects on public access, landscape and other environmental values, caused by any works proposed in association with the building or structure, including any associated earthworks and land form modifications, to address the hazard by way of mitigation; and
 - (d) the ability to relocate buildings or structures including the proposed duration of occupation of the building or structure within a hazard area, taking into account the long term likely effects of climate change.

Defences against coastal hazards

- (3) for the extension (including upgrading that increases the area occupied by the structure) or alteration of existing lawfully established hard protection structures; and for new hard protection structures, located landward of the coastal protection yard that may serve as a defence against coastal erosion or inundation:
 - (a) any relevant management strategy, strategic plan or hazard risk assessment relating to the area where hard protection structures are

proposed, including the ability to relocate buildings, structures, infrastructure or land uses which the structure is designed to protect;

- (b) effects on coastal processes, ecological values, landscape values and visual amenity;
- (c) effects on public access and safety;
- (d) effects on existing uses and activities (including other infrastructure);
- (e) consent duration and monitoring;
- (f) the operational or functional need for the structure;
- (g) the design, location and construction including:
 - (i) the ability to locate the structure as far landward as practicable from mean high water springs;
 - (ii) the ability to use, retain or enhance natural defences non-structural solutions in place of hard protection structures;
 - (iii) the ongoing management, maintenance and monitoring of structures;
 - (iv) construction or works methods, timing and hours of construction, including any associated earthworks; and
 - (v) location, design and materials.

Activities in the 1 per cent annual exceedance probability (AEP) flood plain

- (4) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.5:
 - (a) the design of the fence or wall;
 - (b) the effects on flood depth and velocity from the blocking or channelling of water; and
 - (c) the effects of the flood hazard within the site and on other properties upstream or downstream of the site.
- (5) for below ground parking or parking areas in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) the effects of the location of the structures and building platforms;
 - (b) the effects of flood hazards on the structural integrity of a building or structure;
 - (c) the effects of storage of outdoor goods and materials;
 - (d) the effects of the location and design of roads, accessways and parking areas;

- (e) the extent of any associated earthworks;
 - (f) the effects of potential changes in flood depth, velocity and frequency on adjoining sites, including upstream and downstream from buildings and structures;
 - (g) the extent to which methods for long term maintenance of areas affected by flooding, such as easements, are provided;
 - (h) the effects of the use of spaces under buildings; and
 - (i) the effects on the operational or functional needs of network utilities, marine and port activities and electricity generation activities.
- (6) for the storage of hazardous substances in the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the location, design and management of facilities where hazardous substances are stored, used or disposed;
 - (b) the potential risk to public health; and
 - (c) the potential contamination of water.
- (7) for on-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) flood plain:
- (a) the design of the device including flood proofing;
 - (b) the potential risk to public health; and
 - (c) the potential contamination of groundwater.
- (8) for the construction of other land drainage works, stormwater management devices and flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the effects that the flooding may have on the function of the device including the potential mobilisation of accumulated contaminants.
- (9) for new structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9; and all other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the effects of the location of the structures and building platforms;
 - (b) the effects of flood hazards on the structural integrity of a building or structure;

- (c) the effects of storage of outdoor goods and materials;
 - (d) the effects of the location and design of roads, accessways and parking areas;
 - (e) the extent of any associated earthworks;
 - (f) the effects of potential changes in flood depth, velocity and frequency on adjoining sites, including upstream and downstream from buildings and structures;
 - (g) the extent to which methods for long term maintenance of areas affected by flooding, such as easements, are provided;
 - (h) the effects of the use of spaces under buildings; and
 - (i) the effects on the operational or functional needs of network utilities, marine and port activities and electricity generation activities.
- (10) for use of new buildings to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability(AEP) floodplain:
- (a) the type of activity being undertaken and its vulnerability to flood events;
 - (b) the likelihood and consequences of a flood event in relation to more vulnerable activities;
 - (c) the possible effects on public safety and other property resulting from the proposed development or activity;
 - (d) the effects on landscape values, associated earthworks and land form modifications;
 - (e) the effects on public access;
 - (f) the methods provided to manage activities and uses within the site, including safe egress from buildings and structures or the site and the management of people and property during a flood event;
 - (g) any exacerbation of an existing flood hazard or creation of a new flood hazard as a result of the proposed activity or development and possible effects on public safety and other property;
 - (h) the proposed use of, necessity for and design of hard engineering solutions to mitigate the hazard;
 - (i) the ability to relocate buildings or structures, including the proposed duration of occupation of the buildings or structures, taking into account the long term likely effects of climate change; and

- (j) the ability to design, construct and maintain buildings or structures so that they are resilient to the effects of the hazard.

Activities in overland flow paths

- (11) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.10:
 - (a) the design of the fence or wall;
 - (b) the potential impacts on the overland flow path including all of the following:
 - (i) the obstruction of flows;
 - (ii) any change to location and capacity;
 - (iii) any changes in depth and velocity of flow; and
 - (iv) any change to overland flow on the site and on other properties upstream or downstream of the site.
- (12) for diverting the entry or exit point, piping or reducing the capacity in any part of an overland flow path:
 - (a) the potential impacts on the overland flow path including:
 - (i) the obstruction of flows; and
 - (ii) any change to location and capacity; and
 - (iii) any changes in depth and velocity of flow; and
 - (iv) any change to overland flow on other properties.
 - (b) the provision of alternative overland flow paths;
 - (c) the extent of any associated earthworks; and
 - (d) the extent to which methods for long term maintenance of areas affected by flooding, such as easements, are provided.
- (13) for any buildings or structures including retaining walls (but excluding permitted fences and walls) located within an overland flow path:
 - (a) the effects of flooding on the activity proposed, including whether it is a more or less vulnerable activity;
 - (b) the effects on the location of habitable rooms;
 - (c) the design of the building and how it provides for safe access and the potential effects of flood hazards on chosen access routes; and
 - (d) the effects on people during a flood event and the ability to avoid, remedy or mitigate these.

Activities on land which may be subject to land instability

- (14) for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields on land which may be subject to land instability that do not comply with permitted activity Standard E36.6.1.12:
- (a) the likely effect of land instability on the design, location and functioning of the device;
 - (b) the potential risk to public health; and
 - (c) the potential for contamination of groundwater.
- (15) for the storage of hazardous substances on land which may be subject to land instability:
- (a) the likely effect of land instability on the design, location and management of facilities where hazardous substances are stored, used or disposed; and
 - (b) the potential risk to public health.
- (16) for external additions to buildings and to any structures excluding decks under 1.2m high and 20m² gross floor area on land which may be subject to instability; and for all other buildings and structures on land which may be subject to land instability not otherwise provided for:
- (a) the type of activity being undertaken and its vulnerability to the potential effects of land instability;
 - (b) the consequences of the potential effects of land instability in relation to more vulnerable activities;
 - (c) the possible effects on public safety and other property resulting from the proposed development or activity;
 - (d) the likelihood of a hazard arising from unstable land event and the likely extent of any damage;
 - (e) the effects on landscape values, associated earthworks and land form modifications;
 - (f) the methods provided to manage activities and uses within the site, including safe egress from buildings and structures and the management of people and property during a hazard event;
 - (g) any exacerbation of an existing land instability hazard or creation of a new land instability hazard as a result of the proposed activity or development and possible effects on public safety and other property;
 - (h) the proposed use of, necessity for and design of hard engineering solutions for land instability hazards;

- (i) the ability to relocate buildings or structures within a hazard area, including the proposed duration of occupation of the structures or building; and
 - (j) the ability to design, construct and maintain buildings or structures so that they are resilient to land instability hazards.
- (17) for all other infrastructure on land which may be subject to land instability not otherwise provided for:
- (a) the functional and/or operational need to locate within the hazard area;
 - (b) the risk of adverse effects to other people, property and the environment including all of the following:
 - (i) risk to public health and safety;
 - (ii) impacts on landscape values and public access associated with the proposed activity including a need for hard protection structures to be required to protect the utility from land instability hazards;
 - (iii) the management or regulation of other people and property required to mitigate land instability hazard risks resulting from the location of the network utility or infrastructure;
 - (iv) the storage or use of hazardous substances in relation to the activity;
 - (v) any exacerbation of an existing land instability hazard or creation of a new land instability hazard as a result of the structure;
 - (vi) the use of non-structural solutions instead of hard engineering solutions; and
 - (vii) the ability to relocate or remove structures.

Infrastructure:

- *in the coastal erosion hazard area;*
 - *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;*
 - *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;*
 - *in the 1 per cent annual exceedance probability (AEP) floodplain;*
 - *in overland flow paths and*
 - *on land which may be subject to land instability*
- (18) Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in areas listed in the heading above that do not comply with Standard E36.6.1.13:
- (a) the functional and/or operational need to locate within the hazard area;

- (b) the risk of adverse effects to other people, property and the environment including all of the following:
 - (i) risk to public health and safety;
 - (ii) impacts on landscape values and public access associated with the proposed activity including a need for hard protection structures to be required to protect the utility from the natural hazard;
 - (iii) the management or regulation of other people and property required to mitigate natural hazard risks resulting from the location of the infrastructure;
 - (iv) the storage or use of hazardous substances in relation to the activity;
 - (v) any exacerbation of an existing natural hazard or creation of a new natural hazard as a result of the structure;
 - (vi) the use of non-structural solutions instead of hard engineering solutions; and
 - (vii) the ability to relocate or remove structures.

E36.8.2. Assessment criteria

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

Activities in the coastal erosion hazard area

- (1) for external alterations to existing buildings which increase the gross floor area of the building in the coastal erosion hazard area; for all other buildings and structures in the coastal erosion hazard area; and for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal erosion hazard area:
 - (a) the likelihood of a coastal hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;
 - (b) the extent to which site specific analysis, such as engineering, stability or flooding reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;
 - (c) the extent to which public access, landscape and other environmental values are affected by any works proposed in association with the building or structure, by way of mitigation of the hazard; and
 - (d) the extent to which any building or structure can be relocated in the event of severe coastal erosion or shoreline retreat, taking into account the likely long term effects of climate change.

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

- (2) for external alterations to existing buildings which increase the gross floor area of the building in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for all other buildings and structures in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area:
- (a) the likelihood of a coastal storm inundation hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;
 - (b) the extent to which site-specific analysis, such as engineering, stability or flooding reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;
 - (c) the extent to which public access, landscape and other environmental values are affected by any works proposed in association with the building or structure, by way of mitigation of the hazard; and
 - (d) the extent to which any building or structure can be relocated in the event of severe coastal erosion or shoreline retreat, taking into account the likely long term effects of climate change.

Defences against coastal hazards

- (3) for the extension (including upgrading that increases the area occupied by the structure) or alteration of existing lawfully established hard protection structures; and for new hard protection structures, located landward of the coastal protection yard that may serve as a defence against coastal erosion or inundation:
- (a) the extent to which the structure or works for the structure are located and designed to avoid, remedy or mitigate adverse effects;
 - (b) the extent to which the structure avoids, remedies or mitigates effects on public access, including pedestrian access, access to the coastline and access to areas of public open space;
 - (c) the extent of consent duration sought and whether it is necessary for the functional and operational needs of the activity or whether an adaptive management approach can be achieved;
 - (d) the extent of monitoring required to avoid, remedy or mitigate adverse environmental effects;

- (e) whether the construction works can be undertaken at a time that will avoid or minimise adverse effects on marine mammals, roosting, nesting and feeding areas, and recreational users of the coastal marine area;
- (f) whether the construction works or methods avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation;
- (g) whether the structure is located and designed to avoid, remedy or mitigate adverse effects on the environment; and
- (h) the extent to which material used are compatible with the surrounding coastal environment and where practicable, with the natural material at the site. This includes texture, colour, composition, grain size, level of contamination and potential for leaching.

Activities in the 1 per cent annual exceedance probability (AEP) flood plain

- (4) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.5:
 - (a) whether the fence or wall will result in changes to the flood hazard experienced within the site, or on other sites including upstream or downstream of the site;
 - (b) whether the fence or wall will result in changes to flood depths and velocities from the blocking or channelling of flood waters; and
 - (c) the extent to which the fence or wall is necessary to maintain privacy, security, biosecurity or safety of the site or adjoining sites.
- (5) for below ground parking or parking areas in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) whether the parking area can be located outside of the 1 per cent annual exceedance probability (AEP) floodplain so as not to block or impede the flood hazard;
 - (b) where the parking area cannot be practically located outside or above the floodplain, how the parking areas can be designed and managed to minimise any increase in flood related risks to people and property on site and to other properties upstream or downstream of the site;
 - (c) the extent of potential adverse effects resulting from vehicles being mobilised by a 1 per cent annual exceedance probability (AEP) flood event;
 - (d) whether the building or structure maintains structural integrity during a flood event; and
 - (e) whether site layout and management can avoid hazardous and floatable materials, including cars and other stored items, being carried off the site.

- (6) for the storage of hazardous substances in the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the extent to which the proposal ensures that hazardous substances stored in flood hazard areas are protected from flooding, spillage and leakage should a flood hazard event occur;
 - (b) the extent of public health hazards that may result from a flood hazard event and how these are proposed to be avoided; and
 - (c) whether groundwater contamination in a flood event can be avoided.
- (7) for on-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) flood plain:
- (a) whether the design of the device impedes flood flows or otherwise increases flood risk upstream or downstream of the site and how such effects can be avoided or mitigated;
 - (b) whether the design of the device is resilient to damage from a range of flood events;
 - (c) whether access to the device for maintenance and maintenance plans are provided and the potential effects that may result from the proposed access route;
 - (d) the extent of public health hazards that may result from a flood hazard event and how these are proposed to be avoided; and
 - (e) whether groundwater contamination in a flood event can be avoided.
- (8) for the construction of other land drainage works, stormwater management devices and flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) whether the design of and works or devices impede flood flows or otherwise increases flood risk upstream or downstream of the site and how such effects can be avoided or mitigated;
 - (b) whether the design of the works or any device is resilient to damage from a range of flood events; and
 - (c) whether access to the works or device for maintenance and maintenance plans are provided and the potential effects that may result from the proposed access route.
- (9) for new structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9; and all other new structures and buildings and (and external alterations to

existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain:

- (a) whether the building platform can be located outside of the 1 per cent AEP floodplain so as not to block or impede the flood waters;
 - (b) where the building cannot be practically located outside or above the flood plain, how the building can be designed and managed to minimise increase in flood related risks experienced by other properties, including those upstream or downstream such as, maintaining a clear undercroft, allowing for the passage of flood waters;
 - (c) whether buildings likely to be affected by flood waters should be wet proofed or dry proofed to minimise damage to the building and its contents; and
 - (d) site layout and management to avoid hazardous and floatable materials including cars and other stored items being carried off site.
- (10) for new buildings designed to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the likelihood of a flood hazard event occurring and its magnitude and duration, and the consequences of the event, its possible effects on public health, safety, property and the environment;
 - (b) the extent to which a flood hazard assessment or mitigation plan addresses methods provided to manage activities or uses within the site;
 - (c) whether sufficient actions can be undertaken to ensure that people will not be placed in danger during a flood event;
 - (d) the extent to which the proposal and any subsequent land use is likely to exacerbate the flood hazard or create a new flood on the subject land and/ or on any adjacent land; and
 - (e) whether the building or structure maintains structural integrity during as flood event.

Activities in overland flow paths

- (11) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.10:
- (a) whether the fence or wall will result in changes to the flood hazard experienced within the site, or on other sites including upstream or downstream of the site;

- (b) whether the fence or wall will result in changes to flood depths and velocities from the blocking or channelling of flood waters; and
 - (c) the extent to which the fence or wall is necessary to maintain privacy, security, biosecurity or safety of the site or adjoining sites.
- (12) for diverting the entry or exit point, piping or reducing the capacity in any part of an overland flow path:
- (a) the extent to which the continuity of the overland flow paths both within the site and upstream and downstream of the site will be maintained;
 - (b) the extent to which and how the effects on other properties from the diversion or alteration of the overland flow path will be avoided or mitigated;
 - (c) the extent to which and how scouring and erosion will be managed;
 - (d) the extent to which and how the proposal will avoid, or mitigate adverse effects on stream ecology;
 - (e) the extent of long-term maintenance proposed, ensuring that, when appropriate, an easement in favour of Council is created to limit further changes to the overland flow path; and
 - (f) the extent to which design and management measures are proposed to manage risk to a building, its occupants or contents.
- (12A) for any buildings or structures including retaining walls (but excluding permitted fences and walls) located within an overland flow path:
- (a) the extent to which the overland flow path is maintained to convey stormwater runoff safely from a site to the receiving environment;
 - (b) the location of habitable rooms in relation to the overland flow path;
 - (c) the extent to which the design of the building provides for safe access and the potential effects of flood hazards on chosen access routes; and
 - (d) the extent to which people are affected during flood events and the extent to which effects are avoided, remedied or mitigated.

Activities on land which may be subject to land instability

- (13) for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields on land which may be subject to land instability that do not comply with permitted activity Standard E36.6.1.12:
- (a) the extent to which the location, design and functioning of the device would be adversely affected by the land instability hazard and how such effects can be avoided or mitigated;

- (b) whether the design of the device is resilient to damage from the land instability hazard;
 - (c) whether access to the device for maintenance and maintenance plans are provided and the potential effects that may result from the proposed access route;
 - (d) the extent of public health hazards that may result from the land instability hazard and how these are proposed to be avoided; and
 - (e) whether groundwater contamination from the land instability hazard can be avoided.
- (14) for the storage of hazardous substances on land which may be subject to land instability:
- (a) the extent to which the proposal ensures that hazardous substances are protected from spillage or leakage should a natural hazard event occur; and
 - (b) the extent of public health hazards that may result from the land instability hazard and how these are proposed to be avoided.
- (15) for external additions to buildings and to any structures excluding decks under 1.2m high and 20m² gross floor area on land which may be subject to instability; and for all other buildings and structures on land which may be subject to land instability not otherwise provided for:
- (a) the likelihood of a land instability hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;
 - (b) the extent to which site-specific analysis, such as engineering, or stability reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;
 - (c) the extent to which landscape and other environmental values are affected by any works proposed in association with the building or structure or mitigation of the hazard; and
 - (d) the extent to which any building or structure can be relocated in the event of a land instability hazard occurring.
- (16) for all other infrastructure on land which may be subject to land instability not otherwise provided for:
- (a) the long-term management, maintenance and monitoring of any mechanisms associated with managing the risk of adverse effects resulting from the placement of infrastructure within a hazard area to other people, property and the environment including the management of hazardous substances;

- (b) the extent to which residual risks to people, property and the environment resulting from any mitigation measures implemented to manage the hazard;
 - (c) the extent to which an existing hazard is exacerbated or a new hazard is created as a result of the structure;
 - (d) the extent to which the proposal includes non-structural solutions to protect infrastructure from the hazard and resulting adverse effects; and
 - (e) the extent to which landscape values and/ or public access are affected by the proposed structure or structures associated with the mitigation of the hazard.
- (17) for operation, maintenance, renewal, repair and minor infrastructure upgrading of infrastructure in the coastal erosion hazard area; or in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; or in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; or in the 1 per cent annual exceedance probability (AEP) floodplain; or in overland flow paths; or on land which may be subject to land instability:
- (a) the long-term management, maintenance and monitoring of any mechanisms associated with managing the risk of adverse effects resulting from the placement of infrastructure within a hazard area to other people, property and the environment including the management of hazardous substances;
 - (b) the extent to which residual risks to people, property and the environment resulting from any mitigation measures implemented to manage the hazard;
 - (c) the extent to which an existing hazard is exacerbated or a new hazard is created as a result of the structure;
 - (d) the extent to which the proposal includes non-structural solutions to protect infrastructure from the hazard and resulting adverse effects; and
 - (e) the extent to which landscape values and/ or public access are affected by the proposed structure or structures associated with the mitigation of the hazard.

E36.9. Special information requirements

- (1) A hazard risk assessment must be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which may be subject to any one or more of the following:
- (a) coastal erosion;

- (b) coastal storm inundation 1 per cent annual exceedance probability (AEP);
- (c) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise;
- (d) the 1 per cent annual exceedance probability (AEP) floodplain;
- (e) overland flow paths; or
- (f) land instability.

The level of information required to be provided should be proportionate to the hazard risk, the nature of the hazard. It should also be appropriate to the scale, nature and location of the development and reflective of the scale of the activity proposed. For coastal hazards this should include a consideration of the effects of climate change over at least a 100 year timeframe.

- (2) A hazard risk assessment report must accompany a resource consent application for the subdivision, use or development referenced in E36.9(1) above and must identify whether the land is or is likely to be subject to coastal erosion; coastal storm inundation 1 per cent annual exceedance probability (AEP); coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise; the 1 per cent annual exceedance probability (AEP) floodplain; overland flow paths; or land instability, over at least the next 100 years and, if found to be subject to one or more of these hazards, should provide an assessment, which does not need to duplicate an assessment of environmental effects, which addresses all of the following:
 - (a) the type, frequency and scale of the natural hazard and whether adverse effects on the development will be temporary or permanent;
 - (b) the type of activity being undertaken and its vulnerability to natural hazard events;
 - (c) the consequences of a natural hazard event in relation to the proposed activity and the people likely to be involved in that activity;
 - (d) the potential effects on public safety and other property;
 - (e) any exacerbation of an existing natural hazard risks or creation of a new natural hazard risks;
 - (f) whether any building, structure or activity located on land subject to natural hazards near the coast can be relocated in the event of severe coastal erosion, coastal storm inundation or shoreline retreat;
 - (g) the ability to use of non-structural solutions, such as planting or the retention or enhancement of natural landform buffers to avoid, remedy or mitigate the hazard, rather than hard engineering solutions or protection structures;

- (h) the design and construction of buildings and structures to mitigate the effects of natural hazards;
- (i) the effect of structures used to mitigate hazards on landscape values and public access;
- (j) site layout and management to avoid or mitigate the adverse effects of natural hazards, including access and exit during a natural hazard event;
- (k) the duration of consent and how this may limit the exposure for more or less vulnerable activities to the effects of natural hazards including the effects of climate change; and
- (l) any measures and/ or plans proposed to mitigate the natural hazard or the effects of the natural hazard.

H1. Residential – Large Lot Zone

H1.1. Zone description

The Residential – Large Lot Zone provides for large lot residential development on the periphery of urban areas. Large lot development is managed to address one or more of the following factors:

- it is in keeping with the area's landscape qualities; or
- the land is not suited to conventional residential subdivision because of the absence of reticulated services or there is limited accessibility to reticulated services; or
- there may be physical limitations to more intensive development such as servicing, topography, ground conditions, instability or natural hazards where more intensive development may cause or exacerbate adverse effects on the environment.

To manage existing or potential adverse effects, larger than standard site sizes are required and building coverage and impervious surface areas are restricted.

H1.2. Objectives

- (1) Development maintains and is in keeping with the area's spacious landscape character, landscape qualities and natural features.
- (2) Development maintains the amenity of adjoining sites.
- (3) Development is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H1.3. Policies

- (1) Require large minimum site sizes and limit the scale and intensity of development to ensure that:
 - (a) sites are able to accommodate on-site wastewater treatment and disposal;
 - (b) development will be in keeping with any landscape qualities or natural features; and
 - (c) development will not exacerbate any physical limitations such as land instability.
- (2) Require development to be of a height and bulk and have sufficient setbacks and open space to maintain and be in keeping with the spacious landscape character of the area.

- (3) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (4) Encourage accommodation to have useable and accessible outdoor living space.
- (5) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (6) Enable non-residential activities that:
 - (a) support the social and economic well-being of the community; and
 - (b) are compatible with the scale and intensity of development anticipated within the zone; and
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and the Business – Town Centre Zone.

H1.4. Activity table

Table H1.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Large Lot Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H1.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A4)	Minor dwellings	RD	Standard H1.6.3 Minor dwellings; Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A5)	More than one dwelling per site (other than a minor dwelling in Rule H1.4.1(A4))	D	

H1 Residential – Large Lot Zone

(A6)	Home occupations	P	Standard H1.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H1.6.2	D	
(A8)	Integrated Residential Development	D	
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	RD	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A15)	Dairies up to 100m ² gross floor area per site	D	
(A16)	Restaurants and cafe up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
Community			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A19)	Care centres accommodating greater than 10 people per site	D	

H1 Residential – Large Lot Zone

	excluding staff		
(A20)	Community facilities	D	
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities	NC	
(A25)	Veterinary clinics	D	
(A26)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A27)	Marae	D	
Development			
(A28)	Demolition of buildings	P	
(A29)	Internal and external alterations to buildings	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A30)	Accessory buildings	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A31)	Additions to an existing dwelling	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A32)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A33)	Rainwater tank	<u>P</u>	<u>Standard H1.6.8 Rainwater tanks</u>

H1.5. Notification

- (1) Any application for resource consent for an activity listed in Table H1.4.1 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\(4\)](#).

H1.6. Standards

H1.6.1. Activities listed in Table H1.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H1.4.1 Activity table must comply with the standards listed in the column in Table H1.4.1 called Standards to be complied with.

H1.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
 - (c) no more than four people in total may work in the home occupation;
 - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
 - (e) car trips to and from the home occupation activity must not exceed 20 per day;
 - (f) heavy vehicle trips must not exceed two per week;
 - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
 - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
 - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
 - (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H1.6.3 Minor dwellings

Purpose:

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

(1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.

(2) A minor dwelling must have an outdoor living space that is:

- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) at least 1.8m in depth; and
- (c) directly accessible from the minor dwelling.

(3) There must be no more than one minor dwelling per site.

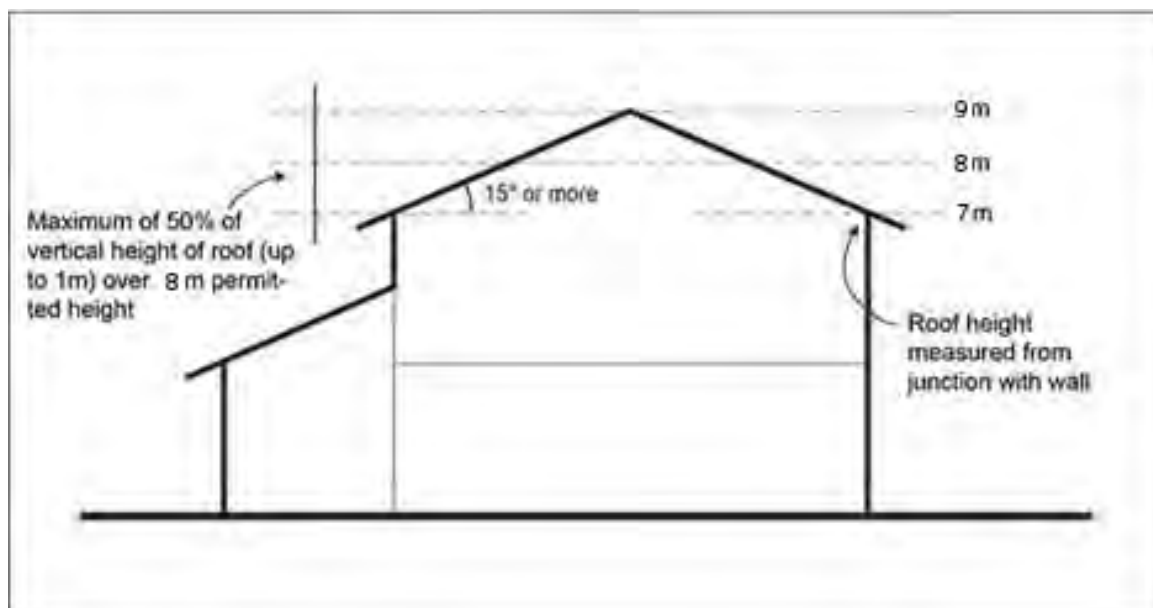
H1.6.4. Building height

Purpose: to manage the height of buildings to:

- maintain and complement the spacious landscape character of predominantly one to two storeys and any landscape qualities and natural features; and
- minimise visual dominance effects; and
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure H1.6.4.1 Building height in the Residential – Large Lot Zone.

Figure H1.6.4.1 Building height in the Residential – Large Lot Zone



H1.6.5. Yards

Purpose:

- to maintain the spacious landscape character of the zone; and
- to maintain a reasonable standard of residential amenity for adjoining sites; and
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H1.6.5.1 Yards below.

Table H1.6.5.1 Yards

Yard	Minimum depth
Front	10m
Side	6m
Rear	6m
Riparian	10m from the edge of permanent and intermittent streams
Lakeside	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

H1.6.6. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks; and
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology; and
- to reinforce the building coverage standard; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

- (1) The maximum impervious area must not exceed 35 per cent of the site area or 1400m², whichever is the lesser.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H1.6.7. Building coverage

Purpose: to manage the extent of buildings on a site to maintain and complement the spacious, landscape character of the zone and any landscape qualities and natural features.

- (1) The maximum building coverage must not exceed 20 per cent of the net site area or 400m², whichever is the lesser.

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 unless less than 1m in height, or wholly below ground level;
 - (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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H1.7. Assessment – controlled activities

There are no controlled activities in this zone.

H1.8. Assessment – restricted discretionary activities

H1.8.1. Matters of discretion

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

- (1) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; and visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors:
 - (a) the effects on wastewater capacity; and
 - (b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for minor dwellings:
 - (a) the effects on the landscape character, landscape qualities and natural features of the zone; and
 - (b) the effects on wastewater capacity.
- (3) for buildings that do not comply with Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; and Standard H1.6.7 Building coverage:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the landscape character, landscape qualities and natural features of the zone;
 - (e) the effects on the amenity of neighbouring sites;

- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

H1.8.2. Assessment criteria

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

- (1) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; and visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors:

- (a) wastewater capacity:

- (i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.

- (b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

- (c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

- (d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

- (e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries; and

PC 71 ([see Modifications](#))

- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for minor dwellings:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(4).

(3) for building height:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(3).

(4) for yards:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(3).

(5) for maximum impervious areas:

- (a) refer to Policy H1.3(5).

(6) For building coverage:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(3).

H1.9. Special information requirements

There are no special information requirements in this zone.

H2. Residential – Rural and Coastal Settlement Zone

H2.1. Zone description

The Residential – Rural and Coastal Settlement Zone applies to rural and coastal settlements in a variety of environments including high-quality landscape areas and coastal areas. Some settlements rely on on-site wastewater disposal and treatment and water supply, while others are serviced relying on reticulated community wastewater facilities and water supply. Due to factors including servicing, infrastructure and accessibility constraints and, in some cases their sensitive character, growth needs to be managed accordingly.

The zone limits lot sizes and/or development to avoid, remedy or mitigate existing or potential adverse effects on water and land and to maintain rural and coastal character. Non-residential uses of a scale and intensity that serve the local population are provided for.

H2.2. Objectives

- (1) Development maintains and is in keeping with the area's rural and coastal character, landscape qualities and natural features.
- (2) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (3) Development in rural and coastal settlements is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H2.3. Policies

- (1) Require minimum site sizes and limit the scale and intensity of development for un-serviced sites to ensure that:
 - (a) sites are able to accommodate on-site wastewater treatment and disposal; and
 - (b) development will be in keeping with any landscape qualities or natural features; and
 - (c) development will not exacerbate any physical limitations such as land instability.
- (2) For serviced sites, the scale and intensity of development, including minimum site sizes, ensures that:
 - (a) development will be in keeping with any landscapes qualities or natural features; and

- (b) development will not exacerbate any physical limitations such as land instability.
- (3) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to immediate neighbours.
- (4) Require development to be of a height and bulk and have sufficient setbacks and open space to maintain and complement the rural and coastal built character of the area.
- (5) Encourage accommodation to have useable and accessible outdoor living space.
- (6) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (7) Enable non-residential activities that:
 - (a) support the social and economic well-being of the community; and
 - (b) are in keeping with the scale and intensity of development anticipated within the zone; and
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and the Business – Town Centre Zone.

H2.4. Activity table

Table H2.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Rural and Coastal Settlement Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H2.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear

H2 Residential – Rural and Coastal Settlement Zone

			fences and walls
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	RD	Standard H2.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A5)	Minor dwellings	RD	Standard H2.6.4 Minor dwellings; Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A6)	More than one dwelling per site (other than the conversion of a principal dwelling in Rule H2.4.1(A4) or a minor dwelling in Rule H2.4.1(A5))	NC	
(A7)	Home occupations	P	Standard H2.6.2 Home occupations
(A8)	Home occupations that do not meet Standard H2.6.2	D	
(A9)	Integrated Residential Development	D	
(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A11)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A12)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A13)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	

H2 Residential – Rural and Coastal Settlement Zone

(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A15)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A16)	Dairies up to 100m ² gross floor area per site	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A17)	Restaurants and cafes up to 100m ² gross floor area per site	D	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A18)	Service stations on arterial roads	D	
Community			
(A19)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A20)	Care centres not provided for above accommodating greater than 10 people per site excluding staff	D	
(A21)	Community facilities	D	
(A22)	Education facilities	D	
(A23)	Tertiary education facilities	D	
(A24)	Emergency services adjoining an arterial road	D	
(A25)	Healthcare facilities up to 200m ² gross floor area per	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation

H2 Residential – Rural and Coastal Settlement Zone

	site		to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A26)	Healthcare facilities greater than 200m ² gross floor area per site	NC	
(A27)	Veterinary clinics	D	
Rural			
(A28)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A29)	Marae	D	
Development			
(A30)	Demolition of buildings	P	
(A31)	Internal and external alterations to buildings	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A32)	Accessory buildings	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage
(A33)	Additions to an existing dwelling	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A34)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
<u>(A35)</u>	<u>Rainwater Tank</u>	<u>P</u>	<u>Standard H2.6.11</u>

H2.5. Notification

- (1) Any application for resource consent for an activity listed in Table H2.4.1 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\(4\)](#).

H2.6. Standards

H2.6.1. Activities listed in Table H2.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H2.4.1 Activity table must comply with the standards listed in the column in Table H2.4.1 Activity table called Standards to be complied with.

H2.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
 - (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
 - (c) no more than four people in total may work in the home occupation;
 - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
 - (e) car trips to and from the home occupation activity must not exceed 20 per day;
 - (f) heavy vehicle trips must not exceed two per week;
 - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
 - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
 - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
 - (j) goods sold from the home occupation must be:

- (i) goods produced on site; or
- (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
- (iii) goods ancillary and related to a service provided by the home occupation.

H2.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H2.6.4. Minor dwellings

Purpose:

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

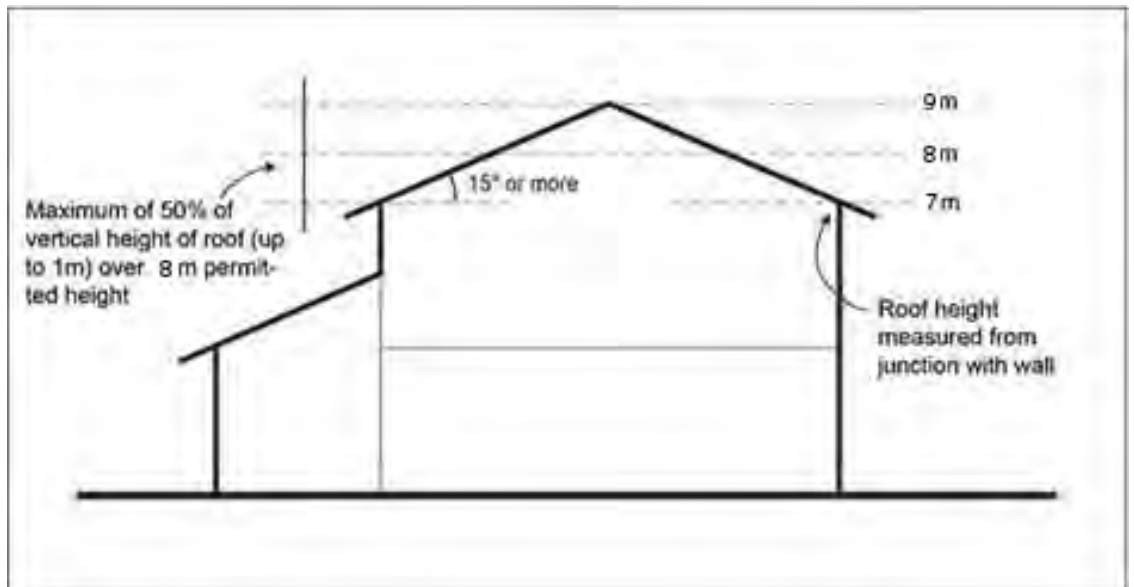
- (1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.
- (2) A minor dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) least 1.8m in depth; and
 - (c) directly accessible from the minor dwelling.
- (3) There must be no more than one minor dwelling per site.

H2.6.5. Building height

Purpose: to manage the height of buildings to:

- maintain and complement the rural and coastal built character of predominantly one to two storeys and any landscape qualities and natural features; and
 - minimise visual dominance effects; and
 - maintain a reasonable standard of residential amenity for adjoining sites; and
 - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H2.6.5.1 Building height in the Residential – Rural and Coastal Settlement Zone below.

Figure H2.6.5.1 Building height in the Residential – Rural and Coastal Settlement Zone

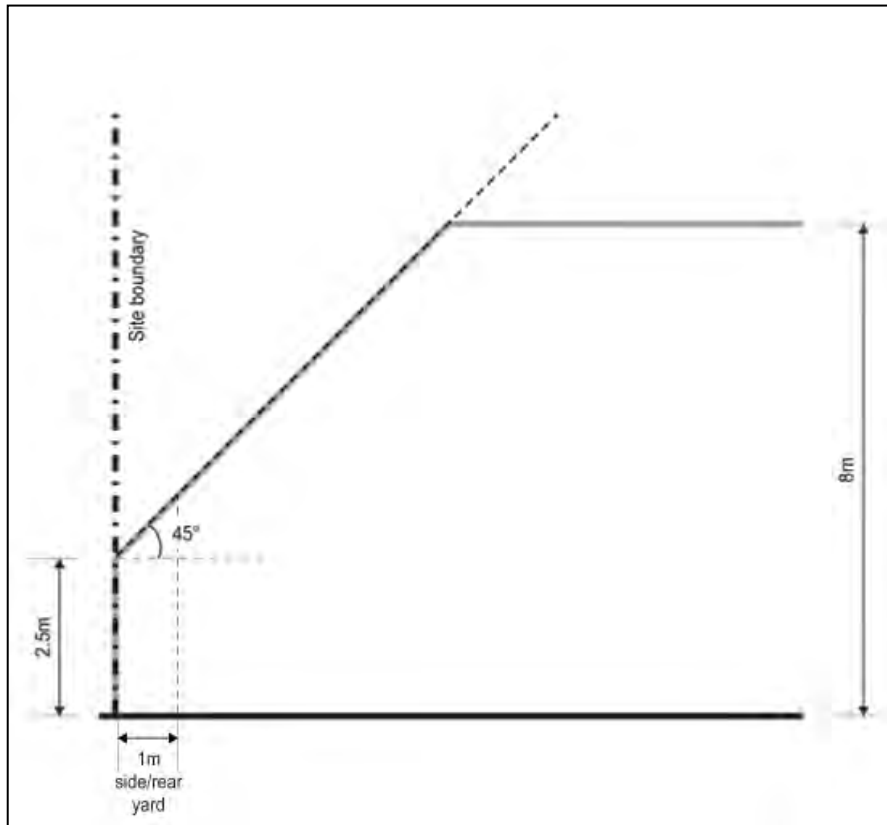


H2.6.6. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H2.6.6.1 Height in relation to boundary below.

Figure H2.6.6.1 Height in relation to boundary



(2) Standard H2.6.6(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

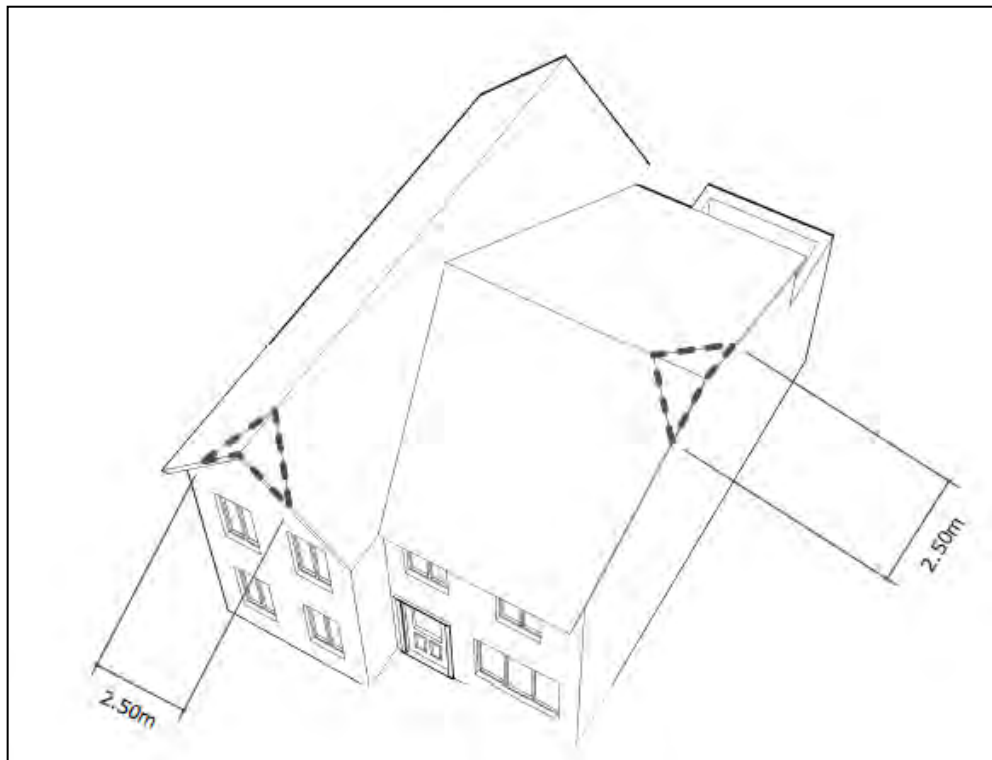
(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H2.6.6(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (4) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m^2 in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H2.6.6.2 Exceptions for gable ends and dormers and roof projections below.

Figure H2.6.6.2 Exceptions for gable ends and dormers and roof projections



- (5) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

H2.6.7. Yards

Purpose:

- to maintain the rural and coastal built character of the streetscape and provide sufficient space for landscaping within the front yard; and
- to maintain a reasonable standard of residential amenity for adjoining sites; and

- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
 - to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H2.6.7.1 Yards below.

Table H2.6.7.1 Yards

Yard	Minimum depth
Front	5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	20m, or as otherwise specified in Appendix 6 Coastal protection yard

H2.6.8. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks; and
 - to support the functioning of riparian yards, lakeside yards and coastal protection yards and water quality and ecology; and
 - to reinforce the building coverage and landscaped area standards; and
 - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 35 per cent of site area or 1400m², whichever is the lesser.
- (2) The maximum impervious area within a riparian yard, lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H2.6.9. Building coverage

Purpose: to manage the extent of buildings on a site to maintain and complement the rural and coastal built character of the zone and any landscape qualities and natural features.

- (1) The maximum building coverage must not exceed 20 per cent of net site area or 400m², whichever is the lesser.

H2.6.10. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy; and
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

- (1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level.

(a) on a side or rear boundary or within a side, rear, coastal protection yard, riparian yard or lakeside yard must not exceed a height of 2m above ground level.

(b) on or within the front yard, either:

(i) 1.4m in height, or

(ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or

(iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

H2.6.11. Rainwater tanks

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

(1) Rainwater tanks must not be located:

(i) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;

(ii) in a 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 3 m in height in a rear or side yard

(3) Rainwater tanks must not be located on or outflow across an effluent dispersal area.

(4) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H2.7. Assessment – controlled activities

There are no controlled activities in this section.

H2.8. Assessment – restricted discretionary activities

H2.8.1. 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) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on wastewater capacity; and
 - (b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for minor dwellings:
 - (a) the effects on the rural and coastal character of the zone; and
 - (b) the effects on wastewater capacity.
- (3) for the conversion of a primary dwelling existing as at 30 September 2013 into a maximum of two dwellings:
 - (a) the effects on wastewater capacity.
- (4) for buildings that do not comply with Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; and Standard H2.6.10 Side and rear fences and walls:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;

- (d) the effects on the rural and coastal character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

H2.8.2. Assessment criteria

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

- (1) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) wastewater capacity:
 - (i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.
 - (b) building intensity, scale, location, form and appearance:
 - (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.
 - (c) traffic:
 - (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.
 - (d) location and design of parking and access:
 - (i) whether adequate parking and access is provided or required.
 - (e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries; and
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for minor dwellings:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and
- (d) refer to Policy H2.3(5).

(3) for the conversion of a primary dwelling existing as at 30 September 2013 into a maximum of two dwellings:

- (a) refer to Policy H2.3(1); and
- (b) refer to Policy H2.3(2).

(4) for building height:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and
- (d) refer to Policy H2.3(4).

(5) for height in relation to boundary:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and
- (d) refer to Policy H2.3(4).

(6) for yards:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and

(d) refer to Policy H2.3(4).

(7) for maximum impervious areas:

(e) refer to Policy H2.3(6).

(8) for building coverage:

(a) refer to Policy H2.3(1);

(b) refer to Policy H2.3(2);

(c) refer to Policy H2.3(3); and

(d) refer to Policy H2.3(4).

(9) for side and rear fences and walls:

(a) refer to Policy H2.3(1);

(b) refer to Policy H2.3(2);

(c) refer to Policy H2.3(3); and

(d) refer to Policy H2.3(4).

H2.9. Special information requirements

There are no special information requirements in this zone.

H3. Residential – Single House Zone

H3.1. Zone description

The purpose of the Residential – Single House Zone is to maintain and enhance the amenity values of established residential neighbourhoods in number of locations. The particular amenity values of a neighbourhood may be based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character. To provide choice for future residents, Residential – Single House Zone zoning may also be applied in greenfield developments.

To support the purpose of the zone, multi-unit development is not anticipated, with additional housing limited to the conversion of an existing dwelling into two dwellings and minor dwelling units. The zone is generally characterised by one to two storey high buildings consistent with a suburban built character.

H3.2. Objectives

- (1) Development maintains and is in keeping with the amenity values of established residential neighbourhoods including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.
- (2) Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storeys buildings.
- (3) Development provides quality on-site residential amenity for residents and for adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H3.3. Policies

- (1) Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings.
- (2) Require development to:
 - (a) be of a height, bulk and form that maintains and is in keeping with the character and amenity values of the established residential neighbourhood; or
 - (b) be of a height and bulk and have sufficient setbacks and landscaped areas to maintain an existing suburban built character or achieve the planned suburban built character of predominantly one to two storey dwellings within a generally spacious setting.

- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
- (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to the adjoining sites.
- (5) Encourage accommodation to have useable and accessible outdoor living space.
- (6) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (7) Provide for non-residential activities that:
- (a) support the social and economic well-being of the community;
 - (b) are in keeping with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and the Business – Town Centre Zone.
- (8) To provide for integrated residential development on larger sites.

H3.4. Activity table

Table H3.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Single House Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H3.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard

H3 Residential – Single House Zone

			H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H3.6.3 Conversion of a principal dwelling into a maximum of two dwellings
(A5)	Minor dwellings	P	Standard H3.6.4 Minor dwellings; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A6)	More than one dwelling per site (other than the conversion of a principal dwelling in Rule H3.4.1(A4) or minor dwellings in Rule a H3.4.1(A5)	NC	
(A7)	Home occupations	P	Standard H3.6.2 Home occupations
(A8)	Home occupations that do not meet Standard H3.6.2	D	
(A9)	Integrated Residential Development	D	
(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A11)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A12)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage;

H3 Residential – Single House Zone

			Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A13)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	
(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A15)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A16)	Dairies up to 100m ² gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; and Standard H3.6.12 Front, side and rear fences and walls
(A17)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A18)	Service stations on arterial roads	D	
(A19)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H3.6.5 Offices within the Centre Fringe Office Control
(A20)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H3.6.5	D	
Community			
(A21)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard

H3 Residential – Single House Zone

			H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A22)	Care centres accommodating greater than 10 people per site excluding staff	D	
(A23)	Community facilities	D	
(A24)	Education facilities	D	
(A25)	Tertiary education facilities	D	
(A26)	Emergency services adjoining an arterial road	D	
(A27)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A28)	Healthcare facilities greater than 200m ² gross floor area per site	NC	
(A29)	Veterinary clinics	D	
Rural			
(A30)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A31)	Marae	D	
Development			
(A32)	Demolition of buildings	P	
(A33)	Internal and external alterations to buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A34)	Accessory buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard

			H3.6.10 Building coverage
(A35)	Additions to an existing dwelling	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A36)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
<u>(A37)</u>	<u>Rainwater Tank</u>	<u>P</u>	<u>Standard H3.6.13 Rainwater tanks</u>

H3.5. 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(4) of the Resource Management Act 1991:

(a) [deleted]

(b) development which does not comply with H3.6.12 (1a) Front, side and rear fences and walls.

(2) Any application for resource consent for an activity listed in Table H3.4.1 Activity table and which is not listed in H3.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H3.6. Standards

H3.6.1. Activities listed in Table H3.4.1 Activity table

(1) Activities and buildings containing activities listed in Table H3.4.1 Activity table must comply with the standards listed in the column in Table H3.4.1 Activity table called Standards to be complied with.

H3.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H3.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and

(c) directly accessible from the dwelling.

H3.6.4. Minor dwellings

Purpose:

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

(1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.

(2) A minor dwelling must have an outdoor living space that is:

- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) least 1.8m in depth; and
- (c) directly accessible from the minor dwelling.

(3) There must be no more than one minor dwelling per site.

H3.6.5. Offices within the Centre Fringe Office Control as identified on the planning maps

(1) Offices must be located in existing buildings.

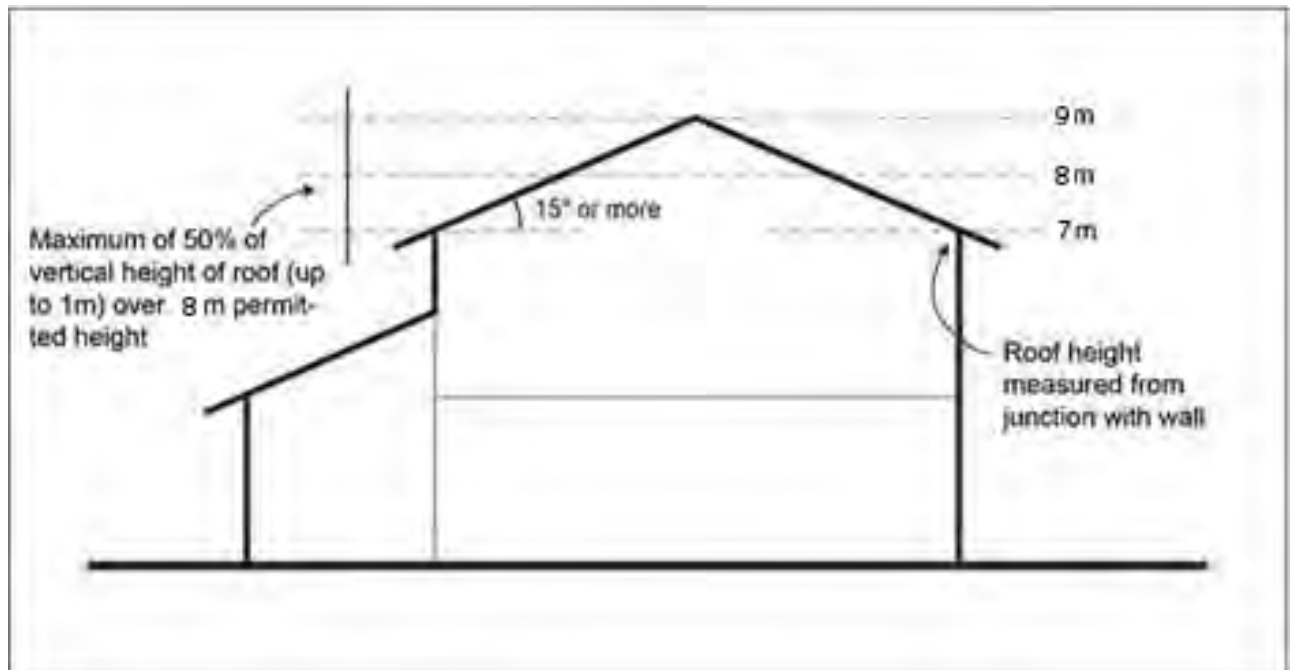
H3.6.6. Building height

Purpose: to manage the height of buildings to:

- Achieve the planned suburban built character of predominantly one to two storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H3.6.6.1 Building height in the Residential – Single House Zone below.

Figure H3.6.6.1 Building height in the Residential – Single House Zone

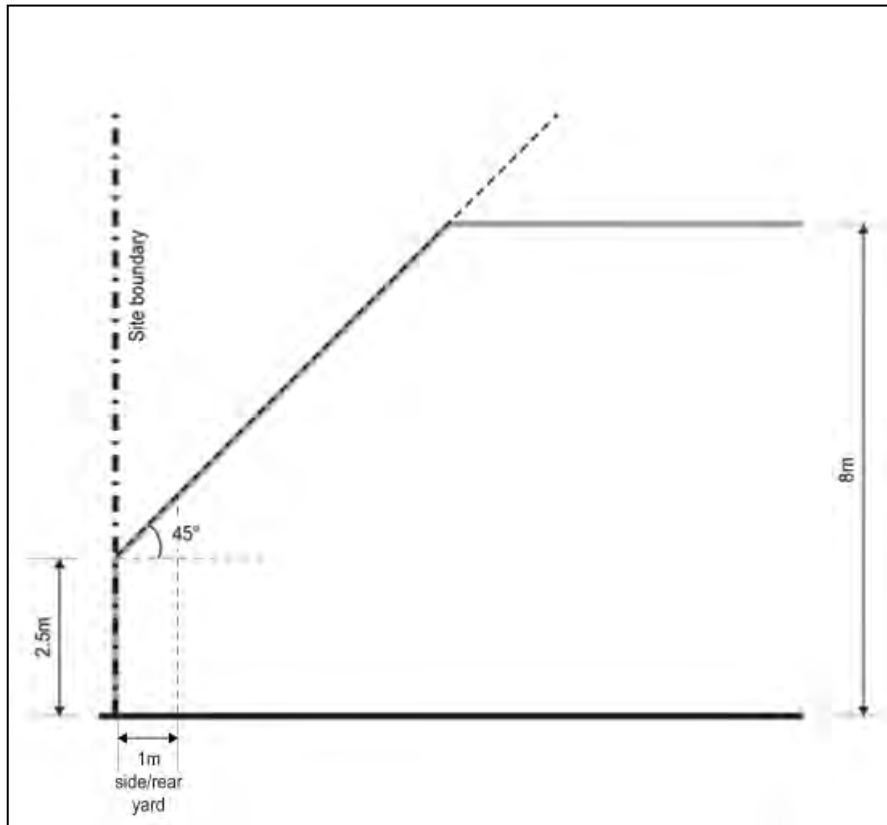


H3.6.7. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H3.6.7.1 Height in relation to boundary below.

Figure H3.6.7.1 Height in relation to boundary



(2) Standard H3.6.7(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a 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 – Light Industry Zone and Business – Heavy Industry Zone.

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone:

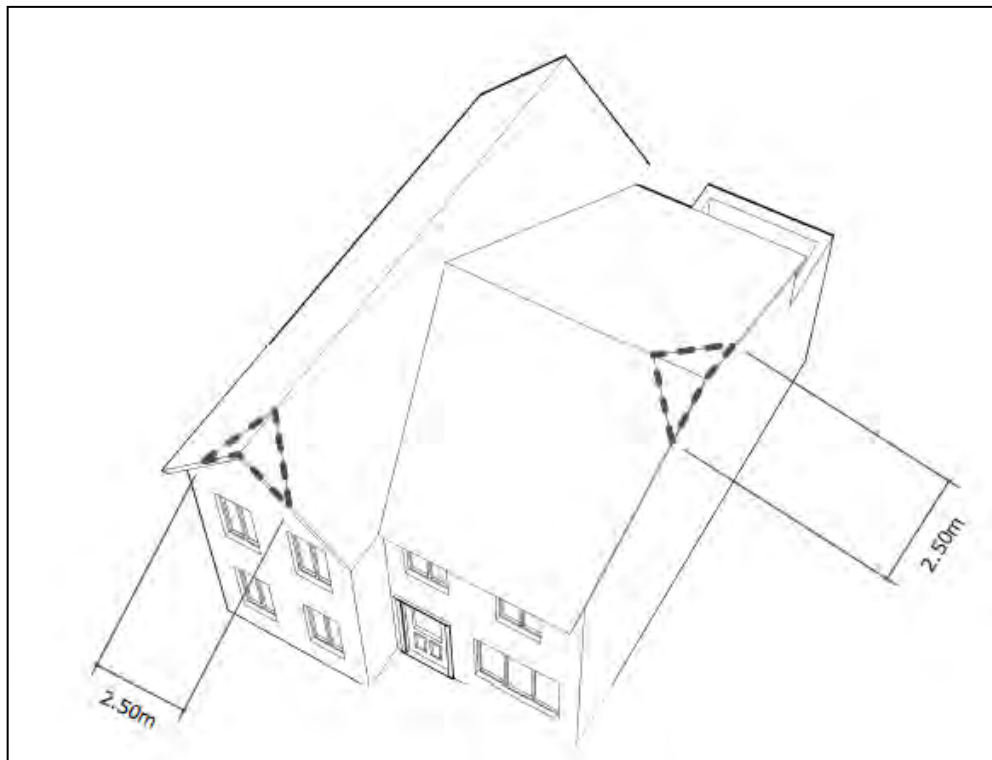
(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Standard H3.6.7(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, control in Standard H3.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H3.6.7.2 Exceptions for gable ends and dormers and roof projections below .

Figure H3.6.7.2: Exceptions for gable ends and dormers and roof projections



- (6) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

H3.6.8. Yards

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;

- to maintain a reasonable standard of residential amenity for adjoining sites;
 - to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
 - to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H3.6.8.1 Yards below.

Table H3.6.8.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H3.6.8.1 above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H3.6.9. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
 - to support the functioning of riparian yards, lakeside yards and coastal protection yards and water quality and ecology;
 - to reinforce the building coverage and landscaped area standards; and
 - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, lakeside yard or coastal protection yard area.

H3.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

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

H3.6.11. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings;
- to maintain the landscaped character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.

- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

H3.6.12. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

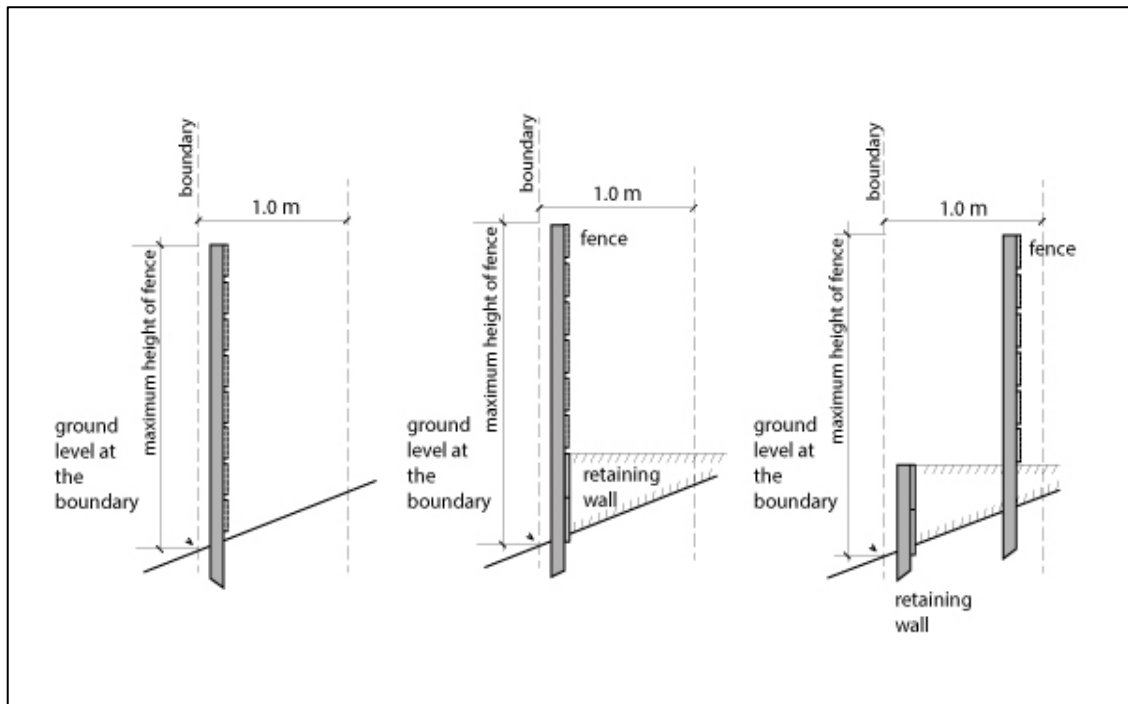
- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.3.6.12.1 Measurement of fence height



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 unless they are less than 1m in height, or wholly below ground level;
 - (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 3 m in height in a rear or side yard.
- (3) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H3.7. Assessment – controlled activities

There are no controlled activities in this zone.

H3.8. Assessment – restricted discretionary activities

H3.8.1. 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) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.

- (2) for buildings that do not comply with Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the suburban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.

H3.8.2. Assessment criteria

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

- (1) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) building intensity, scale, location, form and appearance:

H3 Residential – Single House Zone

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(b) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(c) location and design of parking and access:

(i) whether adequate parking and access is provided or required.

(d) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries; and
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for building height:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(3) for height in relation to boundary:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(4) for yards:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(4); and

(d) refer to Policy H3.3(5).

(5) for maximum impervious areas:

(a) refer to Policy H3.3(6).

(6) for building coverage:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(7) for landscaped area:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(8) for front, side and rear fences and walls:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(3); and

(d) refer to Policy H3.3(4).

H3.9. Special information requirements

There are no special information requirements in this zone.

H4. Residential – Mixed Housing Suburban Zone

H4.1. Zone description

The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly stand-alone buildings, set back from site boundaries with landscaped gardens.

The zone enables intensification, while retaining a suburban built character.

Development within the zone will generally be two storey detached and attached housing in a variety of types and sizes to provide housing choice. The height of permitted buildings is the main difference between this zone and the Residential – Mixed Housing Urban Zone which generally provides for three storey predominately attached dwellings.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned suburban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases.

H4.2. Objectives

- (1) Housing capacity, intensity and choice in the zone is increased.
- (2) Development is in keeping with the neighbourhood's planned suburban built character of predominantly two storey buildings, in a variety of forms (attached and detached).
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H4.3. Policies

- (1) Enable a variety of housing types including integrated residential development such as retirement villages.

- (2) Achieve the planned suburban built character of predominantly two storey buildings, in a variety of forms by:
 - (a) limiting the height, bulk and form of development;
 - (b) managing the design and appearance of multiple-unit residential development; and
 - (c) requiring sufficient setbacks and landscaped areas.

- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.

- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.

- (5) Require accommodation to be designed to meet the day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.

- (10) Recognise the functional and operational requirements of activities and development.

- (6) Encourage accommodation to have useable and accessible outdoor living space.

- (7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.

- (8) Enable more efficient use of larger sites by providing for integrated residential development.

- (9) Provide for non-residential activities that:
 - (a) support the social and economic well-being of the community;
 - (b) are in keeping with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.

H4.4. Activity table

Table H4.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Suburban Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H4.4.1 Activity table

		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	Up to three dwellings per site	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls
(A4)	Four or more dwellings per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H4.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A6)	Home occupations	P	Standard H4.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H4.6.2	D	
(A8)	Integrated Residential Development	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor

H4 Residential – Mixed Housing Suburban Zone

			living space; Standard H4.6.14 Front, side and rear fences and walls
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
Commerce			
(A15)	Dairies up to 100m2 gross floor area per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; and Standard H4.6.14 Front, side and rear

H4 Residential – Mixed Housing Suburban Zone

			fences and walls
(A16)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
Community			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A20)	Community facilities	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard

H4 Residential – Mixed Housing Suburban Zone

			H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, Side and rear fences and walls
(A25)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A26)	Veterinary clinics	D	
Rural			
(A27)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A28)	Marae complex	D	
Development			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size
(A31)	Accessory buildings	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage.
(A32)	Additions to an existing dwelling	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size

(A33)	New buildings and additions to buildings which do not comply with H4.6.5 Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary	RD	Standard H4.6.6 Alternative height in relation to boundary Note: Compliance with Standard H4.6.5 Height in relation to boundary is not required.
(A34)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	<u>Rainwater Tank</u>	<u>P</u>	<u>Standard H4.6.16 Rainwater tanks</u>

H4.5. 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(4) of the Resource Management Act 1991:
- (a) four or more dwellings per site that comply with all of the standards listed in Table H4.4.1 Activity table
 - (b) an integrated residential development that complies with all of the standards listed in Table H4.4.1 Activity table;
 - (c) New buildings and additions to buildings which do not comply with H4.6.5 Height in relation to boundary, but comply with Standard H4.6.6 Alternative height in relation to boundary.
 - (d) development which does not comply with H4.6.14 (1a) Front, side and rear fences and walls; or
 - (e) development which does not comply with Standard H4.6.15 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H4.4.1 Activity table and which is not listed in H4.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H4.6. Standards

H4.6.1. Activities listed in Table H4.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H4.4.1 Activity table must comply with the standards listed in the column in Table H4.4.1 called Standards to be complied with.

H4.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H4.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

(1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:

- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) at least 1.8m in depth; and
- (c) directly accessible from the dwelling.

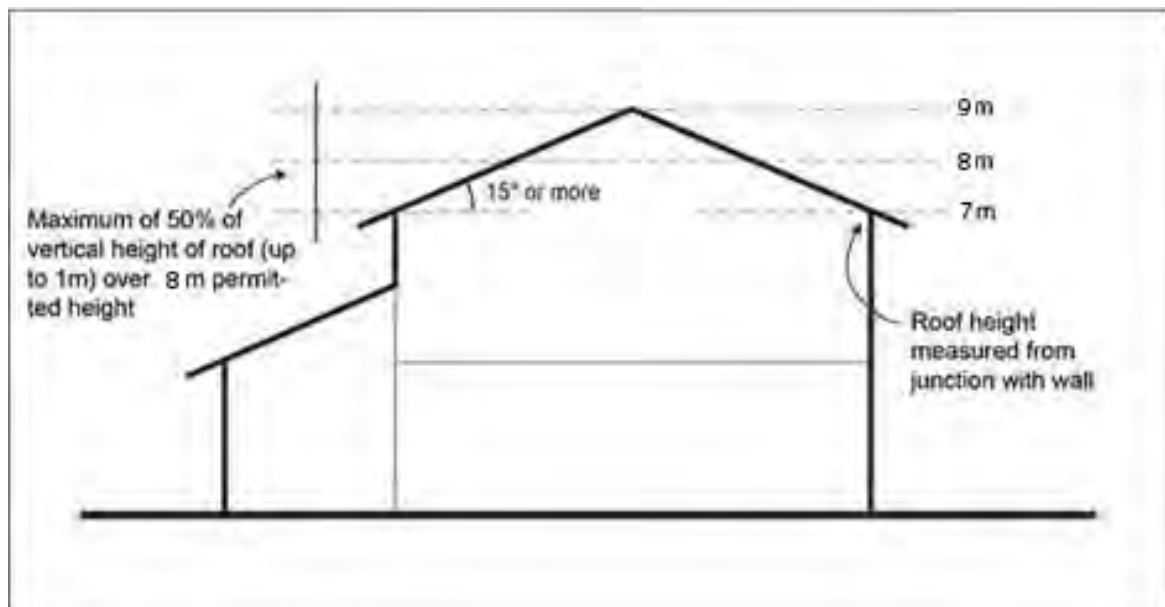
H4.6.4. Building height

Purpose: to manage the height of buildings to:

- achieve the planned suburban built character of predominantly one to two storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H4.6.4.1 Building height in the Residential – Mixed Housing Suburban Zone below.

Figure H4.6.4.1 Building height in the Residential – Mixed Housing Suburban Zone

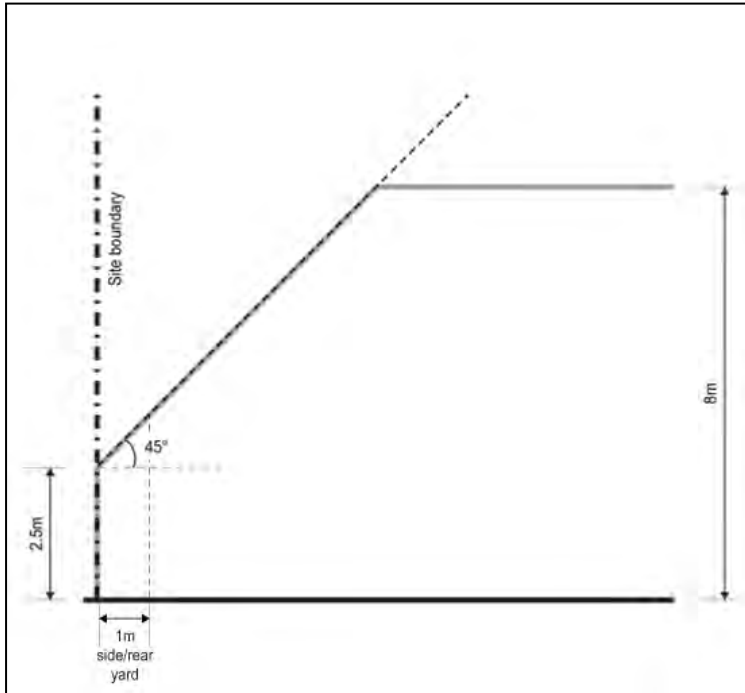


H4.6.5. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H4.6.5.1 Height in relation to boundary below.

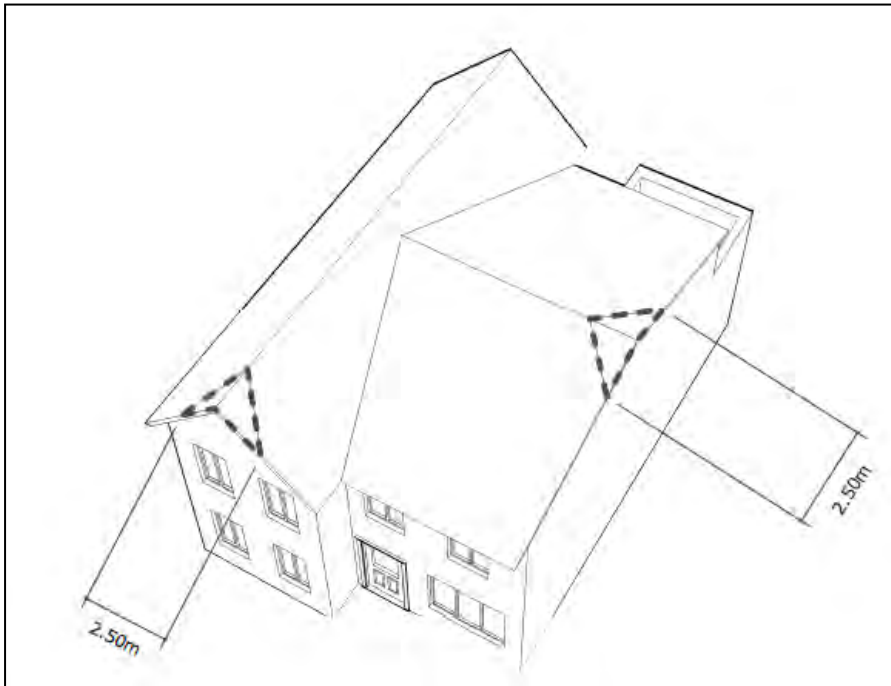
Figure H4.6.5.1 Height in relation to boundary



- (2) Standard H4.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the: Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (3) Standard H4.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the control in Standard H4.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H4.6.5.2 Exceptions for gable ends, dormers and roof projections below.

Figure H4.6.5.2 Exceptions for gable ends, dormers and roof projections



- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

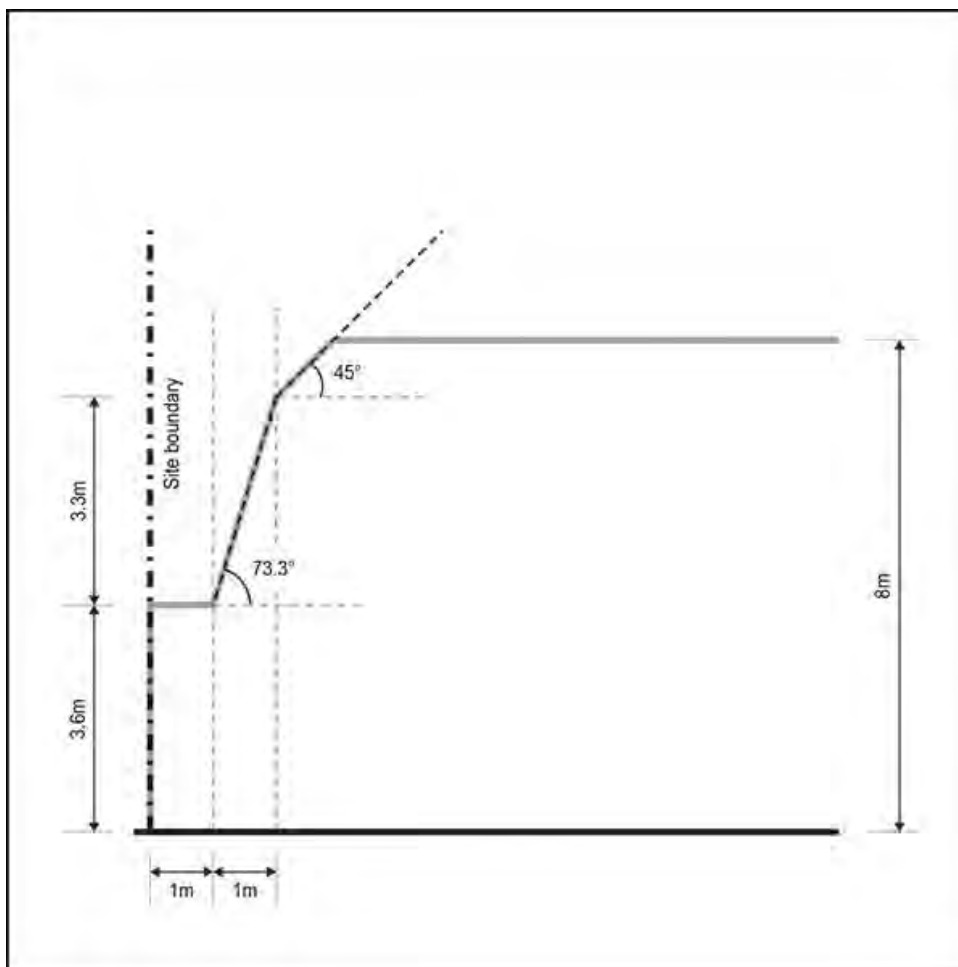
H4.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility where a building is located close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

- (1) This standard is an alternative to the permitted Standard H4.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.
- (2) Buildings within 20m of the site frontage must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries.

Thereafter, buildings must be set back one metre and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then one metre for every additional metre in height (45 degrees) as shown in Figure H4.6.6.1 Alternative height in relation to boundary below.

Figure H4.6.6.1 Alternative height in relation to boundary

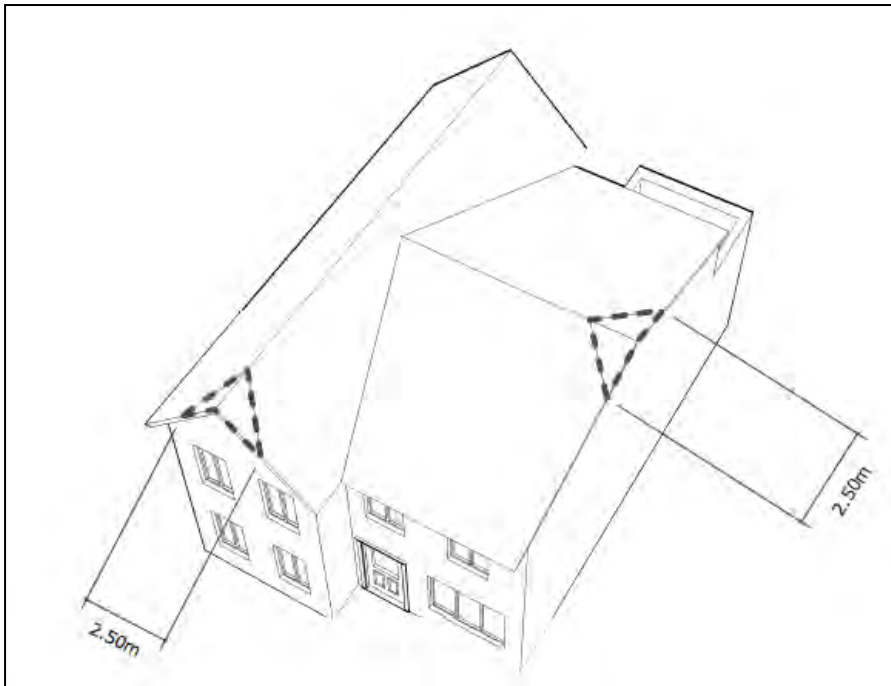


(3) Standard H4.6.6(2) above does not apply to a boundary adjoining any of the following:

- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
- (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (4) Standard H4.6.6(2) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H4.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H4.6.6.2 Exceptions for gable ends and dormers and roof projections below.

Figure H4.6.6.2 Exceptions for gable ends, dormers and roof projections



- (7) No more than two gable ends, dormer or roof projections are allowed for every 6m length of site boundary.
- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H4.6.7. Yards

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;

- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H4.6.7.1 Yards below.

Table H4.6.7.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

(2) Standard H4.6.7(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H4.6.8. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

(1) The maximum impervious area must not exceed 60 per cent of site area.

(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H4.6.9. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

- (1) The maximum building coverage must not exceed 40 per cent of the net site area.

H4.6.10. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting; and
- to maintain the landscaped character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.
- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

H4.6.11. Outlook space

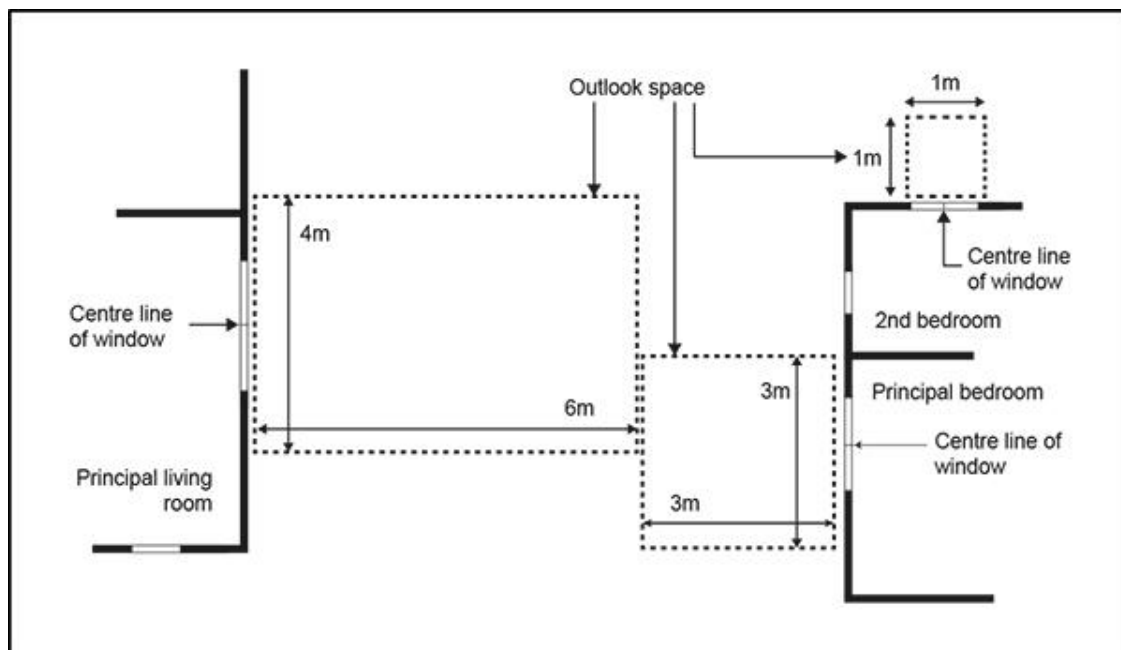
Purpose:

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

- (1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
- (2) The minimum dimensions for a required outlook space are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width;
 - (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and
 - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.

- (6) Outlook spaces may be within the site, over a public street, or other public open space.
- (7) Outlook spaces required from different rooms within the same building may overlap.
- (8) Outlook spaces may overlap where they are on the same wall plane.
- (9) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H4.6.11(6) above; and
 - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H4.6.11.1 Required outlook space



H4.6.12. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
 - in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:
 - (a) That part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc

may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H4.6.12.2 Required setbacks for daylight below.

Refer to Table H4.6.12.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H4.6.12.1 Required setbacks for daylight and Figure H4.6.12.2 Required setbacks for daylight below).

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H4.6.12(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standards H4.6.12(1), (2) and (3) do not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H4.6.12.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m

Figure H4.6.12.1 Required setbacks for daylight

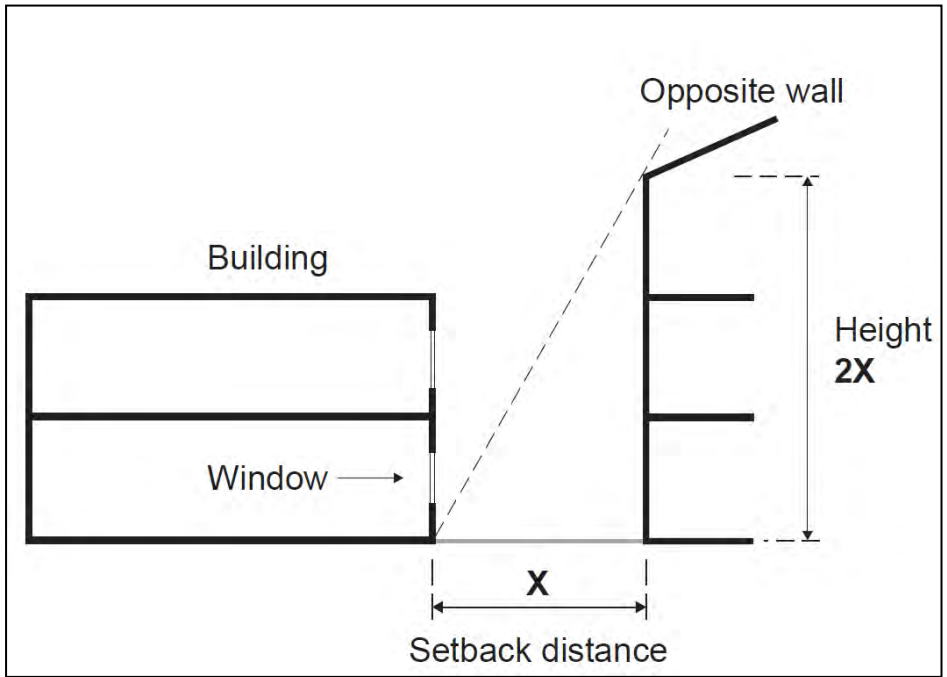
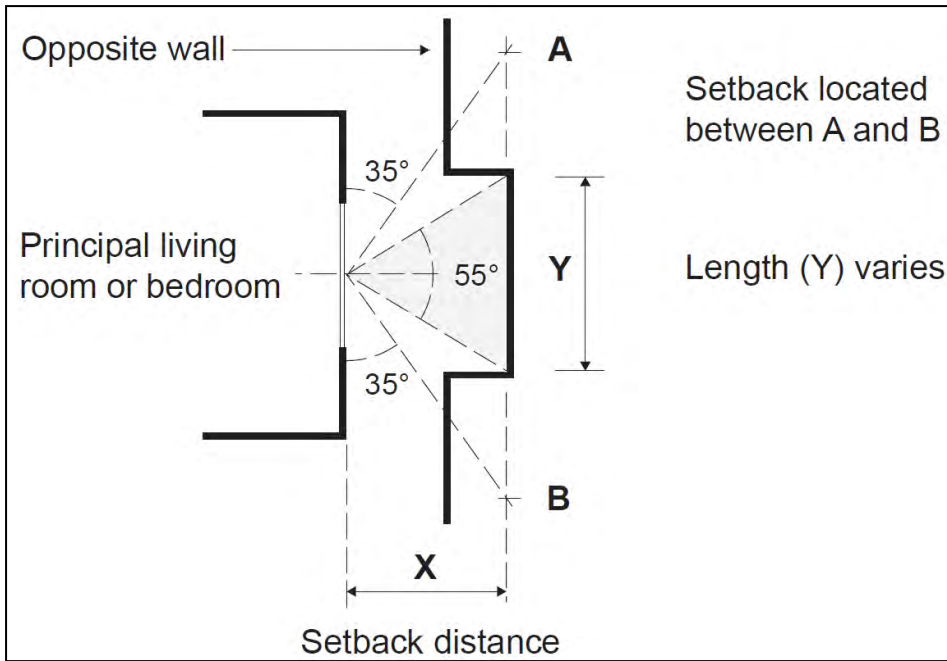


Figure H4.6.12.2 Required setbacks for daylight

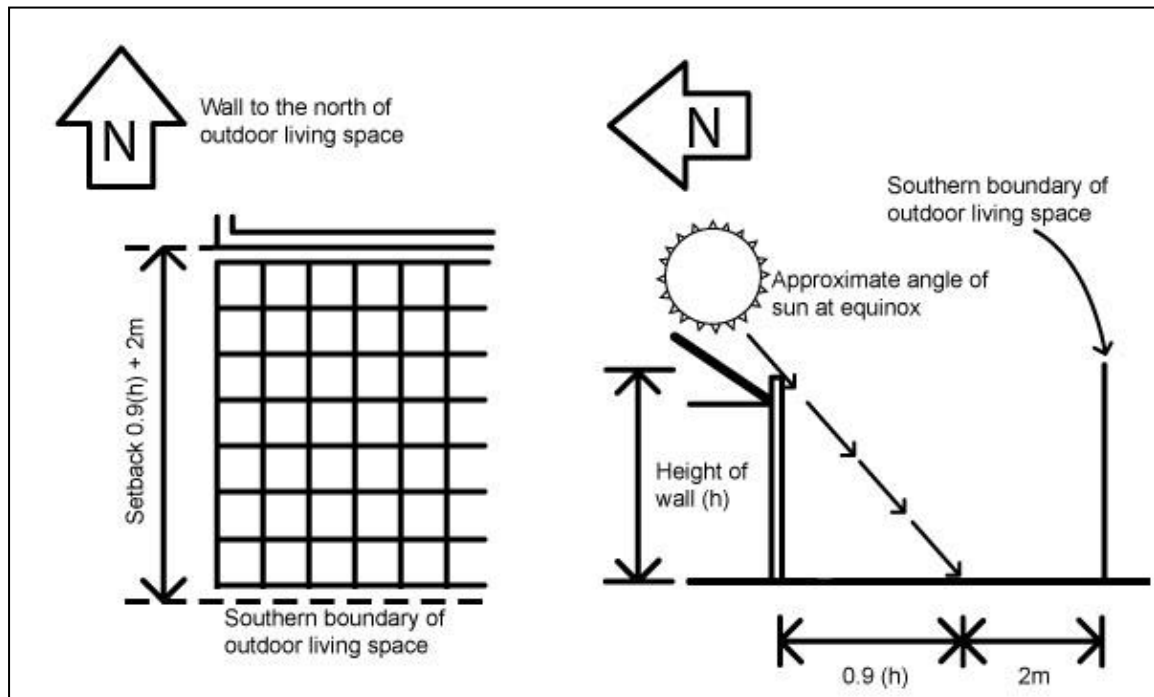


H4.6.13. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is accessible from the dwelling.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
 - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house.
- (3) Where outdoor living space required by Standard H4.6.13(1) or Standard H4.6.13(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least $2m + 0.9(h)$, where (h) is the height of the wall or building as shown in the Figure H4.6.13.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Figure H4.6.13.1 Location of outdoor living space



H4.6.14. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place.
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

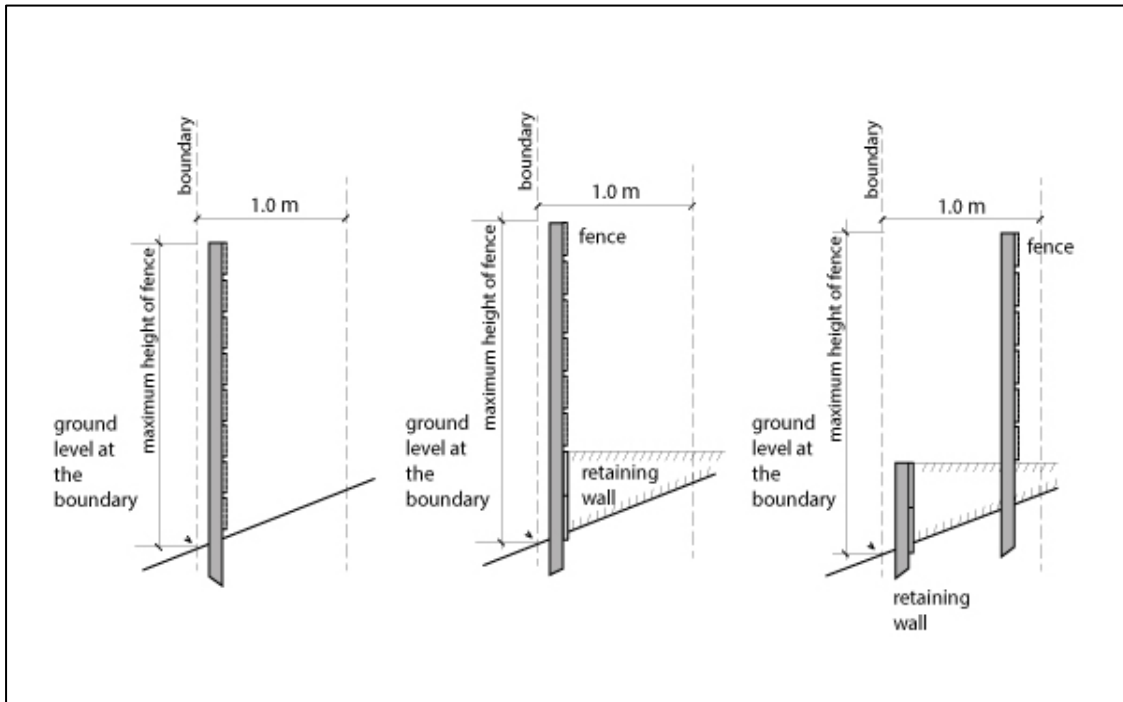
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.4.6.14.1 Measurement of fence height



H4.6.15. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H4.6.16. Rainwater tanks

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

(1) Rainwater tanks must not be located:

- (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
- (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
- (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
- (d) Clause (c) does not apply
 - (i) to sites with (or proposed to have) three or less dwellings;

- (ii) to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks located within any required outlook area must be no higher than 1 m.
- (3) Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m must be installed wholly below ground level.
- (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H4.7. Assessment – controlled activities

There are no controlled activities in this zone.

H4.8. Assessment – restricted discretionary activities

H4.8.1. Matters of discretion

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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
 - (b) Infrastructure and servicing.
- (2) for four or more dwellings per site:
 - (a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
 - (ii) traffic; and
 - (iii) location and design of parking and access.
- (b) all of the following standards:
- (i) Standard H4.6.8 Maximum impervious areas;
 - (ii) Standard H4.6.9 Building coverage;
 - (iii) Standard H4.6.10 Landscaped area;
 - (iv) Standard H4.6.11 Outlook space;
 - (v) Standard H4.6.12 Daylight;
 - (vi) Standard H4.6.13 Outdoor living space;
 - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
 - (viii) Standard H4.6.15 Minimum dwelling size.
- (c) Infrastructure and servicing.
- (3) for integrated residential development:
- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
- (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (b) all of the following standards:
- (i) Standard H4.6.8 Maximum impervious areas;
 - (ii) Standard H4.6.9 Building coverage;
 - (iii) Standard H4.6.10 Landscaped area;
 - (iv) Standard H4.6.11 Outlook space;
 - (v) Standard H4.6.12 Daylight;
 - (vi) Standard H4.6.13 Outdoor living space;
 - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
 - (viii) Standard H4.6.15 Minimum dwelling size.
- (c) Infrastructure and servicing.
- (4) for buildings that do not comply with Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard

H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the suburban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.
- (5) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:
- (a) Sunlight access;
 - (b) Attractiveness and safety of the street; and
 - (c) Overlooking and Privacy.

H4.8.2. Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
- (a) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
 - (b) building intensity, scale, location, form and appearance:

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of parking and access:

(i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for four or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H4.6.8 Maximum impervious areas;

(ii) Standard H4.6.9 Building coverage;

(iii) Standard H4.6.10 Landscaped area;

(iv) Standard H4.6.11 Outlook space;

(v) Standard H4.6.12 Daylight;

(vi) Standard H4.6.13 Outdoor living space;

(vii) Standard H4.6.14 Front, side and rear fences and walls; and

(viii) Standard H4.6.15 Minimum dwelling size

(b) The extent to which the development contributes to a variety of housing types in the zone and is in keeping with the neighbourhood's planned suburban build character of predominantly two storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.

(c) [deleted]

(d) The extent to which development achieves attractive and safe streets and public open space by:

- (i) providing doors, windows and/or balconies facing the street and public open space
 - (ii) minimising tall, visually impermeable fences
 - (iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.
 - (iv) optimising front yard landscaping
 - (v) providing safe pedestrian access to buildings from the street
 - (vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces
- (e) The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites.
- (f) The extent to which dwellings:
- (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling
 - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space
 - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.
 - (iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screened from streets and public open spaces.
- (g) The extent to which outdoor living space:
- (i) Provides for access to sunlight
 - (ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.
 - (iii) When provided at ground level, is located on generally flat land or is otherwise functional.
- (h) refer to Policy H4.3(7); and
- (i) infrastructure and servicing:
- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(3) for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H4.6.8 Maximum impervious areas;
- (ii) Standard H4.6.9 Building coverage;
- (iii) Standard H4.6.10 Landscaped area;
- (iv) Standard H4.6.11 Outlook space;
- (v) Standard H4.6.12 Daylight;
- (vi) Standard H4.6.13 Outdoor living space; and
- (vii) Standard H4.6.14 Front, side and rear fences and walls; and
- (viii) Standard H4.6.15 Minimum dwelling size (excluding retirement villages).

(b) refer to Policy H4.3(1);

(c) refer to Policy H4.3(2);

(d) refer to Policy H4.3(3);

(e) refer to Policy H4.3(4);

(f) refer to Policy H4.3(5);

(g) refer to Policy H4.3(6);

(h) refer to Policy H4.3(7);

(i) refer to Policy H4.3(8).

(j) refer to Policy H4.3(9); and

(k) infrastructure and servicing:

- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(4) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:

Sunlight access

(a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H4.6.13: or
 - (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H4.6.13.
- (b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):
- (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H4.6.5 Height in relation to boundary control; and
 - (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Attractiveness and safety of the street

- (c) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by:
- (i) providing doors, windows and balconies facing the street;
 - (ii) optimising front yard landscaping;
 - (iii) providing safe pedestrian access to buildings from the street; and
 - (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (d) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (5) for building height:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4); and
 - (c) refer to Policy H4.3(5).
- (6) for height in relation to boundary:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4); and
 - (c) refer to Policy H4.3(5).
- (7) for alternative height in relation to boundary infringements:

- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(3);
 - (c) refer to Policy H4.3(4); and
 - (d) refer to Policy H4.3(5).
- (8) for yards:
- (a) refer to Policy H4.3(2); and
 - (b) refer to Policy H4.3(4).
- (9) for maximum impervious areas:
- (a) refer to Policy H4.3(7).
- (10) for building coverage:
- (a) refer to Policy H4.3(2); and
 - (b) refer to Policy H4.3(4).
- (11) for landscaped area:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4);
 - (c) refer to Policy H4.3(5); and
 - (d) refer to Policy H4.3(6).
- (12) for outlook space:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4);
 - (c) refer to Policy H4.3(5); and
 - (d) refer to Policy H4.3(6);
- (13) for daylight:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4); and
 - (c) refer to Policy H4.3(5).
- (14) for outdoor living space:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4);
 - (c) refer to Policy H4.3(5); and
 - (d) refer to Policy H4.3(6).
- (15) for front, side and rear fences and walls:
- (a) refer to Policy H4.3(2);

(b) refer to Policy H4.3(3); and

(c) refer to Policy H4.3(4).

(16) For minimum dwelling size:

(a) Policy H4.3(5)

H4.9. Special information requirements

There are no special information requirements in this zone.

H5. Residential – Mixed Housing Urban Zone

H5.1. Zone description

The Residential – Mixed Housing Urban Zone is a reasonably high-intensity zone enabling a greater intensity of development than previously provided for.

Over time, the appearance of neighbourhoods within this zone will change, with development typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments. This supports increasing the capacity and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining site and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve quality design is important as the scale of development increases.

H5.2. Objectives

- (1) Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.
- (2) Development is in keeping with the neighbourhood's planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H5.3. Policies

- (1) Enable a variety of housing types at higher densities, including low-rise apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (5) Require accommodation to be designed to meet day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.
- (6) Encourage accommodation to have useable and accessible outdoor living space.
- (7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (8) Provide for non-residential activities that:
 - (a) support the social and economic well-being of the community;
 - (b) are in keeping with the with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.

- (9) Enable more efficient use of larger sites by providing for integrated residential development.

H5.4. Activity table

Table H5.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Urban Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H5.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	Up to three dwellings per site	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A4)	Four or more dwellings per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H5.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A6)	Home occupations	P	Standard H5.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H5.6.2	D	
(A8)	Integrated residential development	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A9)	Supported residential care accommodating up to 10 people per	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard

H5 Residential – Mixed Housing Urban Zone

	site inclusive of staff and residents		H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
Commerce			
(A15)	Dairies up to 100m ² gross floor area per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; and Standard H5.6.15 Front, side and rear fences and walls

H5 Residential – Mixed Housing Urban Zone

(A16)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
Community			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A20)	Community facilities	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A25)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A26)	Veterinary clinics	D	
Rural			

H5 Residential – Mixed Housing Urban Zone

(A27)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A28)	Marae complex	D	
Development			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls, Standard H5.6.16 Minimum dwelling size
(A31)	Accessory buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage
(A32)	Additions to an existing dwelling	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls, Standard H5.6.16 Minimum dwelling size
(A33)	New buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
(A34)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	Rainwater Tank	P	Standard H5.6.17 Rainwater tanks

H5.5. 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(4) of the Resource Management Act 1991:
 - (a) four or more dwellings per site that comply with all of the standards listed in Table H5.4.1 Activity table;
 - (b) an integrated residential development that complies with all of the standards listed in Table H5.4.1 Activity table;
 - (c) New buildings and additions to buildings which do not comply with H5.6.5 Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary;
 - (d) development which does not comply with H5.6.15 (1a) Front, side and rear fences and walls; and
 - (e) development which does not comply with H5.6.16 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H5.4.1 Activity table and which is not listed in H5.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H5.6. Standards

H5.6.1. Activities listed in Table H5.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H5.4.1 Activity table must comply with the standards listed in the column in Table H5.4.1 called Standards to be complied with.

H5.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
 - (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;

- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H5.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

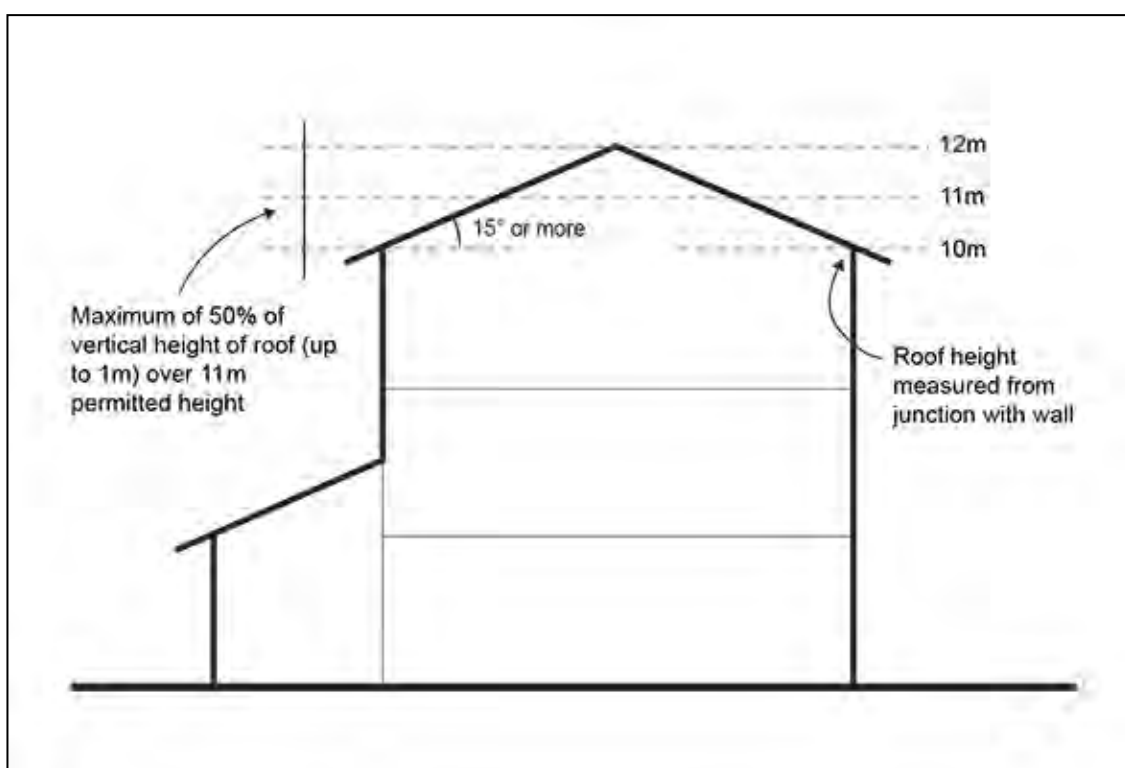
- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H5.6.4. Building height

Purpose: to manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys;
 - minimise visual dominance effects;
 - maintain a reasonable standard of residential amenity for adjoining sites; and
 - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 11m in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone below.

Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone

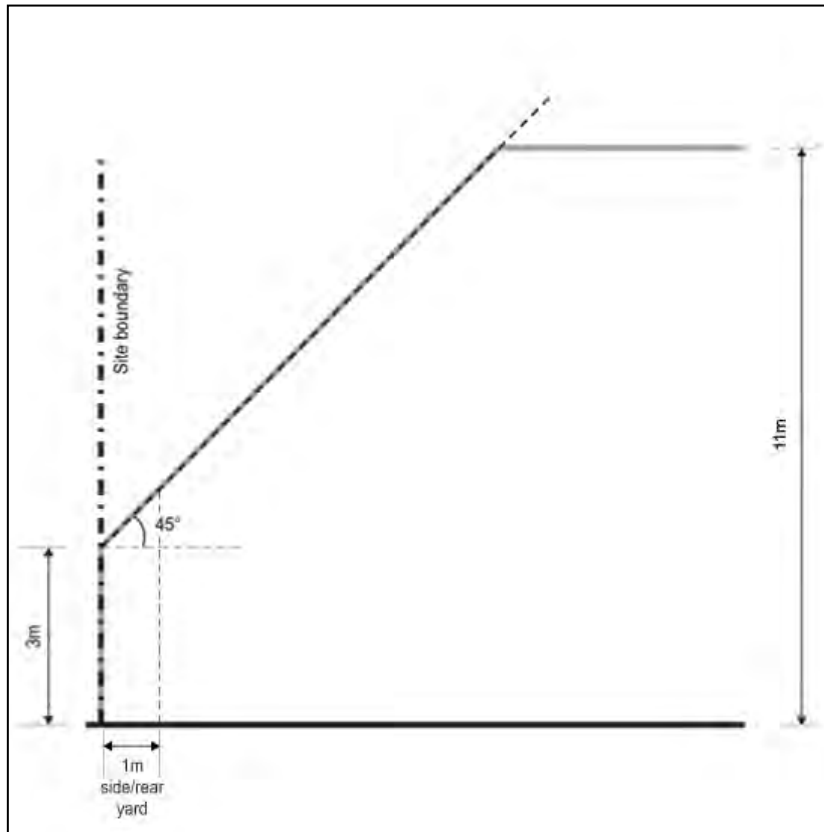


H5.6.5. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.

Figure H5.6.5.1 Height in relation to boundary



(2) Standard H5.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

(i) that are greater than 2000m²;

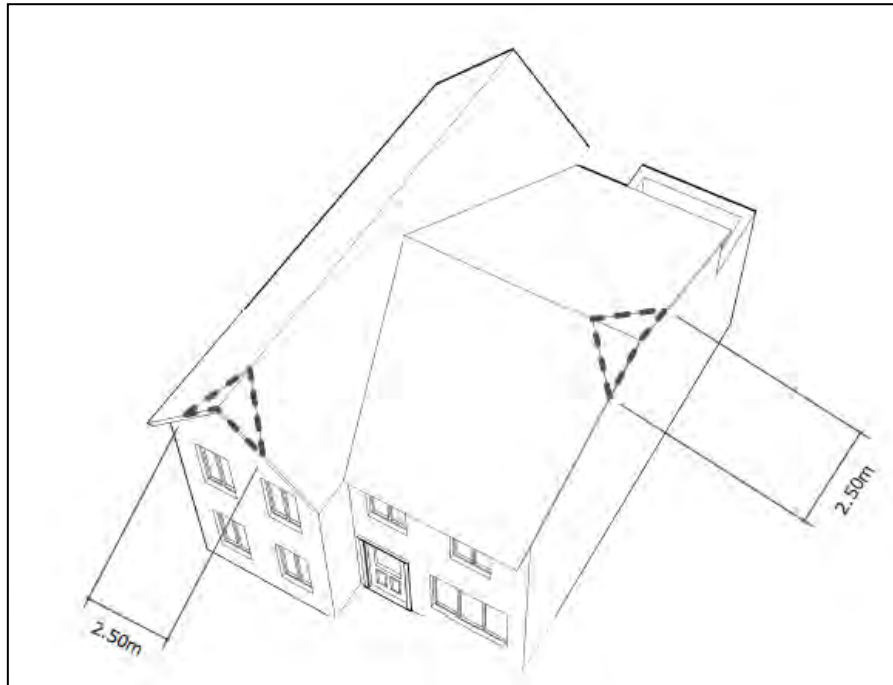
(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

(3) Standard H5.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.

Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections



- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

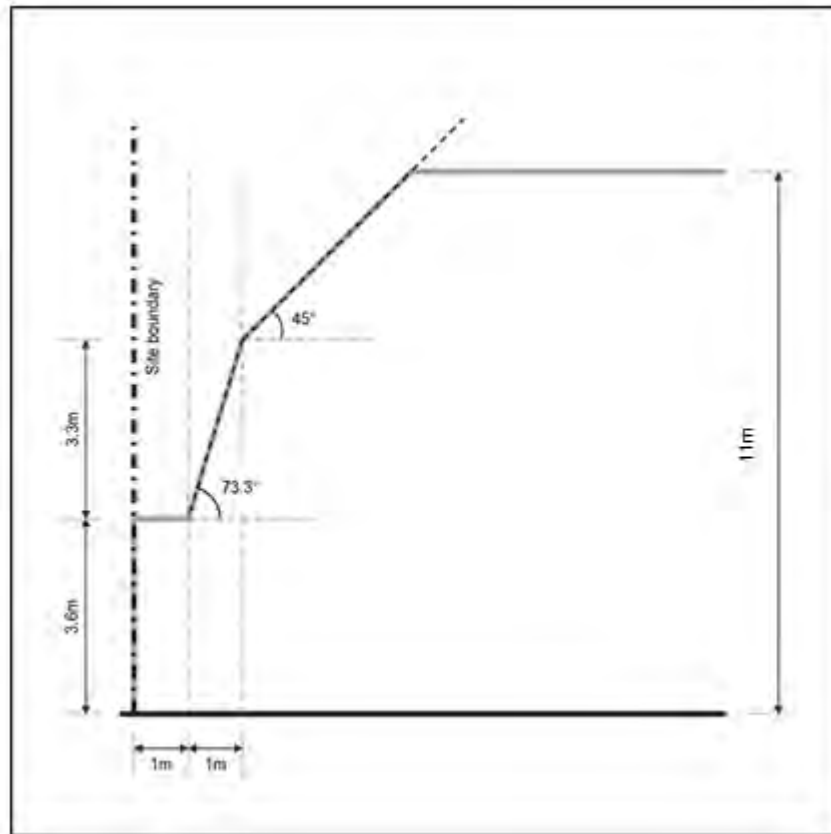
H5.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

- (1) This standard is an alternative to the permitted Standard H5.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.

- (2) Any buildings or parts of buildings within 20m of the site frontage must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees) as shown in Figure H5.6.6.1 Alternative height in relation to boundary below.

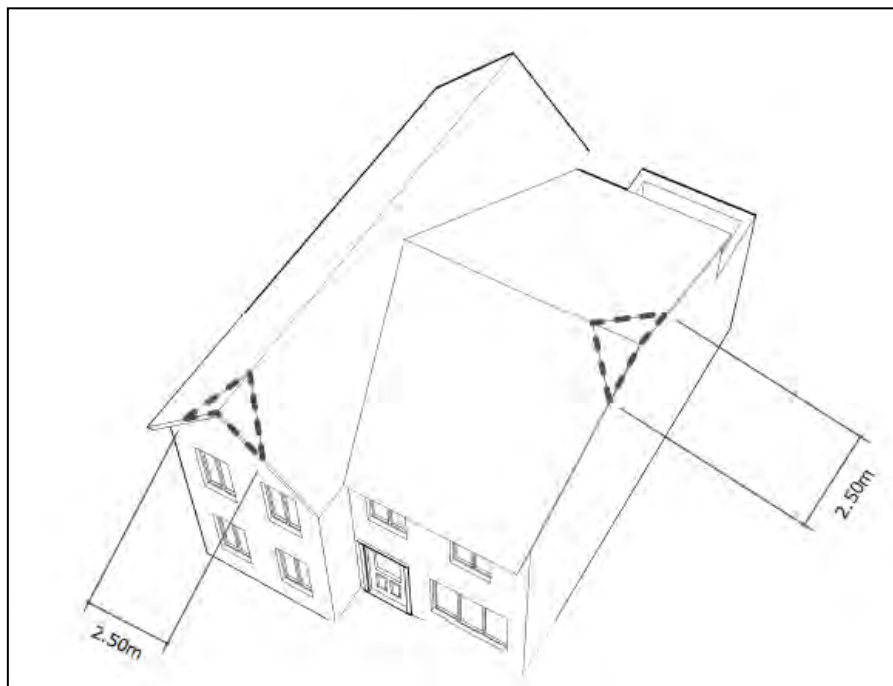
Figure H5.6.6.1 Alternative height in relation to boundary



- (3) Standard H5.6.6(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

- (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (4) Standard H5.6.6(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers below.

Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers



- (7) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H5.6.7. Height in relation to boundary adjoining lower intensity zones

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

(1) Where a site in the Residential – Mixed Housing Urban Zone adjoins:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2,000m² in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Mixed Housing Urban Zone with the zone listed in Standard H5.6.7(1)(a) – (c) above.

(2) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

(3) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

- (i) no greater than 1.5m² in area and no greater than 1m in height; and
- (ii) no greater than 2.5m cumulatively in length measured along the edge of the roof.

H5.6.8. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H5.6.8.1 Yards below.

Table H5.6.8.1 Yards

Yard	Minimum depth
Front	2.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H5.6.8(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H5.6.9. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards;
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H5.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 45 per cent of the net site area.

H5.6.11. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space; and
- to create a landscaped urban streetscape character within the zone.

- (1) The minimum landscaped area must be at least 35 per cent of the net site area.
- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

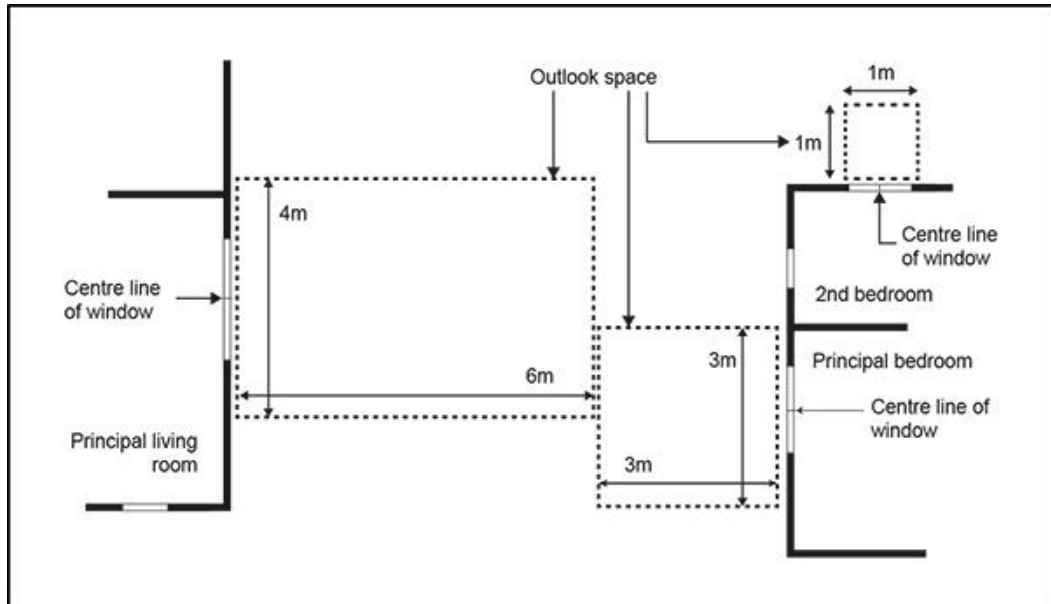
H5.6.12. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
 - in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
 - (2) The minimum dimensions for a required outlook space are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and
 - (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and
 - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
 - (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
 - (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
 - (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
 - (6) Outlook spaces may be within the site, over a public street, or other public open space.
 - (7) Outlook spaces required from different rooms within the same building may overlap.
 - (8) Outlook spaces may overlap where they are on the same wall plane.
 - (9) Outlook spaces must:

- (a) be clear and unobstructed by buildings; and
- (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(6) above; and
- (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H5.6.12.1 Required outlook space



H5.6.13. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- (a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H5.6.13.2 Required setbacks for daylight below.

Refer to Table H5.6.13.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same

site; Figure H5.6.13.1 Required setbacks for daylight and Figure H5.6.13.2 Required setbacks for daylight below.

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H5.6.13(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standard H5.6.13(1), (2) and (3) does not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H5.6.13.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m

Figure H5.6.13.1 Required setbacks for daylight

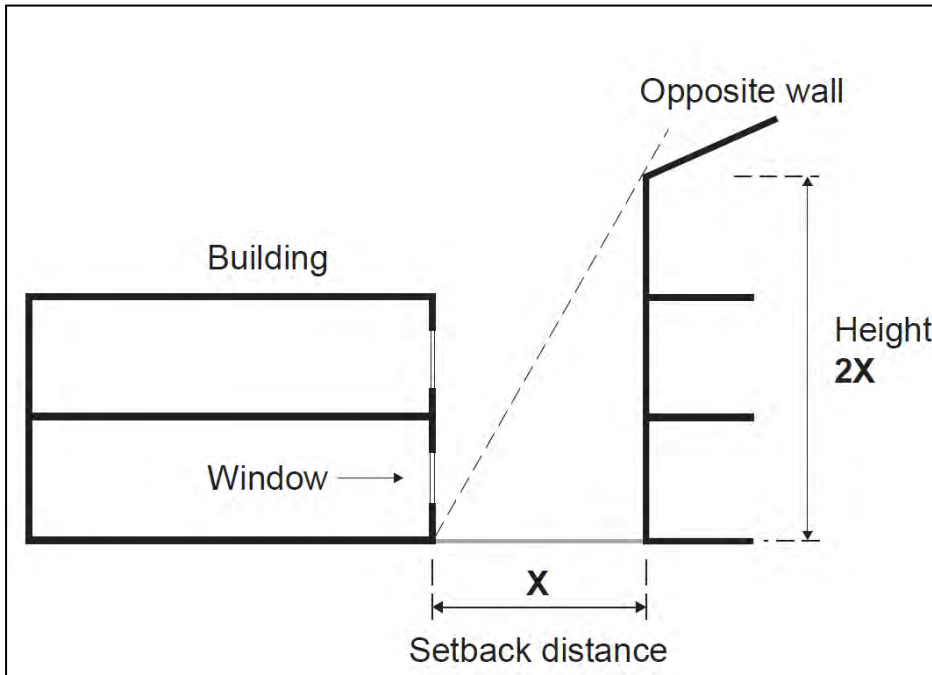
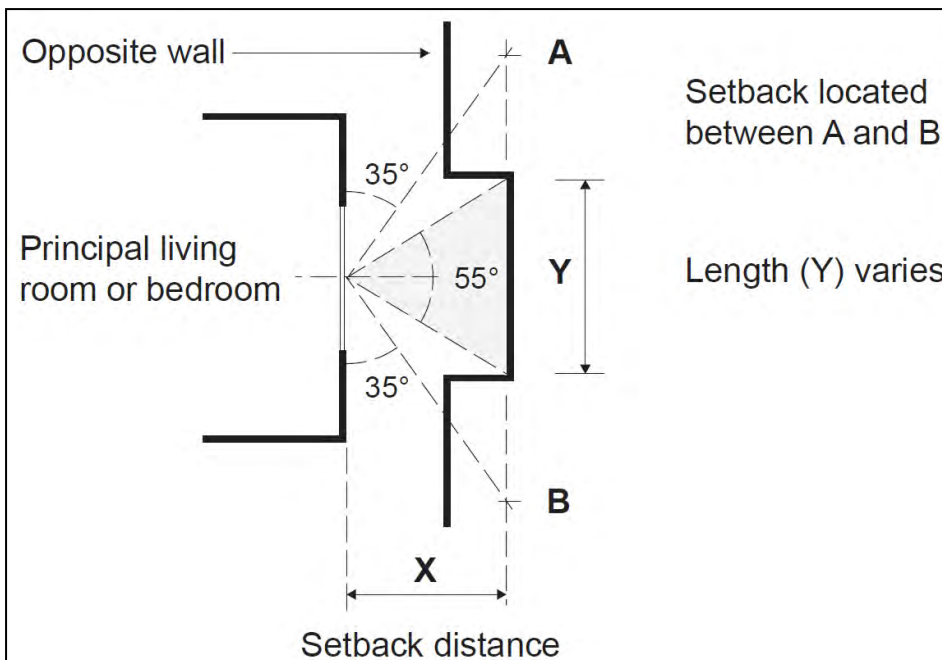


Figure H5.6.13.2 Required setbacks for daylight



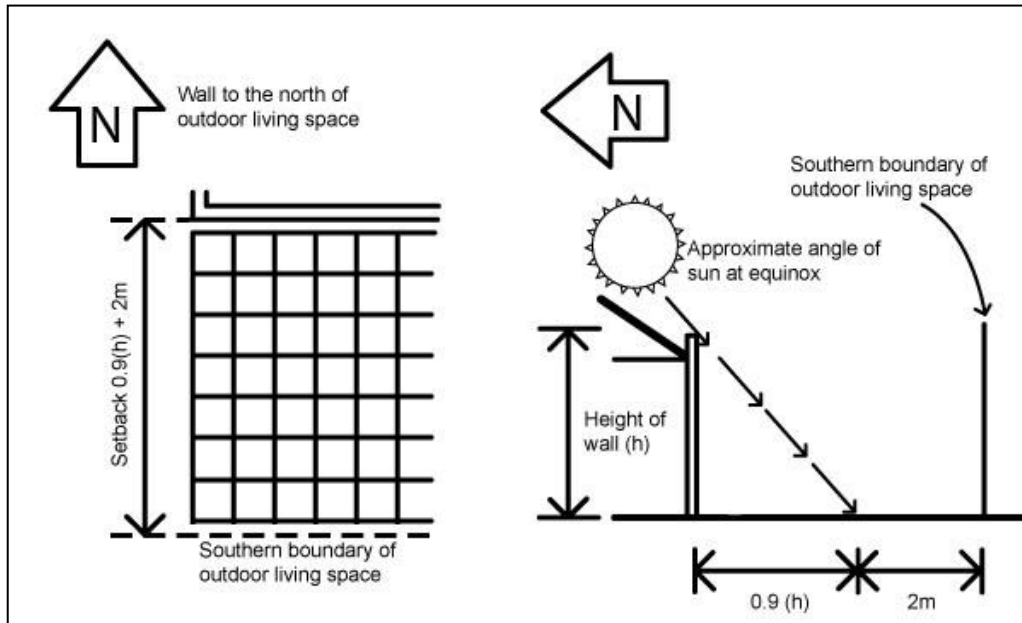
H5.6.14. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is accessible from the dwelling.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:

- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
- (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house.
 - (d) except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m² for a studio and 50m² for a dwelling with one or more bedrooms.
- (3) Where outdoor living space required by Standard H5.6.14(1) or Standard H5.6.14(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least $2m + 0.9(h)$, where (h) is the height of the wall or building as shown in the Figure H5.6.14.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Figure H5.6.14.1 Location of outdoor living space



H5.6.15. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

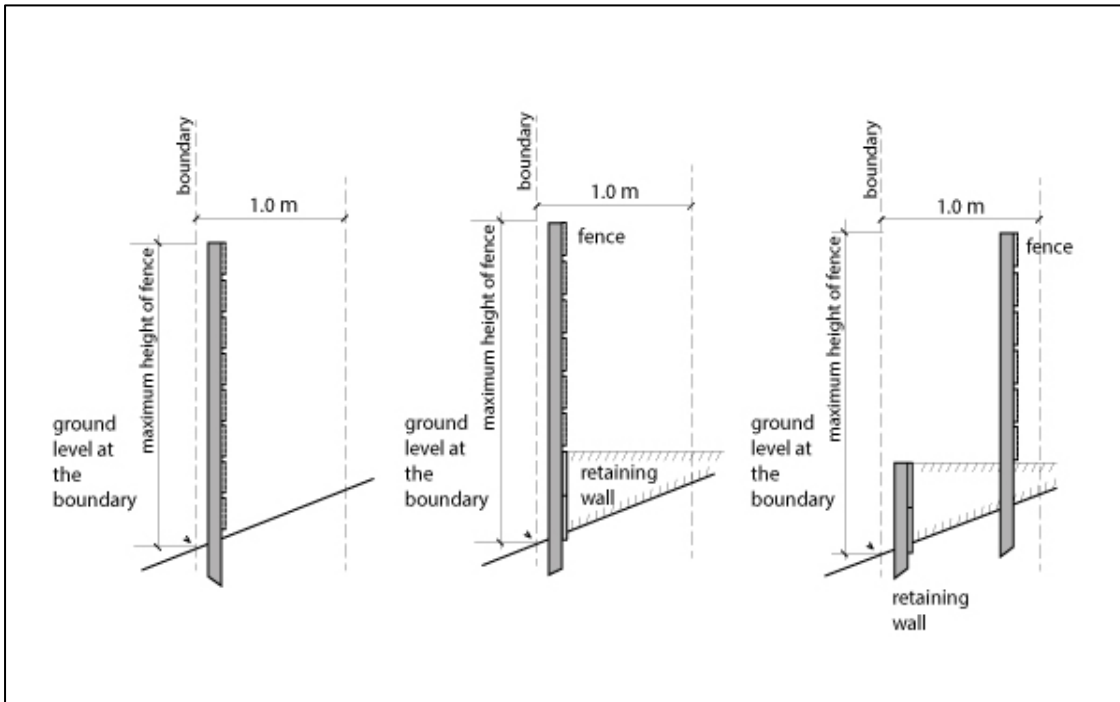
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within the side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.5.6.15.1 Measurement of fence height



H5.6.16. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H5.6.17. Rainwater tanks

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

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
 - (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
 - (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
 - (d) Clause (c) does not apply

- (i) to sites with (or proposed to have) three or less dwellings;
 - (ii) to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks located within a required outlook area must be no higher than 1m.
 - (3) Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m (Rule H5.6.14(1)) must be installed wholly below ground level.
 - (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
 - (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H5.7. Assessment – controlled activities

There are no controlled activities in this zone.

H5.8. Assessment – restricted discretionary activities

H5.8.1. 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) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
 - (a) infrastructure and servicing
 - (b) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for four or more dwellings per site:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic; and
- (iii) location and design of parking and access.

(b) all of the following standards:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space;
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.16 Minimum dwelling size

(c) Infrastructure and servicing

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) location and design of parking and access; and
- (iv) noise, lighting and hours of operation.

(b) all of the following standards:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space;
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.16 Minimum dwelling size.

(c) Infrastructure and servicing

(4) for buildings that do not comply with Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the urban built character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

(5) For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary but comply with H5.6.6 Alternative height in relation to boundary:

- (a) Sunlight access;
- (b) Attractiveness and safety of the street; and
- (c) Overlooking and Privacy.

H5.8.2. Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating

greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:

(a) infrastructure and servicing:

- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries;
 - screening or other design features; and
 - controlling the hours of operation and operational measures

(2) for four or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;

- (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size.
- (b) The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.
- (c) The extent to which development achieves attractive and safe streets and public open space by:
- (i) providing doors, windows and/or balconies facing the street and public open spaces
 - (ii) minimising tall, visually impermeable fences
 - (iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.
 - (iv) optimising front yard landscaping
 - (v) providing safe pedestrian access to buildings from the street
 - (vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces
- (d) The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;
- (e) The extent to which dwellings:
- (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling
 - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space
 - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.
 - (iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.
- (f) The extent to which outdoor living space:
- (i) Provides for access to sunlight

- (ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.
 - (iii) When provided at ground level, is located on generally flat land or otherwise functional
 - (g) refer to Policy H5.3(7); and
 - (h) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (3) for integrated residential development:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
 - (i) Standard H5.6.9 Maximum impervious areas;
 - (ii) Standard H5.6.10 Building coverage;
 - (iii) Standard H5.6.11 Landscaped area;
 - (iv) Standard H5.6.12 Outlook space;
 - (v) Standard H5.6.13 Daylight;
 - (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size (excluding retirement villages).
 - (b) refer to Policy H5.3(1);
 - (c) refer to Policy H5.3(2);
 - (d) refer to Policy H5.3(3);
 - (e) refer to Policy H5.3(4);
 - (f) refer to Policy H5.3(5);
 - (g) refer to Policy H5.3(6);
 - (h) refer to Policy H5.3(7);
 - (i) refer to Policy H5.3(8);

(j) refer to Policy H5.3(9); and

(k) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

(ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(4) for building height:

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(4).

(5) For new buildings and additions to buildings which do not comply with H5.6.5.

Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary:

Sunlight access

(a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

(i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4:
or

(ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14.

(b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):

(i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and

(ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Attractiveness and safety of the street

- (c) The extent to which those parts of the buildings located closest to the front boundary achieve attractive and safe streets by:
 - (i) providing doors, windows and balconies facing the street;
 - (ii) optimising front yard landscaping;
 - (iii) providing safe pedestrian access to buildings from the street; and
 - (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (d) The extent to which direct overlooking of a neighbour’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (6) for height in relation to boundary:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(4); and
 - (c) refer to Policy H5.3(5).
 - (7) for alternative height in relation to boundary infringements:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(3)
 - (c) refer to Policy H5.3(4); and
 - (d) refer to Policy H5.3(5).
 - (8) for height in relation to boundary adjoining lower intensity zones:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(4); and
 - (c) refer to Policy H5.3(5).
 - (9) for yards:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(4); and
 - (c) refer to Policy H5.3(5).
 - (10) for maximum impervious areas:
 - (a) refer to Policy H5.3(7);

(11) for building coverage:

- (a) refer to Policy H5.3(2); and
- (b) refer to Policy H5.3(4);

(12) for landscaped area:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(13) for outlook space:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(14) for daylight:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(15) for outdoor living space:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4);
- (c) refer to Policy H5.3(5); and
- (d) refer to Policy H5.3(6).

(16) for front, side and rear fences and walls:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(3); and
- (c) refer to Policy H5.3(4).

(17) For minimum dwelling size:

- (a) Policy H5.3(5)

H5.9. Special information requirements

There are no special information requirements in this zone.

H6. Residential – Terrace Housing and Apartment Buildings Zone

[CIV-2016-404-002333: Franco Belgiorno-Nettis]-Note: The properties affected by this appeal are identified on the Auckland Unitary Plan viewer.

H6.1. Zone Description

The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a greater intensity of development than previously provided for. This zone provides for urban residential living in the form of terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification.

The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres.

The zone provides for the greatest density, height and scale of development of all the residential zones. Buildings are enabled up to five, six or seven storeys in identified Height Variation Control areas, depending on the scale of the adjoining centre, to achieve a transition in height from the centre to lower scale residential zones. This form of development will, over time, result in a change from a suburban to urban built character with a high degree of visual change.

Standards are applied to all buildings and resource consent is required for all dwellings and for other specified buildings and activities in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases.

This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.

H6.2. Objectives

- (1) Land adjacent to centres and near the public transport network is efficiently used to provide high-density urban living that increases housing capacity and choice and access to centres and public transport.
- (2) Development is in keeping with the areas planned urban built character of predominantly five, six or seven storey buildings in identified areas, in a variety of forms.

- (3) Development provides quality on-site residential amenity for residents and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H6.3. Policies

- (1) Enable a variety of housing types at high densities including terrace housing and apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of setbacks and landscaped areas to achieve a high-density urban built character of predominantly five, six or seven storey buildings in identified areas, in a variety of forms.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) In identified locations adjacent to centres, enable greater building height through the application of the Height Variation Control where the additional development potential enabled:
 - (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and;
 - (b) supports public transport, social infrastructure and the vitality of the adjoining centre.
- (5) Manage the height and bulk of development to maintain daylight access and a reasonable standard of privacy, and to minimise visual dominance effects to adjoining sites and developments.
- (6) Require accommodation to be designed to meet the day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight, and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.

- (7) Encourage accommodation to have useable and accessible outdoor living space.
- (8) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (9) Provide for non-residential activities that:
- (a) support the social and economic well-being of the community;
 - (b) are in keeping with the with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.

H6.4. Activity table

Table H6.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Terrace Housing and Apartment Buildings Zone pursuant to section 9(3) of the Resource Management Act 1991).

Table H6.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	NC	
(A3)	Dwellings	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H6.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A5)	Home occupations	P	Standard H6.6.2 Home occupations
(A6)	Home occupations that do not meet Standard H6.6.2	D	
(A7)	Integrated residential development	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones;

H6 Residential – Terrace Housing and Apartment Buildings Zone

			Standard H6.6.9 Yards
(A8)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls
(A9)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A10)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls
(A11)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A12)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A13)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
Commerce			
(A14)	Dairies up to 100m ² gross floor area per	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard

H6 Residential – Terrace Housing and Apartment Buildings Zone

	site		H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls
(A15)	Restaurants and cafes up to 100m ² gross floor area per site	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls
(A16)	Service stations on arterial roads	D	
(A17)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H6.6.4 Offices within the Centre Fringe Office Control as identified on the planning maps
(A18)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H6.6.4	D	
Community			
(A19)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A20)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A21)	Community facilities	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11

H6 Residential – Terrace Housing and Apartment Buildings Zone

			Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A22)	Education facilities	D	
(A23)	Tertiary education facilities	D	
(A24)	Emergency services adjoining an arterial road	D	
(A25)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A26)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A27)	Veterinary clinics	D	
Rural			
(A28)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A29)	Marae complex	D	
Development			
(A30)	Demolition of buildings	P	
(A31)	Internal and external alterations to buildings	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls, H6.6.17 Minimum dwelling size
(A32)	Accessory buildings	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage
(A33)	Additions to an existing dwelling	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards;

			Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls, H6.6.17 Minimum dwelling size.
(A34)	New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary	RD	H6.6.7 Alternative height in relation to boundary Note: Compliance with standard H6.6.6 Height in relation to boundary is not required.
(A35)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A36)	<u>Rainwater Tank</u>	<u>P</u>	<u>Standard H6.6.18</u>

H6.5. 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(4) of the Resource Management Act 1991:
- (a) dwellings that comply with all of the standards listed in Table H6.4.1 Activity table;
 - (b) an integrated residential development that complies with all of the standards listed in Table H6.4.1 Activity table;
 - (c) New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary, but comply with Rule 6.6.7 Alternative height in relation to boundary;
 - (d) development which does not comply with H6.6.16 (1a) Front, side and rear fences and walls; or
 - (e) development which does not comply with H6.6.17 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H6.4.1 Activity table and which is not listed in H6.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H6.6. Standards

H6.6.1. Activities listed in Table H6.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H6.4.1 Activity table must comply with the standards listed in the column in Table H6.4.1 Activity table called Standards to be complied with.

H6.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
 - (c) no more than four people in total may work in the home occupation;
 - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
 - (e) car trips to and from the home occupation activity must not exceed 20 per day;
 - (f) heavy vehicle trips must not exceed two per week;
 - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
 - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
 - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
 - (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H6.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H6.6.4. Offices within the Centre Fringe Office Control as identified on the planning maps

Purpose: enable offices in existing buildings in the Centre Fringe Office Control area.

- (1) Offices must be located in existing buildings.

H6.6.5. Building height

Purpose: to manage the height of buildings to provide for terrace housing and apartments and achieve an urban built character of predominantly five storeys or six or seven storeys in identified locations adjacent to centres.

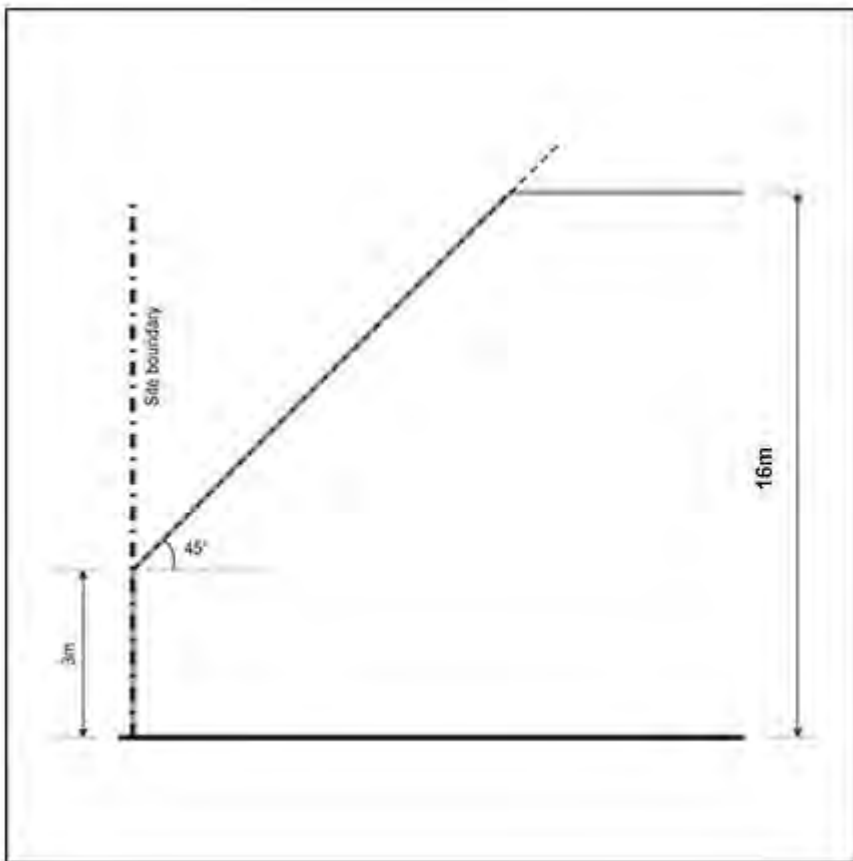
- (1) Buildings must not exceed 16m in height.
- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for the site on the planning maps.
- (3) Standard H5.6.4 Building height applies to the site at 16 Spring Street, Freemans Bay (Lot 1 DP 85829) within a 10m setback area along Spring Street, England Street and adjoining the reserve at 10 England Street (Lot 1 DP 85953) as indicated on the planning maps. Outside of the setback area Buildings must not exceed 16m in height.

H6.6.6. Height in relation to boundary

Purpose: to minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along the side and rear boundaries, as shown in Figure H6.6.6.1 Height in relation to boundary below.

Figure H6.6.1 Height in relation to boundary



(2) Standard H6.6.6(1) does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) 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 – Light Industry Zone and Business – Heavy Industry Zone; or

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

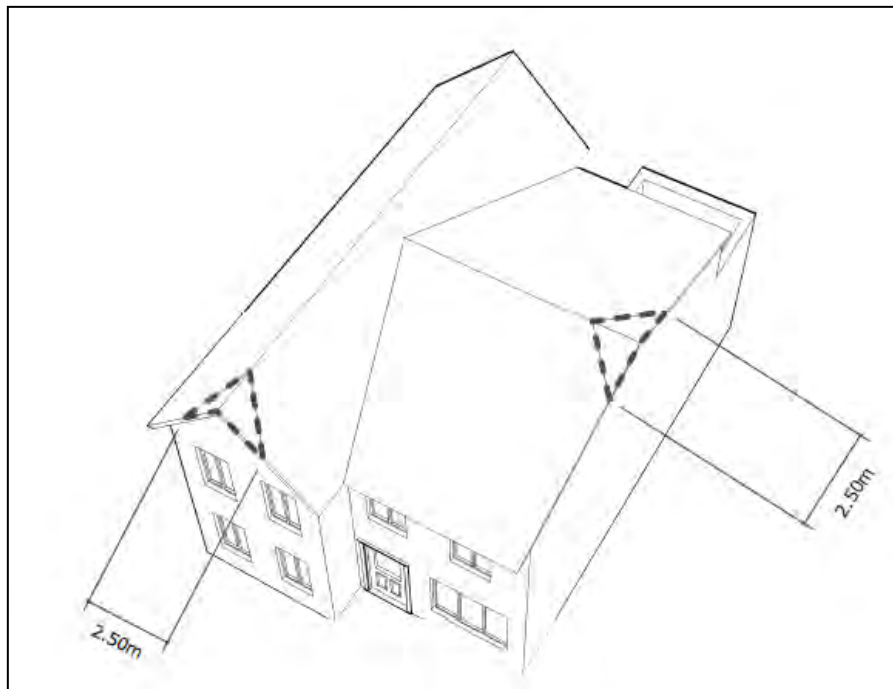
(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Standard H6.6.6(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H6.6.6(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H6.6.6.2 Exceptions for gable ends and dormers and roof projections below.

Figure H6.6.6.2 Exceptions for gable ends and dormers and roof projections



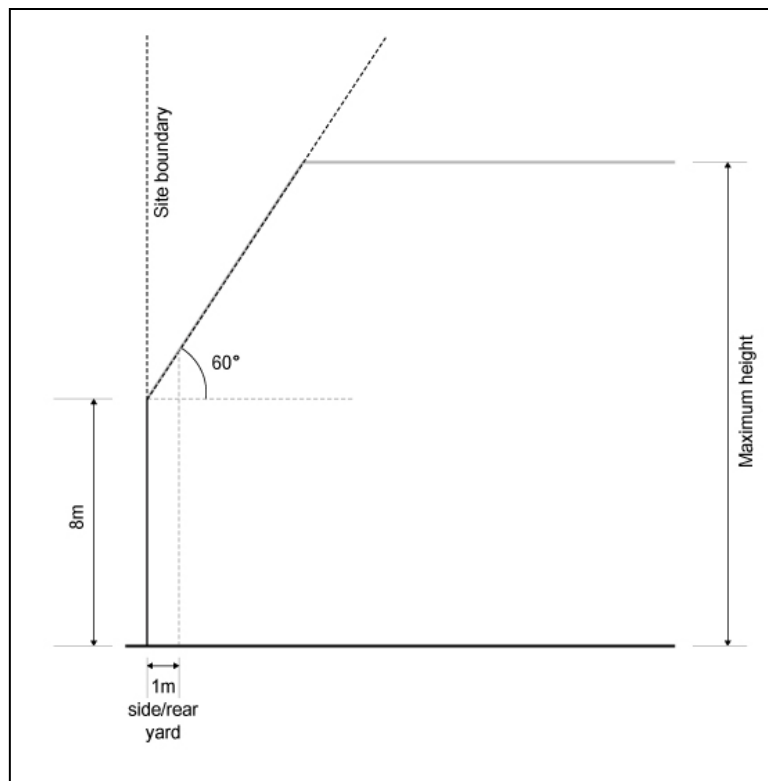
- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone

Purpose: to enable the efficient use of the site by providing design flexibility at the upper floors of a building, while maintaining a reasonable level of daylight access and reducing visual dominance effects to immediate neighbours.

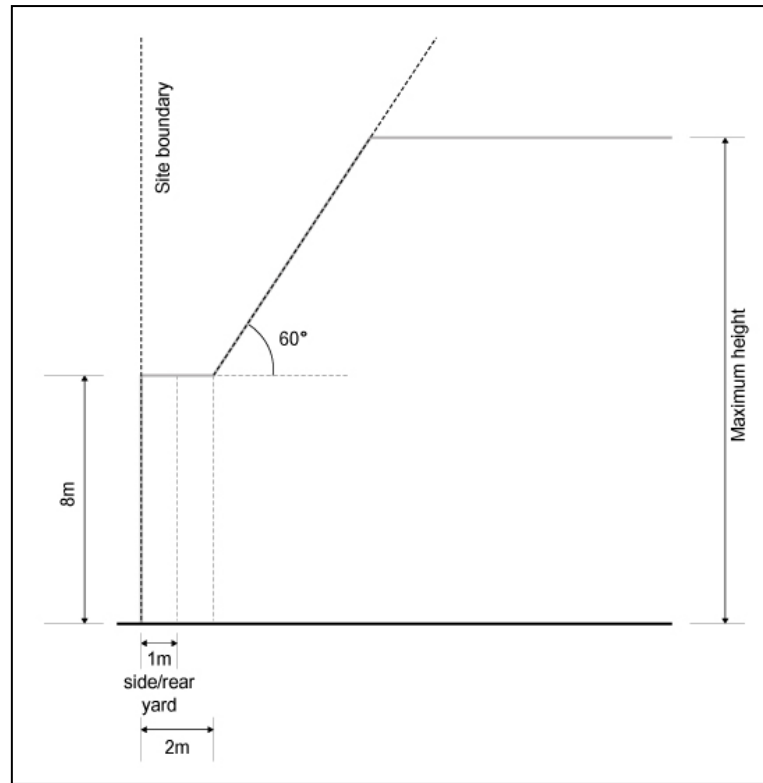
- (1) This standard is an alternative to the permitted Standard H6.6.6 Height in relation to boundary and applies to sites in the Terrace Housing and Apartment Buildings Zone that adjoin another site in the same zone or any other zone not specified in Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones.
- (2) Buildings or any parts of buildings must not project beyond a 60 degree recession plane measured from a point 8m vertically above ground level along side and rear boundaries within 20m of the site frontage, as shown in Figure H6.6.7.1 Alternative height in relation to boundary within 20m of the site frontage below.

Figure H6.6.7.1 Alternative height in relation to boundary within 20m of the site frontage



- (3) Buildings or any parts of buildings further than 20m from the site frontage must not project beyond a 60 degree recession plane measured from a point 8m vertically above ground level, and 2m perpendicular to side and rear boundaries, as shown in Figure H6.6.7.2 Alternative height in relation to boundary further than 20m from the site frontage below.

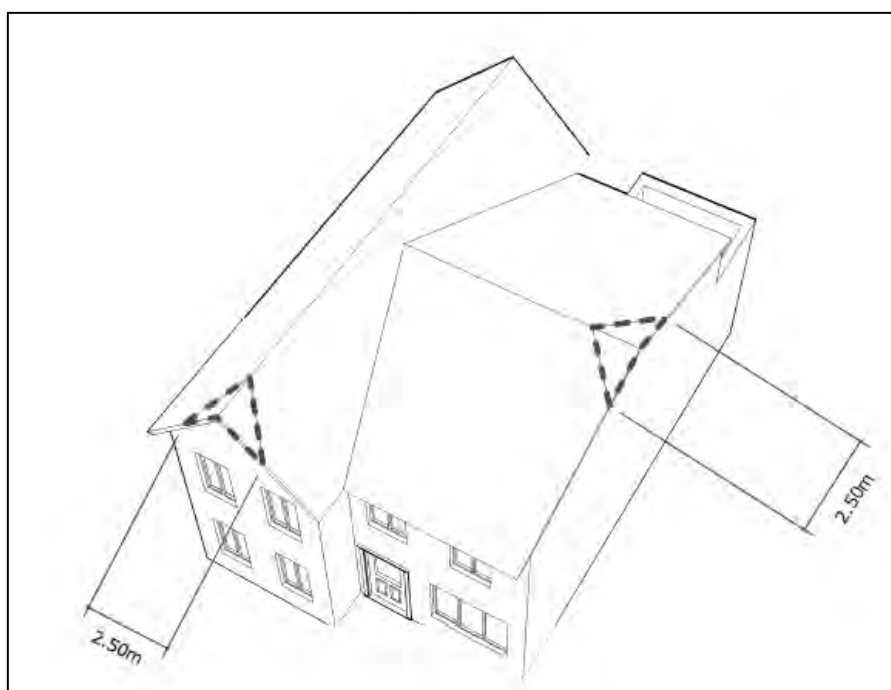
Figure H6.6.7.2 Alternative height in relation to boundary further than 20m from the site frontage



- (4) Standard H6.6.7(2) and (3) above do not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (5) Standard H6.6.7(2) and (3) above do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (6) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H6.6.7(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (7) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof, as shown in Figure H6.6.7.3 Exceptions for gable ends, dormers and roof projections below.

Figure H6.6.7.3 Exceptions for gable ends, dormers and roof projections



- (8) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (9) The building setback must be a stepped profile and must not be a literal regression of the recession plane.
- (10) This alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H6.6.8. Height in relation to boundary adjoining lower intensity zones

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

- (1) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone adjoin:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2000m² in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone except Standard H6.6.8(1)(c) does not apply to the site at 16 Spring Street, Freemans Bay (Lot DP 58529);

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone with the zone listed in Standard H6.6.8(1)(a) – (c) above.

- (2) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone adjoin sites in the Residential – Mixed Housing Urban Zone then Standard H5.6.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone or Standard H5.6.6 Alternative height in relation to boundary in the Residential – Mixed Housing Urban Zone applies to the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone that adjoins the Residential – Mixed Housing Urban Zone.
- (3) The building setback must be a stepped profile and must not be a literal regression of the recession plane.
- (4) Where the boundary forms part of a legal right of way, entrance strip or access site or pedestrian access way, the control in Standard H6.6.8(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

H6.6.9. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and

- to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H6.6.9.1 Yards below.

Table H6.6.9.1 Yards

Yard	Minimum depth
Front	1.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H6.6.9(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H6.6.10. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

(1) The maximum impervious area must not exceed 70 per cent of site area.

(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H6.6.11. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

(1) The maximum building coverage must not exceed 50 per cent of the net site area.

H6.6.12. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space; and
- to create a landscaped urban streetscape character within the zone.

(1) The minimum landscaped area must be at least 30 per cent of the net site area.

H6.6.13. Outlook space

Purpose:

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

(1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.

(2) The minimum dimensions for a required outlook space are as follows:

(a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and

(b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and

(c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.

(3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.

(4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

(5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.

(6) Outlook spaces may be within the site, over a public street, or other public open space.

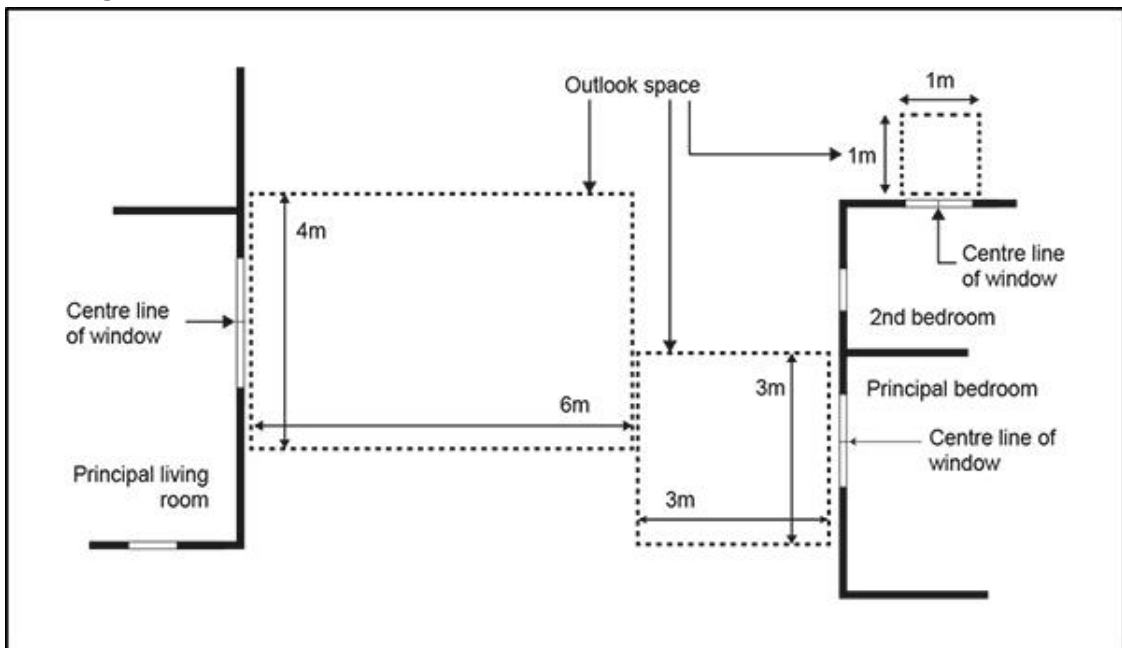
(7) Outlook spaces required from different rooms within the same building may overlap.

(8) Outlook spaces may overlap where they are on the same wall plane.

(9) Outlook spaces must:

- (a) be clear and unobstructed by buildings;
- (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H6.6.13(6) above; and
- (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H6.6.13.1 Required outlook space



H6.6.14. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook control, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space, particularly at upper building levels.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H6.6.14.2 Required setbacks for daylight below.

Refer to Table H6.6.14.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H6.6.14.1 Required setbacks for daylight and Figure H6.6.14.2 Required setbacks for daylight below.

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H6.6.14(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standard H6.6.14(1), (2) and (3) do not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H6.6.14.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m
7.0m	14.0m	7.0m
7.5m	15.0m	7.5m
8.0m	16.0m	8.0m
8.5m	17.0m	8.5m
9.0m	18.0m	9.0m
9.5m	19.0m	9.5m
10.0m	20.0m	10.0m
10.5m	21.0m	10.5m
11.0m	22.0m	11.0m

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
11.25m	22.5m	11.25m

Figure H6.6.14.1 Required setbacks for daylight

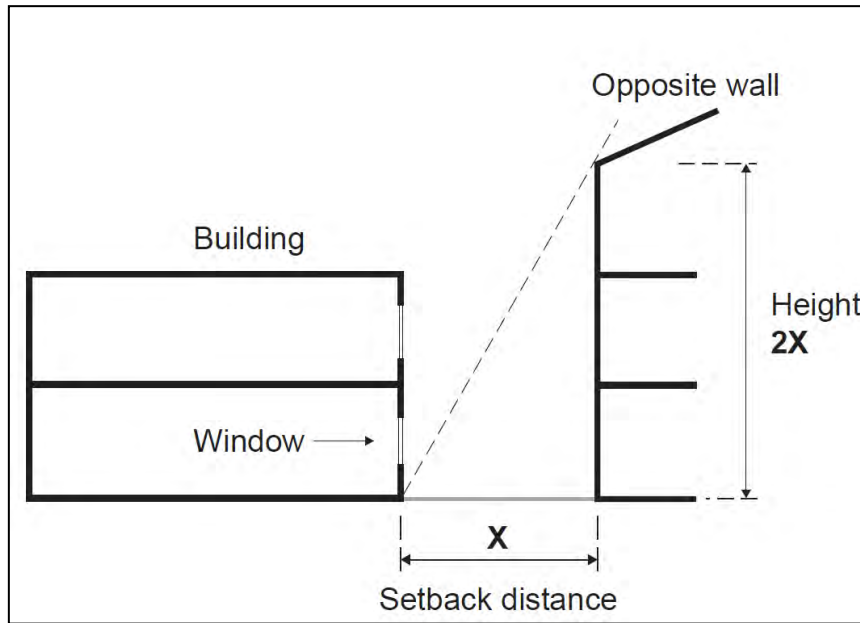
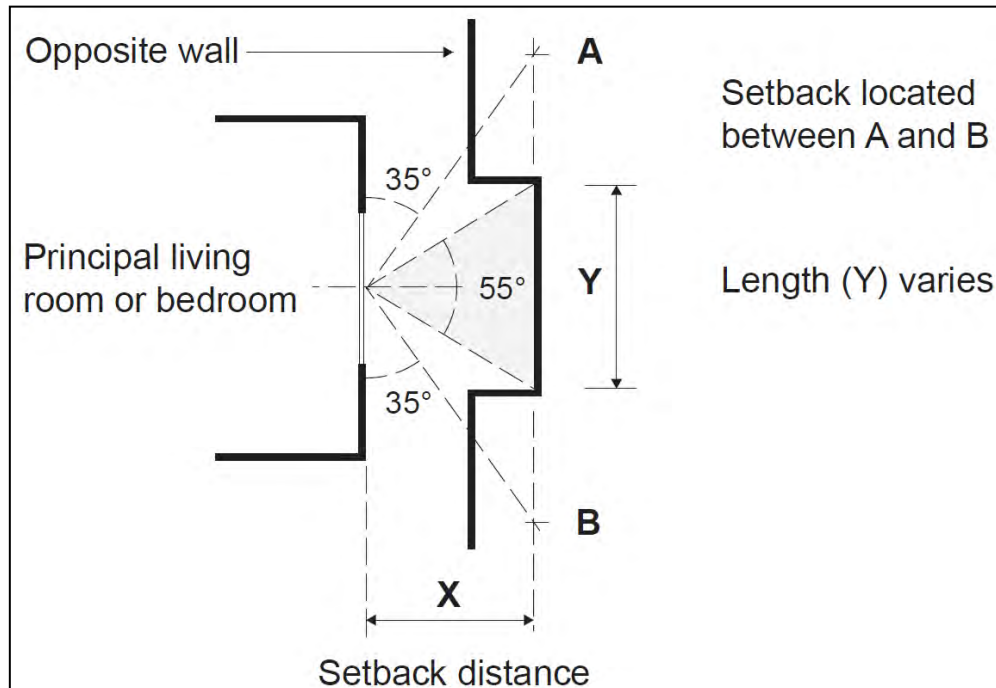


Figure H6.6.14.2 Required setbacks for daylight

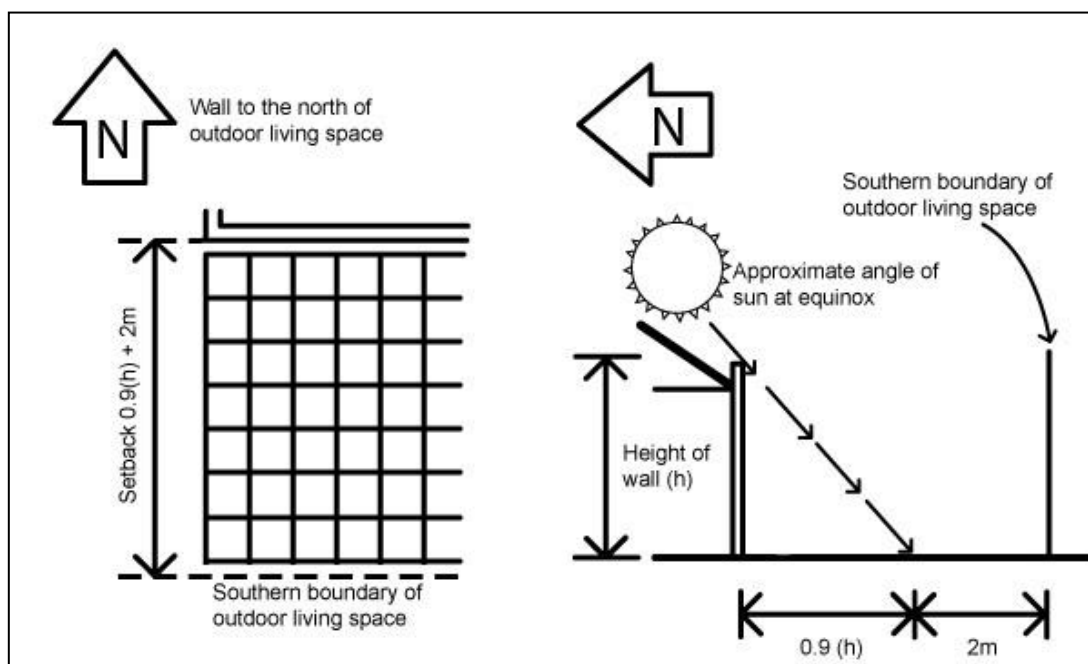


H6.6.15. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is directly accessible from the principal living room, dining room or kitchen and is separated from vehicle access and manoeuvring areas.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
 - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is directly accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is directly accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m² for a studio and 50m² for a dwelling with one or more bedrooms.
- (3) Where outdoor living space required by Standard H6.6.15(1) or Standard H6.6.15(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least 2m + 0.9(h), where (h) is the height of the wall or building as shown in the Figure H6.6.15.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Figure H6.6.15.1 Location of outdoor living space



H6.6.16. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a Front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place;
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

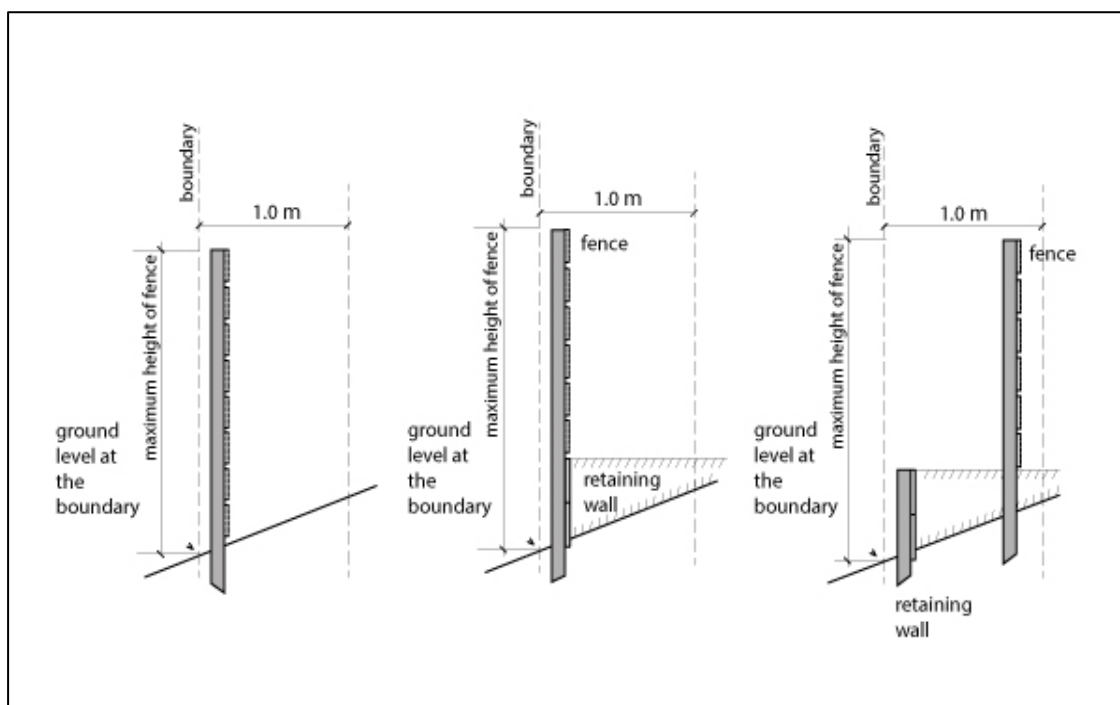
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.6.6.16.1 Measurement of fence height



H6.6.17. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H6.6.18. Rainwater tanks

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

(1) Rainwater tanks must not be located:

- (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
- (b) in a 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) Clause b) shall not apply to a rear service lane where the dwellings have frontage to a public street.

(3) Rainwater tanks located within a required outlook space area must be no higher than 1m.

- (4) Rainwater tanks located within the required minimum 20m² outdoor living space with minimum dimensions of 4m must be installed wholly underground.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H6.7. Assessment – controlled activities

There are no controlled activities in this zone.

H6.8. Assessment – restricted discretionary activities

H6.8.1. 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) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; restaurants and cafes up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
 - (a) infrastructure and servicing;
 - (b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for dwellings:
 - (a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic; and
 - (iii) location and design of parking and access.

(b) all of the following standards:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space;
- (vii) Standard H6.6.16 Front, side and rear fences and walls; and
- (viii) Standard H6.6.17 Minimum dwelling size

(c) Infrastructure and servicing

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) location and design of parking and access; and
- (iv) noise, lighting and hours of operation.

(b) all of the following standards:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space;
- (vii) Standard H6.6.16 Front, side and rear fences and walls; and
- (viii) Standard H6.6.17 Minimum dwelling size

(c) Infrastructure and servicing.

(4) for buildings that do not comply with Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16

Front, side and rear fences and walls; Standard H6.6.17 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the urban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.
- (5) For new buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary:
- (a) Visual dominance effects;
 - (b) Attractiveness and safety of the street; and
 - (c) Overlooking and privacy.

H6.8.2. Assessment criteria

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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; restaurants and cafes up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
- (a) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries; and
 - screening or other design features; and
 - controlling the hours of operation and operational measures.

(2) for dwellings:

- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space; and
- (vii) Standard H6.6.16 Front, side and rear fences and walls; and
- (viii) Standard H6.6.17 Minimum dwelling size

- (b) refer to Policy H6.3(1);

- (c) refer to Policy H6.3(2);

- (d) refer to Policy H6.3(3);
- (e) refer to Policy H6.3(4);
- (f) refer to Policy H6.3(5);
- (g) refer to Policy H6.3(6);
- (h) refer to Policy H6.3(7); and
- (i) refer to Policy H6.3(8).
- (j) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (k) the extent to which the necessary storage and waste collection and recycling facilities is provided in locations conveniently accessible and screened from streets and public open spaces.
- (l) traffic:
 - (i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network.
 - (ii) H6.8.2 (2)(l)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone.
- (3) for integrated residential development:
 - (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
 - (i) Standard H6.6.10 Maximum impervious areas;
 - (ii) Standard H6.6.11 Building coverage;
 - (iii) Standard H6.6.12 Landscaped area;
 - (iv) Standard H6.6.13 Outlook space;
 - (v) Standard H6.6.14 Daylight;
 - (vi) Standard H6.6.15 Outdoor living space;
 - (vii) Standard H6.6.16 Front, side and rear fences and walls; and
 - (viii) Standard H6.6.17 Minimum dwelling size (excluding retirement villages).

- (b) refer to Policy H6.3(1);
- (c) refer to Policy H6.3(2);
- (d) refer to Policy H6.3(3);
- (e) refer to Policy H6.3(4);
- (f) refer to Policy H6.3(5);
- (g) refer to Policy H6.3(6);
- (h) refer to Policy H6.3(7);
- (i) refer to Policy H6.3(8); and
- (j) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (k) traffic:
 - (i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network.
 - (ii) H6.8.2 (3)(k)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone.

- (4) For new buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary:

Visual dominance

- (a) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:
 - (i) the planned urban built character of the zone;
 - (ii) the location, orientation and design of development; and
 - (iii) the physical characteristics of the site and the neighbouring site.

Attractiveness and safety of the street

- (b) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by:
 - (i) providing doors, windows and balconies facing the street;

- (ii) optimising front yard landscaping;
- (iii) providing safe pedestrian access to buildings from the street; and
- (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (c) The extent to which direct overlooking of a neighbour’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(5) for building height:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4); and
- (d) refer to Policy H6.3(5).

(6) for height in relation to boundary infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4);
- (d) refer to Policy H6.3(5); and
- (e) refer to Policy H6.3(6).

(7) for alternative height in relation to boundary infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(3);
- (d) refer to Policy H6.3(4);
- (e) refer to Policy H6.3(5); and
- (f) refer to Policy H6.3(6).

(8) for height in relation to boundary adjoining lower density zones:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4);

(d) refer to Policy H6.3(5); and

(e) refer to Policy H6.3(6).

(9) for yards:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4); and

(d) refer to Policy H6.3(5).

(10) for maximum impervious areas:

(a) refer to Policy H6.3(8).

(11) for building coverage:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4);

(d) refer to Policy H6.3(5); and

(e) refer to Policy H6.3(6).

(12) for landscaped area:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4); and

(d) refer to Policy H6.3(5).

(13) for outlook space:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4);

(d) refer to Policy H6.3(5); and

(e) refer to Policy H6.3(6).

(14) for daylight:

(a) refer to Policy H6.3(2);

(b) refer to Policy H6.3(4);

(c) refer to Policy H6.3(5); and

(d) refer to Policy H6.3(6).

(15) for outdoor living space:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(5);

(d) refer to Policy H6.3(6); and

(e) refer to Policy H6.3(7).

(16) For front, side and rear fences and walls:

(a) refer to Policy H6.3(2);

(b) refer to Policy H6.3(3);

(c) refer to Policy H6.3(5); and

(d) refer to Policy H6.3(6).

(17) For minimum dwelling size:

(a) Policy H6.3(6)

H6.9. Special information requirements

There are no special information requirements in this zone.

H19. Rural zones

H19.1 Background

There are five rural zones covered in H19. Rural zones:

- Rural – Rural Production Zone;
- Rural – Mixed Rural Zone;
- Rural – Rural Coastal Zone;
- Rural – Rural Conservation Zone; and
- Rural – Countryside Living Zone.

These zones, and their provisions, provide the main framework for the management of subdivision, use and development in the rural areas.

Section H19.2 contains general provisions applicable to all rural zones. These general provisions are then followed by objectives and policies relevant to the individual zones (section H19.3 to H19.5.12). The general and zone-specific provisions provide the management framework for subdivision use and development in the rural areas and need to be considered together, along with the Auckland-wide objectives and policies for rural subdivision.

Within the Rural – Rural Coastal Zone there are a number of identified coastal areas that, in addition to the general objectives and policies of that zone, have additional area specific objectives and policies.

These areas are:

- Te Arai-Pakiri coastal area;
- Whangateau-Waiwera coastal area;
- Kaipara South Head and Harbour coastal area;
- Muriwai-Te Henga coastal area;
- Tasman coastal area;
- Manukau Harbour coastal area; and
- Tāmaki-Firth coastal area.

H19.2 Objectives and policies – all rural zones

The following objectives and policies apply to all rural zones.

H19.2.1. Objectives – general rural

- (1) Rural areas are where people work, live and recreate and where a range of activities and services are enabled to support these functions.
- (2) Rural production activities are provided for throughout the rural area while containing adverse environmental effects on site.

- (3) Elite soil is protected, and prime soil is managed, for potential rural production.
- (4) Rural lifestyle development avoids fragmentation of productive land.

H19.2.2. Policies – general rural

- (1) Enable activities based on use of the land resource and recognise them as a primary function of rural areas.
- (2) Require rural production activities to contain and manage their adverse environmental effects on-site to the fullest extent practicable.
- (3) Enable rural production activities on elite and prime soil and avoid land-use activities and development not based on, or related to, rural production from locating on elite soil and avoid where practicable such activities and development from locating on prime soil.
- (4) Enable and maintain the productive potential of land that is not elite or prime soil but which has productive potential for rural production purposes, and avoid its use for other activities including rural lifestyle living except where these are provided for or enabled by Policy H19.2.2(5).
- (5) Enable a range of rural production activities and a limited range of other activities in rural areas by:
 - (a) separating potentially incompatible activities such as rural production and rural lifestyle living into different zones;
 - (b) avoiding or restricting rural subdivision for activities not associated with rural production in areas other than those subdivision provided for in [E39 Subdivision – Rural](#);
 - (c) managing the effects of activities in rural areas so that;
 - (i) essential infrastructure can be funded, coordinated and provided in a timely, integrated, efficient and appropriate manner; and
 - (ii) reverse sensitivity effects do not constrain rural production activities.
 - (d) acknowledging that, in some circumstances, the effective operation, maintenance, upgrading and development of infrastructure may place constraints on productive land and other rural activities; or
 - (e) providing for tourism and activities related to the rural environment.
- (6) Recognise that a range of buildings and structures accessory to farming and forestry, and other operational structures for rural production activities are an integral part of rural character and amenity values.
- (7) Enable intensive farming in the Rural – Rural Production Zone, Rural – Mixed Rural Zone and Rural – Rural Coastal Zone only where it is carried out in accordance with good industry practice.

H19.2.3. Objectives – rural character, amenity and biodiversity values

- (1) The character, amenity values and biodiversity values of rural areas are maintained or enhanced while accommodating the localised character of different parts of these areas and the dynamic nature of rural production activities.
- (2) Areas of significant indigenous biodiversity are protected and enhanced.

H19.2.4. Policies – rural character, amenity and biodiversity values

- (1) Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics:
 - (a) a predominantly working rural environment;
 - (b) fewer buildings of an urban scale, nature and design, other than residential buildings and buildings accessory to farming; and
 - (c) a general absence of infrastructure which is of an urban type and scale.
- (2) Recognise the following are typical features of the Rural – Rural Production Zone, Rural – Mixed Rural Zone and Rural – Rural Coastal Zone and will generally not give rise to issues of reverse sensitivity in these zones:
 - (a) the presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops, plantation forests and farm forests;
 - (b) noise, odour, dust, traffic and visual effects associated with use of the land for farming, horticulture, forestry, mineral extraction and cleanfills;
 - (c) the presence of existing mineral extraction activities on sites zoned as Special Purpose – Quarry Zone;
 - (d) accessory buildings dot the landscape, particularly where farming activities are the dominant activity; and
 - (e) activities which provide for the relationship of Mana Whenua to their ancestral land and taonga.
- (3) Enable opportunities to protect existing Significant Ecological Areas or provide opportunities to enhance or restore areas to areas meeting criteria of Significant Ecological Areas.

PC 20 (See modifications)

H19.2.5. Objectives – rural industries, rural commercial services and non-residential activities

- (1) Rural production activities are supported by appropriate rural industries and services.
- (2) The character, intensity and scale of rural industries and services are in keeping with the character of the relevant rural zone.

- (3) The rural economy and the well-being of people and local communities are maintained or enhanced by social, cultural and economic non-residential activities, while the area's rural character and amenity is maintained or enhanced.
- (4) Industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones.
- (5) The rehabilitation of quarries is assisted by cleanfills and managed fills.

H19.2.6. Policies – rural industries, rural commercial services and non-residential activities

- (1) Enable rural industries and rural commercial services only where they have a direct connection with the resources, amenities, characteristics and communities of rural areas.
- (2) Manage rural industries, rural commercial services and other non-residential activities to:
 - (a) avoid creating reverse sensitivity effects;
 - (b) contain and manage adverse effects on-site; and
 - (c) avoid, remedy or mitigate adverse effects on traffic movement and the road network.
- (3) Enable cleanfills and managed fills where they can assist the rehabilitation of quarries.
- (4) Restrict cleanfills and managed fills in the Rural – Rural Conservation Zone and Rural – Countryside Living Zone. Where cleanfills are established in other rural zones:
 - (a) they should not adversely affect or inhibit the use of surrounding land for productive purposes or for carrying out any permitted, restricted discretionary or discretionary activity; and
 - (b) their completed state should be in keeping with the appearance, form and location of existing rural character and amenity values.

H19.3 Rural – Rural Production Zone

H19.3.1. Zone description

The purpose of the Rural – Rural Production Zone is to provide for the use and development of land for rural production activities and rural industries and services, while maintaining rural character and amenity values.

The zone's physical, climatic and production characteristics vary across the region, including rolling to steep hill country and flat to rolling lowlands with highly productive soils close to the metropolitan area.

In the north, the zone is characterised by:

- Auckland's highest number of remaining large rural properties;
- Low-intensity settlement, significant natural areas and natural resources; and
- an environment less modified by humans than other zones in the north.

In the south, the zone is characterised by:

- intensively subdivided land tenure pattern, particularly on lowland areas;
- the largest horticultural production area in Auckland, centred on the highly productive soils of the Franklin lowlands;
- mixed primary production including pastoral farming and forestry relating to topography, land tenure pattern and water availability on the west and east coasts; and
- the Hunua Ranges providing the backdrop to production land in the east.

The following objectives and policies apply to the Rural – Rural Production Zone.

H19.3.2. Objectives

- (1) A range of rural production, rural industries, and rural commercial activities take place in the zone.
- (2) The productive capability of the land is maintained and protected from inappropriate subdivision, use and development.

H19.3.3. Policies

- (1) Provide for a range of existing and new rural production, rural industry and rural commercial activities and recognise their role in determining the zone's rural character and amenity values.
- (2) Provide for forestry activities including:
 - (a) planting and management of new and existing forests in recognition of their production values, land stability and carbon sequestration functions, and multiple use for active recreation;
 - (b) woodlots and farm-scale forestry; and
 - (c) planting of indigenous species and amenity exotic species for long-term production purposes and the eventual harvesting of these species.
- (3) Enable the establishment of new greenhouses and the expansion of existing greenhouses in specific locations where there are advantages for operational efficiencies, transport accessibility and the provision of energy such as natural gas supplies and services, and manage the amenity expectations of other activities in these areas.
- (4) Provide for intensive farming, while managing the adverse effects and require compliance with good industry practice.
- (5) Require intensive farming of new species, including terrestrial, freshwater and marine species not currently farmed in the Rural – Rural Production Zone to:

- (a) be designed and operated to prevent the escape of any species of animal or plant that could have an adverse effect on the natural environment; and
- (b) not include any mustelid species.

H19.4 Rural – Mixed Rural Zone

H19.4.1. Zone description

The purpose of the Rural – Mixed Rural Zone is to provide for rural production, generally on smaller rural sites and non-residential activities of a scale compatible with smaller site sizes.

These areas often have a history of horticulture, viticulture, intensive farming and equine-related activities. These activities have in turn supported the establishment of produce sales or retail services such as cafés, restaurants, tourist and visitor-related facilities.

Sites in this zone provide flexibility to accommodate a range of rural production activities and associated non-residential activities while still ensuring good amenity levels for residents who use their land for rural lifestyle purposes.

The following objectives and policies apply to the Rural – Mixed Rural Zone.

H19.4.2. Objectives

- (1) The existing subdivision pattern is used by a range of rural production activities and non-residential activities that support them.
- (2) The continuation of rural production and associated non-residential activities in the zone is not adversely affected by inappropriate rural lifestyle activity.
- (3) Rural character and amenity values of the zone are maintained while anticipating a mix of rural production, non-residential and rural lifestyle activities.

H19.4.3. Policies

- (1) Enable rural production, rural industries and rural commercial services that are compatible with the existing subdivision pattern and recognise that these activities are significant elements of, and primary contributors to, rural character and amenity values.
- (2) Manage reverse sensitivity effects by:
 - (a) limiting the size, scale and type of non-rural production activities;
 - (b) retaining the larger site sizes within this zone;
 - (c) limiting further subdivision for new rural lifestyle sites; and
 - (d) acknowledging a level of amenity that reflects the presence of:
 - (i) rural production and processing activities that generate rural odours, noise from stock and the use of machinery, and the movement of commercial vehicles on the local road network; and

- (ii) non-residential activities which may generate noise, light and traffic levels greater than those normally found in areas set aside for rural lifestyle activities.

H19.5 Rural – Rural Coastal Zone

H19.5.1. Zone description

The purpose of the Rural – Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland's harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone also provides opportunities to access the coastal marine area and support marine-related activities.

The zone is more extensive than the coastal environment line identified by using the New Zealand Coastal Policy Statement criteria. It recognises the significance of the coast to the character and identity of Auckland and its role as a favoured place to live and work and for recreational and leisure activities. The coastal environment, and in particular the coastal edge and margins of lakes and rivers, is important to Mana Whenua.

Much, but not all of the zone and the adjacent coastal marine area is covered by Outstand Natural Character, High Natural Character, Outstanding Natural Landscape and Significant Ecological Areas overlays.

Parts of this zone are under significant development pressure for coastal town and village settlement, further rural lifestyle opportunities, recreational, tourism and visitor activities.

The objectives and policies set out in H19.5.2 and H19.5.3 apply to the entire Rural – Rural Coastal Zone. The objectives and policies set out in sections H19.5.4. – H19.5.10. apply to specific coastal areas:

- Rural Coastal Zone – Te Arai-Pākiri coastal area;
- Rural Coastal Zone – Whangateau-Waiwera coastal area;
- Rural Coastal Zone – Kaipara South Head and Harbour coastal area;
- Rural Coastal Zone – Muriwai-Te Henga coastal area;
- Rural Coastal Zone – Tasman coastal area;
- Rural Coastal Zone – Manukau Harbour coastal area; and
- Rural Coastal Zone – Tāmaki-Firth coastal area.

H19.5.2. Objectives

- (1) Rural production activities are enabled while managing adverse effects on rural character and amenity values, landscape, biodiversity values and Mana Whenua cultural heritage values.

- (2) The development and operation of activities that provide recreational and local non-residential services are enabled where they maintain and enhance the zone's rural and coastal character, amenity values, landscape and biodiversity values.
- (3) Buildings are of a scale and intensity that do not detract from the zone's rural and coastal character and amenity values.
- (4) Rural lifestyle subdivision is limited across the zone.
- (5) The significant relationship between land, freshwater bodies and the coastal marine area and their contribution to Auckland's rural and coastal character is maintained and enhanced.
- (6) Recognise differences in coastal character in different parts of the zone and manage activities and development to maintain and enhance local coastal character.

H19.5.3. Policies

- (1) Manage activities and development to maintain the distinctive rural and coastal character of the zone which include:
 - (a) farming and forestry with a low density of buildings and other significant structures;
 - (b) rural character and amenity values, biodiversity values, values based on particular physical and natural features such as beaches, ridgelines, estuaries, harbours, indigenous vegetation, wetlands, or similar features;
 - (c) physical and visual links between land, freshwater lakes and the coastal marine area; or
 - (d) traditional cultural relationships of Mana Whenua with the coastal environment.
- (2) Enable the continuation of rural production activities and the construction of accessory buildings and structures for farming purposes.
- (3) Provide for the continued operation of forestry including harvesting and replanting in existing forest areas.
- (4) Discourage rural production activities that have significant adverse effects resulting from:
 - (a) large buildings;
 - (b) significant earthworks or changes to natural landforms;
 - (c) adverse effects that cannot be contained or managed within the boundary of the site;
 - (d) significant numbers of daily vehicle movements, particularly on scenic and tourist routes; or

- (e) significant impacts on biodiversity values and rural character and amenity values.
- (5) Maintain the rural and coastal character and amenity values in the coastal environment by controlling the number, location, size and visual impact of dwellings and other non-residential buildings and their curtilage and accessways.
- (6) Require the location and design of buildings and other significant structures to:
 - (a) avoid locating on the top of ridgelines so their profile does not protrude above the natural line of the ridge;
 - (b) minimise building platforms and accessways and earthworks associated with these; and
 - (c) avoid locating buildings and other significant structures in coastal yards and riparian margins, except for fences and structures with operational need for such a location.
- (7) Recognise the importance of major roads in the zone that:
 - (a) provide access to coastal settlements, public open space and the coast;
 - (b) function as major transport routes for rural produce;
 - (c) are major scenic and tourist routes;
 - (d) are preferred locations for recreation, tourism, visitor facilities and services and the sale of produce and crafts; or
 - (e) act as gateways to Auckland.
- (8) Enable the development of appropriate activities, while ensuring that the transport function of the road and its scenic values are not compromised.

H19.5.4. Rural – Rural Coastal Zone Te Arai-Pākiri coastal area

H19.5.4.1. Area Description

This area includes the coastal land between Te Arai Point and J Greenwood Road to the south of Pākiri village. Te Arai and Pākiri beaches are the only lengthy, exposed, high-energy beaches on mainland Auckland's east coast. In contrast to other areas on this coastline, it has a distinctly remote and wild rural character.

The area is characterised by hill country in the south and west which gives way to rolling rural land, sand dunes and flat pastoral land in the north and east. The sand dunes along with historically planted exotic forests form a natural interface between the beach and the pastoral land further afield. The areas of indigenous and exotic forest on the hills lying to the west of the Pākiri coastal area form a physical and visual backdrop to the area. There are significant areas of indigenous vegetation and wildlife habitat in the area, containing a number of important native species.

The Te Arai-Pākiri coastal area is characterised by an existing rural lifestyle and beach settlement to the south of Mangawhai Forest, focussed on the Pākiri River area. Pākiri Regional Park is located to the south of the river. There are limited public road access points to the beaches. At Te Arai Point, located towards the northern end of the coastline, there is a public reserve, regional park, scenic lookout and a golf course.

H19.5.4.2. Objectives

- (1) Low levels of built development in the Te Arai-Pākiri coastal area are maintained to retain its coastal character and the scenic and recreational values of Pākiri Beach and Te Arai Beach.
- (2) Development of Māori land is provided for in a way that retains the dominance of natural elements and scenic values over any built development.

H19.5.4.3. Policies

- (1) Avoid beachfront residential and rural lifestyle development to retain the undeveloped character of the beaches.
- (2) Manage the type and intensity of development along existing public roads and other access ways to the beaches to protect their low-key development character.
- (3) Manage built development so that the size, location and density of buildings do not dominate over natural elements and the area retains a rural and coastal character rather than a built one.
- (4) Minimise the visual and landscape impacts of buildings in areas where there are important public views to and from Pākiri Beach, Te Arai Beach and the rural backdrop, including:
 - (a) views to and from the beach at the Pākiri River mouth;
 - (b) views to and along Pākiri Beach and the southern coastal hills from Pākiri Regional Park; and
 - (c) views to and from the beach at Te Arāi Point.
- (5) Avoid activities and development that adversely affect the natural character, water quality and recreational use of the catchment of the Cape Rodney to Ōkakarī Point/Goat Island Marine Reserve, particularly on the coastal hills fronting the reserve.
- (6) Provide for the ongoing operation of the Mangawhai Forest and its multiple purposes for timber production and sand dune stabilisation, and for its landscape and open space values as a backdrop to Pākiri Beach.
- (7) Enable the use of Māori land in the area for papakāinga and other associated purposes, but recognise the high natural values of the area by:
 - (a) concentrating built development in areas of lower visual prominence;

- (b) cluster development rather than expansion along the coastal edge;
- (c) maintaining existing vegetation and landform character as far as practicable; and
- (d) managing the scale of development to reflect papakāinga and marae needs, rather than more intensive forms of development.

H19.5.5. Rural – Rural Coastal Zone East Coast area Whangateau-Waiwera

H19.5.5.1. Area Description

This extends from Rodney Road (Pākiri Hill) south as far as the northern bank of Waiwera River. Its inland boundary generally follows State Highway 1 from Waiwera to Warkworth, before extending northeast to the east of Matakana Road and along Leigh Road.

The area is characterised by an indented and variable coastline with steep headlands, small coves, sheltered beaches and harbours, and extensive sandy beaches. A sequence of five major estuaries are along the eastern coast area – Whangateau, Matakana, Mahurangi, Pūhoi and Waiwera. These estuarine environments provide fish nursery areas that contribute to the overall productivity of the Hauraki Gulf.

Between Mahurangi and Waiwera the land is characterised by steep to rolling rural land with extensive areas of indigenous vegetation and partially bush-clad slopes. There are few areas of flat land, the largest areas being at Omaha Beach and Omaha flats.

Much of the coastal edge is identified as an Outstanding Natural Character or High Natural Character overlay with further expanses of land being Outstanding Natural Landscape and Significant Ecological areas.

Five regional parks at Tāwharanui, Scandretts, Mahurangi East, Mahurangi West and Wenderholm provide public access and recreational opportunities, as well as being significant ecological areas.

H19.5.5.2. Objectives

- (1) The open, high-quality natural character, coastal landscape and natural environmental values are retained.
- (2) Recreational, marine transport, tourism and home occupation activities are supported where they are consistent the coastal landscape character and natural environmental values of the area.
- (3) Use and development is integrated with growth in identified rural and coastal towns and settlements.
- (4) The high natural values of the east coast estuaries are maintained.

H19.5.5.3. Policies

- (1) Require buildings, including dwellings, greenhouses and buildings for intensive farming and their curtilage and access to be located sensitively in

the landscape with particular consideration to their size, location, scale and density, ability to sit into the landscape.

- (2) Avoid locating dwellings and other significant buildings on ridgelines and the construction of visually prominent accessways up or across visually significant slopes.
- (3) Recognise and support the high recreational values of the area, particularly accessibility to, and use of, the coastal marine area by enabling:
 - (a) the continued use of Sandspit as a transport terminal to Kawau Island; and
 - (b) the efficient operation of existing public boat launching facilities and the establishment of new public facilities in appropriate locations.
- (4) Avoid activities and development of a type, scale or location that adversely affects the public use and enjoyment of regional parks and other public open space for:
 - (a) active and passive recreation, both on land and in the adjoining coastal marine area;
 - (b) appreciation of open space, scenic and natural landscape values;
 - (c) centres for biodiversity management and enhancement; or
 - (d) farmland management.
- (5) Concentrate larger scale tourist facilities, including tourist accommodation, in rural and coastal towns.
- (6) Manage activities that have the potential to generate sediment into the estuarine environments to ensure the high natural values of these environments are protected and maintained.

H19.5.6. Rural – Rural Coastal Zone West Coast Coastal area (Kaipara South Head and harbour)

H19.5.6.1. Area description

This area includes significant areas of Kaipara South Head, the Ōkahukura (Tāpora) Peninsula and the eastern coastal margins of the Kaipara Harbour. The area is characterised by a predominance of rural production activity, particularly pastoral farming activities and forestry and its significance to Māori. Long, high-energy beaches backed by sand dunes are located along the coast, terminating in the significant high dune landforms and Papakanui spit at South Kaipara Head.

Flat coastal alluvial plains are a special landscape feature in the Kaipara Harbour catchment. These are backed by a convoluted coastline with rolling hills. This harbour is highly tidal with extensive areas of exposed intertidal flats and defined low tidal channels and occasional mangrove communities. The South Head area

is recognised as having wind resources with potential to be used as a source of renewable energy.

Significant bird habitats are present along the coastal margins and in the harbour, particularly around the sand islands at Tāpora. Tāpora, Wharehine and Port Albert are sensitive to development due to the elevated nature of many of the surrounding roads, and due to the rolling and often open nature of the land which also connects to the low lying alluvial plains.

Development has increased in particular along the west coast of the Kaipara Harbour and along South Head. A pattern of typically large properties and low-density settlement provides a rural and semi-remote character.

Woodhill Forest along the western margins of South Kaipara peninsula provides recreation, sand stabilisation and landscape functions.

There are areas of Outstanding Natural Character, High Natural Character and Outstanding Natural Landscape which may be at risk of degradation due to development pressure. South Head and the coast of the Kaipara Harbour are areas recognised as being under pressure for development. Control over the built environment in these areas is considered prudent to ensure that the character and rural/coastal landscape and environmental and amenity values are retained.

H19.5.6.2. Objectives

- (1) The special and distinctive coastal and rural character of the West Coast area is retained.
- (2) Land-based activities and development are managed to protect the area's Outstanding and High Natural Character and landscape values and its ecological, recreation and amenity values.
- (3) The relationship between the land, the Tasman Coast and the Kaipara Harbour is recognised and maintained.
- (4) Significant Māori associations with the Kaipara Harbour area recognised and provided for.

H19.5.6.3. Policies

- (1) Enable rural production activities, particularly pastoral farming and forestry, for their economic and social role as well as in retaining a remote rural and coastal character.
- (2) Maintain a low-intensity built environment, where buildings are for rural production purposes rather than for rural lifestyle.
- (3) Require buildings for intensive farming to be sited to minimise visual impacts on natural character and landscape values.
- (4) Retain a range of land holding sizes, particularly those larger land holdings used for pastoral farming activities.

- (5) Improve public access to the Kaipara Harbour, including boat launching facilities where this does not adversely affect important habitat areas, such as the Tāpora sand islands.
- (6) Require subdivision and land-use activities to enhance and protect the distinctive special character and sensitive environments of the policy area.

H19.5.7. Rural – Rural Coastal Zone Muriwai-Te Henga coastal area

H19.5.7.1. Area description

This area consists of a rugged coastal strip between Muriwai and Bethells Beach/Te Henga and the area inland to the edge of the hill country west of Waitākere township. It has largely uninhabited steep, rugged indented coastal cliffs along the West Coast with small beaches amid high rocky headlands. Rolling to steep hills extend inland from the coast. There is significant indigenous vegetation. This area is characterised by the predominance of natural qualities that is largely unmodified by the built environment, significant roads or other landscape modifications.

Rural lifestyle development to the south of Muriwai settlement is focused on Ōaia and Constable Roads but set back from the coastal edge.

Part of this area is included in the Waitākere Ranges Heritage Area Overlay.

H19.5.7.2. Objectives

- (1) The natural character and coastal and non-urban character of the Muriwai-Bethells Beach coastal area is protected and retained.
- (2) Activities are managed to maintain the values of the adjoining Open Space Zone.

H19.5.7.3. Policies

- (1) Manage built development so that its size, location and density do not dominate natural elements and the area retains a rural and coastal character rather than a built one.
- (2) Avoid siting dwellings and accessory buildings overlooking public walkways or locations such as headlands or ridgelines where they would be highly visible from an Open Space Zone.
- (3) Avoid built development requiring significant clearance of regenerating and established indigenous vegetation.

H19.5.8. Rural – Rural Coastal Zone Tasman Coast area (Āwhitu Peninsula)

H19.5.8.1. Area description

This area comprises the western margins of the Āwhitu Peninsula. It extends from the Manukau Harbour south to the boundary with the Waikato District.

The Peninsula is largely defined by a sequence of massive dunes that rise to a central spine generally 120-190m above sea level. These enclose a series of

deep valleys and dune lakes that are exposed to the Tasman Sea. There are two dune lakes - Pēhiākura and Pokorua.

The area as a whole is one of high natural character and outstanding natural landscapes. Steep hill country gives the area a wild, scenic and remote landscape character. Pastoral land comprises large farm holdings with pockets of indigenous vegetation and forestry. Settlement is typically sparse – characterised by farm houses and accessory buildings and located adjacent to existing roads. A long history of Māori settlement has left a legacy of places and sites of significance to local iwi and strong cultural associations with the peninsula as a whole.

The potential for this area to support renewable wind energy generation facilities is acknowledged.

H19.5.8.2. Objectives

- (1) The high natural values, including natural character and landscapes are protected from inappropriate subdivision, use and development while providing for rural activities.
- (2) Natural coastal processes are recognised and managed by avoiding activities that would create or exacerbate coastal erosion and sand blowouts along the Tasman coastline.

H19.5.8.3. Policies

- (1) Provide for limited subdivision, use and development to ensure natural character and landscape values are maintained and enhanced.
- (2) Avoid land modification and development along sandy coastal margins and seaward faces of the coastal escarpments or ridgelines.
- (3) Encourage protection of stands of indigenous bush and restoration and enhancement planting of indigenous trees, shrubs and other plants along the coastal escarpments and ridgelines.
- (4) Recognise the wild, scenic, and remote values of the Tasman Coast.

H19.5.9. Rural – Rural Coastal Zone Manukau Harbour coastal area

H19.5.9.1. Area description

This area encompasses the harbour fringe from Wattle Bay at the harbour entrance to the Whangamaire Stream arm of the Pāhurehure Inlet west of Hingaia.

This coastal margin is physically diverse with a wide variety of environments including beaches, headlands, cliffs and estuaries. It is characterised by low-lying rural flatlands, low terraces and rolling topography deeply indented by the Waiuku and Taihiki rivers and various estuarine creeks and inlets.

The Waiuku River is associated with low coastal cliffs and rural land sloping down to a mangrove-lined estuary.

There are larger holdings on the eastern Āwhitu coastline than along the southern Manukau coast, with a predominance of pastoral farming activities. Overall in this location there is a relative absence of dwellings in proximity to much of the coastline. The character of the area is based on agricultural land uses and absence of built development rather than the presence of indigenous vegetation. The area also has important cultural significance.

The coastal area forms part of the wider Franklin lowlands with highly productive soils, pastoral and horticultural land uses and an intensive pattern of land subdivision into small rural sites.

H19.5.9.2. Objectives

- (1) The rural and coastal character and visual amenity values are maintained.
- (2) Activities in the area are managed to protect the ecological values of the Manukau Harbour, particularly identified wader bird habits and the visual and landscape interconnections between land and sea.
- (3) Identified special character areas as set out in Policy H19.5.9.3(3) are protected from inappropriate subdivision, use and development.
- (4) The quality and quantity of coastal and riparian vegetation in the coastal area are improved.

H19.5.9.3. Policies

- (1) Recognise the significance of the coastal margin setback in maintaining the natural character of the coastal edge and contributing to the visual amenity values, as well as providing a natural buffer to coastal erosion and flooding.
- (2) Require dwellings and other significant built development to locate outside the coastal margin setback.
- (3) Recognise the following areas which are identified as being of special character in the Rural – Rural Coastal Zone Manukau Harbour coastal area:
 - (a) Clarks Beach to Seagrove and Ellets Beach;
 - (b) Pollok Spit;
 - (c) Āwhitu Regional Park and Environs;
 - (d) Waipipi Creek Roosts;
 - (e) The Western Needles Promontory;
 - (f) Kelly's Landing Headland;
 - (g) Dickey's Landing Headland;
 - (h) Kauri Road Headland;
 - (i) Andrew Pye Road Headland;

- (j) Mako Point Headland; and
 - (k) headland between Wattle Bay and Ōrua Bay.
- (4) Protect the special character areas listed in Policy H19.5.9.3(3) by:
- (a) controlling the location, scale and density of built development;
 - (b) having vegetation cover and production land uses that are appropriate to the area having regard to its use by wader birds; and
 - (c) restricting access in identified wader bird areas.
- (5) Avoid activities and development of a type or scale or location that adversely affects the public use and enjoyment of the Āwhitu Regional Park for:
- (a) active and passive recreation, both on land and in the adjoining coastal marine area;
 - (b) appreciation of open space, scenic and natural landscape values; and
 - (c) farmland management.
- (6) Require enhancement of the coastal edge and riparian margins as part of any development for rural lifestyle purposes or non-residential activities.

H19.5.10. Rural – Rural Coastal Zone Tāmaki Firth coastal area

H19.5.10.1. Area description

This area encompasses rural coastal land from Maraetai south-east to the regional boundary south of Matingarahi on the Firth of Thames.

It is a mixture of flat land around the lower reaches of the Wairoa River and at Kawakawa Bay, Ōrere Point and Waimangu Point, separated by rolling to steep hill country. This coastal area is predominantly pastoral land but backs onto steep forest-covered hill country in the north and the Hunua Ranges in the south. Pastoral farming is predominant, interspersed with local areas of indigenous vegetation.

The coastline is characterised by a rocky shoreline of small coves and headlands, cliffs, wider sandy beaches, prominent headlands, shallow beaches, separated by rolling land, which gives way to shallow gravel beaches in the south. The southern part of this coastal area acts as the entry to coastal Firth of Thames and provides a significant bird habitat and many natural features.

H19.5.10.2. Objectives

- (1) The rural and coastal character and amenity values are maintained.
- (2) The scenic values associated with the Pōhutukawa Coast coastal environment are maintained.

H19.5.10.3. Policies

- (1) Enable rural production activities for their economic and social contribution and for their role in retaining the rural and coastal character of this area.
- (2) Avoid locating dwellings and other significant buildings on prominent headlands and ridgelines and the construction of visually prominent accessways up or across visually significant slopes.
- (3) Manage the location, type and scale of non-rural production activities along the Pōhutukawa Coast Highway to ensure that the rural character and scenic values are maintained.
- (4) Avoid activities and development of a type or scale or location that adversely affect public use and enjoyment of regional parks and other public open space, unless those effects arise from the provision of facilities for:
 - (a) active and passive recreation, both on land and in the adjoining coastal marine area;
 - (b) appreciation of open space, scenic and natural landscape values;
 - (c) centres for biodiversity management and enhancement; or
 - (d) farmland management.
- (5) Recognise and support the high recreational values of the area, particularly accessibility to and use of the coastal marine area by enabling the efficient operation of existing public boat launching facilities and the establishment of new public facilities in appropriate locations.

H19.6 Rural – Rural Conservation Zone

H19.6.1. Zone description

This zone comprises biophysically distinctive areas in rural Auckland. The zone has important natural values requiring maintenance and protection. They are largely in private ownership and are used for a range of purposes including residential, low-impact recreational activities, conservation and open space.

Most areas have significant indigenous vegetation cover, are important wildlife habitats or contain important natural features such as dune lakes. Most have been identified as Significant Ecological Areas, Outstanding Landscapes, Outstanding Natural Character and High Natural Character overlays in the Plan.

The purpose of this zone is to adopt a conservative approach to new subdivision, use and development so that the natural values of the zone are maintained and protected while enabling established rural and residential activities to continue.

H19.6.2. Objectives

- (1) The natural character, landscape, and distinctive environmental values of the zone are recognised and protected.
- (2) The zone's values are maintained and where appropriate enhanced.

PC 20 (See modifications)

PC 20 (See modifications)

PC 20 (See modifications)

- (3) Existing rural and residential activities are provided for but further development in the zone is limited to that which maintains and where appropriate enhances the values of the zone.
- (4) Buildings and structures are unobtrusive within the natural landscape.

H19.6.3. Policies

- (1) Protect the natural character and landscape from significant change or modification, particularly visually intrusive buildings, structures and roads.
- (2) Manage adverse effects of buildings and structures by:
 - (a) requiring buildings and structures to be of a design, form, scale, density and location that is in keeping with the landscape; and
 - (b) avoiding buildings and structures on ridgelines.

PC 20 (See modifications)

- (3) Enable the continued use of established rural and residential activities and provide for new activities only where adverse effects are avoided or mitigated.
- (4) Maintain and enhance water quality and quantity by:
 - (a) avoiding new primary production activities or the expansion of existing activities where they will accelerate water abstraction from lakes;
 - (b) avoiding intensive farming, cleanfills, and rural industries and services that generate contaminant discharges to land or water and increase existing levels of diffuse nutrient input into lakes;
 - (c) minimising land disturbances, landform modification and the removal of indigenous vegetation; or
 - (d) avoiding the introduction of exotic species which may undermine the ecological integrity of native terrestrial or aquatic habitats.
- (5) Protect, maintain and enhance habitats, high-value natural areas and unique features present within the zone through controls on earthworks, vegetation removal, grazing, wetland modification and limitations on activities and subdivision.
- (6) Recognise the high ecological value of the dune lakes and their habitats by avoiding activities that disturb wildlife during breeding or nesting seasons.

H19.7 Rural – Countryside Living Zone

H19.7.1. Zone description

This zone provides for rural lifestyle living in identified areas of rural land which are generally closer to urban Auckland or rural and coastal towns. There is a diversity of topography, land quality and landscape character within the zone which results in a diversity of site sizes. The zone is the receiver area for transferable rural site subdivision from other zones.

PC 20 (See modifications)

This zone incorporates a range of rural lifestyle developments, characterised as low-density residential development on rural land. These rural lifestyle sites include scattered rural residential sites, farmlets and horticultural sites, residential bush sites and papakāinga.

Some parts of the zone reflect historical subdivision patterns, while other areas were established on rural land that did not have significant rural production values, and was often associated with steep topography and poor soils. Bush lots enabled the protection of indigenous vegetation cover as part of the subdivision process.

H19.7.2. Objectives

- (1) Land is used for rural lifestyle living as well as small-scale rural production.
- (2) The rural character, amenity values, water quality, ecological quality, historic heritage values and the efficient provision of infrastructure is maintained and enhanced in subdivision design and development.
- (3) Development in the zone does not compromise the ability of adjacent zones to be effectively and efficiently used for appropriate activities.
- (4) The type and nature of land-use activities provided for are restricted to those appropriate for the typically smaller site sizes.
- (5) Subdivision, use and development is compatible with infrastructure and any existing infrastructure is protected from reverse sensitivity effects.

H19.7.3. Policies

- (1) Locate and design subdivision and development to maintain and enhance rural character and amenity values and avoid an urban form and character by:
 - (a) designing subdivision and development (including accessways, services, utilities and building platforms) to be in keeping with the topography and characteristics of the land;
 - (b) minimising earthworks and vegetation clearance for accessways, utilities and building platforms;
 - (c) avoiding locating accessways, services, utilities and building platforms where they will result in adverse effects on water quality, wetlands, riparian margins, historic heritage sites or scheduled sites and places of value or significance to Mana Whenua. Where avoidance is not possible,

mitigation measures must be proposed so that any adverse effects are minor;

- (d) identifying opportunities for environmental enhancement of existing areas of native vegetation, wetland areas, riparian margins or the coastal edge;
 - (e) encourage landscape planting that reinforces local vegetation patterns;
and
 - (f) identifying and where appropriate, requiring, the provision of walkway, cycleway and bridle path networks.
- (2) Prevent subdivision, use and development from compromising the safe and efficient operation of existing mineral extraction activities, rural production activities, existing infrastructure or industry in adjacent zones.
 - (3) Avoid or mitigate adverse effects in relation to reverse sensitivity and rural character and amenity by restricting the range of land-use activities in the zone.
 - (4) Discourage activities that will result in adverse effects such as noise, dust, traffic volumes, odour, visual effects and effects on health, safety and cultural values and significantly reduce the rural character and amenity values of the zone.
 - (5) Acknowledge that the rural character and amenity values associated with this zone reflect its predominant use for rural lifestyle living rather than for rural production activities.

H19.8 Activity table

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.

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

If any activity listed in rules (including standards) H19.8.1 to H19.10.16 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;

- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

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 H19.8.1 to H19.13, 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.

Table H19.8.1 Activity Table – use and development [rp/dp]

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
Use						
	[insert text]					
Rural						
(A1)	Farming	P	P	P	P	P
(A2)	Post-harvest facilities	NC	NC	RD	RD	RD
(A3)	Rural airstrips	P	P	P	P	P
(A4)	Greenhouses	RD	RD	P	P	P
(A5)	Intensive farming	NC	NC	P	P	P
(A6)	Intensive poultry farming that complies with Standard H19.10.1(3)	NC	NC	P	P	P
(A7)	Intensive poultry farming that does not comply with Standard H19.10.1(3)	NC	NC	D	D	D

PC 20 (See modifications)

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A8)	Free-range poultry farming that complies with Standard H19.10.6(1)	P	RD	P	P	P
(A9)	Free-range poultry farming that does not comply with Standard H19.10.6(1)	D	D	D	D	D
(A10)	Mustelid farming	Pr	Pr	Pr	Pr	Pr
(A11)	Disposal of non-residential waste or composting that complies with Standard H19.10.1(1) and (2)	P	P	P	P	P
(A12)	Disposal of non-residential waste or composting that does not comply with Standard H19.10.1(1) and (2)	D	D	D	D	D
(A13)	Forestry	P	D	P	P	P
(A14)	Forestry that does not comply with Standard H19.10.7.	D	D	D	D	D
(A15)	Conservation planting	P	P	P	P	P
(A16)	Rural commercial services	D	D	RD	RD	RD
(A17)	Animal breeding or boarding that complies with Standard H19.10.8.	D	NC	P	P	P
(A18)	Animal breeding or boarding that does not comply with Standard H19.10.8.	D	NC	D	D	D
(A19)	Produce sales	P	P	P	P	P
(A20)	Produce sales that do not comply with Standard H19.10.9.	D	D	D	D	D
(A21)	Rural industries	NC	NC	RD	RD	RD
(A22)	On-site primary produce manufacturing	D	D	P	P	P

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A23)	Equestrian centres	NC	D	RD	RD	RD
(A24)	Quarries – farm or forestry	P	P	P	P	P
(A25)	Quarries – farm or forestry that does not comply with Standard H19.10.15.	D	D	D	D	D
Accommodation						
(A26)	Dwellings	Refer to Activity Table H19.8.2.				
(A27)	Minor dwellings	RD	RD	RD	RD	RD
(A28)	Minor dwellings that do not comply with Standard H19.10.11.	NC	NC	NC	NC	NC
(A29)	Workers' accommodation	NC	NC	RD	RD	RD
(A30)	Workers' accommodation that does not comply with Standard H19.10.12.	NC	NC	NC	NC	NC
(A31)	Home occupations	P	P	P	P	P
(A32)	Home occupations that do not comply with Standard H19.10.13.	NC	NC	NC	NC	NC
(A33)	Camping grounds	RD	NC	RD	RD	RD
(A34)	Visitor accommodation	NC	D	D	RD	D
Commerce						
(A35)	Restaurants and cafes accessory to farming carried out on the same site	NC	NC	RD	RD	RD
(A36)	Restaurants and cafes not otherwise provided for	NC	NC	NC	D	D
(A37)	Garden centres	NC	D	D	RD	D
(A38)	Markets	NC	D	D	P	P
(A39)	Markets that do not comply with Standard H19.10.14.	NC	D	D	D	D

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A40)	Storage and lock-up facilities	NC	NC	NC	D	D
(A41)	Show homes	D	D	D	D	D
(A42)	Veterinary clinics	NC	RD	RD	RD	RD
(A43)	Rural tourist and visitor activities	D	D	D	D	D
Community						
(A44)	Care centres for up to 10 people	P	P	P	P	P
(A45)	Care centres for more than 10 people	NC	RD	RD	RD	RD
(A46)	Community facilities	NC	D	D	D	D
(A47)	Healthcare facilities	NC	D	D	D	D
(A48)	Education facilities	NC	D	D	D	D
(A49)	Information facilities	P	P	P	P	P
(A50)	Artworks	P	P	P	P	P
(A51)	Informal recreation	P	P	P	P	P
(A52)	Organised sport and recreation	NC	D	RD	RD	RD
(A53)	Emergency services	RD	RD	RD	RD	RD
(A54)	Clubrooms	RD	RD	RD	RD	RD
Mana Whenua						
(A55)	Urupā	D	D	D	D	D
(A56)	Marae	D	D	D	D	D
(A57)	Customary use	P	P	P	P	P
Development						
(A58)	Demolition of buildings	P	P	P	P	P
(A59)	Additions and alterations to existing buildings	P	P	P	P	P
(A59A)	<u>Rainwater tank</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Mineral activities						
(A60)	Mineral extraction activities	NC	NC	NC	D	D
(A61)	Mineral prospecting	P	P	P	P	P

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A62)	Mineral prospecting that does not comply with Standard H19.10.16.	D	D	D	D	D
(A63)	Mineral exploration	P	P	P	P	P
(A64)	Mineral exploration that does not comply with Standard H19.10.16.	D	D	D	D	D
Cleanfill, managed fill and landfill						
(A65)	Cleanfill	NC	NC	D	D	D
(A66)	Managed fill	NC	NC	D	D	D
(A67)	Landfill	NC	NC	NC	NC	NC
Subdivision						
(A68)	The subdivision of a minor dwelling from the site on which the principal dwelling is located	Pr	Pr	Pr	Pr	Pr
(A69)	The subdivision of workers' accommodation from the site on which the principal dwelling is located	Pr	Pr	Pr	Pr	Pr
Coastal						
(A70)	Navigational aids	P	P	P	P	P
(A71)	Boat launching facilities	D	D	D	D	D

Table H19.8.2 Activity table – number of dwellings and activity status in rural zones

Activity	Activity Status				
	Mixed Rural Zone and Rural Production Zone	Rural Conservation Zone and Countryside Living Zone	Rural Coastal Zone: Te Arai-Pakiri, East Coast area – Whangateau-Waiwera, West Coast area- Kaipara South Head and harbour, Muriwai-Te Henga coastal areas	Rural Coastal Zone: Tasman Coast area – Awhitu Peninsula, Manukau Harbour, and Tamaki-Firth coastal areas	
(A72)	One dwelling per site	P	P	RD	P

H19 Rural zones

(A73)	Two dwellings per site where the site is equal to or greater than 40ha and is less than 100ha	P	D	D	D
(A74)	Two dwellings per site where the site is less than 40ha	NC	NC	NC	NC
(A75)	Three dwellings per site where the site is equal to or greater than 100ha	P	D	D	D
(A76)	More than three dwellings per site where the site is equal to or greater than 100ha	D	D	D	D
(A77)	Three or more dwellings per site where the site is less than 100ha	NC	NC	NC	NC
(A78)	Dwellings not otherwise provided for, or any dwelling that does not comply with Standard H19.10.10	NC	NC	NC	NC

H19.9 Notification

- (1) Activities listed in Tables H19.8.1 and H19.8.2 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H19.10 Standards

- (1) All activities listed in tables H19.8.1 and H19.8.2 must comply with standards in H19.10.1.
- (2) In addition, all activities in tables H19.8.1 and H19.8.2 must comply with the relevant applicable standards in H19.10.2. to H19.10.16.
- (3) Notwithstanding the above Rainwater tanks must comply with rainwater tank standard H19.10.17.

H19.10.1. General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Countryside Living Zone, Future Urban Zone and any residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Pens or areas used for intensive farming (excluding poultry hatcheries), or any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be at located least:
 - (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
 - (b) 100m from any boundary of the site on which the activity is located.

H19.10.2. Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with rural landscape, character and amenity.

- (1) Dwellings and buildings accessory to dwellings – buildings must not exceed a height of 9m.
- (2) Other buildings – buildings must not exceed a height of 15m.

H19.10.3. Minimum yards setback requirement

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties;
- opportunities for reverse sensitivity effects to arise; and
- to ensure buildings are adequately setback from streams and the coastal edge to maintain water quality and provide protection from natural hazards.

- (1) Buildings and accessory buildings must comply with the minimum yard setback requirement as set out in Table H19.10.3.1.

Table H19.10.3.1 Minimum yards setback requirement

Yard	Minimum depth in each zone				
	Rural Conservation	Countryside Living	Rural Coastal	Mixed Rural	Rural Production
Front yard	10m	10m	10m	10m	10m
Front yard of sites adjoining arterial roads as shown on the planning map (unless otherwise specified)	20m	20m	20m	20m	20m
Side or rear yard for buildings other than dwellings and their accessory buildings (unless otherwise specified)	12m	12m	12m	12m	12m
Side or rear yard for dwellings and their accessory buildings within a Quarry Buffer Area Overlay	20m	20m	20m	20m	20m
Side or rear yard of the site for dwellings and their accessory buildings (unless otherwise specified)	12m	12m	12m	12m	12m
Riparian yard	20m from the edge of permanent and intermittent streams				
Lake yard	30m				
Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard	50m	40m	50m	50m	50m

H19.10.4. Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties, and
- opportunities for reverse sensitivity effects to arise.

(1) Buildings for the primary purpose of housing animals must be located at least 12m from any site boundary.

H19.10.5. Size of buildings – intensive farming, intensive poultry farming, animal breeding or boarding, produce sales, and on-site primary produce manufacturing

(1) Buildings required for or accessory to the following activities must not exceed the following gross floor area:

- (a) intensive farming, intensive poultry farming, animal breeding or boarding, produce sales: 200m²; or

(b) on-site primary produce manufacturing: 500m².

H19.10.6. Free-range poultry farming

- (1) Coops and associated hard stand areas for free-range poultry farming must be set back at least 20m from the nearest site boundary.

H19.10.7. Forestry

The following standards apply to forestry:

- (1) Forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already afforested;
- (2) Forestry must be carried out at least 5m from the bank of permanent stream, river, lake, wetland or coastal edge;
- (3) Forestry must be carried out at least 5m from an area identified in the Significant Ecological Areas Overlay; and,
- (4) Portable sawmills must be located on a site for no more than six months in any 12 month period. Where a portable sawmill has been located on a site for longer than six months in any 12 month period, the use of portable sawmills on the site will be considered as a rural industry and is subject to the activity status of the relevant zone.

H19.10.8. Animal breeding or boarding

The following standards apply to animal breeding or boarding:

- (1) Animal breeding or boarding must operate on a site with a minimum size of 2,000m² in the Rural – Rural Conservation Zone, Rural – Rural Production Zone, Rural – Mixed Rural Zone and Rural – Rural Coastal Zone;
- (2) No more than 20 cats may be bred or boarded at any one time;
- (3) No dogs may be bred or boarded at any time;
- (4) No more than 25 domestic pets, other than cats or dogs, may be bred or boarded at any one time; and,
- (5) Buildings or areas used for animal breeding or boarding must not be located less than 20m from the boundary of an adjoining site in a different ownership.

H19.10.9. Produce sales

The following standards apply to produce sales:

- (1) Produce sales must not be carried out on any part of the road reserve and the site must not have its vehicle access from a State Highway or motorway;
- (2) The area set aside on the site for displaying and produce sales must not exceed:

- (a) 30m² per site where the site is not located in the Rural – Countryside Living Zone; or
- (b) 15m² per site in the Rural – Countryside Living Zone;
- (3) The type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts made on the site;
- (4) Produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale; and,
- (5) The area set aside for produce sale (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m² of the site area.

H19.10.10. Dwellings

- (1) The site of the proposed dwelling must not be located on a closed road or road severance allotment.

H19.10.11. Minor dwelling

The following standards apply to minor dwellings:

- (1) There must be no more than one minor dwelling per site;
- (2) The building must comply with the relevant yards setback requirement and height standards for buildings in the zone as set out in standards H19.10.2 and H19.10.3;
- (3) The proposed minor dwelling must be located on a site greater than 1ha;
- (4) The proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging; and,
- (5) The minor dwelling must share the same driveway access as the principal dwelling.

H19.10.12. Workers' accommodation

The following standards apply to workers' accommodation

- (1) Workers' accommodation must comply with all of the following:
 - (a) no more than one workers' accommodation building per site;
 - (b) comply with all the relevant yards setback requirement, and height standards for buildings in the applicable zone as set out in standards H19.10.2 and H19.10.3;

- (c) be located on a site equal to or greater than 5ha and less than 40ha;
- (d) have a floor area equal to or less than 120m² excluding decks and garaging. The floor area may include a dormitory or equivalent;
- (e) only have a single kitchen facility; and
- (f) may accommodate a number of seasonal workers.

H19.10.13. Home occupations

The following standards apply to home occupations:

- (1) At least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (2) No more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (3) Except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm daily;
- (4) Vehicle movements to and from the home occupation activity must not exceed 20 per day;
- (5) Heavy vehicle trips must not exceed two per week;
- (6) No more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) Storage for rubbish and recycling must be provided on site and screened from public view;
- (9) Materials or goods manufactured, serviced or repaired as part of the home occupation activity must be stored within a building on the same site; and,
- (10) Goods sold from the home occupation site must comply with the Standard H19.10.9 Produce sales.

H19.10.14. Markets

- (1) Markets must comply with all of the following:
 - (a) must not operate on a site of less than 1ha;
 - (b) must not be located on a rear site;
 - (c) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts; and
 - (d) must operate between 7am and 7pm daily.

H19.10.15. Quarries - farm or forestry

- (1) Quarries - farm or forestry must not be located closer than:
 - (a) 50m from the edge of a lake, river or stream;
 - (b) 50m from the edge of or a wetland larger than 1,000m²;
 - (c) 100m either side of a foredune; or
 - (d) 100m landward of the coastal marine area.

H19.10.16. Mineral prospecting and mineral exploration

- (1) Mineral prospecting and mineral exploration must comply with all of the following:
 - (a) must not involve blasting; and,
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H19.10.17. Rainwater tanks

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1 m in height or wholly below ground level;
 - (b) in a 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.
- (4) Rainwater tanks located in the Rural Coastal zone must be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H19.11 Assessment – controlled activities

H19.11.1. Matters of Control

There are no controlled activities in this section.

H19.11.2. Assessment Criteria

There are no controlled activities in this section.

H19.12 Assessment – restricted discretionary activities

H19.12.1. Matters of discretion

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

- (1) all restricted discretionary activities and their buildings (including accessory buildings):
 - (a) effects on rural character and amenity values of the neighbourhood;
 - (b) effects of noise on the amenity values of the neighbourhood;
 - (c) effects of traffic volume on the safety of and convenience of other road users;
 - (d) effects of stormwater management;
 - (e) effects on land containing elite soil or prime soil for rural production activities; and
 - (f) effects on areas identified in the Outstanding Natural Landscapes, Outstanding Natural Character and High Natural Character Areas overlays.
- (2) one dwelling per site and accessory buildings in the Rural Coastal Zone – Te Arai-Pakiri, Whangateau to Waiwera, Kaipara South Head and harbour to Muriwai-Te Henga coastal areas:
 - (a) matters for all restricted discretionary activities;
 - (b) the effects of the site layout and building design on the rural coastal character of the area and the amenity values of surrounding properties; and,
 - (c) the effects of the development including any landform modification on the landscape values of the neighbourhood the effect on areas identified in the Outstanding Natural Landscapes, Outstanding Natural Character and High Natural Character areas overlays.
- (3) minor dwellings:
 - (a) matters for all restricted discretionary activities;
 - (b) effects of building siting and access on landscape, rural character and amenity values;
 - (c) the cumulative effects of additional development on the site;
 - (d) the adequacy of access to the dwelling; and
 - (e) proximity to the principal dwelling on the site.
- (4) workers' accommodation:

- (a) matters for all restricted discretionary activities;
 - (b) the effects of building siting, and access on landscape and rural character;
and
 - (c) the cumulative effects of additional development on the site.
- (5) infringement of Standard H19.10.2 Building height:
- (a) the effects on rural character; and
 - (b) impacts on dwellings on adjoining sites.
- (6) infringement of Standard H19.10.4 Buildings housing animals – minimum separation distance:
- (a) the effects on rural character;
 - (b) impacts on dwellings on adjoining sites; and
 - (c) natural hazards.

H19.12.2. Assessment criteria

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

- (1) all restricted discretionary activity and their accessory buildings:
 - (a) whether the design and location of the buildings, and site landscaping, avoid, remedy, or mitigate the adverse visual effects of the buildings and related site works on rural and rural coastal character and amenity values including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character areas. The following are relevant:
 - (i) building bulk;
 - (ii) glare or reflections off the exterior cladding;
 - (iii) landform modification needed for building platforms;
 - (iv) screening from neighbouring sites;
 - (v) views of the buildings from any public road or open space used for recreation, including any beach, coastal marine area, coastline, or regional park; and
 - (vi) related signage.
 - (b) whether noise from fans, ventilators, heaters, or other machines, or from on-site activities can be adequately mitigated;
 - (c) whether the design and location of the buildings, and the associated traffic avoid, remedy or mitigate adverse effects on the road network or traffic safety;

- (d) whether the control, treatment, storage, or disposal of stormwater can be adequately managed;
 - (e) if the site contains elite soils whether the proposed buildings, structures, or site development prevent or compromise its availability or use for activities that directly rely on it;
 - (f) if the site contains prime soils, whether the proposed buildings, structures, or site development can be relocated so as not prevent or compromise its availability or use for activities that directly rely on it; and
 - (g) for fire stations, the extent to which functional requirements and the benefits that having the emergency services in the location are to be taken into account.
- (2) one dwelling per site and its accessory buildings in the Rural Coastal Zone – Te Arai-Pakiri, Whangateau to Waiwera, Kaipara South Head and harbour to Muriwai-Te Heunga coastal areas:
- (a) whether all buildings are sited and designed so they do not visually intrude on any significant ridgeline or skyline or adversely affect landscape values when viewed from any road or other public land including any beach, the sea or regional park;
 - (b) whether building finishes including colours and materials complement the rural and rural coastal character of the surrounding environment. This criterion would be satisfied if the exterior finish of the building or structure has a reflectance value of, or less than, 30 per cent as defined within the BS5252 standard colour palette;
 - (c) whether the siting of buildings and accessory buildings contribute to the rural and rural coastal character of the surrounding environment by responding to natural landforms, landscape features, including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character overlays;
 - (d) whether the development requires extensive landform modification; and
 - (e) whether existing trees and bush that make a significant contribution to the visual and environmental qualities of the site are retained to the fullest extent practicable.
- (3) minor dwellings and their accessory buildings:
- (a) whether the design and location of the buildings, access and site works avoid, remedy, or mitigate the adverse visual effects on rural and rural coastal character and amenity values including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character overlays including:

- (i) building bulk;
 - (ii) glare or reflections off the exterior cladding;
 - (iii) landform modification needed for building platforms;
 - (iv) screening from neighbouring sites; and
 - (v) the cumulative effects of built development on the site.
- (b) whether the minor dwelling is in close proximity to the principal dwelling so that the inhabitants remain close to one another and the buildings are not dispersed over a rural site.
- (4) workers' accommodation:
- (a) whether the design and location of the buildings, access and site works avoid, remedy, or mitigate the adverse visual effects on rural and rural coastal character and amenity values including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character overlays including:
 - (i) building bulk;
 - (ii) glare or reflections off the exterior cladding;
 - (iii) landform modification needed for building platforms;
 - (iv) screening from neighbouring sites; and
 - (v) the cumulative effects of built development on the site.
 - (b) whether the applicant can demonstrate that a separate dwelling is required on the site for the purpose of accommodating workers engaged on the site or in the surrounding rural area and that it would be impracticable to provide the accommodation as a permitted buildings such as a sleep-out, existing minor dwelling or an extension to an existing dwelling on the site.
- (5) infringement of Standard H19.10.2 Building height:
- (a) whether the proposed height and scale of the building adversely affect the rural character of a site;
 - (b) whether the proposed height and location of buildings adversely affect the visual character of adjacent sites; and
 - (c) whether the proposed height and scale of the building adversely affect amenity values of neighbouring sites by reducing privacy or sunlight access.
- (6) infringement of Standard H19.10.4 Buildings housing animals – minimum separation distance:
- (a) whether the proposed height and scale of the building adversely affects the rural character of a site;

- (b) whether the proposed height and location of buildings adversely affects the visual character of adjacent sites;
- (c) whether the proposed height and scale of the building adversely affect amenity values of neighbouring sites by reducing privacy or sunlight access; and
- (d) whether the proposed building exacerbates or creates a natural hazard or nuisance for neighbouring properties.

H19.13 Special information requirements

There are no special information requirements in this section.

H20. Rural – Waitākere Foothills Zone

H20.1 Zone description

The Rural – Waitākere Foothills Zone covers the area between the developed, urban part of Auckland and westward to the bush-covered part of the Waitākere Ranges. It includes the mixed rural and natural landscape of the eastern foothills catchments of Ōrātia, Opānuku, Swanson South and the upper Kumeu streams, excluding the relatively contiguous bush cover of the upper catchments and ridges. It forms a visual buffer between metropolitan Auckland and the bush-clad core of the heritage area. Activities include a mixture of vineyards, orchards, dwellings and pasture. Limited settlement is allowed where it does not cause adverse effects on the heritage features. Opportunity exists for the development of a walkway linking Titirangi to the Swanson Railway station and for the restoration of streams within the foothills.

H20.2 Objectives

- (1) Activities, development, and subdivision in this zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in [D12.2](#).
- (2) Land is used and developed to achieve the objectives of the Rural – Countryside Living Zone unless otherwise specified in objectives H20.2(1), (3) and (4).
- (3) The Rural – Waitākere Foothills Zone retains a rural character with low-density settlement and few urban-scale activities.
- (4) The Rural – Waitākere Foothills Zone provides a rural and visual buffer between urban Auckland and the forested ranges and coasts.

H20.3 Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in [D12.3](#).
- (2) Provide for use and development which supports the policies of the Rural – Countryside Living Zone unless otherwise specified in policies H20.3(3) to (11).
- (3) Provide for buildings and activities that:
 - (a) avoid, remedy or mitigate adverse effects on views to the Waitākere Ranges, the rural foothills and the western skyline of Auckland;
 - (b) are compatible with the amenity values, rural character and the natural landscape;
 - (c) retain a rural buffer between the bush-clad and urban parts of the city;
 - (d) avoid, remedy or mitigate effects on ecosystems, including native vegetation and habitats of native fauna;

- (e) do not lead or contribute to urban expansion and/or the fragmentation of rural character; and
 - (f) contribute to and enhance the ongoing productive use of rural land, and the restoration of degraded terrestrial and aquatic ecosystems.
- (4) Provide for a diverse range of rural activities that have a clear connection with the resources, communities or the natural or rural character and amenity values of the Waitākere Ranges Heritage Area.
- (5) Limit retail activities outside of the Ōrātia Village to home occupations, nurseries, garden centres, food and beverages, visitor accommodation and agricultural and horticultural produce.
- (6) Enable rural activities that have a clear connection with the community and its resources or maintain connections with the foothills' productive past, including retaining and maintaining farming, orchards, vineyards and shelterbelts, and designing landscape elements of new activities to reflect the Waitākere Ranges Heritage Area's history and pattern of development.
- (7) Maintain a clear contrast between the urban parts of the city and the foothills through design and location of subdivision and development.
- (8) Provide for limited subdivision and/or development where this:
- (a) protects and enhances streams, lakes, watercourses, and wetlands and their margins;
 - (b) restores low-quality areas of vegetation or provides for revegetation of bare areas along waterway margins; or
 - (c) minimises vegetation clearance by locating buildings and development in areas of lower ecological value on the site.
- (9) Require subdivision design to:
- (a) incorporate on-site native vegetation planting;
 - (b) retain or link significant vegetation and fauna habitat areas; and
 - (c) avoid adversely affecting the visual, historic, cultural, or spiritual significance of heritage features.
- (10) Provide for legal and physical protection of native vegetation to ensure these areas are protected in perpetuity, including, where necessary requiring fencing to achieve permanent stock exclusion.
- (11) Provide for the establishment of the indicative foothills walkway and connections from it to existing walkways.

H20.4 Activity table

Table H20.4.1 specifies the activity status of land use activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991.

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

If any activity listed in rules (including standards) H20.4.1 to H20.6.17 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPf”) then the NESPf applies and prevails.

However, the NESPf allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPf in relation to any of the above, the most restrictive rule will prevail.

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

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 H20.4.1 to H20.9, 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.

Table H20.4.1 Activity Table

Activity		Activity status
(A1)	Activities not provided for	NC
Development		
(A2)	Demolition of buildings	P

H20 Rural – Waitākere Foothills Zone

(A3)	Buildings not complying with Standard H20.6.2 Building height	D
(A4)	Building coverage that does not comply with Standard H20.6.4.(1) and which is less than or equal to 25 per cent of net site area	RD
(A5)	Building coverage that exceeds 25 per cent of net site area	NC
(A6)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
<u>(A6A)</u>	<u>Rainwater tank</u>	<u>P</u>
Use		
Rural		
(A7)	Farming	P
(A8)	Farm visit for up to 30 visitors	P
(A9)	Rural airstrips	D
(A10)	Greenhouses with a building coverage not exceeding 25 per cent of the net site area	RD
(A11)	Greenhouses with a building coverage exceeding 25 per cent of the net site area	NC
(A12)	Intensive farming not exceeding 200m ² in gross floor area	D
(A13)	Intensive poultry farming exceeding 200m ² in gross floor area	NC
(A14) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H20.6.1.(1) and (2)	P
(A15) [rp/dp]	Disposal of non-residential waste or composting that does not comply with Standard H20.6.1.(1) and (2)	D
(A16)	Free-range poultry farming complying with Standard H20.6.6(1)	RD
(A17)	Free-range poultry farming not complying with Standard H20.6.6(1)	D
(A18)	Mustelid farming	Pr
(A19)	Forestry complying with Standard H20.6.7(1) to (5)	P
(A20)	Forestry not complying with Standard H20.6.7(1) to (5)	D
(A21)	Conservation planting	P

H20 Rural – Waitākere Foothills Zone

(A22)	Rural commercial services	D
(A23)	Animal breeding or boarding	NC
(A24)	Produce sales complying with Standard H20.6.8	P
(A25)	Produce sales not complying with Standard H20.6.8	D
(A26)	Rural industries	NC
(A27)	On-site primary produce manufacturing not exceeding 200m ² in gross floor area	RD
(A28)	On-site primary produce manufacturing exceeding 200m ² in gross floor area	D
(A29)	On-site primary produce manufacturing not complying with Standard H20.6.15(1)	NC
(A30)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A31)	Post-harvest facilities not complying with Standard H20.6.14(1) and (2)	D
(A32)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A33)	Equestrian centres	D
(A34)	Quarries - farm or forestry	NC
Accommodation		
(A35)	One dwelling per site	P
(A36)	Any dwelling not complying with Standard H20.6.9	NC
(A37)	Minor dwellings	P
(A38)	Any minor dwelling not complying with Standard H20.6.10(1) to (6)	NC
(A39)	Workers' accommodation	NC
(A40)	Home occupations	P
(A41)	Home occupations not complying with Standard H20.6.11	NC
(A42)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A43)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A44)	Camping grounds	NC
Commerce		
(A45)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 200m ²	RD
(A46)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 200m ²	D
(A47)	Restaurants and cafes not complying with Standard H20.6.16	D
(A48)	Garden centres	D

H20 Rural – Waitākere Foothills Zone

(A49)	Markets	RD
(A50)	Markets not complying with Standard H20.6.12(1)(a) to (e)	D
(A51)	Storage and lock-up facilities	D
(A52)	Show homes	NC
(A53)	Veterinary clinics	D
(A54)	Filming	P
(A55)	Rural tourist and visitor activities	D
Community		
(A56)	Care centres	D
(A57)	Community facilities	D
(A58)	Healthcare facilities	D
(A59)	Education facilities	D
(A60)	Information facilities	D
(A61)	Outdoor recreational activities for up to 20 people	RD
(A62)	Outdoor recreational activities not complying with Standard H20.6.17	D
(A63)	Informal recreation and leisure	P
(A64)	Organised sport and recreation	D
(A65)	Clubrooms	RD
Mana Whenua		
(A66)	Urupā	D
(A67)	Marae	D
(A68)	Customary use	P
Mineral activities		
(A69)	Mineral extraction activities	NC
(A70)	Mineral prospecting	P
(A71)	Mineral exploration	P
(A72)	Mineral prospecting and mineral exploration not complying with Standard H20.6.13	D
Cleanfill, managed fill and landfill		
(A73)	Cleanfill	NC
(A74)	Managed fill	NC
(A75)	Landfill	NC

H20.5 Notification

- (1) Any application for resource consent for an activity listed in Table H20.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H20.6 Standards

All permitted and restricted discretionary activities listed in Table H20.4.1 Activity table must comply with standards in H20.6.1. In addition these activities must comply with the applicable standards in H20.6.2 to H20.6.17 where relevant.

H20.6.1. General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone and Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Pens or areas used for intensive farming (excluding poultry hatcheries), or any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be at located at least:
 - (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
 - (b) 100m from any boundary of the site on which the activity is located.

H20.6.2. Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with rural landscape, character and amenity.

- (1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed a height of 8m.
- (2) Other accessory buildings must not exceed a height of 15m.

H20.6.3. Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the rural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise

- the effects on streams to maintain water quality and provide protection from natural hazards.

(1) [deleted]

(2) [deleted]

(3) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H20.6.3.1 Minimum Yard Setback Requirements below.

Table H20.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards for sites with a net site area of less than 4000m ²	3m
Front, side and rear yards for sites with a net site area greater than 4000m ²	10m
Riparian yard	20m from the edge of permanent and intermittent streams

H20.6.4. Building coverage

- (1) The maximum building coverage is one per cent of the net site area or 300m², whichever is greater.
- (2) Activities that do not comply with Standard H20.6.4(1) are a restricted discretionary activity provided that the total building coverage on the site does not exceed 25 per cent of the net site area.
- (3) Building coverage that exceeds 25 per cent of net site area is a non-complying activity.

H20.6.5. Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties, and
- opportunity for reverse sensitivity effects to arise.

(1) Buildings for the primary purpose of housing animals with a gross floor area greater than 25m² must be located at least 50m from any boundary of the site.

H20.6.6. Free-range poultry farming

- (1) Coops and associated hard stand areas must be set back at least 50m from the nearest site boundary.

H20.6.7. Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already forested;
- (3) forestry must be carried out at least 5m from the bank of a permanent stream, river, lake, wetland or coastal edge;
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Areas Overlay; and
- (5) portable sawmills must be located on a site for no more than six months in any 12 month period. Where a portable sawmill has been located on a site for longer than six months in any 12-month period, the use of portable sawmill on the site will be considered as a rural industry being a non-complying activity in the Rural – Waitākere Foothills Zone.

H20.6.8. Produce sales

The following standards apply to produce sales:

- (1) produce sales must not be carried out on any part of the road reserve and the activity must not have its vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) The type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H20.6.9. Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H20.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must be buried or be screened from views; and:
 - (a) not be located:
 - (i) in a riparian yard unless less than 1m in height or wholly below ground level;
 - (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
 - (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H20.6.10. Minor dwellings

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;

- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (5) the minor dwelling must share the same driveway access as the principal dwelling; and
- (6) the building must comply with the relevant requirement for yards and maximum height for buildings as set out in Standards H20.6.2 and H20.6.3 and the standards for dwellings set out in Standard H20.6.9(2)-(6).

H20.6.11. Home occupations

The following standards apply to home occupations:

- (1) no more than five persons are engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) Heavy vehicle trips must not exceed two per week.
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H20.6.8 for produce sales; and
- (11) a home occupation involving homestays is limited to the accommodation of a maximum of 10 people on the site at any one time. This includes the people who reside on the site.

H20.6.12. Markets

- (1) Markets must comply with all of the following:
 - (a) must operate on a site greater than 2ha;
 - (b) must not be located on a rear site;
 - (c) must operate between 7am and 7pm daily;
 - (d) must not occur more than two days every week; and
 - (e) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts goods.

H20.6.13. Mineral prospecting and mineral exploration

- (1) Mineral prospecting and mineral exploration must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H20.6.14. Post-harvest facilities

The following standards apply to post-harvest facilities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H20.6.15. On-site primary produce manufacturing

- (1) The activity must be located on a site with a net site area exceeding 2ha.

H20.6.16. Restaurants and cafes

The following standards apply to restaurants and cafes:

- (1) the activity does not incorporate drive-through sales; and
- (2) the activity must occur on a site with a net site area greater than 2ha.

H20.6.17. Outdoor recreation activities

- (1) The activity may involve buildings or structures ancillary to the activity and must not have a gross floor area greater than 30m².
- (2) The activity must not involve motorsport or guns.

H20.7 Assessment – controlled activities

There are no controlled activities in this zone.

H20.8 Assessment – restricted discretionary activities

H20.8.1. Matters of discretion

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

- (1) All restricted discretionary activities:
 - (a) rural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19](#). Rural zones under [H19.12.1](#) Matters of discretion.
- (2) Infringement of the minimum yard setback requirement:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) Infringement of the building coverage:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H20.8.2. Assessment criteria

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

- (1) For all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity are compatible with amenity values, neighbourhood character, and the natural landscape and do not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects rural character;
 - (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
 - (d) whether the activity would result in adverse effects on water quality, native vegetation and fauna habitat;

PC 71 ([see Modifications](#))

- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a loss of rural character and amenity values;
 - (f) the extent to which the activity provides adequate parking and safe driveway access and sight lines;
 - (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
 - (h) the assessment criteria in [H19.12.2](#) Rural zones – assessment criteria for restricted discretionary activities.
- (2) Infringement of minimum yard setback requirement:
- (a) The extent to which buildings are located:
 - (i) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (ii) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (iii) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.
- (3) Infringement of building coverage standard:
- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H20.9 Special information requirements

There are no special information requirements in this zone.

H21. Rural – Waitākere Ranges Zone

H21.1. Zone description

The Rural – Waitākere Ranges Zone comprises most of the privately owned land around the periphery of the public open space and the regional park within the Waitakere Ranges Heritage Area. This typically contains small holdings and residential properties and has a natural character dominated by bush-clad land. It contains heritage features such as areas of contiguous native bush, coastal areas, significant landforms and geological sites and significant and other terrestrial and aquatic ecosystems.

In the centre of the zone is the Scenic Drive ridge and the forested upper reaches of the Ōrātia and Ōpānuku streams' catchments, the western and southern edges of which are bounded by large continuous areas of primary and regenerating indigenous rainforest, the Waitākere Ranges Regional Park and the public water supply catchments. The eastern edge is bounded by the orchards and farms of Ōrātia and Ōpānuku/Henderson Valley.

The zone provides limited opportunity for further growth and development. It recognises the local, regional and national significance of the area and aims to prevent subdivision, use and development from having adverse effects on the heritage features of the Waitakere Ranges Heritage Area. Existing and future land use and development is managed to maintain and protect heritage features. Activities provided for in the zone enable and support the social, economic, cultural and environmental well-being of the people that live and work in the zone and in its distinct communities, while protecting, restoring and enhancing the heritage features of the zone.

H21.2. Objectives

- (1) Activities, development, and subdivision in the Rural – Waitākere Ranges Zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in Section [D12.2](#).
- (2) Activities, development, and subdivision achieve the objectives of the Rural – Rural Conservation Zone unless otherwise provided for in Objectives H21.2(1) and (3).
- (3) The forested character and natural landscape qualities of the Rural – Waitākere Ranges Zone are maintained and enhanced.

H21.3. Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in Section [D12.3](#).
- (2) Provide for subdivision, use and development which supports the policies of the Rural – Rural Conservation Zone unless otherwise provided for in Policy H21.3(3).

(3) Design subdivision, activities and development to:

- (a) protect significant and outstanding native vegetation and fauna habitat, and where possible avoid clearance of, or damage to, this resource;
- (b) minimise adverse effects arising from placement of structures, roads and other infrastructure, on the overall resilience, biodiversity and integrity of ecosystems;
- (c) minimise adverse effects during the course of establishing the subdivision, activities and development including those arising from surveying; and
- (d) recognise the natural values of native vegetation and fauna habitat areas and the linkages between these areas.

H21.4. Activity table

Table H21.4.1 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.

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

If any activity listed in rules (including standards) H21.4.1 to H21.6.14 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

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 H21.4.1 to H21.9, 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.

Table H21.4.1 Activity table

Activity		Activity status
(A1)	Activities not otherwise provided for	NC
Development		
(A2)	Demolition of buildings	P
(A3)	Buildings having a height exceeding the maximum specified in Standard H21.6.2.	D
(A4)	A building that does not comply with Standard H21.6.3(1) that has front, side and rear yards of not less than 3m	RD
(A5)	A building that does not comply with Standard H21.6.3(1) with front, side or rear yards of less than 3m	D
(A6)	A building that does not comply with Standard H21.6.4(1) and (2) where the building coverage does not exceed 15 per cent.	RD
(A7)	A building that does not comply with Standard H21.6.3(1) and (2) where the building coverage exceeds 15 per cent.	NC
(A8)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A8A)	<u>Rainwater tank</u>	<u>P</u>
Use		
Rural		
(A9)	Farming	P
(A10)	Farm visit for up to 20 visitors	P
(A11)	Post-harvest facilities	D
(A12)	Rural airstrips	D
(A13)	Greenhouses with a building coverage not exceeding 25 per cent of net site area	RD

H21 Rural – Waitākere Ranges Zone

(A14)	Greenhouses with a building coverage exceeding 25 per cent of net site area	NC
(A15) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H21.6.1.(1) and (2)	P
(A16) [rp/dp]	Disposal of non-residential waste or composting not complying with Standard H21.6.1.(1) and (2)	D
(A17) [rp/dp]	Effluent disposal systems complying with Standard H21.6.1.(3)	P
(A18) [rp/dp]	Effluent disposal systems not complying with Standard H21.6.1.(3)	D
(A19)	Intensive farming	NC
(A20)	Intensive poultry farming	NC
(A21)	Free-range poultry farming	P
(A22)	Free-range poultry farming not complying with Standard H21.6.6	D
(A23)	Mustelid farming	Pr
(A24)	Forestry	P
(A25)	Forestry not complying with Standard H21.6.7	D
(A26)	Conservation planting	P
(A27)	Rural commercial services	NC
(A28)	Animal breeding or boarding	D
(A29)	Produce sales	P
(A30)	Produce sales not complying with Standard H21.6.8	D
(A31)	Rural industries	NC
(A32)	On-site primary produce manufacturing	NC
(A33)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A34)	Post-harvest facilities not complying with Standard H21.6.13	D
(A35)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A36)	Equestrian centres	D
(A37)	Quarries - farm or forestry	NC
Accommodation		
(A38)	One dwelling per site	P
(A39)	Dwelling not complying with Standard H21.6.9	NC
(A40)	Minor dwellings	P
(A41)	Minor dwellings that does not comply with Standard H21.6.10	NC
(A42)	Subdivision of the minor dwelling from the site on which the principal dwelling is located	Pr

H21 Rural – Waitākere Ranges Zone

(A43)	Workers' accommodation	NC
(A44)	Home occupation	P
(A45)	Home occupation not complying with Standard H21.16.11	NC
(A46)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A47)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A48)	Camping grounds	NC
Commerce		
(A49)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 300m ²	D
(A50)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 300m ²	NC
(A51)	Garden centres	NC
(A52)	Markets	NC
(A53)	Storage and lock-up facilities	D
(A54)	Show homes	NC
(A55)	Veterinary clinics	D
(A56)	Rural tourist and visitor activities	D
Community		
(A57)	Care centres	D
(A58)	Community facilities	D
(A59)	Healthcare facilities	D
(A60)	Education facilities	NC
(A61)	Information facilities	D
(A62)	Artworks	P
(A63)	Outdoor recreational activities for up to 20 people	RD
(A64)	Informal recreation and leisure	P
(A65)	Organised sport and recreation	NC
(A66)	Emergency services	RD
(A67)	Clubrooms	RD
Coastal		
(A68)	Navigational aids	P
(A69)	Structures for boat launching activities	D
Mana Whenua		
(A70)	Urupa	D
(A71)	Marae	D
(A72)	Customary use	P

Mineral activities		
(A73)	Mineral extraction activities	NC
(A74)	Mineral prospecting	P
(A75)	Mineral prospecting that does not comply with standard H21.6.12	D
(A76)	Mineral exploration	NC
Cleanfill, managed fill and landfill		
(A77)	Cleanfill	NC
(A78)	Managed fill	NC
(A79)	Landfill	NC

H21.5. Notification

- (1) Any application for resource consent for an activity listed in Table H21.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H21.6. Standards

All permitted and restricted discretionary activities listed in Table H21.4.1 Activity table must comply with Standard H21.6.1. In addition these activities must comply with standards in H21.6.2 to H21.6.14 where relevant.

H21.6.1 General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Ranges Zone, Rural – Waitākere Foothills Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be located at least:

(a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and

(b) 100m from any boundary of the site on which the activity is located.

H21.6.2 Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with the natural landscape, natural character and amenity values of the zone.

(1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed 8m in height.

(2) Other accessory buildings must not exceed a height of 15m.

H21.6.3 Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the natural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunities for reverse sensitivity effects to arise.
- the effects on streams, lakes and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) *[deleted]*

(2) *[deleted]*

(3) A building that does not comply with Standard H21.6.3(1) is a restricted discretionary activity provided that it has front, side and rear yards of a depth of not less than 3m.

(4) A building with front, side and rear yards of a depth less than 3m is a discretionary activity.

(5) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H21.6.3.1 Minimum Yard Setback Requirements below.

Table H21.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards	10m
Front, side and rear yards for sites located within Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in D12 Waitākere Ranges Heritage Area Overlay	3m
Riparian yard	20m from edge of permanent and intermittent streams

Lake yard	30m
Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard	50m

H21.6.4 Building coverage

- (1) The maximum building coverage within the Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in [D12 Waitākere Ranges Heritage Area Overlay](#) must not exceed ten per cent of net site area or 300m² whichever is the lesser.
- (2) The maximum building coverage outside the Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in the [D12 Waitākere Ranges Heritage Area Overlay](#) must not exceed 15 per cent of net site area or 300m² whichever is the lesser.
- (3) A building that does not comply with Standard H21.6.4(1) and (2) is a restricted discretionary activity provided the building coverage does not exceed 15 per cent.
- (4) A building that does not comply with Standard H21.6.4(1) and (2) and where the building coverage exceeds 15 per cent is a non-complying activity.

H21.6.5 Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the natural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise.

- (1) Buildings for the primary purpose of housing animals greater than 25m² gross floor area must be located at least 50m from any boundary of the site.

H21.6.6 Free-range poultry farming

- (1) Coops and associated hard stand areas for free-range poultry farming must be set back at least 50m from the nearest site boundary.

H21.6.7 Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or

the adjoining site is an area identified in the Significant Ecological Area Overlay or the adjoining site is already afforested;

- (3) forestry must be carried out at least 5m from the bank of any permanent stream, river, lake, wetland or coastal edge; and
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Area Overlay.

H21.6.8 Produce sales

The following standards apply to produce sales:

- (1) produce sales must not have their vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) the type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H21.6.9 Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H21.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must be buried or be screened from views; and:
 - (a) not be located:

- (i) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
- (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
- (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H21.6.10 Minor dwelling

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;
- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) standard H21.6.10(3) does not apply to unstained timber and natural materials;
- (5) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (6) the minor dwelling must share the same driveway access as the principal dwelling; and
- (7) the building must comply with the relevant standards H21.6.2, H21.6.3, H21.6.4 and H21.6.9 (4) to (6).

H21.6.11 Home occupations

The following standards apply to home occupations:

- (1) no more than five persons may be engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) heavy vehicle trips must not exceed two per week;
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part of the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H21.6.8 for produce sales; and
- (11) home occupations involving homestays are limited to a maximum of 10 people. This includes the people who reside on the site.

H21.6.12 Mineral prospecting

- (1) Mineral prospecting must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H21.6.13 Post-harvest facilities

The following standards apply to post-harvest activities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H21.6.14 Outdoor recreation activities

The following standards apply to outdoor recreation activities:

- (1) the activity may involve buildings or structures ancillary to the activity and must not be greater than 30m²; and

(2) the activity must not involve motorsport and gun clubs.

H21.7. Assessment – controlled activities

There are no controlled activities in this zone.

H21.8. Assessment – restricted discretionary activities

H21.8.1 Matters of discretion

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

- (1) all restricted discretionary activities:
 - (a) natural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of indigenous vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19. Rural Zones](#) under [H19.12.1 Matters of discretion](#).
- (2) infringement of yard standard:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) infringement of building coverage standard:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H21.8.2 Assessment criteria

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

- (1) all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity is compatible with amenity values, natural character, and the natural landscape and does not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects natural character;

- (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
- (d) whether the activity results in adverse effects on water quality, native vegetation and fauna habitat;
- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a reduction of natural character and amenity;
- (f) the extent to which the activity provides adequate parking and safe driveway access and sight lines and limits the length of driveways;
- (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
- (h) the assessment criteria in [H19.12.2 Rural zones](#).

PC 71 ([see Modifications](#))

(2) infringement of yard standard:

- (a) the extent to which buildings are located:
 - (iii) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (iv) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (v) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.

(3) infringement of building coverage standard:

- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) the extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H21.9. Special information requirements

There are no special information requirements in this zone.

H27. Special Purpose – Māori Purpose Zone

H27.1. Zone description

The purpose of the Special Purpose – Māori Purpose Zone is to provide for the social and cultural needs of Mana Whenua and mataawaka and to promote the establishment of marae and papakāinga with supporting economic development to ensure thriving and self-sustaining Māori communities.

The Māori Purpose Zone is different from the Auckland-wide Treaty Settlement Land and Māori Land provisions in that it provides for a higher density and greater range of activities.

Those sites zoned as Special Purpose – Māori Purpose Zone are those which have existing or proposed marae development or other Māori cultural institutions, such as marae, and papakāinga-style development to be established in specific areas of Auckland, on general or Māori land.

The zone provides for development to reflect unique Mana Whenua and mataawaka identities and values. The zone acknowledges the importance of marae and papakāinga as focal points for wider community development and provides for a range of social and cultural activities. Supporting economic development is vital for the long-term sustainability of marae and papakāinga, and the well-being of the communities they support. The zone recognises the need to incorporate mātauranga and tikanga Māori into the design of the built environment and open space.

Precincts allow more detailed planning to be undertaken and give greater certainty with respect to environmental outcomes. In the Special Purpose – Māori Purpose Zone, precincts are used to provide for site-specific activities and development. Precincts are also used to reflect specific land uses agreed for land acquired through Treaty settlement.

H27.2. Objectives

- (1) Recognise the continued occupation by Māori of the Auckland area over many centuries and the holistic nature of traditional Māori village settlement.
- (2) The unique social and cultural needs of Auckland's Māori communities are met in both rural and urban settings including in coastal areas and outside the Rural Urban Boundary.
- (3) Areas are sustainably developed and used in accordance with mātauranga and tikanga Māori.
- (4) The quality of the local environment, including the amenity values of adjoining properties, the natural environment and local landscape values, is protected.
- (5) Opportunities to establish supporting economic activities of an appropriate scale are provided.

- (6) Quality living environments for whanau, hapū and all other future residents are provided.

H27.3. Policies

- (1) Enable development on land zoned for Māori purposes across Auckland, including in coastal areas and outside the Rural Urban Boundary.
- (2) Where appropriate, precincts to provide for:
 - (a) site specific development constraints or opportunities;
 - (b) Treaty settlement outcomes;
 - (c) the unique relationships Mana Whenua have with the whenua (land); and
 - (d) comprehensive development proposals.
- (3) Enable a range of activities including dwellings for papakāinga, marae and associated facilities, customary use, and cultural and commercial activities on land zoned for Māori purposes.
- (4) Mitigate any adverse effects on adjoining properties associated with activities within the Special Purpose - Māori Purpose Zone in relation to:
 - (a) access to sunlight and daylight;
 - (b) privacy;
 - (c) the acoustic environment; and
 - (d) traffic and parking.
- (5) Consider alternative approaches to site access or infrastructure provision in rural or coastal areas where the development of a site is constrained by access or the availability of reticulated infrastructure.
- (6) Enable the occupation, use and development of sites in areas where there are natural and physical resources that have been scheduled in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character, by considering:
 - (a) the need to enable development, occupation and use of land in the Māori Purpose Zone in accordance with mātauranga and tikanga to support the social, cultural and economic well-being of Mana Whenua;
 - (b) alternative approaches to or locations for development that avoid adverse effects on the characteristics and qualities that contribute to the values for which the area was scheduled; and

- (c) that there may be no or limited alternative locations for whanau, hapū or iwi to occupy, manage and use their ancestral lands.
- (7) Manage the effects of development, including character, intensity and range of activities, having regard to the capacity of the site to:
- (a) accommodate the development, based on an assessment of physical constraints;
 - (b) be sustainably serviced, utilising reticulated or alternative forms of infrastructure; and
 - (c) avoid, remedy and mitigate any adverse effects on adjoining sites while recognising the purpose of the Special Purpose – Māori Purpose Zone is to facilitate activities that may be of a character, scale, intensity or range that is not provided for in the surrounding area.
- (8) Enable the integration of mātauranga and tikanga in design and layout of development within the Special Purpose – Māori Purpose Zone.
- (9) Require the built form and layout of medium density residential development (four or more dwellings on a site) to:
- (a) complement the character and amenity of surrounding sites; and
 - (b) incorporate appropriate mātauranga and tikanga.

H27.4. Activity table

Table H27.4.1 Activity table specifies the activity status of land use and development activities in the Special Purpose - Māori Purpose Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H27.4.1 Activity table

Activity		Activity status	Standards to be complied with
(A1)	Activities not provided for	NC	
Residential			
(A2)	Home occupations	P	
(A3)	Visitor accommodation	D	
(A4)	Up to three dwellings per site	P	
(A5)	Four or more dwellings per site	RD	
Community			
(A6)	Care centres up to 250m ² gross floor area per site	P	

H27 Special Purpose – Māori Purpose Zone

(A7)	Care centres greater than 250m ² gross floor area per site	RD	
(A8)	Community facilities up to 250m ² gross floor area per site	P	
(A9)	Community facilities greater than 250m ² gross floor area per site	RD	
(A10)	Education facilities up to 250m ² gross floor area per site	P	
(A11)	Education facilities greater than 250m ² gross floor area per site	RD	
(A12)	Healthcare facilities up to 250m ² gross floor area per site	P	
(A13)	Healthcare facilities greater than 250m ² gross floor area per site	RD	
(A14)	Māori cultural activities	P	
(A15)	Marae	P	
(A16)	Organised sport and recreation	RD	
(A17)	Urupā	P	
Commerce			
(A18)	Commercial services	D	
(A19)	Markets	P	
(A20)	Produce stalls	P	
(A21)	Offices	D	
(A22)	Retail up to 100m ² gross floor area per site	P	
(A23)	Retail greater than 100m ² gross floor area per site	RD	
Development			
(A24)	New structures or buildings associated with Māori cultural activities	P	
(A25)	Alterations and additions to buildings	P	
(A26)	Demolition of buildings	P	
(A27)	Integrated Māori development	D	
(A28)	New buildings	The same activity status and standards as applies to the land use activity that the new building or addition to the building is designed to accommodate	
<u>(A28A)</u>	<u>Rainwater Tank</u>	<u>P</u>	<u>Standard H27.6.9 Rainwater tanks</u>

Rural			
(A29)	Farming	D	

H27.5. Notification

- (1) Any application for resource consent for an activity listed in Table H27.4.1 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\(4\)](#).

H27.6. Standards

All activities listed as a permitted activity, controlled activity or restricted discretionary activity in Table H27.4.1 Activity table must comply with the following standards.

H27.6.1. Urupā

- (1) Urupā must meet the yard setback required by Standard H27.6.4 below, except the side and rear yard setback must be 10m from the side or rear boundary.

H27.6.2. Building height

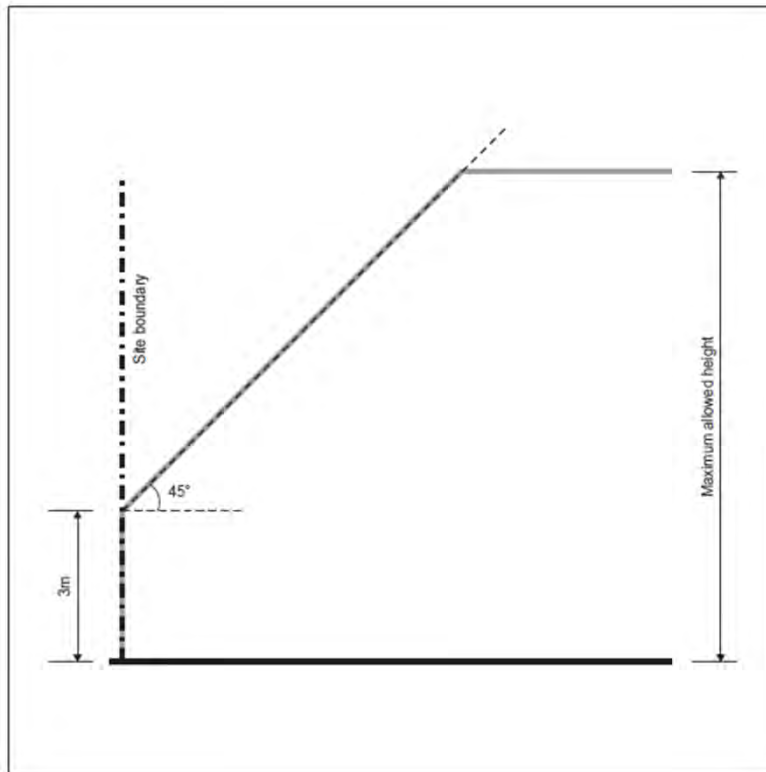
- (1) Marae (including wharenuī and wharekai) and structures or buildings associated with Māori cultural activities (including but not limited to waharoa, pekerangi/taiapa, whare waka) must not exceed 10m in height.
- (2) Pou haki are excluded from Standard H27.6.2(1) if they:
 - (a) do not exceed an additional one third of the permitted activity height for the site; and
 - (b) are not more than 300mm in diameter.
- (3) All other buildings must not exceed 8m in height.

H27.6.3. Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit over-shadowing to neighbouring properties sites and provide space between buildings.

- (1) Buildings must not exceed a height of 3m measured vertically above ground level at side and rear boundaries. Thereafter buildings must be set back 1m for every additional metre in height (45 degrees) up to the maximum building height as shown in Figure H27.6.3.1 Height in relation to boundary.

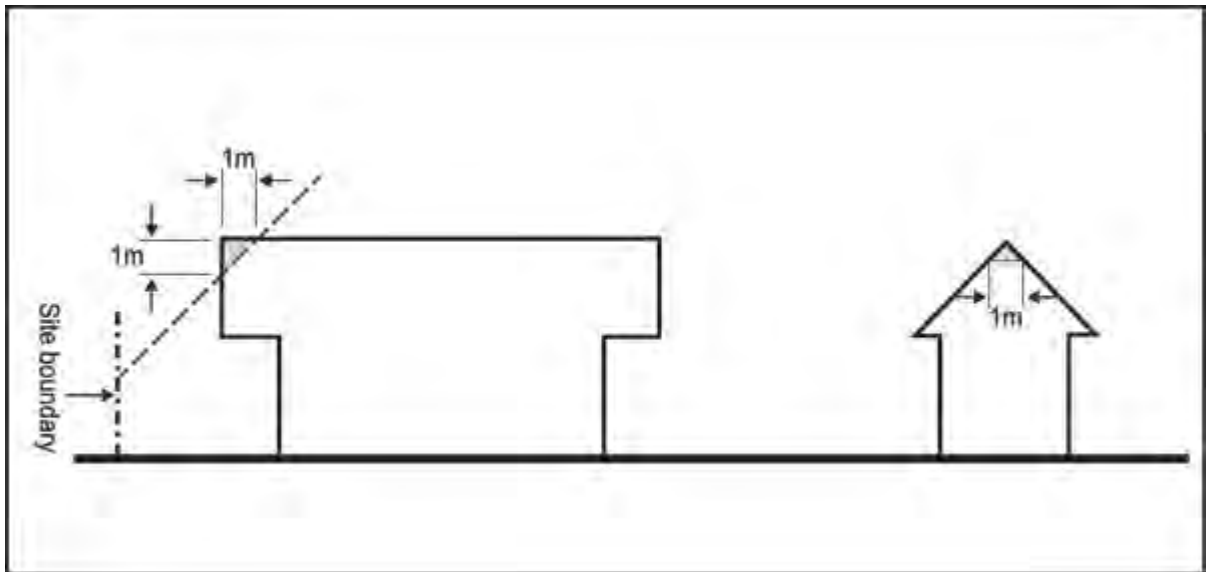
Figure H27.6.3.1 Height in relation to boundary



- (2) Standard H27.6.3(1) does not apply to a boundary adjoining:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone;
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone exceeding 2000m².
- (3) Standard H27.6.3(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the standard applies at the other side of that right of way, pedestrian access way or access site.
- (5) A gable end or dormer may project beyond the recession plane where it is:
- (a) No greater than 1m in height and width measured parallel to the nearest adjacent boundary; and

- (b) No greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure H27.6.3.2 Height in relation to boundary exceptions



- (6) No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

H27.6.4. Yards

Purpose: maintain the spacious and landscaped qualities of the streetscape and ensure dwellings are adequately set back from lakes, streams and coastal edges to maintain water quality and provide protection from natural hazards.

- (1) A building or parts of the building must be set back from the relevant boundary by the minimum depth listed in Table H27.6.4.1 Yards.

Table H27.6.4.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

H27.6.5. Building coverage

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

H27.6.6. Maximum impervious area

- (1) The maximum impervious area must not exceed 60 per cent of site area.

H27.6.7. Accessory buildings

- (1) Accessory buildings must not exceed 80m² gross floor area and must not exceed 4m in height.

H27.6.8. Outdoor living space

- (1) A dwelling at ground level must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling; and

- (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling.

H27.6.9. Rainwater tanks

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

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - (b) in a 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H27.7. Assessment – controlled activities

There are no controlled activities in this section.

H27.8. Assessment – restricted discretionary activities

H27.8.1. Matters of discretion

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

- (1) for care centres greater than 250m² gross floor area per site; community facilities greater than 250m² gross floor area per site; education facilities

greater than 250m² gross floor area per site; and healthcare facilities greater than 250m² gross floor area per site:

(a) the effect on the surrounding area from all of the following:

- (i) intensity and scale;
- (ii) traffic and access; and
- (iii) noise, lighting and hours of operation; and

(b) the extent to which mātauranga and tikanga are integrated into the activity.

(2) for four or more dwellings on a site:

(a) the effect on the surrounding area from all of the following:

- (i) intensity and scale;
- (ii) traffic and access;
- (iii) building design and external appearance;
- (iv) topography, site orientation and earthworks;
- (v) design of landscaping; and
- (vi) internal layout and on-site amenities for dwellings; and

(b) the extent to which mātauranga and tikanga are integrated into the activity.

(3) for retail greater than 100m² gross floor area per site:

(a) the effect on the surrounding area from all of the following:

- (i) intensity and scale;
- (ii) traffic and access; and
- (iii) noise, lighting and hours of operation; and

(b) the extent to which mātauranga and tikanga are integrated into the activity.

(4) for organised sport and recreation:

(a) the effect on the surrounding area from all of the following:

- (i) traffic and access;
- (ii) noise, lighting and hours of operation; and

(b) the extent to which mātauranga and tikanga are integrated into the activity.

(5) for building height, height in relation to boundary and building coverage:

(a) the effect of additional building scale on neighbouring sites, streets and public open spaces including:

- (i) sunlight;
- (ii) access;
- (iii) dominance; and
- (iv) visual amenity; and

(b) the impact on the planned future form and character of the area or zone.

(6) for yards:

(a) the effects on streetscape amenity and safety.

H27.8.2. Assessment criteria

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

(1) for care centres greater than 250m² gross floor area per site; community facilities greater than 250m² gross floor area per site; education facilities greater than 250m² gross floor area per site; and healthcare facilities greater than 250m² gross floor area per site:

(a) intensity and scale:

- (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.

(b) traffic and access:

- (i) whether the effects of parking and traffic are compatible with the character and amenity of the surrounding neighbourhood;
- (ii) for care centres, whether the site is of an adequate size and road frontage to provide sufficient space for safe pick-up and drop-off areas.

(c) noise, lighting and hours of operation:

- (i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering:
 - the location of noisy activities such as outdoor play areas;
 - screening or other design features; and
 - the proposed hours of operation.

(d) integration of mātauranga and tikanga into the activity:

- (i) the extent to which the development integrates mātauranga and tikanga into the design of the built environment and open space by considering:
 - the expression of Māori values and the type of development proposed;
 - the relationship between buildings (marae ātea, wharenuī, wharekai, and waharoa) and accessways;
 - the use of materials and landscaping which reflect the natural features of the surrounding environment; and
 - the recognition of local history and whakapapa through design.
- (2) for four or more dwellings on a site:
 - (a) intensity and scale:
 - (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.
 - (b) building design and external appearance:
 - (i) the extent to which buildings and structures associated with Māori cultural activities and the incorporation of Māori design features contribute positively to the public realm.
 - (c) topography, site orientation and earthworks:
 - (i) whether the topography, size and proportions of the site are suitable to accommodate the housing type proposed;
 - (ii) the extent to which building platforms, outdoor living spaces, car parking areas and driveways are designed and located to respond to the natural landform and site orientation;
 - (iii) whether earthworks can be incorporated as a positive feature by:
 - integrating retaining as part of the building design; and
 - stepping and landscaping earthworks.
 - (d) integration of mātauranga and tikanga into the activity:
 - (i) the extent to which the development integrates mātauranga and tikanga into the design of the built environment and open space by considering;
 - (ii) the expression of Māori values and the type of development proposed;
 - (iii) the relationship between buildings (marae ātea, wharenuī, wharekai, and waharoa) and accessways;

- (iv) the use of materials and landscaping which reflect the natural features of the surrounding environment; and
 - (v) the demonstration of awareness of local history and whakapapa through design.
- (3) for retail greater than 100m² gross floor area per site:
- (a) intensity and scale:
 - (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.
 - (b) traffic and access:
 - (i) whether the effects of parking and traffic are compatible with the character and amenity of the surrounding neighbourhood.
 - (c) noise, lighting and hours of operation:
 - (i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering the proposed hours of operation.
 - (d) integration of mātauranga and tikanga into the activity;
 - (i) the extent to which the development integrates mātauranga and tikanga into the design by considering:
 - the expression of Māori values and the type of development proposed; and
 - the recognition of local history and whakapapa through design.
- (4) for organised sport and recreation:
- (a) noise, lighting and hours of operation:
 - (i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering:
 - the location of noisy activities such as outdoor play areas;
 - screening or other design features; and
 - the proposed hours of operation.
 - (b) integration of mātauranga and tikanga into the activity:
 - (i) the extent to which the development integrates mātauranga and tikanga into the activity by considering the expression of Māori values and the type of development proposed.
- (5) for building height, height in relation to boundary and building coverage:

H27 Special Purpose – Māori Purpose Zone

- (a) the extent to which additional building scale effects neighbouring sites, streets and public open spaces by considering:
 - (i) avoidance of unreasonable shading, over-shadowing or reduced access to sunlight on neighbouring dwellings and their outdoor living spaces; and
 - (b) whether the additional building scale is consistent with the planned future form and character of the area.
- (6) for yards:
 - (a) the extent to which yard infringement effects streetscape amenity and safety.

H27.9. Special information requirements

There are no special information requirements in this section.

I420. Māngere 1 Precinct

I420.1. Precinct description

The purpose of the Māngere 1 Precinct is to provide for the SPCA Auckland Animal Village at 50 Westney Road, Māngere. The SPCA was established on 1978 and is a regionally significant resource providing animal welfare and associated services for Auckland. The facility occupies approximately 40 per cent of the 4 hectare site and includes administration buildings, an animal hospital, dog and cat adoption facilities, kennels, and a significant amount of land for grazing. The precinct is made up of two sub-precincts A and B, which delineate the areas within which certain types of activities should take place.

The SPCA is located at the interface of land zoned Residential - Mixed Housing Suburban Zone and Business – Light Industry Zone. Adjacent activities on residential zoned land include a school immediately to the north, and a row of established houses occupying the land to the east, and west on the opposite side of Westney Road.

When first established, the SPCA activity was relatively isolated from other activities, but gradual development of vacant land adjacent to the village has created reverse sensitivity effects. It is therefore important to provide certainty about the range of activities that can occur in the precinct. The Māngere 1 Precinct plan stipulates how the site will be developed and used.

The zoning of land within this precinct is Residential - Mixed Housing Suburban Zone.

I420.2. Objectives

- (1) Animal welfare activities are enabled within the Māngere 1: Precinct plan.
- (2) Adverse effects associated with the animal welfare activities within the Māngere 1 Precinct are recognised and managed.

The objectives for this precinct replace the zone objectives.

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

I420.3. Policies

- (1) Require current and future animal welfare activities to align with the Māngere 1: Precinct plan.
- (2) Protect the amenity of adjoining residential and education land uses through appropriate built form, scale and location and the implementation of best practice noise management.
- (3) Recognise the significance of the animal welfare facility by avoiding competing land uses within the site.

The policies for this precinct replace the zone policies.

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

I420.4. Activity table

The provisions in the zone do not apply in this precinct, unless otherwise specified below. The provisions in any relevant Auckland-wide and overlay provisions apply in this precinct unless otherwise specified below.

Table I420.4.1 Activity table specifies the activity status of land use and development activities in the Māngere 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I420.4.1 Activity table

Activity		Activity status	
		Sub-precinct A	Sub-precinct B
Rural			
(A1)	Animal breeding or boarding	P	P
(A2)	Farming	P	P
Commerce			
(A3)	Restaurants and cafes	P	D
(A4)	Restaurants and cafes that do not comply with standard I420.6.2	NC	NC
(A5)	Clubroom	P	D
(A6)	Offices	P	D
(A7)	Retail sales	P	P
(A8)	Veterinary clinics	P	D
(A9)	Animal welfare (includes keeping of animals, animal adoption services, education and training of people about animal welfare)	P	P
(A10)	Animal welfare that does not comply with activity I420.4.1(A9) above	D	D
(A11)	Educational facilities	P	P
(A12)	Tertiary education facilities	P	P
(A13)	Workers' accommodation	P	D
(A14)	Workers' accommodation that does not comply with Standard I420.6.1	NC	NC
Development			
(A15*)	New buildings and additions to existing buildings <u>**“for the purposes of the precinct, a rainwater tank shall be considered a building”</u>	P	D
(A16)	Alterations to buildings	P	P
(A17)	Any activity that complies with Standard I420.6.6 Earthworks	P	P

I420.5. Notification

- (1) Any application for resource consent for an activity listed in Table 0.1 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\(4\)](#).

I420.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct in addition to the following standards.

All activities listed as permitted activities in Table 0.1 Activity table must comply with the following permitted activity standards:

I420.6.1. Worker’s accommodation

- (1) No more than one workers' accommodation unit must be located within sub-precinct A of the Māngere 1: Precinct plan.

I420.6.2. Restaurants and cafes

- (1) No more than one restaurant or cafe must be located within sub-precinct B of the Māngere 1: Precinct plan.

I420.6.3. Noise

- (1) Noise levels arising from activities established on a site after 1 October 2003 measured at or within the boundary of any other site must not exceed the following limits:

Table I420.6.3.1 Noise limits

Activity	Average maximum level		Maximum
	dBL _{Aeq}		dBL _{AFmax}
	Monday to Sunday 7am-8pm	All other times	10pm-7am
Within Residential zones	55	45	75
Within Industrial zones	65	65	90

I420.6.4. Yards

- (1) Yards must comply with Table I420.6.4.1 Yards below:

Table I420.6.4.1 Yards

Yard	Dimension
Front	10m
Northern	5m
Southern	None
Rear	30m

I420.6.5. Landscape treatment

- (1) The minimum landscaped area must not exceed 35 per cent of the net site area.
- (2) Where any boundary adjoins a residential zone at least 50 per cent of the yard required in Standard I420.6.4 Yards above must be landscaped by plantings of specimen trees and shrubs.

I420.6.6. Earthworks

- (1) Earthworks associated with the construction/extension of a perimeter bund westward along the boundary with the adjoining residential site (Lot 1 DP 1149852) must not exceed 100m in length.

I420.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I420.8. Assessment – restricted discretionary activities

I420.8.1. Matters of discretion

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

- (1) For yards, landscape treatment and earthworks:
 - (a) effects on amenity values of neighbouring residential areas;
 - (b) effects of site layout, landscaping and planting;
 - (c) effects of noise; and
 - (d) effects of design and external appearance.

I420.8.2. Assessment criteria

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

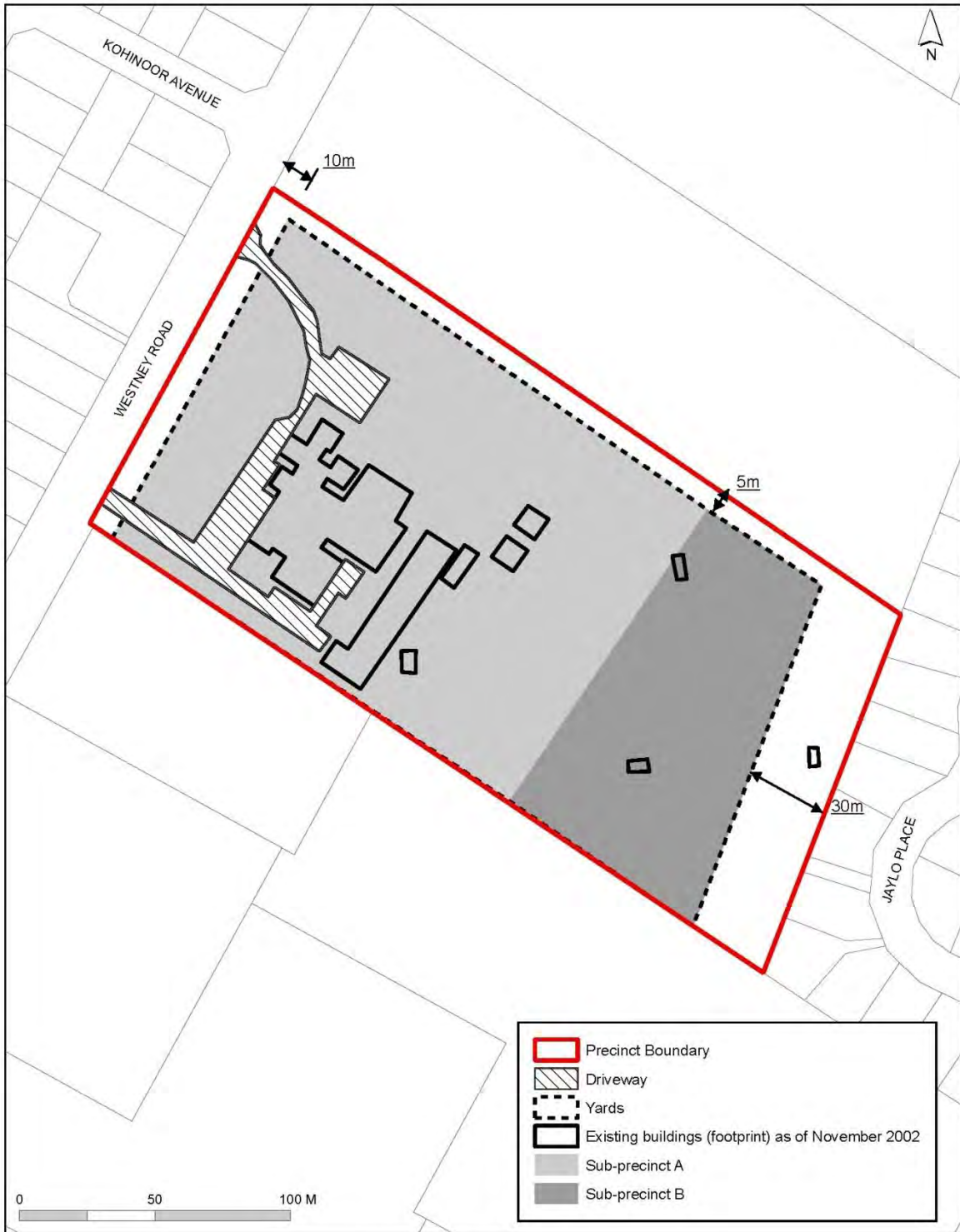
- (1) For amenity values of neighbouring residential areas:
 - (a) the extent to which the amenity values of neighbouring residential areas is maintained, particularly with regard to noise, traffic and other potential nuisances.
- (2) For site layout, landscaping and planting:
 - (a) whether the siting of the buildings and other structures, including car parking areas and vehicle access points, maintain a good relationship between those structures and other structures on the site and on adjoining sites.
- (3) For noise:
 - (a) whether the best practicable measures are put into place to minimise the effects of noise emanating from activities on the site.
- (4) For design and external appearance:
 - (a) whether buildings and other structures are designed to avoid unrelieved mass and bulk and maintain the amenity values of neighbouring residential areas.

I420.9. Special information requirements

There are no special information requirements in this precinct.

I420.10. Precinct plans

I420.10.1. Māngere 1: Precinct plan



I519. Long Bay Precinct

I519.1. Precinct description

The Long Bay Precinct is located at the northern end of the East Coast Bays on the North Shore. The precinct covers approximately 360 ha of land and is held in multiple ownership. It incorporates the following significant natural and physical resources:

- The outstanding landscapes and natural character of the coastline north of Vaughan Stream;
- The high ecological and amenity values of the Vaughan Stream catchment and coastal receiving waters of the Long Bay-Okura Marine Reserve;
- The Long Bay Regional Park, a regionally important area of high recreational and landscape value;
- An area of national heritage value on the Awaruku headland; and
- A number of native vegetation areas of ecological value.

The purpose of the precinct is to develop a new community on greenfield land in accordance with a land use strategy shown on Precinct Plan 1. The strategy uses an integrated, sustainable low impact approach that protects and enhances the high ecological and amenity value of its receiving environment. Long Bay is divided into two main development areas:

- The upper valley consisting of moderate to steep topography closely oriented to the Vaughan Stream corridor, important tributary waterways and areas of native vegetation where low-density development can occur in association with revegetation.
- The lower valley which covers the more open landscapes associated with the wider valley area where more intensive urban development is enabled.

Resource consents for sub-precincts have been used to provide for co-ordinated development and infrastructure in the lower valley.

The Vaughan Stream catchment is divided into Stream Protection Areas A & B (shown on Precinct Plans 1, 3 and 4 based on the ecological values of stream tributaries, their sensitivity to the adverse effects of development and their contribution to the sustainability of the Vaughan Stream.

The features shown on Precinct Plans 3 and 4 are protected and managed through specific provisions relating to:

- Piripiri Point Protection Area;
- Park Interface Protection Area;
- Vegetation – Conservation Areas;
- Vegetation– Restoration Areas;
- Ecology / Stormwater Management Areas;

- Landscape Enhancement Areas; and
- Stream Interface Management Areas.

In addition to these areas, ridgeline protection and riparian margins are shown on Precinct Plan 4 which include the following features:

- Ridgeline height control and spot heights
- Park interface viewpoints and visibility line “z-z”
- Streams.

Specific standards relate to these matters. The zoning of land within this precinct is set out in Table I519.1.1 Long Bay Sub-precinct descriptions and zoning.

Table I519.1.1 Long Bay Sub-precinct descriptions and zoning

Long Bay Sub-precinct	Description	Zone
A	Large lot residential	H1 Residential - Large Lot Zone
B	Rural residential	H1 Residential - Large Lot Zone
C	Piripiri Point protection area	H1 Residential - Large Lot Zone
D	Suburban neighbourhood – east of Ashley Avenue (Stream Protection A Area)	H3 Residential - Single House Zone
E	Suburban neighbourhood – north of Vaughans Stream (Stream Protection A and B Area)	H3 Residential - Single House Zone
F	Suburban neighbourhood – south of Vaughans Stream	H3 Residential - Single House Zone
G	Mixed neighbourhood – north of Vaughans Stream	H4 Residential - Mixed Housing Suburban Zone
H	Urban neighbourhood	H5 Residential - Mixed Housing Urban Zone
I	Urban village	H6 Residential -Terrace Housing and Apartment Buildings Zone
J	Village centre	H11 Business - Local Centre Zone
K	Village centre – Vaughans Stream interface	H11 Business - Local Centre Zone
L	Two house site	H7 Open Space – Conservation Zone

Parts of Sub-precinct B mainly around the stream systems are identified as within D9 Significant Ecological Areas Overlay

Parts of Sub-precincts C and E are identified as within [D10 Outstanding Natural Landscapes Overlay](#) and within [D11 High Natural Character Overlay](#)

Parts of Sub-precinct L are within [D17 Historic Heritage Overlay](#)

I519.2. Objectives [rp/dp]

General

- (1) A new community is created in an integrated and sustainable way that protects and enhances the natural environment.
- (2) The nationally significant heritage values and associated landscape character of the Awaruku headland and seaward end of the Awaruku Ridge are protected and enhanced.
- (3) The outstanding landscapes and natural character of the coastal environment bounded by Homestead Spur, Grannys Ridge and Piripiri Point Ridge areas within the North Vaughans area, as seen from within the Long Bay Regional Park and Piripiri Reserve are protected from land use development and subdivision.
- (4) The recreational amenities, landscape values and ecological systems of Long Bay Regional Park are protected and enhanced.
- (5) The water quality, level and flows, habitat values and fauna of the Vaughan Stream and its tributaries and waterways are protected and enhanced, and the adverse effects of sediment discharges to the stream, Long Bay Beach and the Long Bay Ōkura Marine Reserve and wider Hauraki Gulf are minimised to limit effects on their ecological, amenity and recreational values.
- (6) The water quality, habitat values and fauna of the Awaruku Stream are improved and the adverse effects of sediment discharges on Long Bay Beach and the Long Bay Ōkura Marine Reserve are reduced.
- (7) Native vegetation remnants and habitats are protected from subdivision, use and development and native bush areas are enhanced and connected over time to form linked ecological areas.

Sub-precincts A and B

- (8) Large lot development is undertaken in the upper valley and is rural residential in character with bush areas enhanced and connected over time.
- (9) Large lot residential development in Sub-precinct A is provided for in the limited areas where slope and landform do not preclude buildings while protecting and enhancing natural vegetation.
- (10) Rural residential development in Sub-precinct B is provided for while protecting and enhancing the special landscape and environmental values of the steeper areas of the catchment.

Sub-precinct C

- (11) The outstanding natural landscape values of Piripiri Point and the amenity values of the Long Bay Regional Park and Piripiri Reserve are protected.

Sub-precincts D, E and F

(12) Single houses are provided in the North Vaughans, Awaruku and Glenvar areas with some higher intensity integrated housing fronting main roads and reserves in the Awaruku area.

Sub-precinct G

(13) A mixture of stand-alone houses on smaller lots and attached housing types are provided in the North Vaughans area, generally to the south and west of the northern Beach Road extension.

Sub-precinct H

(14) A mixture of two and three storey stand alone and terrace type housing is provided on the northern slopes of the Awaruku ridge and the lower North Vaughans slopes.

Sub-precinct I

(15) Terraced housing and apartment buildings are provided in close proximity to the village centre and open space areas located in the Vaughan's Stream corridor.

Sub-precincts J and K

(16) A quality, compact village centre is developed in Sub-precinct J as a focal point for the local community.

(17) The village centre is integrated with the natural character and amenity of the Vaughan Stream corridor in Sub-precinct K.

Sub-precinct L

(18) The landscape and amenity values of the adjacent Regional Park and coastal environment are protected.

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

I519.3. Policies [rp/dp]

Stormwater Management

- (1) Apply a low impact, treatment train approach including:
 - (a) limitations on landform modification and impervious cover;
 - (b) on-site stormwater mitigation measures for development, roads and accessways and retention of streams and waterways; and
 - (c) provision of catchment-wide facilities like wetlands.

- (2) Require stormwater treatment devices, utilising the best practicable option, within the road reserve and accessways to mitigate the effects of the majority of stormwater generated by the road or accessway including:
 - (a) reducing carriageway widths and limiting impervious areas;
 - (b) incorporation of bio-retention where grades are less than 5%;
 - (c) check dams and flow control methods for grades of 5 to 8%; and
 - (d) off-line treatment for grades greater than 8%.
- (3) Require the riparian margins of the Vaughan and Awaruku Streams (identified on Precinct Plan 4) to be kept free of development and earthworks and to be made stock proof and replanted with suitable native vegetation at the time of subdivision.
- (4) Limit development in the 100 year flood plain to infrastructure that cannot be located elsewhere.
- (5) Require stormwater retention and treatment facilities to be designed to retain the ecological values in and along the Vaughan and Awaruku Streams. These areas should be landscaped to add additional habitat (e.g. wetlands).
- (6) Within the Stream Protection A area:
 - (a) require all streams, waterways and their riparian margins to be retained in their natural state;
 - (b) require existing stormwater overland flow paths to be identified and protected from site works, subdivision and/or development;
 - (c) require imperviousness to be limited to no more than 15 per cent in Sub-precincts A and B and 50 per cent in Sub-precinct D and that part of Sub-precinct E in the Stream Protection A area, with sites sizes to be at least 600m² in Sub-precinct D area;
 - (d) require development to incorporate on-site stormwater mitigation measures to mitigate adverse water quality and quantity effects from the run off from the following areas of impervious surfaces:
 - (i) Sub-precinct A and B, 100 per cent of impervious surfaces;
 - (ii) Sub-precinct E (Stream 1C catchment), 100 per cent of impervious surfaces; and
 - (iii) Sub-precinct D and all other stream catchments, 80 per cent of impervious surfaces;
 - (e) manage the quality of discharged stormwater by removing, on-site, a minimum of 75 per cent of total suspended solids on a long term average

basis from the percentage of impervious areas listed in Standards I519.3(6)(d)(i) and I519.3(6)(d)(ii) above; and

- (f) require no off-site wetlands or ponds to be created in the Stream Protection A Area except for the treatment of road run off from the steeper sections of Glenvar Ridge Road, where grades are greater than 8 per cent.

(7) Within the Stream Protection B Area:

- (a) require the main channels of the Vaughan and Awaruku Streams to be retained in their current state. Allow secondary waterways to be modified (Stream 1B) or removed (except Stream 2);
- (b) require overland flow paths to be identified and protected, post development;
- (c) provide a range of housing types relative to site sizes and impervious cover; and
- (d) require development to be designed so that stormwater run-off is mitigated before it enters the Vaughan and Awaruku Streams.

Protection and management areas

- (8) Require areas of existing native vegetation to be set aside at the time of subdivision, made stock proof, weeds and pests eradicated and afforded long term protection by appropriate legal mechanisms. Vegetation removal should be limited to the eradication of plant pests and weeds.
- (9) Require subdivision and development to contribute to extending the areas of native bush, helping to develop ecological corridors linking the lower valley with the existing bush areas in the upper valley and to restore and enhance degraded landscapes.
- (10) Require subdivision and development to protect the landscapes and natural character of the Regional Park, north of Vaughan Stream, through application of the Piripiri Point Protection Area and the Park Interface Protection Area.

Sediment and earthworks

- (11) Require the control of sedimentation on the receiving environment by limiting the area of land exposed at any one time (30 hectares total of bulk and small scale earthworks) across the whole of the precinct, and enhanced sediment control measures.
- (12) Require allocation of the 30 hectare limit to be on the basis that the proportion of likely total earthworks within each sub-precinct will be as follows:
 - (a) small scale earthworks are expected to amount to no more than two hectares in total across the whole precinct area to be exposed at any one time;

- (b) no more than seven hectares of land may be exposed at any one time in Sub-precincts A and B with no ability to exceed this limit; and
- (c) up to 21 hectares may be exposed at any one time in Sub-precincts D to K with this extended to 28 hectares where the seven hectare allocation for Sub-precinct A and B has not been taken up in an earthworks season.
- (13) Limit the volume and footprint of earthworks within the Stream Protection A area to avoid changes to landforms, waterways and changes in hydraulic response resulting from compaction of soils during earthworks.
- (14) Require small scale site works to avoid adverse effects on waterways and their margins and areas of ecological value by the preparation of individual site management plans.
- (15) Require all earthwork/geotechnical devices generally to be kept clear of the Vegetation – Conservation areas and riparian margins.
- (16) Require a Lizard Conservation Management Plan for the relocation of lizards prior to any larger scale earthworks in the Stream Protection A area.

Upper Valley (Sub-precincts A and B, and that part of Sub-precinct E in the Stream Protection A area)

- (17) Prohibit earthworks and structures (except those associated with revegetation and fencing) in the Landscape Protection Area between the catchments of Streams 1C and 1D up to the steeper land above the headwaters of Stream 1D and set this land aside for revegetation at the time of subdivision.
- (18) Require re-vegetation on subdivision and development of the land to the north of the escarpment covered by the Landscape Enhancement Area on the northern side of Vaughan Stream.
- (19) Enable development of sites in the Ecology/Stormwater Management Area provided sites are located outside of riparian margins, do not result in clustering of development and are subject to replanting requirements.
- (20) Require the extension of existing areas of native bush in the Ecology/Stormwater Management Area on subdivision and development to create over time ecological corridors.
- (21) Require on site wastewater disposal systems as an interim solution, for development that proceeds ahead of the trunk wastewater network and require any such development to connect to the trunk wastewater network once it becomes available.
- (22) Prevent minor dwellings in Sub-precincts A, B and D.

Lower Valley (Sub-precincts D to K)

- (23) Require proposed roads to be in accordance with the roads shown on Precinct Plans 1, 3 and 4, and allow for variations in alignment (up to 20m of the centre line of the alignment shown on the precinct plans), based on final earth working and site layout.
- (24) Enable minor dwellings in the following locations:
 - (a) sites greater than 1000m² in the Sub-precincts E and F; and
 - (b) within the Sub-precincts G, H and I, minor residential units should be incorporated into garages that overlook rear access lanes.
- (25) Require a 10m building setback to be provided on the 370m section of Vaughans Road shown on Precinct Plan 3.
- (26) Require a riparian margin and Ecology/Stormwater Management Area to be maintained on Stream 1B or any re-alignment of it.
- (27) Require a Stream Interface Management Area to apply to both sides of the lower reaches of the Vaughan Stream outside of the floodplain, with development to provide for public access and informal surveillance of the stream.
- (28) Retain a largely open character in the land on the southern side of the Vaughan Stream corridor, within the Stream Interface Management Area covering Sub-precincts H and K. Require buildings and development to occupy no more than 40 per cent of the Glenvar Ridge Road frontage of the Stream Interface Management Area within Sub-precinct H and manage the design and layout of development in Sub-precinct K.
- (29) Provide a high quality built edge to the northern side of the Vaughan Stream corridor that supports a safe and attractive open space area within the Stream Interface Management Area, by requiring;
 - (a) a shared pedestrian and vehicle lane to front the majority of the stream corridor, at least to the extent of the Sub-precinct I frontage, west of Vaughans Road extension;
 - (b) development to be designed to address and overlook the lane and in turn the stream corridor; and
 - (c) the shared lane to have a carriageway design that slows traffic speeds and mixes pedestrian and cycle use.
- (30) Require the riparian margins shown on Precinct Plan 4 to be planted in native vegetation according to an approved planting plan, apart from proposed walkways, trails and recreational areas.
- (31) Ensure when site works, subdivision or development occur within the Vaughan Stream Corridor, the landowner is responsible for planting the land from the edge

of the Vaughan Stream to the top of the bank and at least 5m beyond on either side and that particular care is taken with the ecological and landscape design of the interface with the Long Bay Regional Park.

- (32) Require the whole of the riparian margin as shown on Precinct Plan 4, on land zoned Open Space – Informal Recreation to be vested in Council at no cost.
- (33) Recognise that vesting of the riparian margin required by Policy I519.3(32) is for stormwater management purposes, including wetlands and perimeter planting and is to be managed for ecological and where practicable, recreational purposes.
- (34) Avoid where practicable service station development in all sub-precincts due to adverse effects on amenity.

Sub-precincts A and B

- (35) Require a minimum subdivision size of two hectares and enable smaller site sizes where existing areas of native vegetation are protected from development and minimal land modification will occur.
- (36) Require development to contribute to revegetation and the extension and linking of existing bush areas for stormwater mitigation, ecological and landscape enhancement purposes.
- (37) Require full (100 per cent) on-site mitigation of stormwater.
- (38) Require esplanade reserves and strips for the section of Vaughan Stream where provided for by the Resource Management Act 1991 and the Unitary Plan.

Sub-precinct A

- (39) Enable the subdivision and development of land of gentle to moderate slope and adjacent to existing roads and accessways to form larger suburban lots.
- (40) Require development to consist of single dwellings that avoid a continuous band of housing along Vaughans Road and which are separated from other development, rather than clustered.
- (41) Enable site sizes down to a minimum of 2,500m², provided that:
 - (a) development sets aside and protects areas of native bush from further development keeping it free from stock, weeds and pests; and
 - (b) earthworks to create building sites and accessways will not disturb more than an average of 2,000m² per site in any subdivision.

Sub-precinct B

- (42) Confine development (including accessways) to existing cleared areas, and where building sites and driveways can be constructed in a way that does not require substantial earthworks or modification of the landform.

- (43) Permit a minimum site size of 5,000m²; provided that native vegetation areas are protected and the presence of accessways and stable building platforms mean that only limited earthworks are required (generally less than an average of 2,000m² per site).
- (44) Recognise in some cases, larger minimum site sizes will be needed to ensure a stable building platform can be provided.

Sub-precincts D, E and F

- (45) Provide for two storey, standalone housing to ensure that a suburban character is retained, except for small areas of more intensive housing and for sites of 1,000m² or more where a minor dwelling may be provided in Sub-precincts E and F.
- (46) Enable a limited range of more intensive housing in these sub-precincts provided that:
 - (a) such housing is located along proposed (main) roads or fronts reserves (public or private) of at least 2000m² in area; and
 - (b) the number of dwellings to be provided does not exceed 20 per cent of the total number of dwellings within the relevant sub-precinct.
- (47) Require building heights and land contouring in the northern and eastern sections of Sub-precincts E and G to be set so that no buildings or structures will be visible:
 - (a) to the east of the northern Beach Road extension (as shown on Precinct Plan 1), from the Long Bay Regional Park, when viewed from the Grannys Bay catchment, and from Piripiri Reserve; and
 - (b) to the north of northern Beach Road extension (as shown on Precinct Plan 1) when viewed from the northern part of the Grannys Bay catchment, and from Piripiri Reserve.
- (48) Require the finished ground level of earthworks across the gully located between the Beach Road extension and Homestead Spur, below the 39.7m contour line (as shown on the Precinct Plans), to be below the crest of the Spur to ensure the Long Bay Regional Park is buffered from the visual and landscape effects of housing.
- (49) Avoid modification of the existing contours of the crest of Homestead Spur below the 39.7m contour line.
- (50) Require the Park Interface Protection Area shown on the Precinct Plans 1 and 4 to be provided at the time of subdivision or earthworks.
- (51) Require within the Park Interface Protection Area:

- (a) the existing ridgeline, augmented where necessary and contoured in a natural form, to be in accordance with the Ridgeline Height Control shown on Precinct Plan 4 unless it can be demonstrated that a different ridgeline design meets the requirements of Policies 3 and 4 above;
 - (b) avoid buildings, structures, earthworks or development on the crest, and the eastern and northern side of the Ridgeline Height Control shown on Precinct Plan 4, except for rural type, post and wire fences and re-vegetation, pastoral farming and earthworks to maintain the integrity of the ridgeline;
 - (c) avoid where practicable buildings other than accessory buildings on the southern and western side of the Ridgeline Height Control shown on Precinct Plan 4;
 - (d) any accessory buildings, structures and development on the southern and western side of the Ridgeline Height Control shown on Precinct Plan 4 are not to be visible when viewed from the Long Bay Regional Park within the Grannys Bay catchment and from Piripiri Reserve;
 - (e) all associated earthworks are to retain the structural integrity of the ridgeline; and
 - (f) a consistent and sustainable approach to the design, planting and on-going management of this Park Interface Protection Area must be put in place at the time of subdivision.
- (52) Enable a limited amount of single house development in the North Vaughans area in the catchment of Stream 1C.
- (53) Require single house development in Sub-precinct E in the catchment of Stream 1C be confined to within 120m (as measured along Vaughans Road frontage) of the boundary between the Stream Protection A and B Areas and to the north of the Stream 1C Ecology/Stormwater Management Area as shown in Precinct Plan 1.

Sub-precinct D

- (54) Require single house development on larger sections in the Glenvar area and avoid more intensive housing to reflect the location of this area in Stream Protection A area.
- (55) Require esplanade reserves and strips along Stream 3, where provided for by the Resource Management Act 1991 and the Unitary Plan.

Sub-precinct G

- (56) Enable a mix of single and two storey detached and attached dwellings on smaller sections.

- (57) Apply the Mixed Housing Suburban Zone standards, except for those associated with building height, yards, coverage and impervious areas and fencing which are to be compatible with the adjacent Sub-precinct E.

Sub-precinct H

- (58) Provide for terraced housing and low rise apartments up to three storeys in height and some single houses on small sites with an average density of housing across the sub-precinct of approximately one unit per 250m².
- (59) Provide a landmark building at the south eastern edge of Sub-precinct H on the north western corner of southern Beach Road extension and the proposed road connecting Beach Road extension to Ashley Avenue, in proximity to Long Bay College.
- (60) Enable the landmark building referred to in Policy I519.3(60) above to be up to four storeys in height and have a local retail function addressing the street.
- (61) Require the landmark building referred to in Policy I519.3(60) above to be designed to provide a high quality and distinctive entrance statement to this more intensive section of the urban area.
- (62) Provide for a mix of housing on the boundary of the [H7 Open Space – Conservation Zone](#). Gaps are to be created between groups of attached housing to provide for views into and across the [H7 Open Space - Conservation Zone](#) and building heights controlled to maintain the amenity and landscape values of the public open space.
- (63) Fencing and retaining walls along the edge of Sub-precincts F or H and the [H7 Open Space - Conservation Zone](#) should be designed to provide a consistent treatment that is sympathetic to the values of the land zoned open space.

Sub-precinct I

- (64) Allow for terraced housing and apartment buildings development up to four storeys in height recognising that the average density of development across the sub-precinct is expected to be more than one unit per 100m².

Sub-precincts J and K

- (65) Enable development up to four storeys in height that forms a continuous frontage to all streets and plazas within Sub-precinct J.
- (66) Limit large floorplate retail activities to one store in excess of 500m² gross floor area within Sub-precinct J, to ensure that the centre develops as a mixed use centre.
- (67) Allow apartments and small scale workplaces to locate in Sub-precinct J so that a mixed use focal point for the community is created. Residential development is to be above ground on the main street frontages.

- (68) Require development in Sub-precinct K to consist of one to two storey development set within an open landscape that integrates with the natural character and open space values of the adjoining Vaughan Stream corridor.

Sub-precinct C (Piripiri Point Protection Area)

- (69) Require the Piripiri Point land to remain in one title, unless subdivision is required for public road access or reserve purposes.
- (70) Require buildings to be located in the nominated building site (that is outside the sub-precinct, as shown on Precinct Plan 1) with development in this site subject to the provisions of the relevant zone.
- (71) Limit activities to grazing, pastoral farming and indigenous re-vegetation.
- (72) Prevent intensive rural activities that involve structures (such as shade houses, glass houses, piggeries, poultry sheds, packing sheds, kennels and the like), forestry and any commercial activities (such as camping grounds and outdoor recreation).
- (73) Prevent buildings or structures of any sort (including tennis courts, helipads, swimming pools, and the like) from being located within the sub-precinct and require accessory buildings for pastoral activities and structures associated with domestic activities to be located outside of this sub-precinct.
- (74) Limit fencing and accessways to normal farm type post and wire fences and unpaved tracks.

Sub-precinct L (two house site)

- (75) Limit further development to the maintenance and repair of the existing buildings. No further building may occur.
- (76) Enable continued use of the buildings as residential units, in addition to community or recreational activities.
- (77) Avoid any subdivision, except for the provision of access.

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

I519.4. Activity table

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

For the purposes of this precinct rainwater tanks are not exempt from the definition of 'building' in Chapter J.4.1; and the rainwater tank standards of the underlying Single House zone (H3.6.13); Large Lot zone (H1.6.8); Mixed Housing Suburban zone (H4.6.16) and Mixed Housing Urban zone (H5.6.17) do not apply.

Table I519.4.1 specifies the activity status of land use and development activities in Sub-precincts A, B and D to I (other than in specified locations and in relation to subdivision and earthworks) pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991.

Table I519.4.1: Activity table for Sub-precincts A, B, D, E, F, G, H and I

Activity		Sub-precincts A and B	Sub-precincts D, E, F	Sub-precinct G	Sub-precinct H	Sub-precinct I
Use						
General						
(A1)	Activities in the Ecology/Stormwater Management and Landscape Enhancement Areas	D	D	NA	NA	NA
Development						
(A2)	Impervious surfaces in the Stream Protection A area	C	C	NA	NA	NA
(A3)	Alterations to buildings	P	P	P	P	P
(A4)	Demolition or removal of an existing building	P	P	P	P	P
(A5)	Dwellings not exceeding one per site, on sites greater than 600m ² in the Stream Protection A area	C	C	NA	NA	NA
(A6)	Dwellings not exceeding one per site, on sites greater than 450m ² in the Stream Protection B area	NA	P	P	C	NA
(A7)	Dwellings in Sub-precinct F at a density of more than 1 unit per 450m ² of site area (integrated housing developments) within the Stream Protection B area	NA	RD	NA	NA	NA
(A8)	Dwellings in Sub-	NA	NA	P	C	C

I519 Long Bay Precinct

	precincts G to I not exceeding a density of 1 unit per 300m ² of site area					
(A9)	Dwellings in Sub-precincts G to I exceeding a density of 1 unit per 300m ² of site area	NA	NA	RD	RD	RD
(A10)	Minor dwellings in Sub-precincts E and F on sites greater than 1000m ² , in the Stream Protection B Area, and in Sub-precincts G, H and I where they are located above a garage accessed from a rear lane	NA	P	P	P	P
(A11)	Accessory buildings in the Stream Protection A area not exceeding a total of 50m ² gross floor area per site	RD	C	NA	NA	NA
(A12)	Accessory buildings in the Stream Protection B area not exceeding a total of 50m ² GFA per site in Sub-precincts E and F, except for for Integrated housing developments	NA	P	NA	NA	NA
(A13)	Accessory buildings in Sub-precinct F on sites approved for Integrated housing development, and in Sub-precincts G to I in the Stream Protection B area and not exceeding a total of 25m ² gross floor area per site	NA	C	C	C	C
(A14)	Additions or alterations to an existing building in	C	C	NA	NA	NA

I519 Long Bay Precinct

	the Stream Protection A area which increase the impervious area coverage or roof area					
(A15)	Additions to an existing building in the Stream Protection B area which increase the impervious area coverage except for integrated housing developments in Sub-precinct F	NA	P	RD	RD	RD
(A16)	Additions to an existing building in the Stream Protection B area which increases the impervious area coverage for integrated housing developments in the Sub-precinct F	NA	RD	NA	NA	NA
(A17)	New buildings and additions to existing buildings accommodating activities that are not defined as dwellings.	The activity status of the development is the same as the intended land use activity to be housed within the building				
(A18)	All other development activities	NC	NC	NC	NC	NC

Table I519.4.2 specifies the activity status of land use and development activities in Sub-precincts A and B, F and H (within 30m of Open Space – Conservation Zone land), and Sub-precinct I pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.2: Activity table for Sub-precincts A and B, F and H (within 30m of the Open Space – Conservation Zone), and Sub-precinct I

Activity		Sub-precincts A and B	Sub-precincts F and H within 30m of the Open Space Conservation Zone	Sub-precinct I
Accommodation				
(A19)	Retirement villages	NC	NC	RD
(A20)	Supported residential care and boarding houses accommodating up to 10 people per site inclusive of staff and residents	C	P	P
(A21)	Supported residential care and Boarding Houses not provided for above	NC	NC	RD
(A22)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	C	D	P
(A23)	Visitor accommodation not provided for	NC	NC	D
Commercial				
(A24)	Dairies and cafes up to 100m ² gross floor area	NC	NC	RD
(A25)	Offices not exceeding 100m ² gross floor area at ground floor level in Sub-precinct I	NA	NA	P
(A26)	Service stations	NC	NC	NC
(A27)	Commercial breeding/boarding of animals	D	NC	NC
(A28)	Home occupations	P	P	P
Community				

I519 Long Bay Precinct

Activity		Sub-precincts A and B	Sub-precincts F and H within 30m of the Open Space Conservation Zone	Sub-precinct I
(A29)	Care centres accommodating up to 10 people per site excluding staff	D	D	P Note 1
(A30)	Care centres not provided for	NC	NC	RD Note 1
(A31)	Community facilities	NC	NC	RD Note 1
(A32)	Education facilities	NC	NC	D
(A33)	Healthcare facilities up to 200m ² gross floor area	NC	NC	RD Note 1
(A34)	Healthcare facilities greater than 200m ² gross floor area	NC	NC	RD Note 1

Note 1: Ground floor only

Table I519.4.3 specifies the activity status of additional land use and development activities in Sub-precincts A and B pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.3: Activity table for Sub-precincts A and B

	Activity	Sub-precincts A and B
(A35)	Pastoral farming	P
(A36)	Horticulture	P
(A37)	Glasshouses up to 50m ² per site	P
(A38)	Glasshouses greater than 50m ² per site	D
(A39)	Sale of produce grown on the property	P
(A40)	Riding trails and horse jumping courses for non commercial purposes	P

Table I519.4.4 specifies the activity status of land use and development activities in Sub-precincts J and K pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.4 Activity table for Sub-precincts J and K

	Sub-precinct	Activities	Activity status
(A41)	J	Residential development on the ground floor of any development that fronts the proposed roads shown on Precinct Plan 1	NC
(A42)	J	Service stations	NC
(A43)	K	Walkways and playgrounds	P
(A44)	K	All new buildings and all alterations and additions that change the gross floor area of a building	D
(A45)	K	Alterations and additions that change the external appearance, but not the gross floor area of a building	D
(A46)	K	Cafes, restaurants, community meeting spaces, galleries, event and display areas (except for religious organisations), provided that the maximum gross floor space for any one activity must not exceed 100m ²	P
(A47)	K	All other activities	NC

Table I519.4.5 specifies the activity status of land use and development activities in the areas identified pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.5 Activity table for activities in identified areas

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation	Sub-precincts A and B within land identified as Vegetation – Restoration	All sub-precincts: Riparian Margins	Sub-precinct L	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
(A48)	Farm type fencing (post and wire)	P	P	P	P	P	P

I519 Long Bay Precinct

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation	Sub-precincts A and B within land identified as Vegetation – Restoration	All sub-precincts: Riparian Margins	Sub-precinct L	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
(A49)	Non-paved farm type accessways	NC	NC	D	D	P	Pr
(A50)	Roads and bridges	NC	NA	D	NC	P Note 2	Pr
(A51)	Footpaths, tracks and trails, provided they are 5m from the top of the bank of a stream	D	P	P	D	P	D Note 3
(A52)	Pastoral farming	NC	NC	NC	P Note 4	P	NC
(A53)	Buildings, shelters, sheds and other ancillary structures	NC	NC	NC	NC	Pr Note 5	Pr
(A54)	The external maintenance and repair (but not extensions or additions) to existing buildings	NA	NA	NA	P	NA	NA
(A55)	Education and interpretive activities for the public within existing buildings (including alterations)	NA	NA	NC	D	NA	NA

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation	Sub-precincts A and B within land identified as Vegetation – Restoration	All sub-precincts: Riparian Margins	Sub-precinct L	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
	and additions to these buildings)						
(A56)	All other activities	NC	NC	NC	Pr	Pr	Pr

Note 2: Provided they are for public roads

Note 3: Provided for purposes of public access

Note 4: Excluding cattle, horses and pigs

Note 5: All buildings should be located outside of the sub-precinct, within the building site identified on Precinct Plan 1 and 3.

Subdivision

Table I519.4.6 specifies the activity status of subdivision activities pursuant to section 11 of the Resource Management Act 1991.

A blank in Table I519.4.6 means that the provisions of the overlays, zone or Auckland-wide apply.

Table I519.4.6 Activity table for subdivision

	Activity	Sub-precincts A and B	Sub-precincts D to K	Sub-precinct C: Piripiri Point Protection Area	Sub-precinct L
(A57)	Subdivision to effect a boundary adjustment	P	P		NC
(A58)	Subdivision to provide for a network utility	P	P		NC
(A59)	Subdivision in the Stream Protection B Area	NA	RD	NA	NC
(A60)	Single site subdivision including the amalgamation of	NA	NA	C	NA

I519 Long Bay Precinct

	Activity	Sub-precincts A and B	Sub-precincts D to K	Sub-precinct C: Piripiri Point Protection Area	Sub-precinct L
	the relevant part of Lot 26 DP 66117 to incorporate the existing dwelling site and curtilage (as shown as the nominated building platform on Precinct Plan 1) into Sub-precinct C: Piripiri Point Protection Area				
(A61)	Subdivision in Sub-precinct C: Piripiri Point Protection Area for public road or reserve purposes only	NA	NA	D	NA
(A62)	Subdivision in Sub-precincts A and B, and in Sub-precinct D and E within the Stream Protection A Area.	RD	RD	NA	NA
(A63)	Any other subdivision	NC	NC	Pr	NC

Land disturbance

Tables I519.4.7 and I519.4.8 specifies the activity status of land use activities pursuant to section 9(2) and 9(3) of the Resource Management Act 1991. In instances where the precinct activity status conflicts with the provisions of [E11 Land Disturbance – Regional](#), [E12 Land Disturbance - District](#) or [E26 Infrastructure](#), the precinct provisions prevail.

Table I519.4.7 Activity table for land disturbance

	General land disturbance	Activity status
(A64)	Earthworks which expose no more than 500m ² surface area of bare earth except where listed in Table I519.4.8	P
(A65)	Earthworks for the maintenance, repair, renewal and minor infrastructure upgrade of network utilities (above and below ground)	P
(A66)	Earthworks for the provision of above ground network utilities located in a formed road reserve	P
(A67)	Earthworks for the maintenance, repair, renewal and minor infrastructure upgrade of roading and road network activities	P

I519 Long Bay Precinct

	located in a formed road reserve	
(A68)	Earthworks in Sub-precincts A, B and C which are not a permitted activity provided that the total land area that will be exposed at any one time under all live consents does not exceed 7 hectares Note 6	RD
(A69)	Earthworks in Sub-precinct D and E (within the Stream Protection A Area) which are not a permitted activity, provided that the total land area that will be exposed at any one time under all live consents does not exceed 21 hectares. Note 6	RD
(A70)	Earthworks in Sub-precincts E to K within the Stream Protection B Area which are not a permitted activity, provided that the total land area across Sub-precincts D to K that will be exposed at any one time under all live consents does not exceed 21ha Note 6	RD
(A71)	Earthworks in Sub-precincts E to K in the Stream Protection B Area which are not a permitted activity where the total land area that will be exposed at any one time under all live consents is more than 21ha (and no more than 28ha in Sub-precincts A to K) Note 6	D
(A72)	Earthworks in Sub-precincts A, B and C which are not a permitted activity and where the total land area that will be exposed at any one time under all live consents in Sub-precincts A, B and C exceeds 7ha. Note 6	NC
(A73)	Earthworks in Sub-precincts A to K which are not a permitted activity where the total land area that will be exposed at any one time under all live consents in Sub-precincts A to K exceeds 28ha. Note 6	Pr

Note 6: Live consents include the consent application under consideration and the area and timing of earthworks exposed by giving effect to any approved consents.

Table I519.4.8 Activity table for land disturbance in specific locations

	Specific location land disturbance	Activity status
	Sub-precinct H	
(A74)	Retaining walls on the western boundary of the H7 Open Space – Conservation Zone which have the effect of raising the ground level less than 1m high	D
	Sub-precinct C: Piripiri Point Protection Area	

I519 Long Bay Precinct

(A75)	Earthworks ancillary to a permitted activity	P
(A76)	Earthworks to create a ridgeline in accordance with the Ridgeline Height Control and Spot Heights as shown on Precinct Plan 4	RD
(A77)	Earthworks to create the ridgeline not in accordance with the Ridgeline Height Control and Spot Heights shown on Precinct Plan 4	D
(A78)	Earthworks for public roading or reserve purposes	D
(A79)	All other earthworks	NC
Sub-precinct E within Park Interface Protection Area		
(A80)	Earthworks to create the ridgeline in accordance with Ridgeline Height Control and Spots Heights as shown on Precinct Plan 4	RD
(A81)	Earthworks to create the ridgeline not in accordance with the Ridgeline Height Control and Spot Heights shown on Precinct Plan 4	D
(A82)	Earthworks to the north and east of the Ridgeline Height Control Line once the ridge is formed for revegetation and fencing purposes	P
(A83)	Other earthworks to the north and east of the Ridgeline Height Control Line once the ridge is formed	NC
(A84)	Earthworks once the Piripiri Point/Grannys Bay Ridge is recontoured which lower the height of the constructed ridgeline	Pr
(A85)	Earthworks which expose up to 25m ² of bare earth to the west and south of the Ridgeline Height Control Line once the ridge is formed	P
(A86)	Earthworks which expose 25m ² or more of bare earth to the west and south of the Ridgeline Height Control Line once the ridge is formed	D
(A87)	Retaining walls to the west and south of the Ridgeline Height Control Line once the ridge is formed which have the effect of raising the ground level by up to 1.5m above the natural ground level (measured by the vertical distance from the top to the bottom of the wall).	P
(A88)	Retaining walls to the west and south of the Ridgeline Height Control Line once the ridge is formed which have the effect of raising the ground level by greater than 1.5m above the natural ground level (measured by the vertical distance from the top to the bottom of the wall).	D
(A89)	All other earthworks	NC
Sub-precincts A and B within Vegetation - Conservation, Vegetation - Restoration, Landscape Enhancement and Ecology / Stormwater Management Areas		
(A90)	Earthworks within Vegetation Conservation areas for the purposes of installing surface laid wastewater disposal fields and tracks for public recreation	D

I519 Long Bay Precinct

(A91)	Earthworks within Vegetation Restoration areas directly associated with revegetation, fencing and walking tracks	P
(A92)	Earthworks within Landscape Enhancement Areas that expose up to 25m ² surface area of bare earth	P
(A93)	Earthworks within Landscape Enhancement Areas that expose more than 25m ² surface area of bare earth	RD
(A94)	Earthworks within Ecology/Stormwater Management Areas directly associated with revegetation	P
(A95)	Other earthworks within Vegetation Restoration, Landscape Enhancement and Ecology/Stormwater Management Areas	D
(A96)	All other earthworks in Vegetation Conservation areas	NC
All sub-precincts: Within Riparian Margins		
(A97)	Earthworks for tracks that provide for public access to and along a public reserve more than 5m from the top of the bank of a stream, and site works directly associated with revegetation	P
(A98)	Earthworks associated with stream bank rehabilitation and revegetation of waterways	P
(A99)	Earthworks for the purposes of installing or maintaining infrastructure (including accessways, roads and road network activities)	RD
(A100)	All other earthworks	NC

Table I519.4.9 specifies the activity status of vegetation management land use activities pursuant to section 9(2) of the Resource Management Act 1991.

Table I519.4.9 Activity table for vegetation management

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation Areas	Sub-precincts A and B within land identified as Vegetation – Restoration Areas	All sub-precincts: Riparian Margins	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
(A101)	Alteration or removal of	NC	NC	D	D	NC

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation Areas	Sub-precincts A and B within land identified as Vegetation – Restoration Areas	All sub-precincts: Riparian Margins	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
	any native vegetation					

Table I519.4.10 specifies the activity status of stream diversions, water takes, disturbance and reclamation activities pursuant to sections 13 and 14 of the Resource Management Act 1991

Table I519.4.10 Activity table for lakes, rivers, streams and wetland management

	Streams	Activity status
(A102)	The diversion, disturbance, piping or reclamation of streams (including intermittent streams) in Sub-precincts E to K, except for the main channel of the Vaughan and Awaruku Streams and Stream 2	P
(A103)	The diversion, disturbance, piping or reclamation of the main channel of the Vaughan and Awaruku Streams and Stream 2 within the Long Bay Precinct.	NC
(A104)	The diversion, disturbance, piping or reclamation of streams (including intermittent streams) within the Stream Protection A Area shown on Precinct Plan 4.	NC

I519.5. Notification

- (1) An application for resource consent for a controlled activity listed in Tables I519.4.1 to I519.4.10 Activity tables 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(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Tables I519.4.1 to I519.4.10 Activity tables and which is not listed in I519.5(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\(4\)](#).

I519.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct, unless otherwise specified by the following standards.

All permitted, controlled and restricted discretionary activities listed in Tables I519.4.1 to I519.4.10 must comply with the following activity standards.

I519.6.1. Minor dwellings in Sub-precincts G to I

- (1) Minor dwellings in Sub-precincts G, H and I must meet all of the following:
- (a) not exceed a net internal floor area of 65m²;
 - (b) be located above a garage that is accessed from a rear lane; and
 - (c) be orientated so that living/dining/kitchen area overlooks the rear lane.
- (2) the dwelling does not need to have its own outdoor living area or service court.

I519.6.2. Building height

- (1) Buildings must not exceed the maximum heights specified in Table I519.6.2.1:

Table I519.6.2.1: Maximum building height

Sub-precinct	Maximum height
A and B	8m
D and F	8m
G (South and West of Beach Road extension)	8m
H when more than 30m from land zoned Open Space – Conservation	11m provided that 50 per cent of a building's roof in elevation measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more
Long Bay H within 30m of land zoned Open Space - Conservation	10.5m
I	14m

I519 Long Bay Precinct

J	14m
K	8m

(2) Sub-precinct E and G (North and East of Beach Road extension)

(a) the maximum building height is 8m provided that:

- (i) no part of any building (or other structure) built to the East of the northern Beach Road extension and the line marked 'z-z' extending northwards as shown on Precinct Plan 4 is to be visible, when viewed from any of the Park Interface Viewpoints shown on Precinct Plan 4;
- (ii) no part of any building (or other structure) built to the North of the northern Beach Road extension and west of the line marked 'z-z' as shown on Precinct Plan 4 is to be visible when viewed from the Park Interface Viewpoints 2 and 3 shown on Precinct Plan 4;
- (iii) in determining the visibility of buildings (or other structures) under (i) and (ii) above, allowance must be made for a 0.5m tolerance factor. That is, the height at which a building (or structure) would become visible must be 0.5m below the measured height; and
- (iv) compliance with the terms of any consent notice attached to the relevant certificate of title for the building site which sets out the ground level from which building (or other structure) height must be measured and the maximum building (or other structure) height above this level must be deemed to comply with this standard. If no relevant consent notice exists, or an alternative building (or other structure) height is proposed, then sufficient information will need to be provided to demonstrate compliance with the standard (such as an analysis of cross sections from the relevant viewpoints in accordance with Standard I519.6.21(4).

(3) Development that does not comply with Table I519.6.2.1 above is a restricted discretionary activity where located within Sub-precinct H and involving an additional storey (up to a total height of 14m) for one landmark building within that sub-precinct.

(4) Development located within Sub-precincts E and G North and East of the Northern Beach Road extension, as shown on Precinct Plan 1 that does not comply with Standard I519.6.2(2) above is a prohibited activity.

(5) All other development that does not comply with Table I519.6.2.1 above is a discretionary activity.

I519.6.3. Yards

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table I519.6.3.1.

Table I519.6.3.1: Building yard

Yard	Sub-precincts A and B	Sub-precincts D, E and F	Sub-precinct G	Sub-precinct H	Sub-precinct I
Front yard	7.5m	5m Note 7	5m	2m	2m
Side yard	6m	1.2m	1.2m	0m	0m
Rear yard	6m	3m Note 8	3m	3m yard to be provided on boundary with land zoned Open Space - Conservation, otherwise 0m.	0m

Note 7: Except where the Vaughans Road setback applies under Standard I519.6.6.

Note 8: Except that in Sub-precinct E for sites containing the Park Interface Protection Area, there must be no development built to the north and east of the Ridgeline Height Control Line shown on Precinct Plan 4.

- (2) Integrated housing developments in Sub-precinct F must comply with the following side yards:
- (a) for 1,500m² sites for multi-unit developments, a 2m yard requirement must apply to the exterior boundaries. No yard requirement applies to interior boundaries;
 - (b) for 300m² sites for town house developments, one side yard is to be 2m, for the other side yard, a building may be built up to the boundary where this boundary adjoins another 300m² integrated housing development site; and
 - (c) for 400m² and 600m² sites for duplexes and triplexes, a 2m yard requirement must apply to exterior boundaries. For internal boundaries, a building may be built up to the boundary where it involves dwellings established concurrently on the site and joined at a common wall at the boundary.
- (3) For Sub-precinct G, yards do not apply to those parts of a site boundary that share a wall with an existing or proposed building on an adjoining site.
- (4) Rain tanks may be situated within any side and rear yard provided that they do not exceed 2.5m in diameter and are no more than 1.8m in height.

- (5) Rain tanks may be situated within any required front yard provided they are at least 1.5m from the front boundary and are located below finished ground level.
- (6) In Sub-precinct J, no front, side or rear yards apply and in Sub-precinct K a 2m yard must apply to all boundaries with the Open Space – Informal Recreation Zone.
- (7) Development that does not comply with the front yard Standards I519.6.3(1) and I519.6.3(2) above is a restricted discretionary activity where located:
 - (a) within Sub-precincts D, E, F and G where:
 - (i) the sites do not front the southern Beach Road extension (except for that portion of road opposite Sub-precinct H) and the northern Beach Road, Ashley Avenue and Glenvar Road extensions as shown on the Precinct Plan 1; and
 - (ii) the front yard is reduced up to 1.5m, provided that not more than 30 per cent of the area which lies between 1.5m and 5m back from the front boundary of the site is covered by buildings.
 - (b) within Sub-precinct I, on sites that adjoin proposed roads, provided that any part of a building at ground level that is located within the front yard is not be used for residential purposes (including garages).
- (8) Development that does not comply with the rear yard standards in Standard I519.6.3(1) above is a restricted discretionary activity where located within Sub-precincts D, E, F and G and the length of that part of the building infringing the rear yard is no greater than 10m.
- (9) Garages (including minor dwellings) that do comply with Standard I519.6.3(1) above are restricted discretionary activities where both of the following apply:
 - (a) they are located within a rear yard:
 - (i) on Sub-precinct F sites approved for integrated housing developments; or
 - (ii) on Sub-precincts G, H or I sites where vehicle access is provided by a common rear lane rather than direct from the street.
 - (b) they are designed and located to maintain the amenity of adjacent site and occupying no more than 70 per cent of the frontage of the rear yard (such garages may include a minor household unit designed to overlook the rear vehicle access lane).
- (10) All other development that does not comply with Standards I519.6.3(1) and I519.6.3(2) is a discretionary activity.

I519.6.4. Building coverage

(1) The maximum building coverage must not exceed the maximum net site coverage set out in Table I519.6.4.1.

Table I519.6.4.1: Maximum net site coverage

Sub-precinct	Maximum net site coverage
A and B	10 per cent
D, E and F	35 per cent excluding land to the north and east of the Ridgeline Line Height Control Line within the Park Interface Protection Area.
Integrated housing development sites within Sub-precinct F	40 per cent Note 9
G	35 per cent
H	50 per cent
I	80 per cent
J	100 per cent
K	30 per cent

Note 9: For sites with rear vehicle access via a private lane shown on an approved subdivision plan, building coverage may be assessed on the basis of the sites proportionate share of the accessway.

(2) Development that does not comply with Standard I519.6.4(1) above is a discretionary activity, except for building coverage in Sub-precincts G and H which may be increased by 5% where the additional coverage has been approved as part of a land use consent granted in respect of a development of a site in excess of 1,500m² that is located more than 30m from land zoned Open Space-Conservation.

I519.6.5. Height in relation to boundary

(1) Development must comply with the height in relation to boundary standards as set out in Table I519.6.5.1:

Table I519.6.5.1: Height in relation to boundary standards

Sub-precinct	Height in relation to boundary standard
F	<p>The standards from the zone must apply, except as follows for integrated housing developments in Sub-precinct F:</p> <ul style="list-style-type: none"> For sites over 1,500m² in area, the underlying zone standards must apply to the exterior boundaries, except the road boundary. For internal boundaries, no height in relation to boundary rule applies; For 300m² sites for town houses, buildings must not project beyond a 45 degree recession plane measured from a point

I519 Long Bay Precinct

	<p>2.5m vertically above ground level along side and rear boundaries. Where a side boundary abuts another 300m² integrated housing site, for that side boundary, buildings must not project beyond a 68 degree recession plane measured from a point 3m vertically above ground level; or</p> <ul style="list-style-type: none"> For sites 400m² and 600m² sites identified for duplexes and triplexes respectively, buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along exterior side and rear boundaries..
G	The zone standards apply, except that no height in relation to boundary standard applies to those parts of a site boundary that share a wall with an existing or proposed building on an adjoining site.
H	<p>The zone standards apply along any boundary with Sub-precinct A to F, or an open space zone.</p> <p>For sites that adjoin other sites in Sub-precincts G to I, buildings must not project beyond a 68 degree recession plane measured from a point 3m vertically above ground level, except that this does not apply to:</p> <ul style="list-style-type: none"> The internal boundaries of sites 1,500m² or greater; The boundary between adjoining dwellings established concurrently on adjoining sites and joined at a common wall on the boundary; and Front boundaries.
I	Standards from the zone must apply around the perimeter of the sub-precinct, except for the front boundary, where no height in relation to boundary standard applies, or sites that adjoin the Sub-precinct J and K.
J and K	No standard applies

- (2) Development that does not comply with Standard I519.6.5(1) above is a restricted discretionary activity where located in Sub-precincts F to I.
- (3) Within Sub-precinct F, on sites approved for integrated housing and in Sub-precincts G, H and I, garages are not required to comply with Standard I519.6.5(1) above where:
- (a) They are part of a comprehensively designed development;
 - (b) vehicle access is provided by a rear lane rather than direct from the street; and
 - (c) in Sub-precincts G, H and I, where garages that are designed to overlook the rear vehicle access lane incorporate a minor dwellings unit.
- (4) All other development that does not comply with Standard I519.6.5(1) above is a discretionary activity.

I519.6.6. Vaughans Road setback

- (1) All buildings on sites subject to the Vaughans Road Set Back shown on Precinct Plan 3 must be set back a minimum of 10m from the common boundary with the road reserve.
- (2) All development that does not comply with Standard I519.6.6(1) above is a restricted discretionary activity.

I519.6.7. Activities in Sub-precinct E in the Park Interface Protection Area South and West of the Ridgeline Height Control Line

- (1) Buildings, except for accessory buildings must not be located in the Park Interface Protection Area to the south and west of the Ridgeline Height Control Line shown on Precinct Plan 4.
- (2) Accessory buildings and structures located in the Park Interface Protection Area to the south and west of the Ridgeline Height Control Line shown on Precinct Plan 4 are discretionary activities, provided that the maximum height of any buildings and structures are 2m below the lowest point of the Ridgeline Height Control line on that property.
- (3) Any building or structure that does not comply with Standard I519.6.7(1) above and is not a discretionary activity under Standard I519.6.7(2) above is a prohibited activity.

I519.6.8. On-site stormwater management

- (1) Maximum impervious area
 - (a) Development must comply with the maximum impervious areas set out in Table I519.6.8.1 below, provided that the provisions set out below related to the mitigation, on-site, of stormwater generated from these impervious areas can be complied with in terms of both water quality and quantity:

Table I519.6.8.1: Maximum impervious area

Sub-precinct	Stream Protection A Area	Stream Protection B Area
A and B	500m ² or 15 per cent of the site (whichever is greater)	NA
D, E, F and G	50 per cent (to a maximum of 500m ²)	50 per cent (to a maximum of 500m ²) Note 10
H	NA	70 per cent
I	NA	90 per cent
J	NA	100 per cent
K	NA	50 per cent

Note 10: The calculation of impervious area must exclude all land to the north and east of the Ridgeline Height Control Line within the Park Interface Protection Area. Within this sub-precinct, no impervious surfaces are allowed.

(2) On-site stormwater mitigation

(a) Rain tanks:

- (i) all development must use rain tanks to store and reuse stormwater generated from roof areas;
- (ii) rain tanks and associated plumbing must be designed to ensure that water from roof areas will be used as a non-potable source of water for toilets, washing machines and irrigation;
- (iii) in the Stream Protection A Area rain tanks must be for both attenuating peak flows and for reuse of stormwater (dual purpose);
- (iv) in the Stream Protection A Area, the size of the rain tank must be determined by reference to the roof area of buildings and the nature and extent of other on-site stormwater management techniques to be used;
- (v) in the Stream Protection B Area, rain tanks need only be designed for the reuse of rainwater as a non-potable source of water in the dwelling; and
- (vi) in the Stream Protection B Area the minimum rain tank size must be 3,000l per dwelling or commercial unit, or at least 3,000l per 150m² of roof area where there is more than one unit within a building.

(b) Other on-site mitigation - Stream Protection A area:

- (i) in Sub-precincts A and B, 100 per cent of the total constructed impervious area on the site is required to be fully mitigated by on-site stormwater management techniques, including the use of the rain tanks, revegetation and other on-site techniques such as pervious paving and bio retention;
- (ii) in all cases, in Sub-precincts A and B a mix of techniques must be used;
- (iii) in Sub-precinct D all stormwater runoff from not less than 80 per cent of the total constructed impervious areas on sites and from 100 per cent of impervious areas in Sub-precinct E in the catchment of Stream 1C, is required to be fully mitigated by on-site stormwater management techniques;
- (iv) in Sub-precincts D and E storm water management techniques must include the use of rain tanks required, revegetation as well as other on-site techniques such as pervious paving and bio retention; and

(v) the amount of revegetation must take into account any revegetation established at the time of subdivision for the purposes of stormwater mitigation.

(c) Other on-site mitigation - Stream Protection B area:

(vi) in Sub-precincts E to K in the Stream Protection B areas, no additional stormwater mitigation measures to the rain tanks required above are required for the management of the stormwater generated from impervious areas specified in Table I519.6.8.1 above.

(d) Design of on-site mitigation:

(i) the best practicable option must be applied in the choice of stormwater management techniques to be used, except for stormwater wetlands which cannot be used in the Stream Protection A area;

(ii) all proposed on-site stormwater management techniques must be subject to the approval of Council;

(iii) all stormwater management devices must be installed as soon as possible after site construction is complete;

(iv) stormwater and surface runoff from development must be discharged into the primary stormwater system and not to the street;

(v) impervious surfaces, including driveways, must incorporate techniques to intercept and/or divert stormwater runoff to a sump designed to trap silt and floatable debris and where practical discharge to a bio retention device in the road reserve where adequate capacity is available. In other cases the sump must discharge to the primary stormwater system in accordance with Standard I519.6.8(2)(a) above;

(vi) in the Stream Protection A areas, a mix of on-site techniques must be used and rain tanks must not be the sole form of mitigation;

(vii) where the site is identified in Precinct Plan 4 as containing riparian margins and Ecology/Stormwater Management areas on Precinct Plan 4, priority must be given to planting in these areas when designing site stormwater measures and a planting plan must be provided;

(viii) a Council approved covenant under s.108 of the Resource Management Act 1991 or a consent notice under s. 221 of the Resource Management Act 1991 must be registered against the title of every site required to undertake on site stormwater mitigation; and

(ix) the effect of the covenant/consent notice referred to in Standard I519.6.8(2)(d)(viii) above must be to ensure the efficient future functioning and ongoing maintenance of the on-site stormwater management system.

- (3) Development of up to 70 per cent impervious area within Stream Protection B Area is a restricted discretionary activity where located in Sub-precincts E, F and G provided that:
- (a) any stormwater runoff from any additional area of impervious surface above 50 per cent of the site is fully mitigated by on-site stormwater management techniques, so that the stormwater run-off from the site is equal to the amount of stormwater generated if 50% of the site was covered in buildings and impervious areas;
 - (b) a Council approved covenant under s. 108 of the Resource Management Act 1991 or a consent notice under s. 221 of the Resource Management Act 1991 is registered against the title of every site required to undertake on site stormwater mitigation; and
 - (c) the effect of the covenant/consent notice required by clause Standard I519.6.8(3)(b) above must be to ensure the efficient future functioning and on-going maintenance of the on-site stormwater management system.
- (4) Any development that does not comply with the on-site stormwater management standards specified above is a non-complying activity.

I519.6.9. Fences, boundary and retaining walls

- (1) In the Long Bay Precinct, except for: Sub-precincts C, J and K; those parts of Sub-precinct E in the Park Interface Protection Area; the boundary between Sub-precinct H and [H7 Open Space - Conservation zone](#), the following standards apply:
- (a) for sites that adjoin open space, or are within a Stream Interface Management Area, any boundary fences or walls within a yard fronting a reserve or open space area must be limited to a maximum height of 1.2m, unless at least 50 per cent of the fence is visually permeable, in which case a 1.8m high fence may be erected; and
 - (b) for sites that immediately adjoin land for cycle and pedestrian routes, a boundary fence or wall may be constructed to a maximum height of 1.2m on the common boundary, unless at least 50 per cent of the fence is visually permeable, in which case a 1.8m high fence may be erected.
- (2) In the following areas: Sub-precincts C, J, K and L; those parts of Sub-precinct E in the Park Interface Protection Area; the boundary between Sub-precinct H and Open Space-Conservation Zone, the following standards apply:
- (a) in Sub-precinct J, K and L there must be no front fences;
 - (b) along Sub-precinct H's boundary with the Open Space-Conservation Zone, all boundaries in Sub-precinct C (Piripiri Point Protection Area), those parts of Sub-precinct E in the Park Interface Protection Area north

and east of the Ridgeline Height Control Line and on the crest of the ridge, fencing must be limited to farm type, post and wire construction;

(c) in Sub-precinct E in the Park Interface Protection Area south and west of the Ridgeline Height Control Line, the zone standards apply, provided that the height of any fence does not exceed the Ridgeline Height Control Line; and

(d) access points from private sites into the [H7 Open Space – Informal Recreation Zone](#), the Regional Park and [H7 Open Space-Conservation Zone](#) must be located on the shared boundary between private lots.

(3) Development that does not comply with Standard I519.6.9(1) is a restricted discretionary activity.

(4) Development that does not comply with Standard I519.6.9(2) above is a discretionary activity.

I519.6.10. Earthworks - general

(1) Development that does not comply with Standards I519.6.12 and I519.6.15 is a non-complying activity

(2) All other development that does not comply with the standards in Standard I519.6.10 is a discretionary activity.

(3) A site management plan must be prepared for all earthworks in the Long Bay Precinct irrespective of whether they are classified as a permitted, controlled, discretionary or non-complying activity except for:

(a) earthworks for the installation of fences;

(b) utility connections;

(c) effluent disposal fields;

(d) swimming pools;

(e) garden amenities;

(f) gardening; and

(g) planting of any vegetation.

(4) All erosion and sediment control measures must be in place prior to any earthworks or subdivision activities being undertaken.

(5) Where earthworks are undertaken adjacent to any Vegetation Conservation, Vegetation Restoration Area or Riparian Margin identified on Precinct Plans 4 or 5; land zoned Open Space-Conservation Zone and the Long Bay Regional Park, a protective fence must be constructed at the edge of these areas and remain in situ for the duration of the works.

- (6) After all construction is complete (including hard landscaping) in Sub-precincts A and B; Sub-precinct D within the Stream Protection A area; reserves and open space and all riparian margins, soil which has been compacted as a result of earthworks and vehicle movements must be reconditioned to a minimum depth of 400mm.
- (7) For development that is within the catchment of Stream 1C, all subsurface drains must direct groundwater to existing seepage areas prior to discharge to watercourses and there must be no direct discharge from subsurface drains to watercourses.

I519.6.11. Earthworks greater than 500m² surface area of bare earth (30 hectare limit)

- (1) Allocations for earthworks within all sub-precincts must be on the basis of first-come-first-served respectively.
- (2) No earthworks (cut/fill) greater than 2,500m² in area must be undertaken outside the period 1 October to 30 April, unless an extension to that earthworks season is granted in writing by an authorised council officer. (The application may be granted or refused at the discretion of the authorised council officer having regard, without limitation, to seasonal conditions at the time of the application).
- (3) All exposed sites greater than 2,500m² in area must be stabilised prior to 30 April (or the end of the earthworks season if an extension past 30 April has been granted).
- (4) Prior to 1 July of the forthcoming earthworks season, no single landowner in Sub-precincts D to K can apply for site works consent for greater than 21 hectares of exposed surface area of bare earth at any one time.
- (5) If, by 1 August of that same year, earthwork consents for that earthworks season have not been received for all of the 7ha in the Sub-precincts A, B or C, then application may be made to reallocate any unallocated amount to Sub-precincts D to K.
- (6) Earthworks areas are considered to be exposed or 'open' from the first day earthwork activities begin (the first day earthwork machines move any earth, including topsoil), until the day the site has been 'closed off' and the entire earth worked area is stabilised against any potential sediment being discharged into the receiving environment.
- (7) 'Closed off' (stabilised) means that a site has been topsoiled and seeded or hydroseeded with grass, or mulched with straw or bark and grass seed.
- (8) In the Long Bay Precinct, 100 per cent ground coverage must be achieved so that no bare ground is visible before the site is deemed to be 'closed off'.
- (9) Earthwork consents must be limited to one earthworks season and must contain a monthly staging plan that states the amount of land to be opened and closed for earthworks for each month.

- (10) Monthly reporting of the area exposed and closed off in that month and any preceding months, and the expected exposed area in the remainder of the earthworks season, must be provided to the Council.
- (11) Extensions of a consented earthworking schedule to accommodate seasonal conditions may be made in accordance with I519.6.11(2) above, provided that the aggregate area exposed by all live consents does not exceed the limits set out in Activity Table I519.4.7 General land disturbance.
- (12) Extensions of a consented earthworks schedule into the following earthworks season may be granted in writing by an authorised council officer, having regard to the area of earthworks proposed for that year as contained in all live consents for the relevant sub-precincts.
- (13) Sediment and erosion control ponds and decanting earth bunds are to be installed prior to the earthworks and must be sized as follows:
 - (a) 300m³ volume per hectare of contributing catchments (3 per cent volume); and
 - (b) 30 per cent permanent water storage and 70 per cent temporary storage.
- (14) All sediment and erosion control ponds must be flocculated in order to achieve greater efficiencies in retaining fine-grained sediment.
- (15) Chemical treatment (flocculation) must be applied as follows:
 - (a) automatic rainfall activated treatment of all sediment retention ponds for contributing catchments greater than 3,000m² and decanting earth bunds with contributing catchments between 250m² – 3,000m² in area;
 - (b) batch application where testing of detention ponds after every rainfall event that has caused run off, indicates clarity of less than 50mm (measured vertically from the water surface); and
 - (c) manual batch application of decanting earth bunds serving contributing catchments less than 250m² in area (2 hours settlement period prior to discharge).
- (16) A lizard conservation management plan must be prepared prior to any site works over 500m² being undertaken in the Stream Protection A area and must include the information requirements set out in I519.9.3.

I519.6.12. Earthworks in Sub-precincts C, E and G (North and East of Beach Road extension)

- (1) In addition to Standards I519.6.10 and I519.6.11 above (except for earthworks for geotechnical remediation, stabilisation or preparatory site works):
 - (a) earthworks must achieve and maintain a ridgeline in Sub-precincts C and E that, in association with contouring of land to the south and west of the ridgeline, ensures that no buildings or structures constructed in accordance with Standard I519.6.2(2) will be visible:

- (i) to the east of the northern Beach Road extension, and the line marked “z-z” extending northwards as shown on Precinct Plan 4 when viewed from any of the Park Interface viewpoints shown on Precinct Plan 4;
 - (ii) to the north of northern Beach Road extension and west of the line marked “z-z” as shown on Precinct Plan 4 when viewed from the Park Interface Viewpoints 2 and 3 shown on Precinct Plan 4; and
 - (iii) An analysis must be provided of cross sections in accordance with Standard I519.6.21(4);
- (b) finished ground level of land below the 39.7m contour line, east of the northern Beach Road extension shown on Precinct Plan 3 must be 6m below the crest of the Homestead Spur section of the Ridgeline Height Control line; and
- (c) the existing contours of the crest of Homestead Spur below and south of the 39.7m contour line must not be reduced.

I519.6.13. Land disturbance in Sub-precincts F and H

- (1) In addition to Standards I519.6.10 and I519.6.11 above, where applications for earthworks are proposed adjacent to land zoned Open Space - Conservation:
- (a) all earthworks must be kept wholly outside the [H7 Open Space - Conservation zone](#).

I519.6.14. Land disturbance - Vegetation and Conservation Restoration Areas

- (1) In addition to Standards I519.6.10 and I519.6.11 above, where earthworks are proposed on sites that contain land identified as Vegetation – Conservation Area or Vegetation– Restoration Area, the application must provide for protective fencing of these areas.

I519.6.15. Land disturbance in Sub-precinct C

- (1) Where earthworks are proposed in Sub-precinct C, Standard I519.6.12 must also apply.

I519.6.16A. Subdivision

- (1) Any subdivision that does not comply with the standards for proposed roads, stormwater management and riparian margins in Standards I519.6.16 to I519.6.18, the standards specific to Sub-precinct A and B in Standard I519.6.19 and I519.6.20(6) in Sub-precincts D, E and F is a non-complying activity.
- (2) Any subdivision that does not comply with the standards in Standard I519.6.21 below relating to ridgeline protection in the Park Interface Protection Area of Sub-precinct E and Sub-precinct C: Piripiri Point Protection Area is a prohibited activity.

- (3) All other subdivisions are a discretionary activity.

I519.6.16. Subdivision - Proposed Roads

- (1) The proposed roads shown in Precinct Plans 1, 3 and 4 must be provided in accordance with the alignments shown and the staging of subdivision.
- (2) All proposed roads (other than Glenvar Ridge Road) must be provided with a separate shoulder cycle lane in each direction.
- (3) On-street parking (other than Glenvar Ridge Road) must be provided on both sides of the road in order to satisfy the on-street parking requirements.
- (4) The proposed roads must provide the road widths shown in Precinct Plan 4.
- (5) Proposals to alter the alignment of a Proposed Road by more than 20m either side of the centre line of a road at any point along its length are non-complying activities.
- (6) Moving the alignment of a Proposed Road less than 20m either side of the centre line of the road to take into account finished earthworks will not be considered to be an alteration of its alignment.

I519.6.17. Subdivision – stormwater management

- (1) Subdivision proposals must demonstrate that the sites to be created can reasonably accommodate development that will be able to comply with the on-site stormwater management standards in Standard I519.6.8 above including the actions to be taken to ensure the on-going retention and maintenance of on-site mitigation areas and facilities (that include covenants and/or consent notices under s 221 of the Resource Management Act 1991).
- (2) At the time of subdivision, planting to fully mitigate the effects of stormwater from accessways must be established.
- (3) Planting to fully mitigate the effects of stormwater from accessways must be located in any riparian margins and Ecology/Stormwater Management Areas, identified on Precinct Plans 3 and 4 within the existing boundaries of the sites, as a priority, before other areas are planted.
- (4) Planting to fully mitigate the effects of stormwater from accessways must be established before the issue by Council of a certificate of compliance under s 224(c) of the Resource Management Act 1991.
- (5) Existing overland flow paths in Sub-precincts A, B and C and post development overland flow paths in Sub-precincts D to K must be identified and protected, taking into account the need to provide connectivity with overland flow paths above and below the site.
- (6) For all residential sub-precincts (except Sub-precincts A and B), Standard I519.6.8 above may be achieved by a combination of individual and communally owned on-site measures.
- (7) Where stormwater devices are proposed to serve more than one unit and communally-owned measures are to be partly relied upon, then:
 - (a) bio-retention, rain tanks and other localised detention and treatment devices designed to serve a number of sites under the one unit-title (e.g. multi-unit apartment building) must be retained in private ownership and must be managed by an appropriate management structure (e.g. body corporate); and
 - (b) the use of proposed reserves for soakage areas will only be accepted where these are to vest as local purpose drainage reserves and will not be deducted from development contributions for parks and reserves.

I519.6.18. Subdivision – riparian margins

- (1) Any subdivision application to create sites containing land identified as Riparian Margin must comply with the following:
 - (a) all land must be surveyed to define the width of the riparian margin of the stream/s on the site;
 - (b) details of the existing vegetation and ground cover within the margin must be provided to identify the scale and extent of additional planting required

to ensure bank stability and an enhanced aquatic habitat of the stream within the margin;

- (c) all riparian margins must be planted in native vegetation to the full width of the margin identified on the Precinct Plan 4;
- (d) a planting plan for the riparian margin must be in accordance with I519.9.2 below, and approved by Council;
- (e) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
- (f) a weed and pest management strategy for the riparian margin must be submitted to and approved by Council and then implemented in full;
- (g) all land must be fenced to a stockproof standard, unless otherwise approved by Council;
- (h) all earthworks, building platforms and infrastructure must be located wholly outside of any land identified as riparian margin except:
 - (i) for the purposes of installing and maintaining infrastructure;
 - (ii) for the purposes of rehabilitation and enhancement of the stream bank and margin; and
 - (iii) for the provision of tracks and trails for public access to and along a public reserve that is located more than 5m from the top of the bank of the stream within the margin;
- (i) where the riparian margin is not to be taken or provided as an esplanade reserve or strip, an agreement to covenant in perpetuity the area of riparian margin must be entered into before the issue by the Council of a certificate pursuant to s224(c) of the Resource Management Act 1991; and
- (j) covenants referred to in Standard I519.6.18(i) above must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) that the fencing of riparian margins on both the original site and on the newly created sites is maintained to a stockproof standard;
 - (ii) that the margin remains undisturbed from any earthworks or structures;
 - (iii) that restoration planting occurs in the areas identified on the plan of subdivision in accordance with the approved planting plan;
 - (iv) that weeds and pests are controlled; and
 - (v) that any revegetation of the margin is protected.

- (k) alternatively to Standard I519.6.18(j), a consent notice under s221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

I519.6.19. Subdivision – Sub-precincts A and B

- (1) The minimum net site area is 2ha.
- (2) Notwithstanding Standard I519.6.19(1) above, the Council may permit subdivision into sites of less than 2ha where the proposed subdivision proposes to protect all land on the existing site identified as Vegetation - Conservation Area and Vegetation– Restoration Area, in which case the minimum site areas must be as listed in Table I519.6.19.1 Alternative minimum net site sizes.

Table I519.6.19.1: Alternative minimum net site sizes

Sub-precinct	Minimum net site size
A	2,500m ²
B	5,000m ²

- (3) The Standards in I519.6.19(2) apply provided that:
- (a) the minimum area must not include any land identified as Vegetation - Conservation and Vegetation – Restoration Areas;
- (b) for sites that contain land identified as Landscape Enhancement Area, accessways and any building platforms must be kept outside this area;
- (c) the total surface area of earthworks associated with subdivision must not exceed an average of 2,000m² per site to be created (this area may exclude areas of trench excavation that remain open for no more than 3 days to provide for counterfort or subsoil drains and stormwater or wastewater pipes); and
- (d) the gradient of the accessway must not exceed 1:8.

Vegetation – conservation areas

- (4) Any subdivision application to create sites containing land identified as Vegetation – Conservation Area must comply with the following:
- (a) the land must be surveyed to define the boundary of existing vegetation;
- (b) the land must be fenced to a stockproof standard, unless otherwise approved by the Council;
- (c) all site works, building platforms and infrastructure, except for surface laid wastewater disposal fields and tracks for public access purposes, must be

located wholly outside any land identified as Vegetation – Conservation Area;

- (d) a weed and pest management strategy must be submitted to and approved by Council and then implemented in full;
- (e) an agreement to covenant in perpetuity the area in Vegetation - Conservation must be entered into before the issue by the Council of a certificate pursuant to s224(c) of the Resource Management Act 1991;
- (f) covenants referred to in I519.6.19(4)(e) above must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) that the fencing of the Vegetation–Conservation area on both the original site and on the newly created sites is maintained to a stockproof standard;
 - (ii) that these areas remain undisturbed from any earthworks or structures;
 - (iii) that all existing trees and any re-vegetation of the area are protected; and
 - (iv) that weeds and pests are controlled.
- (g) alternatively, to Standard I519.6.19(4)(e) a consent notice under s. 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

Vegetation restoration areas

- (5) Any subdivision application to create sites containing land identified as Vegetation – Restoration Area must comply with the following:
 - (a) all land must be fenced to a stockproof standard, unless otherwise approved by Council;
 - (b) all site works building platforms and infrastructure must be located wholly outside of any land identified as Vegetation – Restoration;
 - (c) all land identified as Vegetation - Restoration must be planted for restoration purposes in accordance with an approved planting plan;
 - (d) a weed and pest management strategy must be submitted to and approved by Council and then implemented in full;
 - (e) the planting plan must be in accordance with the planting plan in I519.9.2, and must be approved by Council;
 - (f) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;

- (g) an agreement to covenant in perpetuity the area in Vegetation– Restoration Area must be entered into before the issue by Council of a certificate pursuant to s. 224(c) of the Resource Management Act 1991;
- (h) covenants referred to in Standard I519.6.19(5)(g) above must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) that the fencing of the Vegetation-Restoration area on both the original site and on the newly created sites is maintained to a stockproof standard;
 - (ii) that these areas remain undisturbed from any earthworks or structures;
 - (iii) that restoration planting occurs in the areas identified on the plan of subdivision and in accordance with the approved planting plan;
 - (iv) that weeds and pests are controlled; and
 - (v) that all existing trees and any re vegetation of the area is protected.
- (i) alternatively to Standard I519.6.19(5)(g) a consent notice under s. 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

Ecology/ stormwater management areas

- (6) For any subdivision of sites containing land in an Ecology/Stormwater management area and where development is proposed within the management area, the following must apply:
 - (a) no less than 50 per cent of the Ecology/Stormwater Management Area within any new site must be planted for revegetation purposes in accordance with an approved planting plan;
 - (b) the planted area referred to in Standard I519.6.19(6)(a) above may include areas revegetated for the purposes of on-site stormwater mitigation;
 - (c) in the Ecology/Stormwater Management Area identified at the head of Stream 1C, the whole of this area must be planted for revegetation purposes in accordance with an approved planting plan;
 - (d) the planted area referred to in Standard I519.6.19(6)(a) above must be located within the Ecology/Stormwater Management area or be contiguous with land identified as Vegetation - Conservation or riparian margin on the precinct plans;
 - (e) the planting plan must be in accordance with I519.9.2 below, and must be approved by Council;

- (f) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
- (g) all building platforms, accessways and services must be located wholly outside of riparian margins and any land identified for revegetation;
- (h) in the case of the headwaters of Stream 1C, all development and earthworks must be kept wholly outside the Ecology/Stormwater Management area;
- (i) an agreement to covenant in perpetuity the revegetation area required above must be entered into before the issue by Council of a certificate of compliance pursuant to s224(c) of the Resource Management Act 1991;
- (j) covenants must be registered against the titles of the revegetation sites and any sites related to the revegetated sites to be created through the subdivision and require that:
 - (i) the revegetation area is planted in accordance with an approved planting plan;
 - (ii) fencing is maintained to a stockproof standard ;
 - (iii) the area remains undisturbed; and
 - (iv) weeds and pests are controlled.
- (k) alternatively to Standard I519.6.19(6)(i) a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

Landscape enhancement areas

- (7) Any subdivision application to create sites containing land within the Landscape Enhancement Area must comply with the following:
 - (a) all the Landscape Enhancement Area contained within the boundaries of the sites to be created must be revegetated in accordance with a planting plan;
 - (b) the replanting referred to in Standard I519.6.19(7)(a) above may include planting required for riparian margins or on site stormwater management;
 - (c) the planting plan must be in accordance with I519.9.2 below and must be approved by Council;
 - (d) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
 - (e) a weed and pest management strategy must be submitted to and approved by Council. Weed and pest management must be undertaken in accordance with the approved strategy;

- (f) an agreement to covenant in perpetuity the Landscape Enhancement Area must be entered into before the issue by Council of a certificate pursuant to s.224 (c) of the Resource Management Act 1991;
- (g) covenants referred to in Standard I519.6.19(7)(f) must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) fencing on both the original site and newly created sites is maintained to a stockproof standard, and remains undisturbed from any earthworks or structures;
 - (ii) that planting occurs in the areas identified on the plan of subdivision and in accordance with the approved planting and maintenance plan; and
 - (iii) weeds and pests are controlled and that any revegetation of the area must be protected.
- (h) alternatively to Standard I519.6.19(7)(f), a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

I519.6.20. Subdivision – Sub-precincts D, E and F

- (1) Subdivision for stand-alone dwellings must comply with the site area requirements in Table I519.6.20.1 Site area requirements.

Table I519.6.20.1: Site area requirements

	Minimum net site area	Minimum average net site area within any sub-precinct
Stream protection A area	600m ²	NA
Stream protection B area	450m ²	500m ²

- (2) The Council may permit the subdivision of integrated residential developments in Sub-precinct F into sites of less than 450m² where all of the following applies:
 - (a) the integrated residential development is located fronting proposed roads or fronts a neighbourhood reserve of at least 2,000m² in area;
 - (b) the site is not a rear site;
 - (c) vehicle access can be provided by a rear access lane or a joint driveway; and
 - (d) the site is not located within the Stream Protection A Area.

- (3) Where the requirements of Standard I519.6.20(2) above are met, sites must comply with the minimum net site areas in Table I519.6.20.2:

Table I519.6.20.2: Minimum net site area of subdivision of integrated residential developments

House typology	Minimum net site area
Single townhouse (with zero lot line except where abuts a lot of 450m ² or greater)	300m ²
Duplex (Two units side by side sharing a common wall)	400m ²
Triplex (Three units side by side sharing a common wall between each unit)	600m ²
Multi-units	1,500m ² or greater

- (4) Subdivision of integrated residential developments to create individual sites for dwellings may only occur once land use consent has been granted in respect of a development. In such cases, the number, size and location of all sites must be in accordance with the land use consent granted in respect of the development.
- (5) For stand-alone dwellings on sites of 450m² or greater, no more than 10 per cent of sites created per subdivision can be rear sites.
- (6) Within protection and management areas:
- (a) the proposed subdivision must provide, in accordance with Standards I519.6.19(5) and I519.6.19(7) for that area of land identified in the clauses as required to be set aside from development; and
 - (b) sites may incorporate land identified as, Vegetation–Conservation Area and Ecology/Stormwater Management Area in Precinct Plan 4 where the provisions of Standards I519.6.19(4) and I519.6.19(6) above are met. In such cases at least 400m² of the site must be clear of these areas.

I519.6.21. Subdivision – Sub-precincts C and E

- (1) At least 400m² of any site must be clear of land identified as Park Interface Protection Area as shown on Precinct Plan 3.
- (2) Prior to any s224(c) certificate being issued for sites within the sub-precinct except for a balance site, the following requirements apply:
- (a) a ridgeline with natural form must be constructed meeting the requirements of Standard I519.6.12 above;

- (b) the northern and eastern faces of the ridgeline must be vegetated in accordance with a planting and maintenance plan approved by the Council, which must be consistent with planting in the adjoining land within the Long Bay Regional Park;
- (c) the planting is to be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
- (d) a stockproof fence must be provided along the boundaries with the Long Bay Regional Park;
- (e) any fencing on the side boundaries of each site must be in accordance with Standard I519.6.9 above;
- (f) details of the ownership mechanisms and obligations for the ongoing protection and management of the Park Interface Protection Area must be provided and approved by the council;
- (g) a covenant must be registered against the titles of the sites to be created through subdivision that have land within the Park Interface Protection Area. The covenant must define the boundary of the Park Interface Protection Area and the Ridgeline Height Control Line, being the physical location of the crest of the ridgeline as formed, and require that:
 - (i) the ridgeline may not be reduced in height;
 - (ii) planting and maintenance occurs in the areas identified on the plan of subdivision and in accordance with the approved planting and maintenance plan;
 - (iii) pest and weeds are controlled in the planted area;
 - (iv) the maximum height of buildings or structures within the Protection Area, south or west of the Ridgeline Height Control Line are to be 2m below the lowest point of the ridgeline;
 - (v) no buildings, structures, site works, development or infrastructure is permitted on the crest or to the north or east of the Ridgeline Height Control Line, except for permitted fencing and revegetation; and
 - (vi) fencing on the boundary of the Long Bay Regional Park is maintained to a stock proof standard.
- (h) alternatively to Standard I519.6.21(g) a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant;
- (i) a single site subdivision with one title must be created for the whole of sub-precinct C: Piripiri Point Protection Area and this must include an area of land of approximately 1.17ha, incorporating the nominated building platform shown on Precinct Plan 1 to be subdivided from Lot 26 DP 66117;

- (j) details must be provided to and approved by Council of the ownership mechanism and obligations for the on-going protection and management of the Sub-precinct C: Piripiri Point Protection Area;
 - (k) a covenant in perpetuity must be registered against the title of the lot to be created through subdivision and the covenant must require that:
 - (i) buildings, structures, above ground infrastructure and access ways to these buildings be confined to the nominated building platform shown on Precinct Plan 1;
 - (ii) activities in Sub-precinct C: Piripiri Point Protection Area are limited to grazing and other pastoral uses, indigenous revegetation and a public road to the Piripiri Reserve;
 - (iii) fencing will be limited to farm type, post and wire fences;
 - (iv) no further subdivision will occur, except for the purposes of a public road to the Piripiri Reserve or to create a public reserve;
 - (v) the Ridgeline Height Control Line be defined, being the physical location of the crest of the ridgeline as formed, and that the ridgeline may not be reduced in height; and
 - (vi) a ridgeline with natural form meeting the requirements of Standard I519.6.12(1) above or as set out in any other resource consents that have been authorised or subdivision consent for the land in the North Vaughans Area must be constructed in conjunction with the ridgeline within sub-precinct E and appropriately maintained.
 - (l) alternatively to Standard I519.6.21(2)(k), a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.
- (3) For all sites created north and east of the Northern Beach Road extension as shown in Precinct Plan 1, a consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the titles setting out
- (a) the natural ground level from which maximum building height must be measured; and
 - (b) the maximum height buildings may be built to without infringing Standards I519.6.2(2)(a)(i) and I519.6.2(2)(a)(ii).
- (4) An analysis must be provided of cross section from each of the three viewpoints shown on Precinct Plan 4 to confirm that any buildings located in the area specified in Standard I519.6.21(3) above will not be visible from these points. The analysis must include:
- (a) the cross sections must assume that no vegetation or trees are in place; and

- (b) where no buildings exist in the areas identified in Standard I519.6.21(3), then the cross sections must assume a building height that can comply with building height Standard I519.6.2(2)(a).

I519.6.22. Additional Subdivision Standards – Sub-precinct C

- (1) There must be no subdivision, except for the provision of a public road or reserve and to effect the amalgamation of the building site required by Standard I519.6.21.
- (2) The design and layout of the public access road to the Piripiri Reserve should avoid an overly built appearance and retain the open character of the area. The length of the road should be planted with open planting on the eastern side of the road to allow for views to the Long Bay Regional Park and the Hauraki Gulf. The road carriageway should be sealed but there should be no kerb and channelling. Provision should be made for grassed/vegetated drainage swales either side of the road and generous provision for pedestrian access.

I519.6.23. Subdivision – Sub-precincts G to K and Open Space – Informal Recreation Zone land

- (1) Esplanade Reserves must be reduced to the area covered by the Open Space – Informal Recreation Zone where:
 - (a) all land in the Open Space – Informal Recreation Zone is vested in Council; and
 - (b) on completion of earthworks, subdivision or development the landowner must plant riparian margin within the Vaughan Stream Corridor in native vegetation according to an approved planting plan. This includes planting from the edge of the Vaughan Stream to the top of the bank and no less than 5m beyond the top of the bank on either side.

I519.7. Assessment – controlled activities

I519.7.1. Matters of control

I519.7.1.1. Land use and development

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

- (1) Stormwater management; and
- (2) Wastewater management.

I519.7.1.2. Subdivision

The Council will reserve its control to the following matter when assessing a controlled activity resource consent application, in addition to the matters

specified for the relevant controlled activities in the overlay, zone or Auckland-wide provisions:

- (1) The effects of subdivision on the Piripiri Point Protection Area.

I519.7.2. Assessment criteria

I519.7.2.1. Land use and development

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

- (1) Stormwater Management - General:
 - (a) the extent to which the natural drainage patterns of the site are retained;
 - (b) whether direct piping of stormwater discharges to streams has been avoided;
 - (c) whether modifications to natural waterways have been avoided in the Stream Protection A area, and that stream flows, including base flows are not adversely affected;
 - (d) whether stormwater works on steep or unstable slopes have been avoided;
 - (e) whether runoff from the site is to be discharged into the primary stormwater system and not to the street;
 - (f) whether runoff from residential driveways and parking areas enters the primary stormwater system via a sump to trap silt and floatable debris;
 - (g) whether bio-retention has been used in preference to proprietary stormwater treatment systems;
 - (h) the extent of perviousness of paving, green roofs, uncovered slatted wooden decks and swimming pools can be taken into account in determining appropriate mitigation methods; and
 - (i) the extent of imperviousness of areas earthworked and compacted when considering stormwater runoff.
- (2) Stormwater management – in Stream Protection A Areas:
 - (a) whether water reuse is undertaken with 'dual purpose' rainwater tanks. These tanks and their associated plumbing should be designed for stormwater peak flow attenuation and rainwater reuse by the dwelling;

- (b) whether one or more of the following methods to mitigate stormwater generated by other hard surfaces such as driveways, paths, patios and decks is used:
 - (i) revegetation;
 - (ii) bioretention including rain gardens;
 - (iii) stormwater planters;
 - (iv) tree pits; and
 - (v) pervious paving and other similar devices;
- (c) whether planting within the Ecology/Stormwater Area, in particular any riparian areas should be prioritised over other parts of the site;
- (d) whether appropriate ongoing maintenance and management systems have been arranged;
- (e) whether on-site wastewater disposal systems, used as an interim solution on sites in Sub-precincts A and B should be advanced secondary treatment systems with ultraviolet disinfection and surface dripper irrigation land disposal;
- (f) whether on-site wastewater disposal systems should be designed to enable connection to the public wastewater system once it becomes available;
- (g) whether a covenant capable of registration under the Land Transfer Act 1952 and approved by Council should be registered against the title of every site with an on-site wastewater treatment system. This would be to ensure the efficient future functioning and ongoing maintenance of the system and to require the property owner to enter into a programmed maintenance contract to Council's satisfaction.

I519.7.2.2. Subdivision

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

- (1) whether the design of the subdivision provides for a single site to include the house site identified on Precinct Plan 1, unless separate sites are needed to provide for public road access to Piripiri Reserve;
- (2) whether the subdivision avoids other house sites being substituted for the nominated house site;

- (3) whether the subdivision provides for the protection in perpetuity of the entire sub-precinct by way of a covenant or similar mechanism, as approved by Council;
- (4) whether all buildings and structures are kept wholly outside the sub-precinct;
- (5) whether all above ground infrastructure including electricity, water supply, stormwater and wastewater disposal areas to service the building platform are be kept outside the sub-precinct;
- (6) whether the design and layout of the access road to the Piripiri Reserve avoids an overly built appearance and retains the open character of the area;
- (7) the extent to which the length of the access road to the Piripiri Reserve is planted with open planting on the eastern side of the road to allow for views to the Long Bay Regional Park and the Hauraki Gulf;
- (8) Whether the access road carriageway is sealed but also has no kerb and channelling and provision has been made for grassed/vegetated drainage swales on either side of the road and generous provision is made for pedestrian access;
- (9) The extent to which the subdivision provides for the ongoing management and maintenance of land within the sub-precinct by methods approved by Council; and
- (10) Whether the ridgeline has been contoured so that any development (including structures and buildings) to the south and west of the Ridgeline Height Control Line and north and east of the Vaughans Road extension shown on Precinct Plan 4 is not visible from the Grannys Bay catchment within the Long Bay Regional Park and Piripiri Reserve when viewed from the Park Interface viewpoints 2 and 3 shown on Precinct Plan 4.

I519.8. Assessment – restricted discretionary activities

I519.8.1. Matters of discretion

I519.8.1.1. Land use and development

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application in Tables I519.4.1 to I519.4.2, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) effects associated with neighbourhood integration;
- (2) effects on the streetscape and neighbourhood character;.
- (3) effects of the building design and appearance;

- (4) landscaping effects;
- (5) effects of stormwater management;
- (6) effects of wastewater disposal; and
- (7) visual effects on the Vaughan Stream corridor, the Long Bay Regional Park and the Vaughans Road ridgeline.
- (8) in relation to Sub-precinct H, in addition to the above, effects associated with the design of development north of the Awaruku ridgeline in relation to views into and across land zoned Open Space - Conservation.
- (9) For accommodation, commercial and community activities in Sub-precinct H, and within 30m of the [H7 Open Space – Conservation Zone](#), in addition to the above, the effects of the activity on the heritage, landscape and amenity values of the Open Space - Conservation Zone.

I519.8.1.2. Land disturbance

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application for earthworks in Tables I519.4.7 and I519.4.8, in addition to the matters specified for the relevant restricted discretionary activities in the overlay and the Auckland-wide provisions:

- (1) effects arising from the design of the ridgeline within the Park Interface and Piripiri Point Protection Areas;.
- (2) effects arising from the finished profile of the earthworks as they relate to the Protection and Management Areas;
- (3) effects of site management techniques, including staging;
- (4) the effects of the proposed timing, size and extent of earthworks; and
- (5) the effects arising from the amount and location of cut and fill.

I519.8.1.3. Specific standard infringements

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

- Reduction in Rain Tank Size in a Stream Protection B Area
- Buildings within the Vaughan Road Setback
- Landmark Building in Sub-Precinct H
- Front Yards for Sub-Precincts D to I

- (1) effects associated with neighbourhood integration;

- (2) effects on the streetscape and neighbourhood character;
- (3) effects of the building design and appearance;
- (4) effects associated with the outdoor living space;
- (5) privacy effects;
- (6) landscaping effects;
- (7) effects associated with site facilities and storage areas;
- (8) effects of stormwater management; and
- (9) visual effects on the Vaughan Stream corridor, the Long Bay Regional Park and the Vaughans Road ridgeline.

I519.8.1.4. Subdivision

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

- (1) Sub-precincts A and B:
 - (a) effects arising from the extent of landform changes;
 - (b) effects associated with the location and design of roads and accessways;
 - (c) effects of wastewater systems; and
 - (d) effects of on-site management of stormwater.
- (2) Sub-precincts D to K:
 - (a) consistency with any other resource consents that have been approved;
 - (b) effects associated with the overall urban form and layout of design;
 - (c) effects arising from the design of proposed and secondary roads including stormwater treatment;
 - (d) effects associated with the design of the ridgeline, finished ground contours and street lighting in the North Vaughans area;
 - (e) effects on cycle and pedestrian routes;
 - (f) effects of proposed reserves;
 - (g) effects associated with the site sizes and dimensions;

- (h) effects of the design of rear lanes and accessways;
- (i) effects of landscape concepts for proposed reserves, public and other areas;
- (j) effects associated with any planting plans for Protection and Management Areas and any lizard conservation management plan;
- (k) effects of stormwater management; and
- (l) for Sub-precinct H, in addition to the above, the effects of subdivision design, earthworks, retaining wall treatments and fencing on the interface with the H7 Open Space – Conservation Zone.

I519.8.2. Assessment criteria

I519.8.2.1. Land use and development

The Council will consider the relevant assessment criteria below for restricted discretionary activities and the assessment criteria for controlled activities relating to stormwater management and wastewater disposal in I519.7.2.1 above, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, zone or Auckland-wide provisions:

- (1) whether the development helps to provide a well-connected public movement network, taking into account the following:
 - (a) whether the development provides for the proposed roads shown on Precinct Plan 1, and the secondary roads and pedestrian and cycle routes shown on any other resource consents granted in respect of the precinct or sub-precinct;
 - (b) whether development fronts reserves and public open space areas on adjacent sites;
 - (c) whether the layout of the development allows for the majority of dwellings to front public streets; and
 - (d) whether the use of cul-de-sacs and internalised accessways is minimised;
- (2) whether to the north of the Awaruku Ridgeline, where development in Sub-precinct H is proposed opposite the termination of a public road that is orientated towards (perpendicular to) the [H7 Open Space – Conservation Zone](#), the layout of the buildings provide for a view shaft from such a road to continue through into the Regional Park where practicable and where grades allow;
- (3) whether landscaping within the relevant part of private sites in Sub-precinct H is kept low and sympathetic with the landscape character of the

H7 Open Space – Conservation Zone. Yards are to be maintained unencumbered by accessory structures that would block a view shaft;

- (4) the extent to which fences, garages and the sides and rear of buildings do not dominate the views obtained from future open spaces, the Vaughans Corridor and the Long Bay Regional Park;
- (5) whether the architectural qualities of the dwelling are of a high standard and achieve an appropriate degree of integration with neighbouring dwellings (existing or proposed) and variety through variation in building form and materials, relative to neighbouring dwellings (existing or proposed);
- (6) whether adequate separation is provided between dwellings within the same street block, with at least 12m between the backs of development for those parts of the development that are above the ground floor; and
- (7) the extent to which landscaping enhances the overall appearance of the dwelling and provides an attractive living environment for its residents.

Development in Sub-precinct F at a density of greater than 450m² per site

In addition to the criteria listed from I519.8.2.1(1) to I1.8.2.1(7), the following criteria apply:

- (8) whether the number of dwellings to be provided for exceed 20 per cent of the likely total number of dwellings within Sub-precinct F.

Development in Sub-precinct J

In addition to the criteria listed from I519.8.2.1(1) to I1.8.2.1(7), the following criteria apply:

- (9) the extent to which buildings are built to the street edge along the Beach Road and Glenvar Road extensions, with car parking located underground or to the rear of the building;
- (10) whether the buildings incorporate ground floor uses that activate the street edge and provide weather cover over the adjacent footpath;
- (11) Whether the buildings display high quality urban design that contributes to a vibrant, safe and attractive town centre;
- (12) Whether:
 - (a) the development orientates itself to the street, with doors, windows and balconies opening out to the street;
 - (b) the ground floor of buildings are distinguishable from upper floors by way of increased stud height, greater extent of glazing / openings and quality of finish;

- (c) the facades of buildings are modulated and proportioned to present an interesting, fine grained and visually rich picture to the street; and
- (d) roof lines are varied, with plant and machinery hidden where possible and corners accentuated.

Development in Sub-precinct K

In addition to the criteria listed from I519.8.2.1(1) to I519.8.2.1(7), the following criteria apply:

- (13) whether the development is of a very high quality in terms of design, materials and finish;
- (14) the extent to which development includes pathways, plazas, outdoor seating areas and landscaping integrated with the adjacent Vaughan corridor;
- (15) whether buildings incorporate large areas of openings, glazing and transparent material to ensure a high degree of visual integration between the town centre to the south, and the Vaughan corridor to the north; and
- (16) whether on-site car parking is avoided.

Development in the Stream Interface Management Area

In addition to the criteria already listed, the follow criteria will apply:

- (17) whether the location, scale and intensity of development contributes to the open nature of the area and provides public access to, and views across the Vaughan Stream;
- (18) whether a consistent edge treatment between the Sub-precincts H and K and land zoned Open Space – Informal Recreation is provided through either landscaped earth batter slopes or low (less than 1 metre high) retaining walls, or a combination of both, together with visually permeable fencing. Retaining wall treatments should be consistent to avoid a clash of different styles and materials along the public interface; and
- (19) the extent to which landscaping and planting in the Stream Interface Management Area retains the open character of the area and provide for public amenity.

Development in Sub-precincts A and B within Ecology/Stormwater Management Areas

The follow criteria apply to development in these areas:

- (20) whether development, including access and building sites, does not result in the removal of any native vegetation;
- (21) whether housing is generally located at least 50m apart from neighbouring houses;

(22) the extent to which development only occurs where there is no loss of riparian vegetation, waterways are not adversely affected and the ecological values of the area are not compromised, unless the development is related to necessary infrastructure. Any adverse effect of infrastructure is to be off-set by way of revegetation; and

(23) whether the development of riding trails and horse jumping courses will result in the removal of any native vegetation and whether the existing and future ecological and landscape values of the management area will not be compromised.

Accommodation, commercial and community activities

(24) Whether any activity adjacent to land zoned Open Space – Conservation responds to the heritage, landscape and amenity values of the open space area and whether large building masses are avoided.

Additional impervious areas and building coverage in the Stream Protection B Area

(25) The assessment criteria for controlled activities relating to stormwater management in I519.7.2.1 apply.

I519.8.2.2. Land disturbance

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

(1) Sediment management for sites which expose more than 500m²:

(a) whether the mitigation of the effects of earthworks includes a combination of the following measures, so as to minimise sediment runoff and discharge:

(i) stabilised construction entranceways;

(ii) silt fences;

(iii) clean water diversion drains;

(iv) surface flow interception measures (contour drains and bunds);

(v) sediment retention ponds (floating outlet);

(vi) decanting earth bunds (floating or fixed outlet);

(vii) progressive stabilisation of earth-worked areas with grass, straw or hay mulch following topsoil spreading as soon as final contours are established and/or when the exposed area will not be worked on for four weeks or more;

(viii) additional contingency interception measures comprising:
additional down slope earth bunds, super silt fencing and
stormwater wetlands (pre-commissioning) as may be appropriate;

(ix) the following essential elements of sediment retention pond
design:

- a larger volume is beneficial as retention time is increased
- a floating decant discharge system that discharges water
from the surface of the pond
- a discharge rate of 3 litres per second per hectare of
catchment draining to the pond
- a forebay pond
- a wide level spreader at the inlet;

(b) whether once earthworks have been completed in the Stream
Protection A Area and where parks and open spaces are created in
the Stream Protection B Area, reconditioning of surface soils occurs in
areas that will not be subject to subsequent secondary earthworks to
ensure that these areas retain the ability to absorb rainfall. In general
the minimum depth of reconditioning should be 400mm; and

(c) whether earthworks alters or disturbs an overland flow path only where
a satisfactory alternative flow path is available.

(2) Earthworks Sub-precincts C and E:

(a) the extent to which the eastern and northern slopes of the ridgeline
achieve and retain a natural transition in its landform profile with that
of the adjacent landform in the Long Bay Regional Park and or Piripiri
Point Ridge;

(b) whether the profile of the earth works to the south and west of the
ridgeline aligns with the required contouring of land within Sub-
precinct E; and

(c) whether the design and location of any earth works for public access
purposes in Sub-precinct C does not adversely affect the landform or
landscape of the area.

(3) Riparian margins:

(a) whether works are located outside of the riparian margin where
feasible;

- (b) where works are necessary to install infrastructure or for the rehabilitation of stream banks, whether the works minimise disturbance of existing vegetation; and
 - (c) where vegetation clearance is required, whether enhancement planting off-sets the effects of this and achieve a net increase in vegetation cover.
- (4) Landscape enhancement area:
- (a) whether earthworks on sites which contain land identified as Landscape Enhancement Area provide landscape enhancement planting in the enhancement area in accordance with an approved planting plan;
 - (b) whether planting is maintained for a period of not less than two years and any plants that fail to thrive during that time are replaced;
 - (c) whether planting is undertaken in the planting season immediately following the completion of site works to the satisfaction of the Council; and
 - (d) whether any earthworks result in changes to the profile of the escarpment and whether works to create stable building platforms are limited to the area of the site outside the Landscape Enhancement Area.
- (5) Earthworks in excess of 500m² of surface area of bare earth in Stream Protection B Area:
- (a) whether the earthworks plan is consistent with any resource consents granted in respect of the precinct or sub-precinct;
 - (b) whether appropriate mitigation methods are installed; and
 - (c) whether the earthworks profile within Sub-precinct E, in association with the ridgeline shown on Precinct Plan 4, ensures that development can comply with the standards under Standard I519.6.12.
- (6) Sub-precincts A and B:
- (a) whether earthwork are limited in area to avoid adverse effects from compaction, siltation or sediment runoff; and
 - (b) whether earthwork designs maintain landforms and minimise the volume and area of cut and fill with consideration given to the use of structural methods to ensure each lot has within it a building platform that does not require substantial earthworking to provide a stable house site and the construction of access to the platform.

(7) Sub-precincts D and E in Stream Protection A Area:

- (a) the extent to which major modification of the landform, including changes to ground water flows and the base flows of streams, is minimised;
- (b) whether cut and fill areas are carefully selected and designed to avoid major changes to landforms and to minimise adverse effects on streams and waterways and areas of native vegetation, including minimising ground level differences between riparian margins, vegetation conservation and restoration areas and sites and streets; and
- (c) within the catchment of Stream 1C, whether groundwater flows post-development mimic pre-development groundwater conditions.

I519.8.2.3. Specific standard infringements

The Council will consider the relevant assessment criteria below for restricted discretionary activities which infringe the following standards, in addition to the matters set out in the assessment criteria for stormwater management in I519.7.2.1 above:

(1) Reduction in Rain Tank Size in a Stream Protection B Area:

- (a) whether in the Stream Protection B Area, development that involves rain tanks of less than 3,000L per unit must utilise other on-site stormwater techniques so that no additional stormwater to that generated from permitted development occurs.

(2) Buildings within the Vaughan Road Setback:

- (a) whether the site has exceptional topographical or geotechnical constraints that require a building to be constructed within the setback;
- (b) whether the proposal is for small-scale development such as accessory buildings, garages, swimming pools, decks and terraces, or where a dwelling is proposed, whether it is no more than one storey high;
- (c) whether the proposed reduction in yard has no more than a minor effect on the rural character of the ridgeline when viewed from the Long Bay Regional Park and from the Okura coastline; and
- (d) whether possible existing native trees and vegetation have been retained.

(3) Landmark Building in Sub-Precinct H:

- (a) whether the building is of a high architectural design standard; and

- (b) whether the building positively acknowledges and reflects its location at the entrance to the more intensive areas of the precinct and its location on a prominent corner site.

(4) Front Yards for Sub-Precincts D to I:

- (a) in Sub-precinct D to H, whether the combined effect of the height, width and extent of building projection towards the street boundary on the visual amenity of the streetscape and neighbouring properties is adverse;
- (b) in Sub-precinct D to H, whether no car ports and garages will be established in the front yard;
- (c) in Sub-precinct I at ground level, whether the building contains non-residential activities that open to the street (that is, with doors, windows and display glazing fronting the street) and which help to activate the street environment; and
- (d) in Sub-precinct I, whether the building is designed to present a high quality, attractive frontage to the street.

I519.8.2.4. Subdivision

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

- (1) For subdivision matters set out in I519.8.1.4 above”
 - (a) Whether the design and layout of building platforms and accessways maintain existing landforms and minimise earthworks that result in changes to the landscape character of the zone and whether larger than minimum sites are required.
 - (b) whether vehicle access (public roads and private accessways) is located as close as practical to a formed legal road or served by an existing formed vehicle access, or should be shared between sites where feasible;
 - (c) whether access avoids Vegetation - Conservation Areas and riparian margins identified on Precinct Plans 3 and 4;
 - (d) whether access has been designed to follow the existing landform and cause minimal land disturbance;
 - (e) whether access has been designed in such a way that it incorporates low impact stormwater mitigation techniques such as bio-retention and dual strip driveways;

- (f) whether the design of the access does not accentuate stormwater runoff, erosion or increase the potential for land instability;
 - (g) whether the gradient of the accessway does not exceed 1:8;
 - (h) whether there is no direct discharge of stormwater to the street;
 - (i) whether the design and layout of the subdivision ensures that the site is capable of achieving full stormwater mitigation on site in accordance with the on-site stormwater management rules;
 - (j) whether the design and layout of subdivision in Sub-precincts A and B ensures that each site is capable of on-site disposal of wastewater as an interim solution until such time as it is possible to connect to the public wastewater network;
 - (k) whether required planting is appropriately spaced to ensure rapid shade cover to protect against ongoing weed problems and provide an enhanced habitat along streams and riparian margins;
 - (l) whether planting includes native trees and shrubs that attract native birds, lizards and insects and is appropriately linked to existing native plantings to create ecological corridors for fauna to move along; and
 - (m) whether planting has been sourced from the local area within the Tamaki Ecological District where possible.
- (2) For subdivision in the Stream Protection B Area that is a restricted discretionary activity, the following assessment criteria apply:
- (a) whether the proposed layout ensures that development and earthworks can achieve the outcomes required in the Park Interface Protection Area and Piripiri Point Protection Area, Vegetation Conservation Areas and riparian margins, where relevant;
 - (b) where proposed roads are not provided in accordance with the alignments and design standards specified in Precinct Plans 3 and 4, whether there are alternative alignments that better serve the area, while still ensuring that the proposed road provides the same function as that intended in the precinct;
 - (c) whether there is an integration of stormwater mitigation devices with the urban form and roading network to ensure that the stormwater devices add to the amenity and landscaping of the area, while the urban form provides the space for both on-site and off-site stormwater mitigation areas;
 - (d) whether the design of proposed roads achieves a high standard of amenity, in particular through the provision of appropriately designed

footpaths, cycleways, berms, median strips and size and spacing of street trees;

- (e) whether stormwater treatment devices, utilising the best practicable option, are provided to mitigate within the road reserve, the majority of stormwater generated by the road and whether the best practicable option proposed includes the following:
 - (i) bio-retention and pervious paving for shallow grades less than 5 per cent parallel to the roadway;
 - (ii) inclusion of check dams and other flow control methods with bio-retention for grades between 5 per cent and 8 per cent; and
 - (iii) off-line treatment for grades greater than 8 per cent;
- (f) whether roads are designed to provide a high degree of connectivity;
- (g) whether road layouts ensure that most, if not all, development has the ability to front a street (there should be limited use of rear sites in Sub-precincts D, E and F and no rear sites in Sub-precincts G to I) and provide for informal surveillance of roads to promote safety and personal security streets on adjoining land;
- (h) whether rear vehicle access lanes are privately owned and maintained;
- (i) whether the design and management of rear lanes and accessways considers the need for access by emergency vehicles, delivery and rubbish collection and whether they provide thoroughfare for pedestrians and cyclists;
- (j) whether shared street designs may be an appropriate form of public road design where traffic volumes and speeds allow for the safe mixing of traffic with pedestrians and cyclists in a specifically designed street environment. Whether the design provides functional, low maintenance spaces within the street reserve. The shared spaces should still provide for access by emergency vehicles and service vehicles;
- (k) whether site sizes and dimensions are appropriate for the intended housing typology, ensure appropriate orientation of development in terms of fronting streets and ensuring privacy between dwellings, and are able to accommodate stormwater treatment devices (such as rain tanks);
- (l) whether roads and reserves provide for the main pedestrian and cycle connections through the area, with dedicated off-street links provided

where they would maintain and enhance connectivity where vehicle connections cannot be made;

- (m) whether cycle and pedestrian only routes are designed to comply with the following:
 - (i) they should be illuminated at night, where appropriate;
 - (ii) They should have a minimum width of 5m; and
 - (iii) They should be designed and landscaped to ensure that stormwater generated from paths can be mitigated;
- (n) whether 80 per cent of the homes in Sub-precincts D to I are within 400m of an existing or proposed neighbourhood park/reserve of at least 2,000m² in area;
- (o) whether proposed reserves help to create linkages with other reserves and natural features in the precinct area and provide a central valley link between the upper valley and the lower valley and the Long Bay Regional Park;
- (p) whether land which has a solely stormwater or landscape protection function is not vested as recreation reserve;
- (q) whether the design of pedestrian and cycle routes includes appropriate landscaping, fencing, pavements and lighting; and
- (r) whether the required planting plans for all Protection and Management Areas and any Lizard Conservation Management Plan provide sufficient detail to ensure that sustainable outcomes can be achieved.

Sub-Precinct E

In addition to the general criteria I519.8.2.4(1) and I519.8.2.4(2)(a) to (r) above, the following criteria apply to Sub-precinct E only:

- (a) whether street lighting of the northern Beach Road extension and streets east of northern Beach Road extension are designed so that this lighting has minimal visibility from the Grannys Bay catchment within the Long Bay Regional Park and Piripiri Reserve;
- (b) whether adjacent to Vaughans Road, there is no more than one street connection to Vaughans Road in addition to the northern Beach Road extension. Whether in this area, the use of joint accessways/lots to access rear lots from Vaughans Road are avoided, apart from individual driveway access for lots that front Vaughans Road;
- (c) whether within the catchment of Stream 1C, development provides for interconnectivity between the different land holdings such as walkways and cycleways;

- (d) whether the subdivision demonstrates how the design of the ridgeline in the Park Interface Area and Piripiri Point Protection Area and the profile of land to the west and south of the ridgeline will meet the standards in Standard I519.6.12. Whether this includes analysis of visibility of permitted development south and west of the ridgeline from the Park Interface Viewpoints shown on Precinct Plan 4;
- (e) whether subdivision provides for the protection and consistent management of the entire area of Park Interface Protection Area by way of a covenant in perpetuity or similar mechanism approved by the Council; and
- (f) whether the Council is fully satisfied that the finished ground contours and ridgeline comply with Standard I519.6.12 before any s.224(c) certificate for sites created in Sub-precinct E to the north and east of the Vaughans Road extension, as shown on Precinct Plan 4, can be issued.

Sub-precinct H

In addition to the general criteria I519.8.2.4(1) and I519.8.2.4(2)(a) to (r) above the following criteria apply to Sub-precinct H only:

- (a) whether subdivision design provides for views into and through land zoned Open Space - Conservation to the Hauraki Gulf;
- (b) whether the design of subdivisions and building platforms, roads, accessways, driveways, underground and surface infrastructure, stormwater mitigation techniques, landscaping, planting and fencing do not adversely affect the archaeological sites within land zoned Open Space – Conservation;
- (c) whether a consistent treatment of the boundary with land zoned Open Space - Conservation is achieved through the subdivision design using either landscaped earth batters or low (less than 1m high) retaining walls or a combination of both; and
- (d) whether retaining walls treatments are consistent to avoid a clash along the interface with land zoned Open Space – Conservation.

I519.9. Special information requirements

An application for a land use, development and subdivision activity must be accompanied by the following unless otherwise specified:

I519.9.1. Stormwater management

Stormwater management information must include the following:

- (1) the amount of stormwater to be generated from the future development on the sites to be created, taking into account existing and future stormwater flows

upstream and downstream of the site, where relevant. Relevant assumptions and calculations are to be provided;

- (2) how the design of the development (for example the layout of the lots sites, driveway locations, the design of roads and the protection of ecological features and stream riparian margins) takes into account stormwater related limitations and incorporates the principles of low impact design;
- (3) the range of techniques to be used to manage the adverse effects of the stormwater to be generated by the development and the extent to which these techniques can be accommodated on-site in accordance with Standard I519.6.8 above;
- (4) how sufficient space is to be provided for the required stormwater mitigation measures;
- (5) in areas where the groundwater levels need to be controlled to maintain stability, how proposed stormwater mitigation measures comprising sub-surface features are designed, in particular lined and drained, to avoid the adverse discharge of runoff to ground;
- (6) how development is to be managed to ensure that the integrity of any stormwater mitigation devices (such as bio-retention and pervious paving) will not be compromised during and after the subdivision, development, building and landscaping process; and
- (7) details of any covenants and/or consent notices under s 221 of the Resource Management Act 1991 necessary to ensure the on-going retention and maintenance of on-site mitigation areas and facilities.

I519.9.2. Planting Plan

A planting plan must include the following information:

- (1) identification of the area of land within the Protection or Management areas and riparian margin to be set aside for planting;
- (2) identification of stream banks, slope, soil type and existing or potential erosion;
- (3) details of areal extent of all existing and proposed development;
- (4) identification of all existing areas of native and exotic bush and vegetation;
- (5) details of soil quality and depth including any required soil reconditioning of compacted areas as the result of previous land uses and site works;
- (6) species types, source of plant material, maturity of planting and density of planting;
- (7) details of noxious weed, pest and animal control;
- (8) details of timing of planting and possible staging of planting;
- (9) details of maintenance programme to be implemented and a programme for replanting where the survival rate of planting is less than 90 per cent;

- (10) details of any fencing or alternative stock proof methods proposed;
- (11) proposed means of ownership and ongoing management; and
- (12) identification of areas of land on which archaeological sites are located, and details of appropriate planting, fencing and ongoing management of those areas.

I519.9.3. Lizard conservation plan

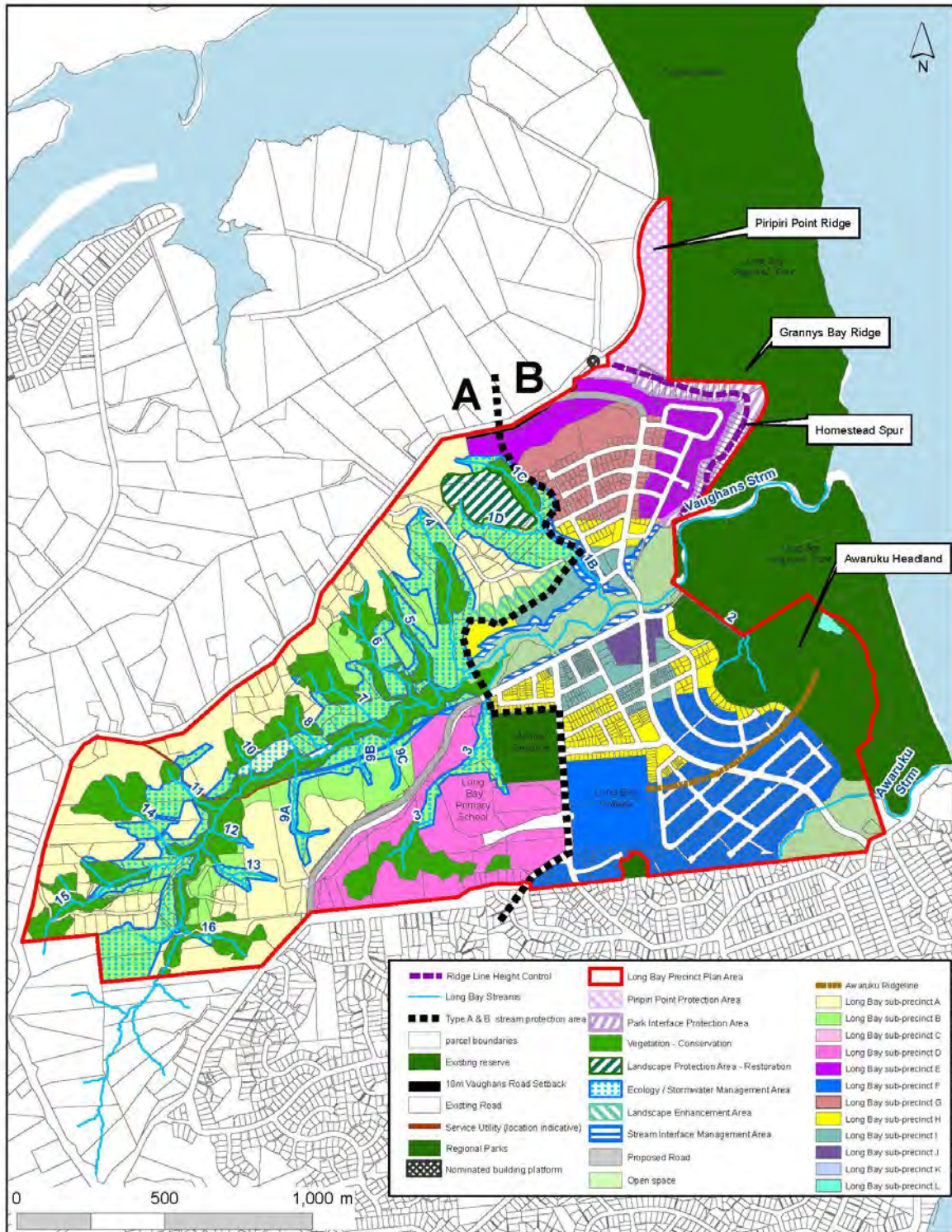
An application for earthworks over 500m² in the Stream Protection A Area must include the following information for the management of lizards prior to any earthworks taking place:

- (1) identification of sites containing indigenous lizard populations that may be threatened by proposed earthworks on a site;
- (2) identifying alternative suitable receptor sites for the relocation of indigenous lizards found, to be approved by a qualified herpetologist. Consideration can be given to receptor sites located within the Ecology/Stormwater Management Area where revegetation will occur for stormwater mitigation;
- (3) identifying suitable buffers for avoidance of earthworks and vegetation removal adjacent to the alternative receptor sites and suitable buffers adjoining any lizard habitat areas that will not be affected by the earthworks;
- (4) identifying appropriate methodology for the capture and relocation of lizards into the receptor sites. The methodology for the capture and relocation will be prepared by a suitably qualified and experienced herpetologist. The actual relocation operation will be carried out by a suitably qualified and experienced herpetologist. Survey, capture and relocation must commence prior to any vegetation removal and should be done between September to December and/or from March to April;
- (5) details for ongoing pest management within the receptor sites;
- (6) details of fencing or alternative stock proof methods proposed; and
- (7) proposed means of ongoing management.

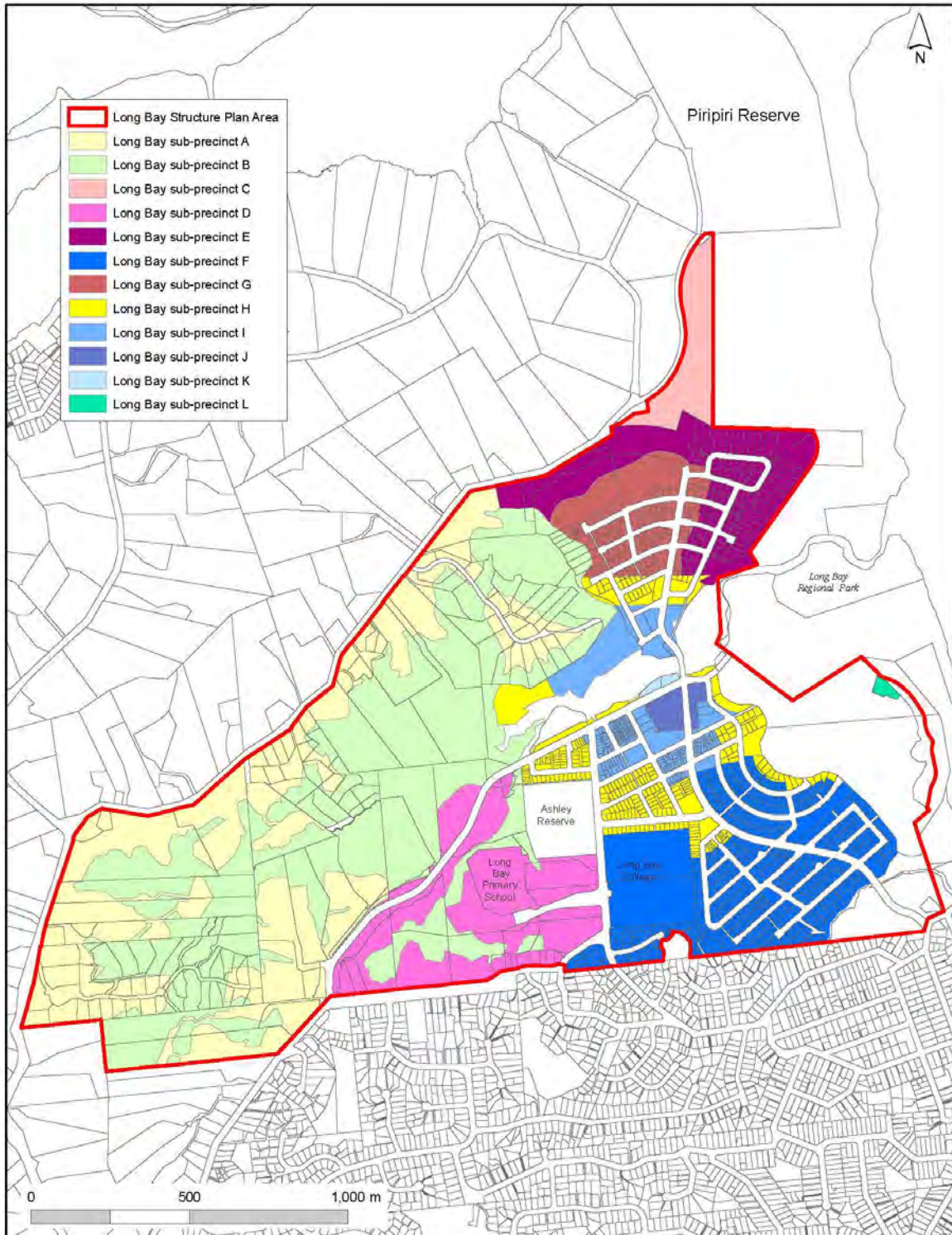
I519 Long Bay Precinct

I519.10. Precinct plans

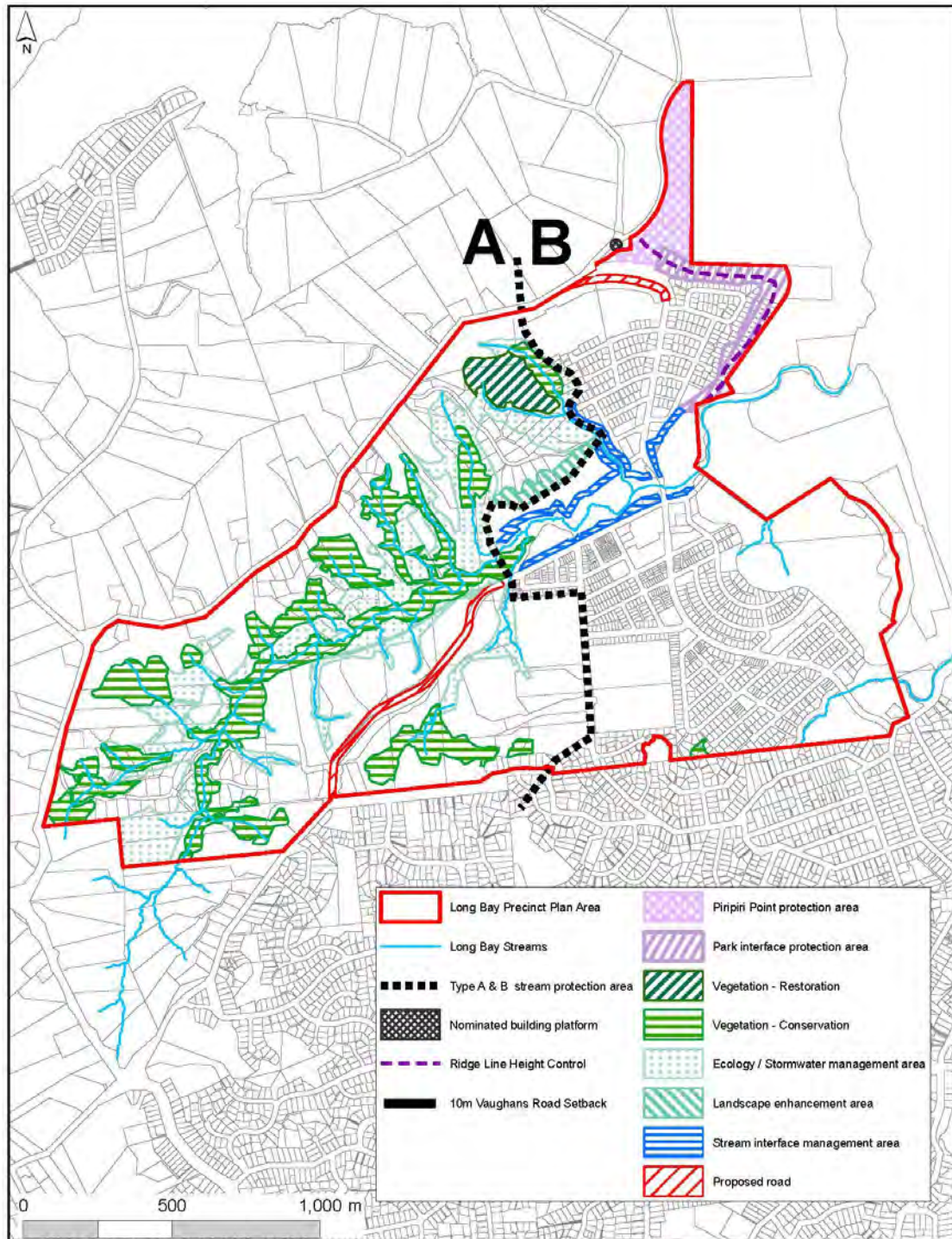
I519.10.1 Long Bay Precinct: Precinct plan 1 – Land use strategy



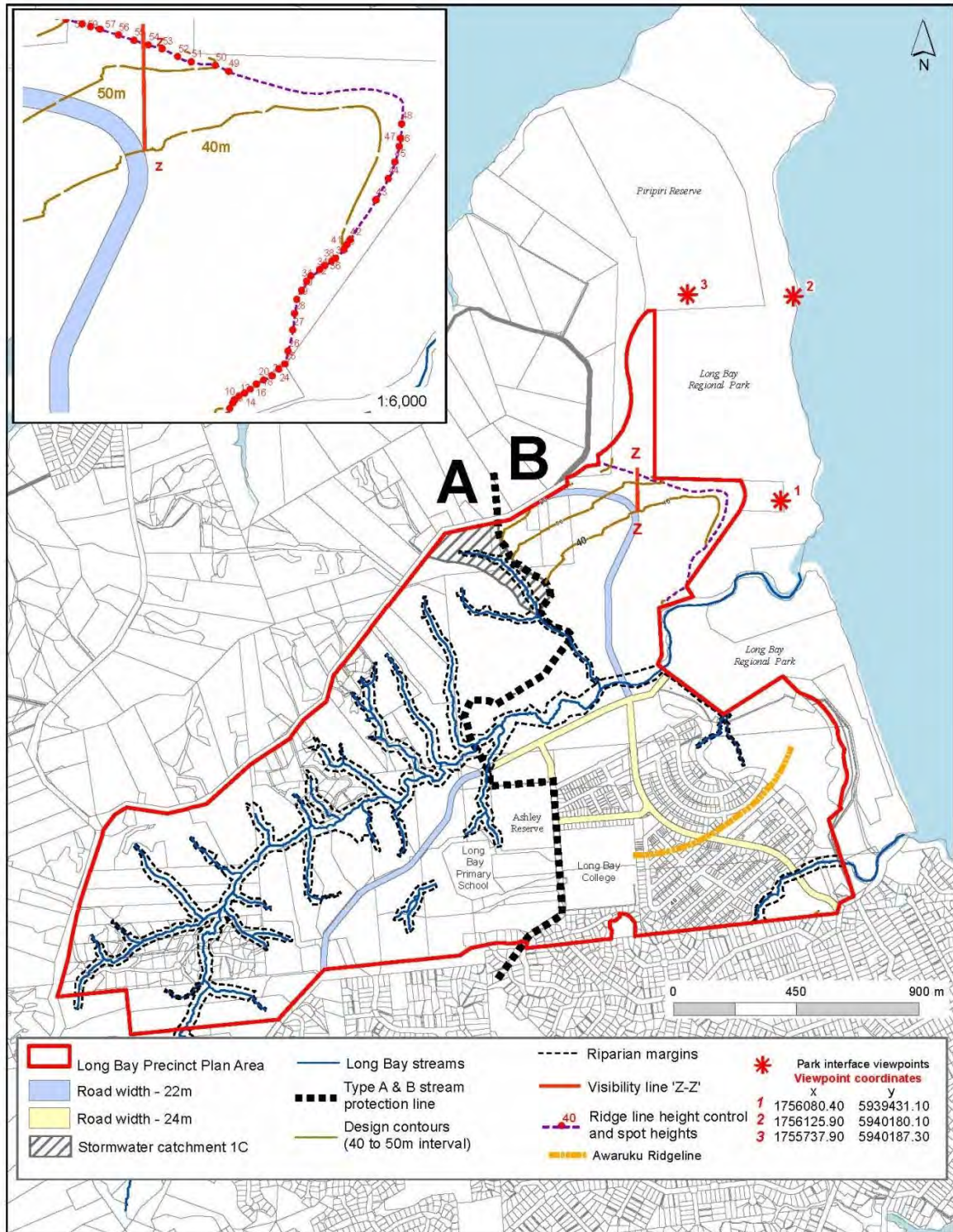
I519.10.2 Long Bay Precinct: Precinct plan 2 – Sub-precincts A to L



I519.10.3 Long Bay Precinct: Precinct plan 3 – Additional controls



I519.10.4 Long Bay Precinct: Precinct plan 4 – Additional controls



I528. Omaha South Precinct

I528.1. Precinct Description

This precinct applies to land south of Broadlands Drive, Omaha. The land is located in a sensitive coastal environment and the precinct provisions enable comprehensive residential and small scale commercial development to occur in a sustainable manner that is complimentary to the coastal location. This has and will be achieved through:

- (a) clearly defining a dune protection line and requiring all development to occur inland of the defined coastal hazard;
- (b) appropriate planting of foreshore areas and limiting access across the dunes to defined points with appropriately constructed access structures (paths/boardwalks);
- (c) enabling a range of residential subdivision development types (from cluster housing in the large lot development), with an upper limit on the proportion of each type that can occur, and an absolute limit of 600 household units specified for the entire precinct;
- (d) substantial areas of open space, including the kahikatea forest/wetland vested in the Crown as reserve, the recreation reserve vested in the Council (for the purpose of an additional nine golf holes), and the areas vested as neighbourhood reserves and pedestrian access. Some of the areas are located outside the precinct boundaries;
- (e) retaining control over the visual impact of development, to protect the broad landscape values of Omaha and to ensure compatibility between the variety and form of coastal residential development; and
- (f) limiting commercial development to the area identified for that purpose on the Precinct Plan.

The standards of the proposed precinct are designed to ensure that all potential adverse effects of residential development within Omaha South, such as those associated with stormwater generation, are dealt with in a manner that does not adversely affect the coastal environment of the kahikatea forest/wetland. This is achieved through a series of controls requiring on-site water storage for water supply and on-site soakage areas. There has also been an upgrade to the existing sewage treatment plant to provide for the additional sewage generated along with provision for the full development of Omaha North and Point Wells, and for disposal of the effluent in accordance with any consent obtained from the Auckland Council.

Omaha South precinct has six sub-precincts:

- Sub-precincts A – E provide for residential activities and allow for comprehensive development of large areas within the precinct; and
- Sub-precinct F provides for commercial activities.

The Omaha South: Precinct Plan 1 identifies these sub-precincts as well as neighbourhood reserve development areas and access reserve development areas that link the sub-precincts.

The zoning of land within this precinct is Residential – Single House Zone, Residential – Mixed Housing Suburban Zone, Business – Neighbourhood Centre Zone, Open Space – Informal Recreation Zone and Open Space – Conservation Zone.

I528.2. Objectives [rp/dp]

- (1) Coastal, residential and small scale local commercial development recognises the social, environmental and cultural values apparent in Omaha South.
- (2) The cultural values and the relationship of Mana Whenua with the Omaha Spit and its coastal environs are recognised, respected and protected.
- (3) The natural environment at Omaha South, particularly the coastline, Kahikatea forest/wetland and Omaha aquifer, is protected from potential adverse effects which could arise as a result of residential/commercial development.
- (4) Amenity values within neighbourhoods and residential areas in the Omaha South Precinct are maintained and enhanced.
- (5) The existing level of natural character associated with the coastal environment of Omaha South is preserved.
- (6) Development within the Omaha South Precinct does not generate new or worsen existing natural hazards.
- (7) Public access to and along the coastal edge of Little Omaha Bay is maintained in a manner that will not detract from the functioning of the coastal environment, the dune system, and the associated ecosystems.
- (8) The subdivision of land is appropriate for the development proposed and the nature of the land being subdivided.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above with the exception of the objectives of the [H3 Residential – Single House Zone](#), [H4 Residential – Mixed Housing Suburban Zone](#) and [H12 Business – Neighbourhood Centre Zone](#).

I528.3. Policies [rp/dp]

- (1) Require development to not destroy, alter or damage any site that has been identified, surveyed and recorded on residential or commercial titles as being of significance to Mana Whenua.
- (2) Require development complies with the agreed protocol with Mana Whenua.
- (3) Require development and subdivision to be designed to protect and enhance sites, historic resources, and taonga which have been identified as being significant.

- (4) Require development and subdivision to be designed to:
 - (a) protect and enhance the kahikatea forest/wetland; and
 - (b) protect and enhance the significant coastal landscapes and landforms within Omaha South; and
 - (c) not accelerate, worsen or generate any natural hazards; and
 - (d) protect the quantity and quality of water in the Omaha aquifer.
- (5) Require development and subdivision to be designed and constructed to ensure that all adverse effects on the items listed in 4(a)-(d) above and the remaining environmental values of local significance are avoided, remedied or mitigated.
- (6) Provide for stormwater collection, reticulation and discharge to maintain the volume of groundwater existing within Omaha South.
- (7) Avoid significant adverse environmental effects associated with the supply of water and the collection and discharge of stormwater on the Omaha aquifer.
- (8) Avoid contamination of the environment from sewage collection, treatment and discharge.
- (9) Encourage development and subdivision to contribute to the amenity of Omaha South by:
 - (a) incorporating identifiable neighbourhood edges and boundaries; and
 - (b) optimising access to community facilities, the coastal environment of Little Omaha Bay and public open space; and
 - (c) maintaining and enhancing identifiable linkages with the existing development in Omaha North.
- (10) Require buildings to be designed and sited to:
 - (a) prevent overshadowing of adjacent outdoor living areas and buildings; and
 - (b) maintain the level of visual and aural privacy currently experienced within adjacent properties.
- (11) Require all activities to be sited, designed and operated to avoid, remedy or mitigate adverse noise and/or lighting effects on the health of people and amenity values of the area.
- (12) Require commercial and residential subdivision and development to be designed, sited and arranged to minimise any adverse effects on the wider neighbourhood and residential areas; in particular, by achieving an overall compatibility in building scale and design.

- (13) Require the form and layout of residential and commercial areas to promote a safe and secure environment for residents and the public in general.
- (14) Require residential and commercial development to be designed and located in a manner that does not detract from the level of natural character experienced on the beach in Little Omaha Bay.
- (15) Manage development to not interfere with the functioning of the coastal processes of either Little Omaha Bay or the Whangateau Harbour in order to preserve the natural character of the coastal environment.
- (16) Require new development or subdivision to avoid locating in areas susceptible to natural hazards.
- (17) Require development and subdivision to maintain or enhance public access to the coastal marine area of Little Omaha Bay at predetermined localities.
- (18) Require where public access to be provided to the coastal edge of Little Omaha Bay, measures to be implemented to prevent the degradation of the dune environment, including the dynamic processes of the dune system and the associated flora and fauna.
- (19) Require Vehicular and pedestrian access from a formed legal road to be provided to all lots created for residential and commercial purposes.
- (20) Require environmentally appropriate infrastructure to be provided to all new lots created for residential and commercial purposes including sewage collection, treatment and disposal facilities; appropriate stormwater disposal by groundwater soakage except where a reticulated stormwater system is provided; electricity supply, and telecommunications facilities.
- (21) Require all lots created for residential and commercial purposes ~~should~~ to be of a size and shape which enables them to fulfil their intended function without generating adverse effects on the environment.
- (22) Require development the precinct to be consistent with the Omaha South: Precinct Plan 1.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above with the exception of the policies of the Residential – Single House Zone, Residential – Mixed Housing Suburban Zone and Business – Neighbourhood Centre Zone.

I528.4. Activity table [rp/dp]

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

The following activity tables do not apply to this precinct:

- [E38 Subdivision – Urban Table E38.4.2](#) Subdivisions in residential zones, [Table E38.4.3](#): Subdivisions in business zones, [Table E38.4.4](#): Subdivisions in the open space zones
- [H3 Residential – Single House Zone Table H3.4.1](#) Activity table
- [H4 Residential – Mixed Housing Suburban Zone Table H4.4.1](#) Activity table
- [H12 Business – Neighbourhood Centre Zone Table H12.4.1](#) Activity table

Table I528.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Omaha South Precinct pursuant to sections 9(2), 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in Table I528.4.1 Activity table below means that the provisions of the overlays, zone or Auckland-wide apply.

The four residential Development and Subdivision Types listed in Table I528.4.1 Activity table are described as follows:

- (a) Type A (Large Lot) residential development/subdivision means a type of residential development/subdivision which is characterised by large fee simple lots (of at least 1,100m² in area) that may accommodate two storey residential buildings.
- (b) Type B (Medium Lot) residential development/subdivision means a type of residential development/subdivision which is characterised by 600 - 1,100m² fee simple lots that may accommodate two storey residential buildings.
- (c) Type C (Small Lot) residential development/subdivision means a type of residential development/subdivision which is characterised by smaller fee simple lots (of at least 450m² in area that may accommodate two storey residential buildings.
- (d) Type D (Cluster Housing) residential development/subdivision means a type of residential development/subdivision which is characterised by intensive unit titles occurring within fee simple parent titles no smaller than 1,800m² in area. The area and facilities falling outside of the unit titles area, but within the parent title are to be “common area” owned and administered by a body corporate. Two storey buildings are envisaged within the majority of Omaha South, with provisions for buildings up to three storeys in height only anticipated in sub-precinct E. Buildings may accommodate up to six household units. One household unit per 300m² of the parent title is allowed.

Table I528.4.1 Activity table

Activity		Activity status						
		Open Space	Sub-precinct					
		Informal Recreation and Conservation Zones	A	B	C	D	E	F
(A1)	Any use, development or subdivision not listed in Table I528.4.1 Activity table	NC	NC	NC	NC	NC	NC	NC
Use								
Residential								
(A2)	Type A (large lot) residential/subdivision	NC	RD	RD	RD	RD	RD	RD
(A3)	Type B (medium lot) residential/subdivision	NC	RD	RD	RD	RD	RD	RD
(A4)	Type C (small lot) residential/subdivision	NC	RD	RD	D	D	D	RD
(A5)	Type D (cluster housing) residential/subdivision	NC	RD	RD	RD	RD	RD	RD
(A6)	Dwellings, including additions and alterations, complying with I528.4.1 and I528.6.1 to I528.6.7	NC	P	P	P	P	P	RD
(A7)	Visitor accommodation instead of, or in conjunction with Type D residential development / subdivision	NC	RD	RD	RD	RD	RD	RD
Commerce								
(A8)	Offices	NC	RD	NC	NC	NC	NC	RD
(A9)	Restaurants	NC	RD	NC	NC	NC	NC	RD
(A10)	Retail	NC	RD	NC	NC	NC	NC	RD

I528 Omaha South Precinct

(A11)	Buildings and structures ancillary to the commerce land uses	RD	RD	RD	RD	RD	RD	RD
Community								
(A12)	Amenity, observation and viewing areas	RD	RD	RD	RD	RD	RD	RD
(A13)	Car parks	RD	RD	RD	RD	RD	RD	RD
(A14)	Outdoor recreation and entertainment facilities	RD	RD	RD	RD	RD	RD	RD
(A15)	Passive recreation	RD	RD	RD	RD	RD	RD	RD
(A16)	Public toilets / changing facilities	RD	RD	RD	RD	RD	RD	RD
(A17)	Reserves	RD	RD	RD	RD	RD	RD	RD
(A18)	Surf lifesaving towers	RD	D	D	D	D	D	D
(A19)	Walkways and beach walks	RD	RD	RD	RD	RD	RD	RD
Development								
(A20)	Land disturbance activities that comply with Standard I528.6.5	P	P	P	P	P	P	P
(A21)	Land disturbance activities that do not comply with Standard I528.6.5							
(A22)	Managed wetlands for stormwater detention and treatment purposes	RD	RD	RD	RD	RD	RD	RD
(A23)	Stormwater detention ponds	RD	RD	RD	RD	RD	RD	RD
Subdivision								
(A24)	Subdivision for the creation of commercial lots (including unit title subdivision)	NC	RD	RD	RD	RD	RD	RD
(A25)	Subdivision (fee	RD	RD	RD	RD	RD	RD	RD

	simple) for the creation of public reserves							
--	---	--	--	--	--	--	--	--

I528.5. Notification

- (1) Any application for resource consent for an activity listed in Table I528.4.1 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\(4\)](#).

I528.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct, except that the standards below replace the standards of [E38 Subdivision – Urban](#), [H3 Residential – Single House Zone](#), [H5 Residential – Mixed Housing Suburban Zone](#) and [H12 Business – Neighbourhood Centre Zone](#).

All activities listed in Table I528.4.1 must comply with the following permitted activity standards.

I528.6.1. Maximum yield

- (1) The total number of dwellings in the precinct must not exceed 600.

I528.6.2. Mix of dwellings

- (1) The mix of dwellings must not exceed the limits prescribed in Table I528.6.2.1 Maximum residential yield by development and subdivision type.

Table I528.6.2.1 Maximum residential yield by development and subdivision type

Residential development/subdivision type	Maximum percentage of dwellings
Type A (large lot)	60%
Type B (medium lot)	50%
Type C (small lot)	40%
Type D (cluster housing)	50%

- (2) The mix of dwellings constructed in each sub-precinct within Omaha South must not exceed the percentages prescribed in the Table I528.6.2.2 Mix of dwellings below:

Table I528.6.2.2 Mix of dwellings

Residential Development / Subdivision Type	Maximum percentage of household units in each Sub-precinct				
	A	B	C	D	E
Type A (Large Lot)	25%	50%	50%	50%	25%
Type B (Medium Lot)	25%	75%	75%	75%	50%
Type C (Small Lot)	75%	25%	0%	0%	0%
Type D (Cluster Housing)	50%	25%	25%	25%	75%

- (3) Residential or commercial subdivision and/or development must not be undertaken to the east (or seaward) of the dune protection area line defined on Omaha South: Precinct Plan 1.

I528.6.3. Archaeological sites

- (1) The recorded archaeological sites must not be disturbed, modified, altered or destroyed by development.
- (2) The recorded archaeological sites must be subject to protective covenants which attach to the Certificate of Title within which they are to be located. The covenants must prevent disturbance, modification, alteration or destruction of the archaeological sites. They must also require that all sites are appropriately demarcated (by way of vegetative planting and/or fences).

I528.6.4. Beach amenity protection line

- (1) Where public pedestrian access to Little Omaha Bay is to be provided across the fore dune, the points of access must be clearly defined upon any land use consent application lodged, and boardwalks or similar approved pathways must be constructed to provide the required access.

I528.6.5. Land disturbance

- (1) Land disturbance must be limited to those directly associated with:
- (a) the construction, maintenance and upgrading of public and network utilities and reserves, provided that, in the access reserve between sub-precincts D and E, the earthworks shall not result in any more than minor modification of the sand ridges present on the reserve;
 - (b) the construction of buildings or structures allowed as restricted discretionary or discretionary activities in Table I528.4.1 Activity table;
 - (c) the provision of vehicular access, parking and loading spaces to buildings, structures or activities allowed as restricted discretionary or discretionary activities in Table I528.4.1 Activity table; or
 - (d) excavation/construction of stormwater detention ponds and/or managed wetlands.

- (2) Any land disturbance conducted within the area that extends from the dune protection area line to a parallel line drawn 75 metres inland (or westward) of the dune protection area line as defined by the Omaha South: Precinct Plan 1 must:
 - (a) not extract sediment from within that area;
 - (b) not cover greater than 20m² (when added cumulatively) of any one site, at any one time.
- (3) Where land disturbance is conducted within the area that extends from the dune protection area line to a parallel line drawn 75 metres inland (or westward) of the dune protection area line as defined by the Omaha South: Precinct Plan 1, ground cover appropriate to the coastal environment shall be planted to reinstate the disturbed/modified area. The ground cover shall be planted in the planting season immediately following the completion of the land disturbance. The ground shall be protected from wind erosion in the intervening period between the land disturbance ceasing and the planting of the ground.

I528.6.6. Potable Water Supply

- (1) All potable water must be supplied using on site tanks. For the purposes of this rule, site tanks (rainwater tanks) shall be considered as buildings.
- (2) Where on site tanks are used to supply potable water, the following minimum storage capacities must be supplied:
 - (a) every retail, office or restaurant activity must have storage capacity equal to or exceeding 56.8m³ (or 12,500 gallons);
 - (b) where visitor accommodation is proposed, 68.16m³ (or 15,000 gallons) of storage must be provided for every building forming part of the complex which provides overnight accommodation;
 - (c) every dwelling must have storage capacity equal to or greater than:
 - (i) 22.72m³ (or 5,000 gallons) where the individual dwelling roof catchment does not exceed 100m²;
 - (ii) 45.44m³ (or 10,000 gallons) where the dwelling individual roof catchment is between 100m² and 200m²;
 - (iii) 68.16m³ (or 15,000 gallons) where the dwelling individual roof catchment exceeds 200m².

I528.6.7. Stormwater Disposal

- (1) On site soakage areas equal to or exceeding the following requirements must be provided where dwellings-are to be developed:
 - (a) an on-site soakage area of 21m² per dwelling must be provided in Type B subdivision/development;

(b) an on-site soakage area of 17m² per dwelling must be provided in Type C subdivision/development;

(c) an on-site soakage area of 10m² per dwelling must be provided in Type D subdivision/development;

This standard does not apply to dwellings in Sub-precinct E and those in the southern third (measured along the main access road frontage) of Sub-precinct D.

I528.6.8. Height

(1) Buildings or structures located within a lot which is crossed by, or to the east of the beach amenity protection line defined on the Omaha South: Precinct plan 1, must not exceed six metres in height.

(2) Buildings and structures located to the west of the beach amenity protection line must not exceed the height limits prescribed in Table I528.6.8.1 Maximum heights.

Table I528.6.8.1 Maximum Heights

Use	Maximum height except in Sub-precinct E	Maximum height in Sub-precinct E	Maximum height of the finished second floor level in Sub-precinct E
Type A	7.5m	7.5m	NA
Type B	7.5m	7.5m	NA
Type C	7.5m	7.5m	NA
Type D	7.5m	12m	7m
Buildings and structures accessory to Residential Uses	7m	5m	NA
Visitor Accommodation	7.5m	12m	7m
Retail	7.5m	7.5m	NA
Offices	7.5m	7.5m	NA
Restaurants	7.5m	7.5m	NA
Buildings and structures accessory to Commerce Uses	6m	6m	NA

I528.6.9. Yards

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table I528.6.9.1 Yards below.

(2) All yards must remain unobstructed by buildings except as provided for in Standard I528.6.9 (3)(a) and (b) below.

(3) The following can be built in any yard for Type A to Type D development:

PC 71 (see [Modifications](#))

- (a) decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.3 metres provided they do not prevent vehicular access to a required parking space; and
- (b) fascia, gutters, downpipes, eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sunblinds provided they do not encroach into the yard by more than 0.3 metres.

Table I528.6.9.1 Yards

Use	Front yard	Side yard	Rear yard
Type A	5m	5m	10m
Type B	7.5m	2m	7.5m
Type C	2.5m	1.5m	5m
Type D	7.5m	7.5m	7.5m
Buildings and structures accessory to Residential Use	5m	1.5m	1.5m
Visitor Accommodation	7.5m	7.5m	7.5m
Retail	Nil except where the site adjoins a residential sub-precinct where the yard must be 1m	Nil	5m
Offices		Nil except where the site adjoins a residential sub-precinct where the yard must be 1m	5m
Restaurants		Nil except where the site adjoins a residential sub-precinct where yard must be 5m	5m
Buildings and structures accessory to Commerce Use	1m	1m	5m

I528.6.10. Building coverage

- (1) The maximum building coverage for each site must not exceed the limits in Table I528.6.10.1 Building coverage. This includes accessory buildings on the site.

Table I528.6.10.1 Building coverage

Use	Maximum coverage
Type A	33%
Type B	30%
Type C	40%
Type D	40%
Visitor Accommodation	40%
Retail	70%

Offices	70%
Restaurants	70%

- (2) Buildings and structures accessory to Types A to D residential development/subdivision must have a gross floor area no greater than 60m².

I528.6.11. Floor Area Ratio

- (1) The maximum floor area ratio for each building must not exceed the limits in Table I528.6.11.1 Floor area ratio.

Table I528.6.11.1 Floor area ratio

Use	Maximum floor area ratio
Type A	1:0.37
Type B	1:0.40
Type C	1:0.50
Type D	1:0.45
Visitor Accommodation	1:0.5
Retail	1:1
Offices	1:1
Restaurants	1:1

I528.6.12. Building separation

- (1) All buildings in Type D (cluster housing) residential development/subdivision must be separated by a minimum of 5 metres from other buildings on the same site.
- (2) All visitor accommodation buildings must be separated by a minimum of 5 metres from other buildings on the same site.

I528.6.13. Outdoor living space and service areas

- (1) All ground floor dwellings in Type D (cluster housing) residential development/subdivision must have an outdoor living court greater than 20m² with minimum dimensions of 4 metres by 5 metres.
- (2) All ground floor dwellings in Type D (cluster housing) residential development/subdivision must have a service area greater than 15m² with minimum dimensions of 5 metres by 2 metres.
- (3) All first floor dwellings in Type D (cluster housing) residential development/subdivision must contain a balcony greater than 6m² with minimum dimensions of 3 metres by 2 metres.

I528.6.14. Maximum dwellings per building

I528 Omaha South Precinct

- (1) Each building may contain a maximum number of dwellings as set out in Table I528.6.14.1 Maximum dwellings per building

Table I528.6.14.1 Maximum dwellings per building

Use	Maximum dwellings per building
Type A	1
Type B	1
Type C	1
Type D	6
Visitor accommodation	6

I528.6.15. Density

- (1) Each site may contain a maximum number of dwellings or activities as set out in Table I528.6.15.1 Maximum density

Table I528.6.15.1 Maximum density

Use	Maximum density per site
Type A	1
Type B	1
Type C	1
Type D	1 per 300m ² of fee simple parent title
Retail	1
Offices	1
Restaurants	1

I528.6.16. Separation from utilities

- (1) All Type A to Type D residential development/subdivision buildings must be set back a minimum of 1 metre from any underground private/public network utilities excluding household connections.

I528.6.17. Screening

- (1) For all visitor accommodation, retail, office and restaurant activities a 1.8 metre high solid fence must surround all service areas.

I528.6.18. Verandahs

- (1) For all retail, office and restaurant activities a verandah a 2.5 metre wide verandah, 3 metres above the footpath must be provided where the building has a continuous frontage to a formed legal road.

I528.6.19. Subdivision site area and frontage

- (1) The minimum site area and minimum frontage for fee simple subdivision must be as set out in the Table I528.6.19.1 Site area and frontage.

Table I528.6.19.1 Site area and frontage

Use	Minimum site area	Minimum frontage on front or corner sites
Type A	1100m ²	15m
Type B	600m ²	10m
Type C	450m ²	7.5m
Type D	1800m ²	20m
Visitor Accommodation	1800m ²	20m
Retail	400m ²	6m
Offices	400m ²	6m
Restaurants	400m ²	6m

I528.6.20. Subdivision shape factor

- (1) The minimum shape factor for fee simple subdivision must be as set out in the Table I528.6.20.1 Shape factor.

Table I528.6.20.1 Shape factor

Use	Minimum shape factor
Type A	15m by 15m square
Type B	15m by 15m square
Type C	10m by 10m square

I528.6.21. Recreation use height

- (1) Recreation buildings must not exceed the heights specified in Table I528.6.21.1 Maximum heights.

Table I528.6.21.1 Maximum Heights

	Public toilets and changing facilities	Walkways and beachwalks	Amenity, observation and viewing areas	Buildings and structures accessory to recreation activities	Surf Lifesaving towers
Maximum height	6m	1.2m	6m	4m	8m

I528.6.22. Recreation use gross floor area

- (1) Recreation buildings must not exceed the maximum gross floor area as specified in Table I528.6.22.1 Recreation use maximum gross floor area

Table I528.6.22.1 Recreation use maximum gross floor area

	Public toilets and changing facilities	Amenity, observation and viewing areas	Buildings and structures accessory to recreation activities	Surf Lifesaving towers
Maximum gross floor area	25m ²	25m ²	60m ²	15m ²

I528.6.23. Recreation use subdivision

(1) The minimum site area for open space zoned land is as specified in Table I528.6.22.1 Recreation use subdivision standards

Table I528.6.23.1. Recreation use subdivision standards

Use	Minimum site area	Minimum frontage on front or corner sites
Access reserve development area	2000m ²	10m
Neighbourhood reserve development area	2000m ²	30m

I528.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I528.8. Assessment – restricted discretionary activities**I528.8.1. 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 applications requiring restricted discretionary activity consent:
 - (a) The effect of any proposed land uses on:
 - (i) the continued existence, functioning and resilience of the natural processes within Little Omaha Bay;
 - (ii) the continued existence and growth of ecosystems, habitats and species both within the zoned area, and upon land immediately adjacent to the Omaha South precinct zone;
 - (iii) the groundwater aquifer and its role in supporting the continued survival of the kahikatea forest/wetland;
 - (iv) the level of visual amenity apparent within the vicinity of the sub-precinct being developed and/or subdivided;
 - (v) existing recreational activities conducted within Omaha North and Little Omaha Bay;
 - (vi) the existing and proposed networks of infrastructure, including but not limited to, the roading, stormwater collection/reticulation and

discharge, sewage reticulation/treatment and discharge, telecommunications and electricity supply networks; and

(vii) any existing natural hazards, particularly the manner in which they could effect existing development and landforms;

- (b) the design and location of buildings;
- (c) the provision and design of all reserves and public open spaces provided for within the sub-precinct;
- (d) the design, specification and method of construction of all infrastructure networks (which includes both public and network utilities);
- (e) the capacity of the Omaha Sewage Treatment Plant and the effluent disposal system, and their ability to cater for the increased volumes of sewage generated by the development proposed;
- (f) the number, location and design of all vehicle, car parking and loading facilities;
- (g) the amount of earthworks undertaken on site, and the options employed in the disposal and placement of cut and fill;
- (h) the measures required to remedy or mitigate any potential adverse environmental effects;
- (i) the location of proposed buildings and the potential effect of known natural hazards of these buildings; and
- (j) for subdivision consents only - the shape, size and finished contour of all new lots being created.

PC 71 ([see Modifications](#))

[new text to be inserted]

PC 71 ([see Modifications](#))

I528.8.2. Assessment criteria

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

- (1) all applications requiring restricted discretionary activity consent:
 - (a) whether the proposal is consistent with the precinct description;
 - (b) whether the proposal is consistent with the Omaha South: Precinct Plan 1;
 - (c) the extent to which the proposal is consistent with the Standards for the precinct and the Auckland-wide provisions in Chapter E;
 - (d) whether the development and/or subdivision proposed will enable the objectives and policies for the precinct to be achieved;

- (e) whether access and servicing involve no more than minor earthworks and whether any adverse effects of providing access and servicing are remedied or mitigated;
- (f) whether land uses detract from the ability of the natural dune system to buffer Omaha South from events of coastal erosion;
- (g) whether buildings and structures adversely affect the natural quality or functioning of the coast (including the fore dune system);
- (h) whether proposed land uses and subdivisions adversely affect the groundwater aquifer;
- (i) whether all developments and subdivisions avoid natural and physical resources of cultural, ecological, landscape, natural character or visual significance. Where avoidance is not possible, any adverse environmental effects shall be minimised through the adoption and implementation of mitigation measures;
- (j) whether land uses will place an undue burden on public services to the extent that adverse environmental effects will result;
- (k) whether any proposed land uses and/or subdivisions include the provision of all services, infrastructure and utilities necessary to manage the environmental effects, or alternatively demonstrate how the necessary services, infrastructure and utilities are able to be provided in time to manage the environmental effects;
- (l) whether any proposed land uses and/or subdivision detrimentally affect the safe and efficient operation of any public road;
- (m) whether stormwater capture, treatment and disposal occur, where practicable, in a manner that sees the treated water discharged in close proximity to where it falls (the intention being to maintain the levels of the Omaha groundwater aquifer at their 1998 levels);
- (n) whether the technical investigation into, and the ongoing monitoring of the groundwater aquifer under Omaha South indicates that the proposed development is likely to have, or is having a significant adverse effect on it; and
- (o) where an application relates to a site where a sub-precinct consent has been granted, whether the subdivision or land use is generally consistent with the sub-precinct consent or has adverse effects upon the pattern of subdivision and development that has been approved.

I528.9. Special information requirements

There are no special information requirements in this precinct.

I528.10. Precinct plans

I528.10.1 Omaha South: Precinct plan 1



I550. Millwater South Precinct

I550.1. Precinct Description

The Millwater South precinct is located northwest of the original Silverdale town centre and applies to approximately 51 ha of land bounded by Wainui Road to the south and west, Manuel Road to the east and Grut Greens to the north. It is part of the wider Millwater residential area. It is characterised by a steep north east facing horseshoe shaped valley with views of Orewa and the coast from the higher areas.

The purpose of the precinct is to ensure that the development is carried out in an integrated way and that the urban form is consistent with the rest of the already developed Millwater area to the north. The precinct enables more intensive development than the underlying Single House zone and enables a mix of housing densities. The rules also apply a consistent approach to the development controls under which the rest of the Millwater area was developed.

The zoning of the land in the Millwater South precinct is Residential - Single House zone.

I550.2. Objectives

- (1) Subdivision and development are designed and implemented in a comprehensive, efficient and integrated manner.
- (2) Open space and land for community facilities are identified.
- (3) Significant views from public places are protected.
- (4) High standards of urban design are achieved including distinctive architectural styles, attractive landscaping and the use of colours and materials that will not dominate the landscape setting or compromise character of the streetscape or neighbourhood in which they are located.
- (5) A range of housing types, densities and site sizes are provided in the precinct.

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

I550.3. Policies

- (1) Enable flexibility to develop a range of housing sizes, types and densities throughout the precinct.
- (2) Encourage higher densities around public open space.
- (3) Require and protect sunlight access to proposed and existing private outdoor living spaces to ensure they receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (4) Require development of two or more dwellings to achieve the following outcomes:
 - (a) a high standard of architectural design;
 - (b) buildings that are well proportioned and articulated;

- (c) landscaping that will reduce the appearance of building bulk and mass;
 - (d) a high standard of amenity including provision for and protection of privacy and solar access to private outdoor living spaces.
- (5) Discourage subdivision that creates rear sites.
- (6) Require that buildings and structures in the Subject to Building Restrictions area in the Millwater South I550.10.1 Precinct plan 1 do not obscure significant view shafts when viewed from identified public places.

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

I550.4. Activity table

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

Table I550.4.1 Activity table, specifies the activity status of land use, development and subdivision activities in the Millwater South Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

Table I550.4.1 Millwater South Precinct

Activity		Activity status
Use		
Accommodation		
(A1)	Two dwellings on a site	P
(A2)	Three or more dwellings on a site	RD

I550.5. Notification

- (1) Any application for resource consent for an activity listed in Table I550.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

I550.6. Standards

The standards applicable to the zone, overlays and Auckland-wide apply in this precinct unless otherwise specified below.

All activities listed as permitted or restricted discretionary in Table I550.4.1 Activity table must comply with the following standards.

Development that does not comply with clauses I550.6.1 and I550.6.7 is a discretionary activity unless otherwise specified.

I550.6.1. Activities

(1) Densities are those allowed in the Residential - Single House zone except for the following:

(a) The number of dwellings on a site must not exceed the limits specified in Table I550.6.1.1 below:

Table I550.6.1.1

Density – site size per dwelling	Percentage of dwellings in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

(b) Where two dwellings are proposed on a site, each dwelling must front a street.

(c) Where two to four dwellings are proposed on a site, the site must be at least 15m wide:

- (i) at the site frontage; and
- (ii) for at least 80 per cent of the length of its side boundaries.

(d) Where five or more dwellings are proposed on a site, the site:

- (i) has a minimum net site area of 1200m²; and
- (ii) is at least 20m wide:
 - at the site frontage;
 - for at least 80 per cent of the length of its side boundaries.

I550.6.2. Height

(1) Buildings must not exceed a height of 9m.

I550.6.3. Side and Rear Yards

(1) Buildings must be set back:

- (a) 3m from one side yard;
- (b) 1m from any other side yard except where a wall is located on a boundary as provided for in clause [H3.6.8.2](#) in the Residential - Single House zone; and

- (c) 3m from rear yard, or for rear sites, 3m for one rear yard and 1m for any other rear yard.

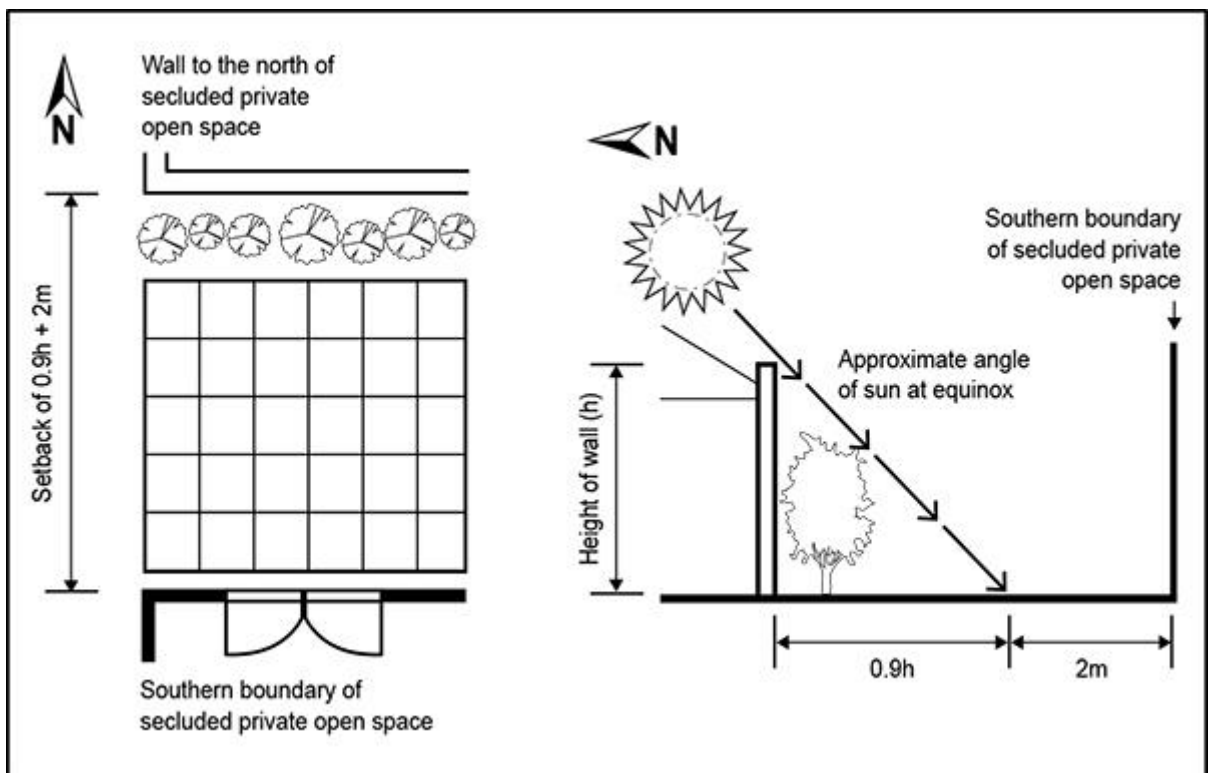
I550.6.4. Private outdoor living space

- (1) For sites less than 450m², the Residential - Mixed Housing Suburban zone standards apply.
- (2) In applying the Residential – Mixed Housing Suburban standard for outdoor living space, rainwater tanks shall be considered as ‘buildings’.

I550.6.5. Sunlight access to the private outdoor living space of proposed and existing dwellings

- (1) Private outdoor living space must be located to receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (2) A wall, or building or rainwater tank on a side or rear boundary allowed by clause [H3.6.8.2](#) in the Residential - Single House zone must not reduce sunlight to the private outdoor living space of another dwelling to less than five hours between 9am and 3pm on 22 March/September. The private outdoor living space of another dwelling is deemed to be any area behind the front facade of the dwelling that contains a square measuring at least 4.5m by 4.5m. If existing sunlight to the private outdoor living space of another dwelling is already less than required by this rule, the amount of sunlight must not be further reduced.
- (3) The southern boundary of any private outdoor living space must be set back from a wall on the north of the space at least $(2 + 0.9h)$ metres, where ‘h’ is the height of the wall (Refer Figure I550.6.5.1).

Figure I550.6.5.1: Sunlight access to private outdoor living space



I550.6.6. Additional controls for sites 450m² to 650m²

I550.6.6.1. Height in relation to boundary

- (1) No part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and any site boundary, except a front boundary, and except that on side boundaries within 14m of the road frontage, the maximum height of a building shall not exceed a height equal to 5m plus the horizontal distance between that part of the building and the side boundary.
- (2) This rule shall not apply to:
 - (a) chimneys, radio and television aerials, domestic satellite dishes less than 1m in diameter;
 - (b) the apex of any roof or gable end not exceeding 1m² in area;
 - (c) dormers not exceeding 2m in width (not more than two per building facing the same boundary); and
 - (d) those parts of buildings that share a common wall on a site boundary.
- (3) Where a site boundary adjoins a site in the precinct with a site size of 650m² or greater that is not part of a multi-unit development then rule [H3.6.7.6 Residential - Single House height in relation to boundary](#) shall apply to that boundary.

I550.6.6.2. Yards

Table I550.6.6.2.1 Yards

Yard	Dimension
Front	3m
Side	One yard of 1m and one yard of 3m
Rear	See I550.6.6.3 below

Front Yards: The siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.

Notwithstanding the above, the following additional rules also apply:

- (1) Bay windows, steps, verandas, porches and balconies may protrude into the 3m maximum front yard but shall not be closer than 1.5m to the front boundary;

- (2) No fence, wall, or screen located within the front yard may exceed 0.8m in height; and
- (3) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary.

I550.6.6.3. Rear Yards/Open Space

- (1) The minimum rear yards dimensions must be as follows;
 - (a) For sites accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (b) For sites accessed from street frontages oriented between SW (225°) and SE (135°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site must be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (c) For sites accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW (225°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.

I550.6.6.4. Building Frontages

- (1) The total area of all attached or detached garages doors or the open façade of a carport fronting the street shall not occupy more than 35 per cent of the building frontage which excludes:
 - (a) Any vertical faces that are located more than 3m to the rear of the garage door; and
 - (b) Any roof.

I550.6.7. Additional controls for two or more dwellings

- (1) The Residential - Mixed Housing Suburban zone standards, except for building height, apply where two or more dwellings are proposed on a site.

I550.6.8. View Protection

- (1) Buildings and structures (including a parapet, chimney, communication device, tank or building services component, ornamental tower or lift tower) on any land identified within the view shafts shown on Precinct Plan 1 must not exceed the height limits specified in the standards for the underlying zone.
- (2) Development that does not comply with clause I550.6.8(1) above is a non-complying activity.

I550.6.9. Subdivision

I550.6.9.1. General

- (1) The following subdivision controls apply.
- (2) Site sizes must comply with the net site area specified in Table I550.6.9.1.1 below:

Table I550.6.9.1.1 Minimum net site size

Site size per dwelling	Percentage of sites in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

- (3) All residential sites must have:
 - (a) a minimum frontage and access of 6m; and
 - (b) a minimum 0.5m landscaped strip on each side of a carriageway within a jointly owned accessway or right of way.

I550.7. Assessment – controlled activities

There are no controlled activities in the precinct.

I550.8. Assessment – restricted discretionary activities

I550.8.1. Matters of discretion

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

matters specified for the relevant restricted discretionary land use activities in the overlay, Auckland-wide or zone provisions:

- (1) Three or more dwellings on a site
Development generally in accordance with I550.10.1 Millwater South Precinct Plan 1:
 - (a) the effect of the siting, scale, form, design, appearance of development and landscaping of buildings and development on the amenity and character of the area;
 - (b) the effects of development on sunlight access to outdoor living space; and
 - (c) the effects of development on views as identified by the view shafts in Precinct Plan 1.

I550.8.2. Assessment criteria

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

- (1) Three or more dwellings on a site
 - (a) The extent to which landscaping and planting enhances the amenity values and character of the streetscape and surrounding area and mitigates the visual effects of building and development.
 - (b) The extent to which the location and height of any buildings or structures within the view shafts identified in Precinct Plan I550.10.1 obscure views to features or public places protected by the relevant view shaft.
 - (c) The extent to which the construction, additions, alterations or the relocation of any buildings should be developed and landscaped to comply with policy I550.3(4).
 - (d) The extent to which the bulk, shape and design of buildings:
 - (i) is consistent with the buildings in the neighbourhood;
 - (ii) adversely affects public enjoyment of public open space, including the street; and
 - (iii) adversely affects the provision of landscaping on the site, on neighbouring sites or on the street.
 - (e) The extent to which the setback of a building from a side or rear boundary allows for the efficient use of the site while respecting the character of the neighbourhood and the amenity of adjacent sites.
 - (f) The extent to which the location of buildings:
 - (i) results in significant shading effects;

- (ii) results in a significant reduction in visual and/or aural privacy;
 - (iii) results in significant adverse visual impacts;
 - (iv) adversely affects the safe and efficient operation, including maintenance, of any utility or network utility; and
 - (v) adversely affects practical access to the rear of the site.
- (g) The extent to which additional building coverage compromises the character of the streetscape and surrounding neighbourhood and whether any effects are off-set by additional landscaping.
- (h) The extent to which garage(s) dominate the street frontage.
- (i) The extent to which street frontages of dwellings provide potential for surveillance of the street.
- (j) The extent to which private outdoor living space is located on the north side of the dwelling , and if not, whether it is oriented to the side or rear of the dwelling to maximise solar access and avoid unreasonable overshadowing from a wall on its northern boundary. Consideration will also be given to:
- (i) whether the private outdoor living space receives adequate levels of sunlight;
 - (ii) the usability and amenity of the private outdoor living space based on the sunlight it will receive; and
 - (iii) whether the private outdoor living space is directly accessible to and part of the associated dwelling.
- (k) The extent to which the location of any wall on a boundary unreasonably overshadows any north facing windows or the private outdoor living space of any adjacent property.

I550.9. Special information requirements

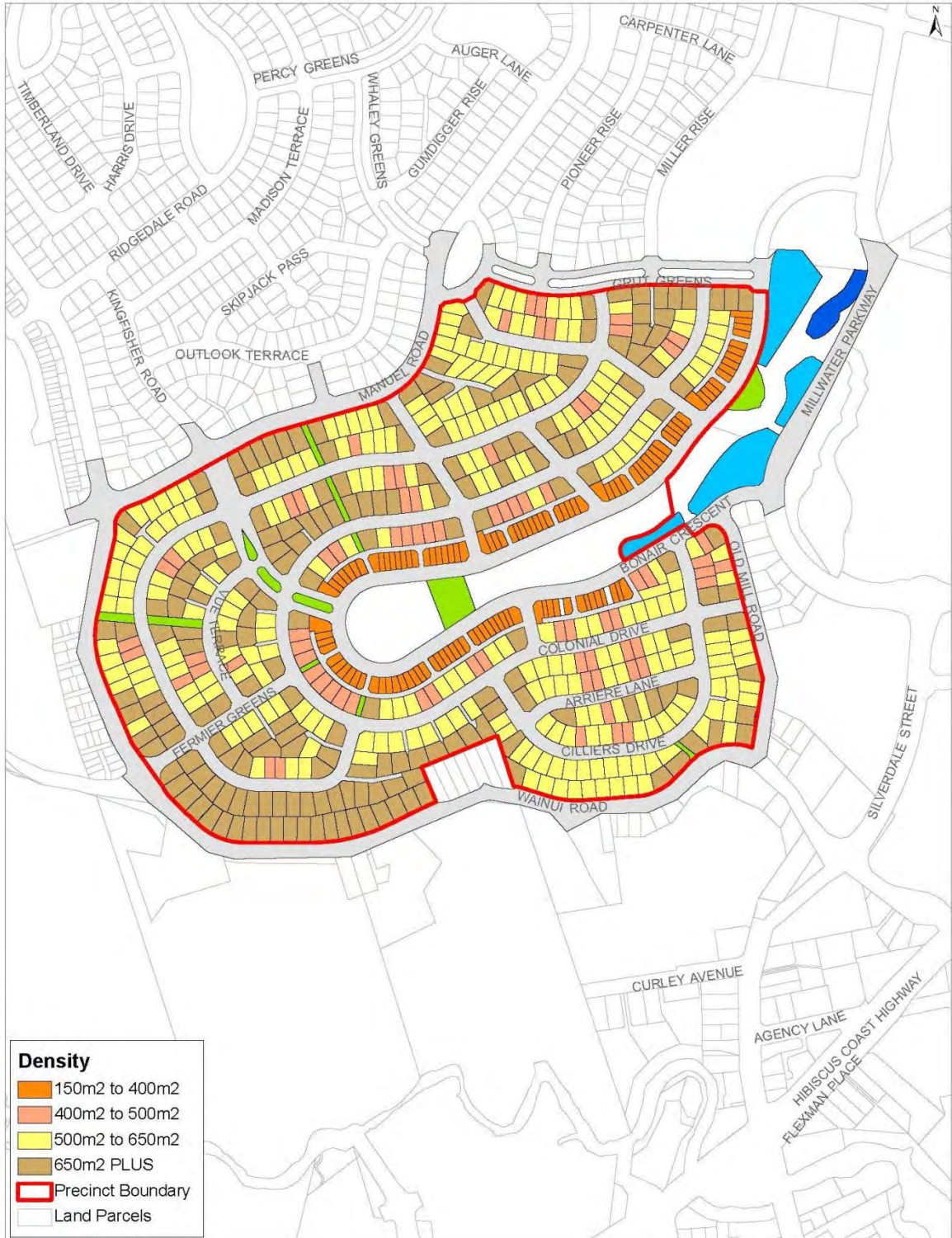
An application for the following activities must be accompanied by the following additional information to that required in the underlying zone required to address the matters for discretion.

Buildings, and alterations and additions to buildings, and subdivision must provide the following information:

- (1) Where three or more dwellings are proposed a design statement equivalent to that required for more than five dwellings in the Mixed Housing Suburban zone must be prepared in accordance with the Special Information requirements of the residential zones (refer to Chapter I clause 12).

I550.10. Precinct plans

I550.10.1. Precinct Plan 1: Millwater South Precinct



6.35 Drury 1

Precinct description

The precinct has an area of 167.67 ha and is bordered by Drury Creek in the north, southern motorway to the east SH22 (Karaka road) to the south and Jesmond road to the west. The site is gently rolling terrain, with coastal frontage to the upper estuary reach of Drury Creek. Two permanent watercourses run through the land, both originating within the site and flowing north towards the coastal edge. The Precinct Plan 1 area applies to the original 84.62 ha of the Precinct. The Precinct Plan 2 area applies to an extension of 83.05 ha.

It incorporates the provisions of the precinct plan and includes the development of a local centre with opportunities for intensive residential development.

Policy 14 allows for consideration of biodiversity offsets and ecological compensation for unavoidable impacts arising from development on natural resources, where this is directed to the Drury Creek Islands Recreation Reserve (DCIRR). The matters in Policy 14 can provide subsequent considerations to the provisions of E3, E1, E15 and Appendix 8 of the Auckland Unitary Plan, which address the circumstances in which residual adverse effects on natural resources that cannot be avoided, remedied or mitigated may be offset.

The transport provisions for Precinct Plan 2 recognise that Auckland Transport and the NZ Transport Agency have not yet completed planning the strategic transport network for the wider Drury area including the Future Urban zones to the west and south of the Drury 1 Precinct. The precinct provisions recognise and support future strategic transport connections which may be required to and through the precinct - in particular Jesmond Road and the new east-west road (Future Collector Road (New)).

The Jesmond Road / SH 22 intersection upgrade is required prior to development in Precinct Plan 2. Other transport infrastructure upgrades outside of the precinct have not been prescribed in the same manner. However the Precinct recognises the potential for adverse traffic effects at five identified intersections and the Norrie Road one way bridge. Those effects will be assessed at the time of subdivision applications and required upgrades or other mitigation determined at that time. Refer to planning maps for the location and extent of the precinct. The following underlying zones apply to the precinct:

- Residential - Mixed Housing Suburban
- Residential - Mixed Housing Urban
- Residential - Terrace Housing and Apartment Building
- Business - Local Centre

Objectives

The objectives are as listed in the relevant underlying zones and Auckland wide provisions, except as specified below:

1. An integrated, more intensive residential environment which has high levels of amenity, allows for a range of housing densities and typologies and incorporates opportunities for a local centre.
2. A well connected roading layout that supports a range of travel modes, provides a strong definition of public spaces, legible and safe urban road pattern and clear differentiation between the private and public realm.
3. Ecology is maintained and enhanced through riparian margin re-planting at the time of development, building set-backs and landscaping.
4. Buildings are developed in an intensive manner, reflecting an urban character and amenity with clear definition of public fronts where buildings are massed, and private back yards that are predominantly open (excluding rear lane accessed garaging).

5. Stormwater runoff is managed to enable the maintenance and enhancement of natural waterways and water quality.
6. Subdivision, land use and development in the precinct will not adversely impact on the safe and efficient operation of the National Grid.
7. To promote availability of affordable housing to first home buyers and/or Community Housing Providers.

Precinct Plan 2

8. Subdivision and development is coordinated with the delivery of infrastructure required to service the Precinct, connect it to the wider network and manage its effects, including transport, wastewater, stormwater and water services.
9. Infrastructure serving the Precinct is funded and implemented in an integrated and coordinated manner.
10. Subdivision and development occurs in way that does not compromise the ability to provide efficient and effective strategic transport connections to and through the precinct to serve future urban growth in the wider Drury area.

Policies

The policies are as listed in the relevant underlying zones and Auckland wide provisions except as specified below:

1. Enable and support an intensive urban form and character defined by:
 - a. establishing a local centre within a walkable pedestrian focused environment and focus retail and commercial development in this centre
 - b. providing a clear definition between public and private spaces, including roads and public open space.
 - c. opportunities for convenient, comfortable and safe interaction at the public / private road boundary interface through the enablement of low-height, visually open porch structures extending into the front yard setback.
 - d. an urban built form that encourages higher density, intensive and massing towards the road frontage and side boundaries of sites, with less development within the rear yards.
 - e. provision of a medium density built form along the northern coastal edge of the precinct.
 - f. a reliance on high quality and safe interconnected roads and public open spaces in preference to larger private outdoor spaces
2. Enable high density residential development (including smaller vacant sites and integrated residential developments), particularly in close proximity to the local centre, collector roads and public open spaces.
3. Maximise vehicular, cycling and pedestrian connectivity and permeability of the road network wherever possible.
4. Encourage roads to form urban blocks and to front public open spaces.
5. Require residential development within urban blocks to:
 - a. conform to a perimeter block pattern of development where buildings are massed towards the road and provide front building façades to the road
 - b. generally provide vacant site that have narrower frontages than their depth
 - c. ensure there is sufficient space between the rear of opposing dwellings to provide privacy and back yards for outdoor living
 - d. maintain reasonable solar access to rear yards
 - e. avoid driveway crossings to shared paths and dedicated cycle lanes, utilising access from side roads, access lots or rear lanes
 - f. generally avoid rear lots

6. Control road façade elements to ensure dwellings relate to the road, including presence of a front door, sufficient glazing, ability to establish verandas / porches, landscaping provision, fencing heights and the control of garage in proportion to the façade.

7. Enable the development of rear lanes, including opportunities for rear garaging and habitable areas above the garage, especially where lot or dwelling frontage widths are narrow.

8. Require on-site management, or for higher density development private communal management of stormwater runoff from impervious areas. Stormwater from roads should generally be managed within the road corridors.

9. Require native riparian planting along waterways.

10. Avoid adverse effects of subdivision, land use and development on the National Grid line by ensuring that:

- a. appropriate buffer distances for managing subdivision, land use and development are provided
- b. sensitive activities, buildings and most structures are excluded from establishing within 12m of the centreline of a National Grid transmission line and within 12m of a National Grid support structure; and
- c. subdivision, land use and development is managed around the National Grid line to ensure that future activities, buildings and development do not restrict the operation, maintenance, upgrading and development of the National Grid line.

11. Utilise the National Grid corridor for road or open space networks where practicable, provided that they are designed and located to avoid adverse effects on the operation, maintenance, upgrading and development of the National Grid lines.

12. For new residential developments containing 15 or more dwellings, or involving the creation of 15 or more vacant sites, require either:

- a. 10 percent of new dwellings to be relative affordable, with the purchase price to be set relative to the median house price in the Auckland region and sold to first home buyers and owned for at least three years; or
- b. 5 percent to be retained affordable, with the purchase price to be set relative to the median household income in Auckland region and sold to Community Housing providers or Housing New Zealand and owned for long term retention.

13. New residential developments containing 15 or more dwellings/sites provide for affordable housing that is distributed throughout the development.

14. Following assessment under the provisions of E1, E3, E15 and Appendix 8, where offsets or compensation are proposed to address residual adverse effects on natural resources that cannot be avoided, remedied or mitigated, consideration may be given to the local restoration opportunity and the multiple ecosystem benefits which could be achieved by directing the offsets or compensation to the Drury Creek Islands Recreation Reserve. Where any such offset or compensation is proposed, it should contain an assessment of the ecosystem values lost or degraded within the precinct and gained on the Drury Creek Islands Recreation Reserve.

Precinct Plan 2

15. Require subdivision and development to coordinate infrastructure design, funding and implementation.

16. Ensure subdivision and development is designed and implemented to meet the foreseeable transportation needs of residents within the Precinct by providing and upgrading infrastructure.

17. Manage the adverse traffic effects of subdivision and development on the following parts of the transport network:

- intersection of State Highway 22 and Jesmond Road
- intersection of Great South Road / Firth Street,

- intersection of Firth Street / Norrie Road,
- intersection of Great South Road / Norrie Road / Waihoehoe Road,
- intersection of Great South Road / Karaka Road (SH22),
- intersection of Victoria Street / SH22, and
- the Norrie Road One-Way Bridge.

18. Require subdivision to implement the collector roads and provide for the strategic transport connections by means of the Future Collector Road (New) and Collector Road (Possible Future Arterial Road) shown on Precinct Plan 2.

Precinct rules

The activities, controls and assessment criteria in the underlying Residential - Mixed Housing Suburban zone, Residential - Mixed Housing Urban zone, Residential - Terrace Housing and Apartment Buildings zone, Business - Local Centre zone, Auckland-wide rules and overlays apply in the precinct unless otherwise specified below. Refer to the Precinct Planning Map for the location and extent of the underlying zones.

1. Activity Table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically provided for by a rule in Activity Tables A1.1, 1.1, 1.2, and 1.3 below.

A1.1 All Zones

Table A1.1 Activity table: All zones

Activity		Activity status
(A1)	Residential activities that do not comply with any clause within Standard 2.2 Affordable Housing	D

1.1 Residential Zones

Table 1.1 Activity table: Residential zones

Activity		Activity status
Residential		
(A2)	Integrated Residential Developments	RD
(A2A)	Integrated Residential Developments that do not comply with Standard 6.3.1(d)	D
(A3)	Dwellings that do not comply with Standard 2.1 Density	D
(A4)	Activities that do not comply with Standard 4.12 or 5.12	D
Commerce		
(A5)	Show home	P
(A6)	Retail in the Terrace Housing and Apartment Buildings zone	NC
Infrastructure		
(A7)	Overhead electricity lines (a single circuit) up to and including 110kV. Within areas of the Road and Unformed Road this activity shall have the same status as the adjacent Residential zone	P
On-site stormwater management (dwellings and impervious areas excluding roads)		
(A8)	Impervious areas (excluding roads) of less than or equal to 50m ² within a site	P

(A9)	Impervious areas (excluding roads) greater than 50m ² within a site that meet hydrology mitigation requirements in the relevant precinct rules below	P
(A10)	Communal stormwater device(s) located within common land serving two or more dwellings that meet hydrology mitigation requirements in the relevant precinct rules below	C
(A11)	Impervious areas unable to comply with the activity controls	RD

1.2 Local Centre Zone

Table 1.2 Activity table: Local Centre Zone

Activity		Activity Status
On-site stormwater management (dwellings and impervious areas excluding roads)		
(A12)	Impervious areas (excluding roads) of less than or equal to 50m ² within a site	P
(A13)	Impervious areas (excluding roads) greater than 50m ² within a site that meet hydrology mitigation requirements in the relevant precinct rules below	P
(A14)	Impervious areas unable to comply with the activity controls	RD
(A15)	Communal stormwater device(s) located within common land serving two or more buildings that meet hydrology mitigation requirements in the relevant precinct rules below	C

1.3 Subdivision

Table 1.3 Activity table: Subdivision

Subdivision Activity		Activity Status
(A16)	Subdivision in accordance with the precinct plan	RD
(A17)	Subdivision not in accordance with the precinct plan	D
(A18)	Subdivision of sites in accordance with an approved land use consent or a concurrent subdivision and land-use consent	RD
(A19)	Subdivision not complying with Standards 6.1 – 6.6, or 6.8	D
(A20)	Subdivision creating a rear site or sites	NC
(A21)	Subdivision creating a cul-de-sac, except staged road construction as part of a staged subdivision or balance site	NC
(A22)	Subdivision not complying with Standard 6.3(1)(d)(ii) (but otherwise complying with Standards 6.1 – 6.6 or 6.8)	RD

2. Land use controls – residential zones

The relevant overlay, Auckland-wide and zone standards apply in the precinct, except as specified below.

2.1 Density

1. The number of dwellings on a site must not exceed the limits specified below in Table 2.1.1:

Table 2.1.1 Density

Zone	Density
Residential - Mixed Housing Suburban	Maximum allowable average density of 200m ² per dwelling where the requirements of rule 2.1.2 below are met
Residential - Mixed Housing Urban	No density limits apply where four or more dwellings are proposed and the requirements of rule 2.1.3 below are met
Residential - Terrace Housing and Apartment Buildings	No density limits apply

2. Within the Residential - Mixed Housing Suburban zone the site:

- a. has a minimum net parent site area of 1000m²
- b. is at least 20m wide at the frontage of the site.

3. Within the Residential - Mixed Housing Urban zone the site:

- a. has a minimum net parent site area of 1000m²
- b. is at least 20m wide at the frontage of the site.

4. *[deleted]*

2.2 Affordable Housing

Purpose: To ensure that the precinct contains affordable housing to help address Auckland's housing affordability needs.

A. General Controls

1. New residential developments containing 15 or more dwellings/vacant sites must provide for affordable dwellings/ vacant sites that are either (B) relative affordable or (C) retained affordable that will meet the requirements of clauses 2-8 below.

2. All resource consent applications requiring the provision of affordable dwellings/vacant sites must be accompanied by details of the location, number and percentage of relative and/or retained affordable dwellings/vacant sites.

3. Affordable dwellings/vacant sites must be spread throughout the development, with no more than six in any one cluster.

4. For staged developments, a proportionate number of affordable dwellings and/or vacant sites must be provided at each respective stage on a pro rata basis and spread throughout the development in accordance with clause 3 above.

5. For apartments, no more than one-third of the total number of identified affordable dwellings shall be located on a single building level/storey, unless the development is two levels, in which case no more than half of the identified affordable dwellings shall be located on a single building level.

6. If the calculation of the percentage of dwellings (and/or vacant sites) that must be affordable dwellings (and/or vacant sites) results in a fractional dwelling (or vacant site) of one-half or more, that fraction is counted as 1 dwelling (or vacant site), and any lesser fraction may be disregarded.

7. For avoidance of doubt, the land use rules do not apply to resource consent applications processed under the Housing Accords and Special Housing Areas Act 2013 (HASHAA) as the provisions specified within the relevant Order in Council amendment to that Act apply. The above provisions apply to consents that are not processed under HASHAA.

8. *[deleted]*

B. Relative Affordable

Number of Relative Affordable Dwellings or Sites

Purpose: To ensure that the precinct contains price relative affordable housing available to first home buyers to help address Auckland's housing affordability needs.

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 10 percent of the total number of dwellings/vacant sites must be relative affordable and meet the following criteria:

a. the price at which a dwelling may be sold does not exceed 75 percent of the Auckland region median house price (calculated as an average of three calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) that is published by the Real Estate Institute of New Zealand.

b. if the application is for a subdivision consent, the applicant must identify the sites of the subdivision allocated for the building of relative affordable dwellings and must specify the mechanism (consent notice for example) for ensuring that the combined value of the building and the land upon completion will meet that criterion or is a building associated with such a dwelling.

c. Dwellings must be sold to first home buyers who must reside in the dwelling and retain ownership for three years from the date of first transfer. Any dwellings built on vacant sites identified for affordable housing must be sold to first home buyers who must reside in the dwelling and retain ownership for three years from the date of transfer.

Eligibility for Relative Affordable Housing

Purpose: To ensure relative affordable housing is purchased by appropriate persons

1. Prior to the first transfer of affordable dwellings (including new dwellings that have never been occupied and are built on vacant sites that are identified for affordable dwellings), the consent holder must provide to council a statutory declaration that confirms the sale complies with the following eligibility requirements:

a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.

b. the consent holder has sold the dwelling (and any associated parking that is required by resource consent and storage) at a price which is not more than that defined by the 75 percent median price in accordance with clause 1(a) above.

c. the purchaser is a first home buyer and has never owned any other real property.

d. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.

2. Prior to the transfer of a vacant site identified for affordable dwellings, the purchaser must be made aware of the consent notice mechanism required to ensure any building built on the site is a dwelling that will meet the relative affordable criteria in 1 above or is a building associated with such a dwelling.

3. Prior to the transfer of a vacant site identified for an affordable dwelling to a purchaser that intends to develop, own and occupy the affordable dwelling themselves, the consent holder must provide to council a statutory declaration executed by the intended purchaser that confirms the sale complies with the following eligibility requirements:

a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.

b. any development of the site must be such that the combined value of the dwelling and the land upon completion, as confirmed by a valuation carried out by a registered valuer, must be no more than that defined by the 75 percent median price in accordance with clause 1(a) above.

c. the purchaser intends to own and occupy the affordable dwelling exclusively as their residence for no less than three years from the date of purchase.

d. the purchaser is a first home buyer and has never owned any other real property.

e. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in

the name of any other person or entity.

4. A consent notice must be placed on the computer freehold register for the respective affordable dwellings/vacant sites requiring the above eligibility criteria be met for three years from the date of the transfer to the eligible purchaser.

5. *[deleted]*

C. Retained Affordable

Eligibility for Retained Affordable Housing

Purpose: To ensure that the precinct contains income related retained affordable housing to help address Auckland's housing affordability needs and to ensure retained housing is appropriately managed by Community Housing Providers to achieve ongoing provision and availability where required.

1. Purchasers in respect of retained affordable housing must be a registered community housing provider or Housing New Zealand Corporation.

2. *[deleted]*

Number of Retained Affordable Dwellings or Sites

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 5 percent of the total number of dwellings, or vacant sites, in any development must be retained affordable and meet the following criteria.

a. the price at which a dwelling may be sold would mean that the monthly mortgage payments for a household receiving the Auckland median household income (as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) would not exceed 30 percent of the household's gross monthly income, based on the assumptions that:

i. the dwelling is purchased with a 10 percent deposit; and

ii. the balance of the purchase price is financed by a 30-year reducing loan, secured by a single mortgage over the property, at a mortgage interest rate equal to the most recent average two-year fixed rate. This interest rate used is that published most recently by the Reserve Bank of New Zealand, in relation to the date application for resource consent is made.

2. As part of the resource consent application evidence must be provided to demonstrate a community housing provider will purchase the dwellings/sites. Prior to the transfer of the retained affordable dwellings/sites a council approved statutory declaration must be returned by the consent holder to demonstrate the dwellings/sites are sold at the price point outlined in clause 1 above.

3. *[deleted]*

Where the following definitions apply:

Retained affordable

Housing that is:

a. built by a registered community housing provider or Housing New Zealand Corporation; or

b. sold to a registered community housing provider or Housing New Zealand Corporation; and

c. sold at a price defined by the Auckland median household income as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later.

Relative Affordable

Housing that is:

a. bought by first home buyers and remains in the same ownership for three years from the date of first transfer, where the purchaser has a gross household income that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and

purchase agreement.

b. sold at a price that does not exceed 75 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand and calculated as an average of three calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later

Community Housing Provider

means a housing provider (other than Housing New Zealand Corporation) that has, as one of its objectives, the provision of one or both of the following types of housing:

- a. social rental housing;
- b. affordable rental housing
- c. rent to own (ie. as provided by New Zealand Housing Foundation)

Household Income

Household income shall include all taxable income as defined by the New Zealand Inland Revenue Department.

Show home

A house on a newly built subdivision which is furnished and decorated to be shown to prospective buyers.

3. Development Controls – All Zones

The following development controls apply to all activities (A8) – (A15) listed in Activity Tables 1.1 and 1.2 above.

3.1 On-site stormwater management (dwellings and onsite impervious areas, excludes roads)

Purpose: ensure appropriate stormwater retention and detention associated with site development.

1. Within catchments draining to streams all new impervious surfaces of 50m² and over must be designed to achieve the following:

Except as provided by c. the following (a. and b.) applies.

- a. provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area for which hydrology mitigation is required; and
- b. provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.

c. Where:

i. a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there are no areas on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and

ii. rainfall reuse is not available because:

- The quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden irrigation or toilet (flushing)); or
- There are no activities occurring on the site that can re-use the full 5mm retention volume of water;

the retention volume can be taken up by providing detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event over the impervious area for which hydrological mitigation is required (minus any designed retention volume that is achieved).

2. The stormwater device/s:

a. must be maintained by the site owner(s) in perpetuity. A consent notice will be registered on the certificate of title to that effect at time of subdivision.

b. if rainwater tanks are proposed to achieve the retention requirements above, the rainwater tank must be dual plumbed to non-potable uses such as toilet and washing machine in the dwelling.

3. Compliance shall be demonstrated to the council in conjunction with any application for building consent, or by way of certificate of compliance or at the time of subdivision.

4. Stormwater devices within the National Grid Yard must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001, including their ongoing operation and maintenance.

5. [deleted]

4. Development Controls – Residential Mixed Housing Suburban Zone

The following development controls apply to activities listed in Activity Table 1.1 of this precinct and Activity Table H4.4.1 of the Residential – Mixed Housing Suburban Zone instead of the development standards listed in Standard H4.6, with the exception of the following standards:

- a) H4.6.2 Home occupations
- b) H4.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings
- c) H4.6.16 Rainwater tanks

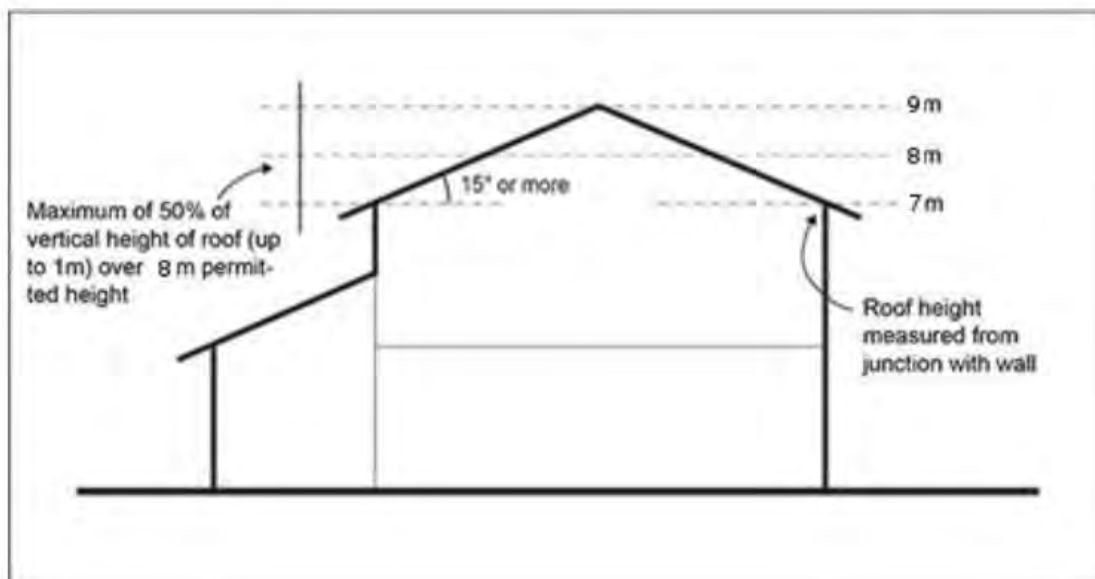
4.1 Building Height

Purpose: manage the height of buildings to:

- Achieved the planned built character of predominantly one and two storeys
- Provide some flexibility to enable variety in roof forms.

1. Buildings must not exceed 8m in height except that 50 percent of a building's roof elevation, measure vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more (as shown on figure 1 below).

Figure 1: Building height



4.2 Height in relation to boundary

Purpose: manage the bulk and scale of buildings and maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

1. The following height in relation to boundary controls apply:

a. for all lots, the height in relation to boundary control does not apply to the street boundary.

In the case of front lots (not being a corner lot or adjacent to a corner lot) a building height in relation to boundary of 5m and 45 degrees must apply on side boundaries adjoining other front lots, up to a maximum distance of 8m from the rear boundary.

A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the remaining part of any side boundary that is within 8m from the rear boundary and to all rear boundaries.

In the case of front lots which adjoin a corner lot the following apply:

On side boundaries that adjoin the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the whole length of the boundary including where that side boundary extends beyond the corner lot.

On side boundaries that adjoin the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45 degrees must apply up to a maximum distance of 8m from the rear boundary. Rule 1c above must apply to the remaining part of the side boundary that is within 8m from the rear boundary.

In relation to the shortest side boundary of a corner lot (including where that side boundary extends beyond the corner lot) all windows above the ground floor level facing the corner lot (or facing a lot adjoining the corner lot) must have a window sill level at least 1.6m above the floor level or be fitted with opaque glass

A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to any rear boundary.

In the case of corner lots the following apply:

- On the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply
- On the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45 degrees must apply up to a maximum distance of 8m from the rear boundary. A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the remaining part of the side boundary that is beyond 8 m from the rear boundary.
- All buildings within 6m of the shortest side boundary must be limited to a single storey and a 5m maximum height.

For all rear boundaries a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) apply.

2. This control does not apply to a boundary adjoining sites within the public open space zones or vested reserves exceeding 2000m².

3. Where the boundary adjoins a rear lane (access lot) the control applies from the farthest boundary of the rear lane (access lot).

4. A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

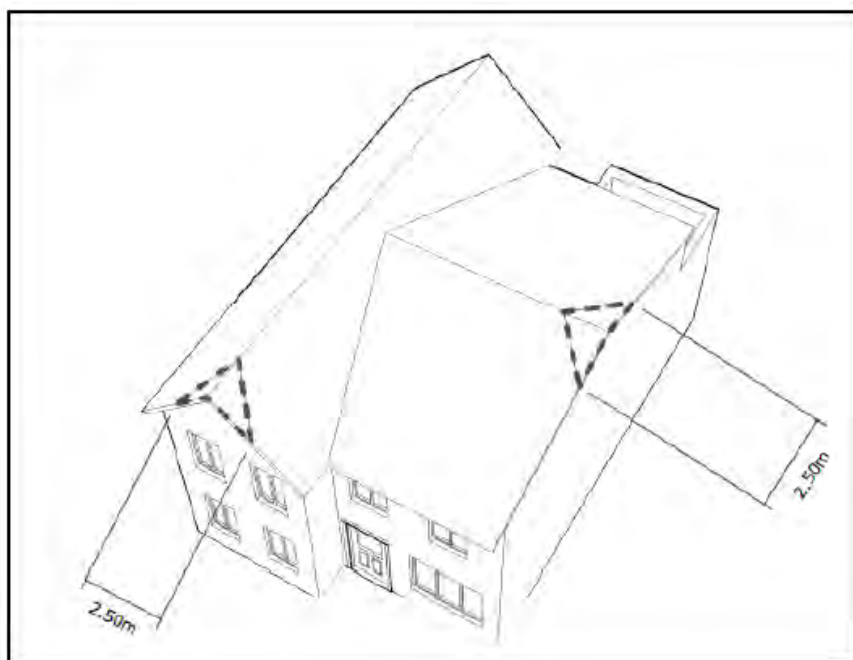
- a. no greater than 1.5m² in area and no greater than 1m in height
- b. no greater than 2.5m cumulatively in length measured along the edge of the roof.

No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

5. The height in relation to boundary rule does not apply to existing or proposed internal site boundaries within an application area.

6. The height in relation to boundary control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

Figure 2: exceptions for gable ends and dormers



4.3 Yards

Purpose:

- Maintain the built character of the streetscape and provide sufficient space for landscaping in the front yard
- Maintain a reasonable standard of residential amenity
- Ensure dwellings are adequately set back from streams and the coast
- Provide a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites

1. The minimum yards must be those in Table 4.3.1.

Table 4.3.1 Yards

Yard	Minimum depth
Front	4m
Side	1m
Rear	8m, except that a single storey building (or part of a building) up to a maximum height of 5m, is permitted within the rear yard provided that it is no closer than 3m from the rear boundary.
Riparian	10m from the edge of all permanent and intermittent streams
Coastal	10m

2. The rear yard in Table 4.3.1 does not apply to a building up to a height of 7m where the site adjoins a rear lane (access lot).

3. The side yard control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

4. A single storey unenclosed verandah / porch space attached to the building is exempt from the front yard setback provided it must not be located within 2m of the front boundary.

5. [deleted]

4.4 Outlook

Purpose: ensure a reasonable standard of amenity for dwellings and encourage building windows to face the road, rear yard and/or rear lane

1. Where the principal glazing from the principal living room or dining room of a dwelling does not face a road or a rear lane (access lot), an outlook space must be provided as follows:
 - a. a depth of 4m within the site measured at right angles to and horizontal from the window to which it applies
 - b. a width of 4m measured within the site from the centre point of the largest window on the building face to which it applies
 - c. the height of the outlook space is the same as the floor height, measures from floor to ceiling, of the building face to which the control applies.
 - d. be clear and unobstructed by buildings.

4.5 Impervious Area

Purpose: manage the amount of stormwater runoff generated by a development.

1. The maximum impervious area of the site area must be 70 percent.

4.6 Building Coverage

Purpose: manage the extent of buildings on the site to achieve the planned built character.

1. Maximum building coverage shall comply with Table 4.6.1 below:

Table 4.6.1 Maximum Building Coverage

Site Area or Activity	Maximum Building Coverage
Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent
Integrated Residential Developments	50 percent

4.7 Landscaping

Purpose:

- Provide for on-site amenity and an attractive streetscape character
- Improve stormwater absorption on-site.

1. The minimum landscaped area shall be 30 percent of the net site area.
2. At least 50 percent of the front yard must comprise landscaped area.

4.8 Outdoor Living

Purpose: provide dwellings with outdoor living space that is of a functional size and dimension and is accessible from the principal living room, dining room, kitchen and is separated from vehicle access and maneuvering areas.

1. A dwelling at ground floor level must have an outdoor living space that is at least 20m² that comprises ground floor space that:
 - a. has no dimension less than 4m and has a gradient not exceeding 1 in 20;
 - b. is directly accessible from the principal living room, kitchen or dining room;
 - c. is free of buildings, parking spaces, servicing and maneuvering areas;

2. Where an entire dwelling is located above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 5m² for studio and one bedroom dwellings and 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m.

4.9 Dwellings Fronting the Road

Purpose: ensure dwellings are orientated to provide for passive surveillance of the road and contribute to streetscape amenity.

1. The front façade of a dwelling on a site must contain:
 - a. glazing that is cumulatively at least 20 percent of the area of the front façade measured on the basis of a storey height of 2.4m per storey (excluding garage door).
 - b. a main entrance door that is visible from the road.

4.10 Fences

Purpose: enhance passive surveillance over the road and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

4.11 Garages

Purpose:

- Minimise the dominance of garages as viewed from the road
- Avoid parked cars over-hanging the footpath.

1. A garage door facing a road:
 - a. must be no greater than 50 percent of the width of the front façade of the dwelling to which the garage relates.
 - b. must not project forward of the front façade of a dwelling.
 - c. must be set back at least 5m from the site's frontage.
2. If the site is served by a rear lane (access lot) there must not be a garage on the site's road frontage.

4.12 Vehicle Access

Purpose: maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings

1. Sites fronting a road with a 3m shared footpath on the site's frontage must not have direct vehicle access to that road frontages.
2. Where the site is served by a rear lane (access lot) there must not be direct vehicle access from the road.
3. *[deleted]*

4.13 Minimum dwelling size

Purpose:

- Dwellings are functional and of a sufficient size to provide for the day-to-day needs of residents, based on the number of occupants the dwelling is designed to accommodate.
1. Dwellings must have a minimum net internal floor area as follows:
 - a. 30 m² for studio dwellings
 - b. 45 m² for one bedroom dwellings

5. Development Controls – Residential Mixed Housing Urban Zone

The following development controls apply to activities listed in Activity Table 1.1 of this precinct and Activity Table H5.4.1 of the Residential – Mixed Housing Urban Zone instead of the development standards listed in Standard H5.6, with the exception of the following standards:

- a) H5.6.2 Home occupations
- b) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- c) H5.6.17 Rainwater tanks

5.1 Building Height

Purpose: manage the height of buildings to:

- Be consistent with an urban residential character
- Maintain a reasonable standard of amenity for adjacent sites
- Support intensification of residential density and intensity
- Provide some flexibility to enable variety in roof forms

1. Buildings must not exceed 11.5m in height.

5.2 Height in relation to boundary

Purpose:

- Enable building height and intensity to be located in the front of the site to provide a built character and streetscape consistent with the planned urban environment and its density
- Manage height in the rear yard of the site to minimise adverse visual dominance, allow the establishment of spacious rear yards, solar access to rear yards, and reasonable outlook and privacy (subject to rear lane-accessed housing)
- Enable the passive surveillance of the rear lanes by providing for minor dwelling or habitable space above the garage

1. The following height in relation to boundary controls shall apply.

a. no height in relation to boundary control shall apply to the road boundary or a boundary with a rear lane (access lot).

b. no height in relation to boundary control shall apply to the side boundaries located outside the 8m rear yard.

c. A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) shall apply to the side boundaries located within the 8m rear yard.

2. A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

a. no greater than 1.5m² in area and no greater than 1m in height

b. no greater than 2.5m cumulatively in length measured along the edge of the roof.

3. No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

4. The height in relation to boundary rule does not apply to existing or proposed internal site boundaries within an application area.

5. The height in relation to boundary control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

5.3 Yards

Purpose:

- Maintain the built character of the streetscape, enable more intensive development adjoining the road and interaction with the road, and provide reasonable transitional space for landscaping in the front yard
- Maintain a reasonable standard of residential amenity
- Ensure buildings are adequately set back from streams and the coastal edge to maintain water quality and provide protection from natural hazards
- Provide a reasonable standard of visual and acoustic privacy between different buildings, including their outdoor living space, on the same or adjacent sites
- Provide an additional setback along Jesmond Road

1. The minimum yards must be those in Table 5.3.1.

Table 5.3.1 Yards

Yard	Minimum depth
Front	2.5m, except that a 8.5m front yard applies to the length of Jesmond Road identified as "Collector Road (Possible Future Arterial Road) on Precinct Plan 2, subject to 6 below.
Side	1m One side yard can be reduced to 0m provided that legal provision is made for access for maintenance of the structure or it is a common / party wall.
Rear	8m, except that a single storey building (or part of a building) up to a maximum height of 5m, is permitted within the rear yard provided that it is no closer than 3m from the rear boundary.
Riparian	10m from the edge of all permanent and intermittent streams
Coastal	10m

2. The rear yard in Table 5.3.1 does not apply to a building up to a height of 7m where the site adjoins a rear lane (access lot).

3. The side yard control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

4. A single storey unenclosed verandah / porch space attached to the building is exempt from the front yard setback provided it must not be located within 1m of the front boundary.

5. *[deleted]*

6. The 8.5m front yard required in Table 5.3.1 shall lapse two years after it becomes operative unless a plan change is notified prior to that date, seeking to have Jesmond Road classified as an Arterial Road under the Auckland Unitary Plan. If a plan change has not been notified, the 2.5m yard shall apply thereafter.

Note: Additional yard setbacks may be required to meet the requirements of Chapter D26 National Grid Corridor Overlay.

5.4 Outlook

Purpose: ensure a reasonable standard of amenity for dwellings and encourage building windows to face the road, rear yard and/or rear lane

1. Where the principal glazing from the principal living room or dining room of a dwelling does not face a road or a rear lane (access lot), an outlook space must be provided as follows:

- a. a depth of 4m within the site measured at right angles to and horizontal from the window to which it applies
- b. a width of 4m measured within the site from the centre point of the largest window on the building face to which it applies
- c. the height of the outlook space is the same as the floor height, measures from floor to ceiling, of the

building face to which the control applies.
d. be clear and unobstructed by buildings.

5.5 Impervious Area

Purpose: manage the amount of stormwater runoff generated by a development.

1. The maximum impervious area of the site area must be 70 percent.

5.6 Building Coverage

Purpose: manage the density of buildings on the site consistent with the urban residential character.

1. Maximum building coverage shall comply with Table 5.6.1 below:

Table 5.6.1 Maximum Building Coverage

Site Area or Activity	Maximum Building Coverage
Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent
Integrated Residential Developments	50 percent

5.7 Landscaping

Purpose:

- Provide for on-site amenity and an attractive streetscape character
- Improve stormwater absorption on-site.

1. The minimum landscaped area shall be 30 percent of the net site area.

2. At least 50 percent of the front yard must comprise landscaped area (excluding the area of an unenclosed verandah space from rule 4.3.4 above).

5.8 Outdoor Living

Purpose: provide dwellings with outdoor living space that is of a functional size and dimension and is accessible from the principal living room, dining room, kitchen and is separated from vehicle access and maneuvering areas.

1. A dwelling at ground floor level must have an outdoor living space that is at least 20m² that comprises ground floor space that:

- a. has no dimension less than 4m and has a finished gradient not exceeding 1 in 20;
- b. is directly accessible from the principal living room, kitchen or dining room;
- c. is free of buildings, parking spaces, servicing and maneuvering areas;

2. Where an entire dwelling is located above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 5m² for studio and one bedroom dwelling and 8m² for two or more bedroom dwelling and has a minimum dimension of 1.8m.

5.9 Dwellings Fronting the Road

Purpose: ensure dwellings are orientated to provide for passive surveillance of the road and contribute to streetscape amenity.

1. The front façade of a dwelling on a site must contain:

- a. glazing that is cumulatively at least 20 percent of the area of the front façade measured on the basis of a storey height of 2.4m per storey (excluding garage door).
- b. a main entrance door that is visible from the road.

2. A habitable room fronting a rear lane (access lot) must have a façade that contains glazing that is cumulatively at least 20 percent of that storey's façade to the rear lane.

5.10 Fences

Purpose: enhance passive surveillance over the road and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

5.11 Garage

Purpose:

- Minimise the dominance of garages as viewed from the road
- Avoid parked cars over-hanging the footpath.

1. A garage door facing a road:

- a. must be no greater than 50 percent of the width of the front façade of the dwelling to which the garage relates.
- b. must not project forward of the front façade of a dwelling.
- c. must be set back at least 5m from the site's frontage.

2. If the site is served by a rear lane (access lot) there must not be a garage on the site's road frontage.

5.12 Vehicle Access

Purpose: maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings

1. Sites fronting a Future Collector road (New), Collector road (New), Collector road (Existing), Collector road (possible future arterial) and a Collector road – Protected Cycleway identified on precinct plan 1 or 2 or a road with a 3m shared footpath on the site's frontage must not have direct vehicle access to that road frontage.

2. Where the site is served by a rear lane (access lot) there must not be direct vehicle access from the road.

3. *[deleted]*

5.13 Minimum dwelling size

Purpose: Dwellings are functional and of a sufficient size to provide for the day-to-day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

1. Dwellings must have a minimum net internal floor area as follows:

- a. 30 m² for studio dwellings
- b. 45 m² for one bedroom dwellings

6. Subdivision Controls

Unless specified below, the standards applicable to the overlays, zones and Auckland-wide provisions apply to all activities listed in Activity Table 1.3.

The following standards do not apply to activities listed in Activity Table 1.3:

- (1) Chapter E38 Subdivision – Urban: E38.8.2.3 Vacant sites subdivisions involving parent sites of less than 1 hectare

6.1 Minimum Site Sizes for Vacant Sites – Residential Zones

1. Minimum vacant site sizes shall comply with Table 6.1.1 below:

Table 6.1.1 Minimum Site Sizes for Proposed Vacant Sites – Residential Zone

Site Width	Minimum Site Size
Minimum site size where the minimum front site width is 12.5m or greater	325m ²
Minimum site size where the minimum front site width is between 10m and 12.49m and Table 7 (Alternative Front Site) is complied with and the site's frontage is not to a road on the north-west to north-east boundary	260m ²

2. *[deleted]*

3. There are no minimum site sizes where subdivision is proposed as part of an integrated land use consent or to subdivide around an approved land use consent for a residential development.

4. *[deleted]*

6.2 Minimum Site Dimensions for Vacant Sites

1. Minimum site dimensions for vacant sites shall comply with Table 6.2.1 below:

Table 6.2.1 Minimum Site Dimensions for Proposed Vacant Sites – Residential zones

Site Type or Measurement	Dimension
Front site: Minimum Width in metres	12.5m
Alternative Front Site: Width in metres where a legal mechanism restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width or where a rear lane provides legal access	10m to 12.49m
Front Site: Minimum Depth in meters	26m
Minimum Legal Width of Rear Lanes in meters	7m

2. There are no minimum site dimensions where subdivision is proposed as part of an integrated land use and subdivision consent or to subdivide an approved land use consent for a residential development.

3. *[deleted]*

4. *[deleted]*

6.3 Movement Network

1. All subdivision must comply with the following controls:

a. all new subdivisions, roads and lots shall comply with the following:

i. maximum Block Length: 250m

ii. maximum Block Perimeter: 750m

For clarity the measurements above may be curvilinear.

b. *[deleted]*

c. collector roads must be provided in accordance with the alignments in precinct plan 1 and 2.

d. roads must be constructed to the standards illustrated in Figures 3 to 11 below (with reference to precinct plan 1 and 2) or where not contained in the figures below, the relevant Auckland Wide rules shall apply. Except that:

- i where a road is located within the National Grid Corridor Overlay, the road will be constructed with a design specific to the accommodation of the Corridor. The design will be determined as part of the resource consent required by Chapter D26 National Grid Corridor Overlay.
- ii The future collector road (new) is required to be:
 - a. formed to a Local Road standard only as set out in Figure 11 – Road 1 Future Collector Road (New) – Interim Local Road formation.
 - b. Vested to enable the future construction of the Future Collector Road (New) as set out in Figure 10.

Note 1:

1. The alignment of the future collector road (new) as shown on Precinct Plan 2 is indicative and may vary by up to 20m. The exact alignment of the future collector road (new) will:

- Be determined through detailed design in conjunction with subdivision and /or land use consent applications;
- Provide for the length of the road to connect across property boundaries i.e. the road will be constructed up to the boundary of the adjoining property to allow it to be continued;
- Connect at its eastern end with the road in Precinct Plan 1; and
- Connect at its western end with Jesmond Road.

e. Prior to the occupation of any new dwelling or unit in the Precinct Plan 2 area, the intersection of SH22 and Jesmond Road must be upgraded with a double lane roundabout with approach lanes, or traffic signals (including approach lanes) where the posted speed limit supports their implementation to provide a safety and capacity solution, unless an interim traffic safety solution has been approved by the New Zealand Transport Agency as the requiring authority for State Highway 22. This rule:

- Also applies to integrated residential developments sought as a land use consent application; and
- Continues to apply to each application for subdivision or development within the Precinct Plan 2 area until such time as the intersection of State Highway 22 and Jesmond Road has been upgraded with a double lane roundabout or traffic signals.

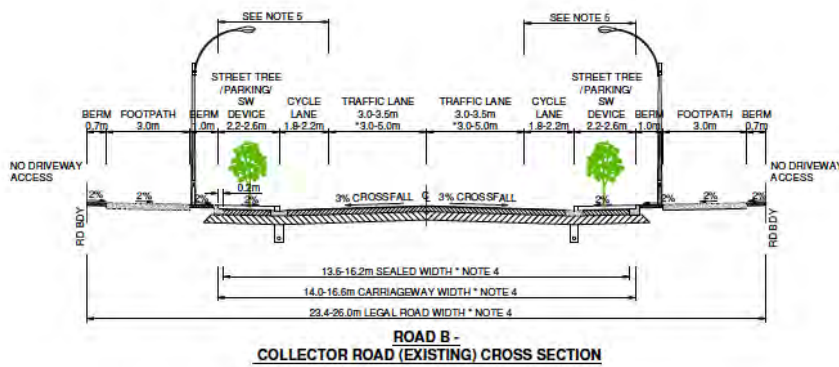
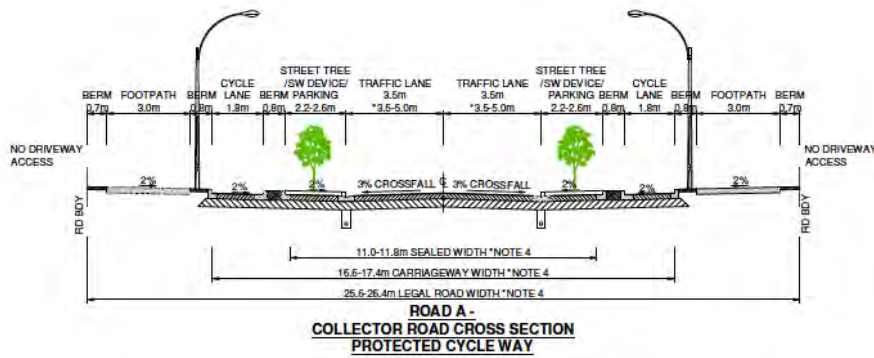
Note 1: If an interim traffic safety solution has been implemented at the SH22/Jesmond Road intersection under this rule, applicants are advised that they are required to consult with the New Zealand Transport Agency and Auckland Transport to determine whether this interim solution needs to be upgraded to a roundabout or traffic signals to address safety and capacity matters, prior to any further subdivision or development proceeding within the Precinct Plan 2 area.

f. Sites fronting the Collector Road (possible future arterial) shall provide for a 8.5m front yard setback along the boundary with the Collector Road (possible future arterial) at the time of subdivision. This rule shall lapse two years after it becomes operative unless a plan change is notified prior to that date, seeking to have Jesmond Road classified as an Arterial Road under the Auckland Unitary Plan.

2. *[deleted]*

Figures 3 to 11 Road Cross Sections

Figures 3 and 4



NOTES:

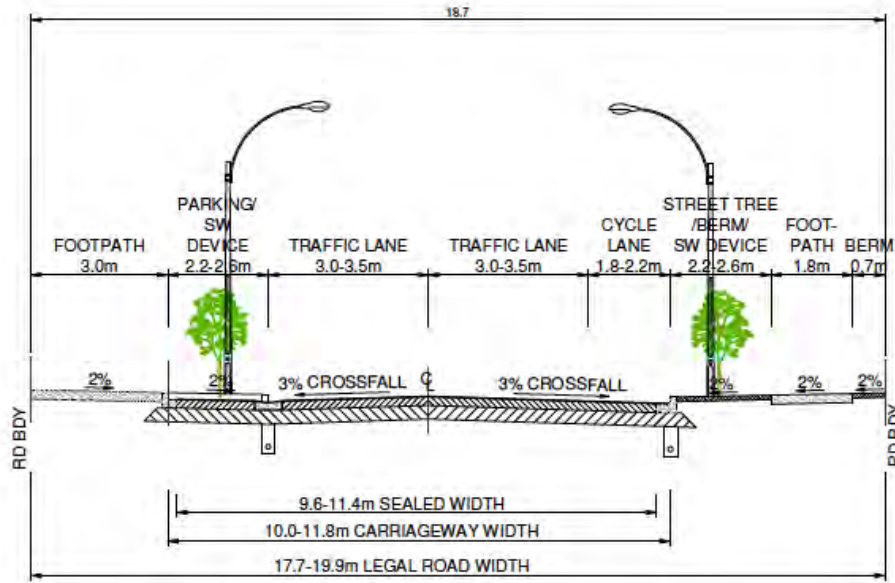
STORMWATER NOTE:

1. STORMWATER DEVICE WIDTH TO BE CONFIRMED SUBJECT TO WIDTH OF DEVICE USED.

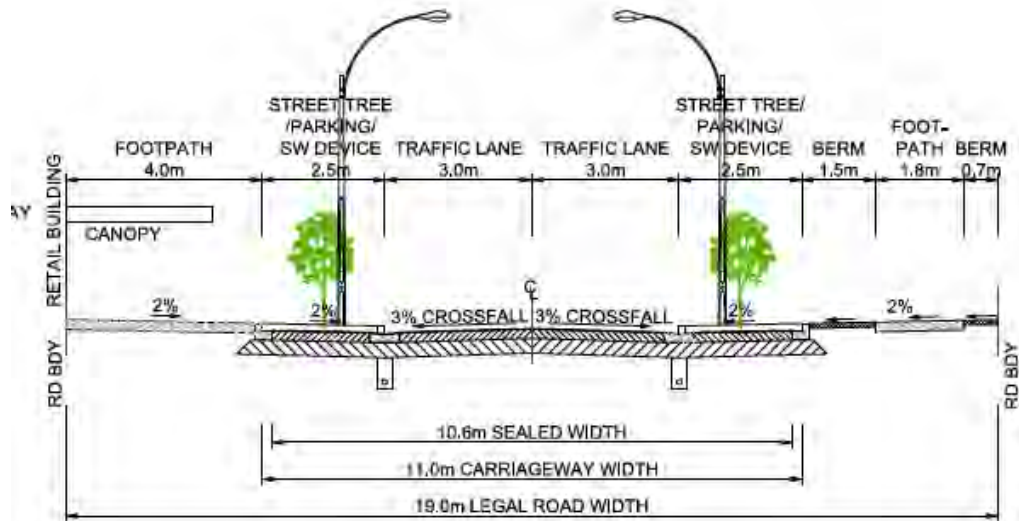
COLLECTOR ROAD:

1. TRAFFIC LANE WIDTH 3.0m UNLESS PUBLIC TRANSPORT ROUTE.
2. CYCLE LANE WIDTH VARIES IN TREATMENT I.E. SEPARATED/ BUFFER DEPENDING ON TRAFFIC VOLUMES ON COLLECTOR ROAD.
3. TRAFFIC LANES TO INCREASE 3.0m FOR TRAFFIC RIGHT TURNING BAYS ON ROAD A AND B
4. ALL CARRIAGEWAY/LEGAL ROAD WIDTH TO INCREASE FOR TURNING BAYS TO MAINTAIN STANDARD PARKING/ SW DEVICE/ CYCLE LANES AND BERMS WIDTHS AS SHOWN
5. CYCLELANE AND PARKING BAYS CAN BE INTERCHANGEABLE

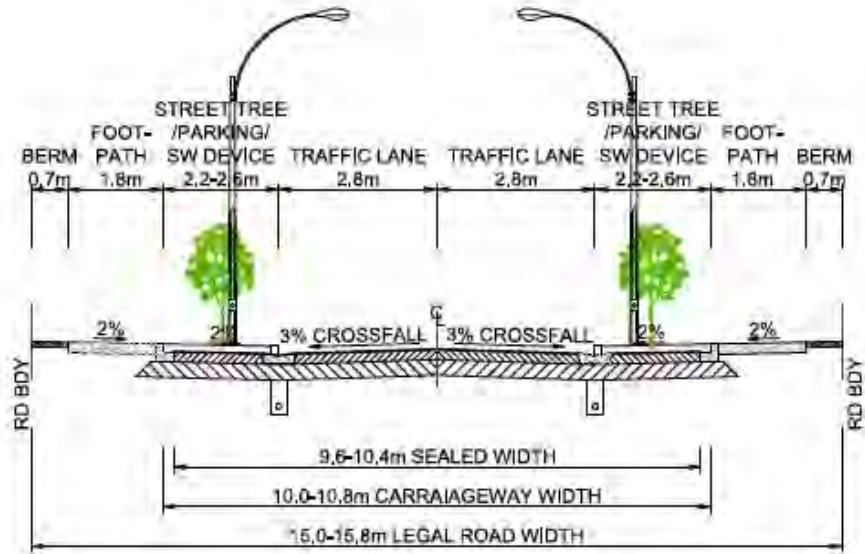
Figures 5 and 6



**ROAD C -
COLLECTOR ROAD (NEW) CROSS
SECTION**



**ROAD E -
LOCAL CENTRE ROAD
CROSS SECTION**



**ROAD F -
LOCAL ROAD (PARKING BOTH SIDES)
CROSS SECTION**

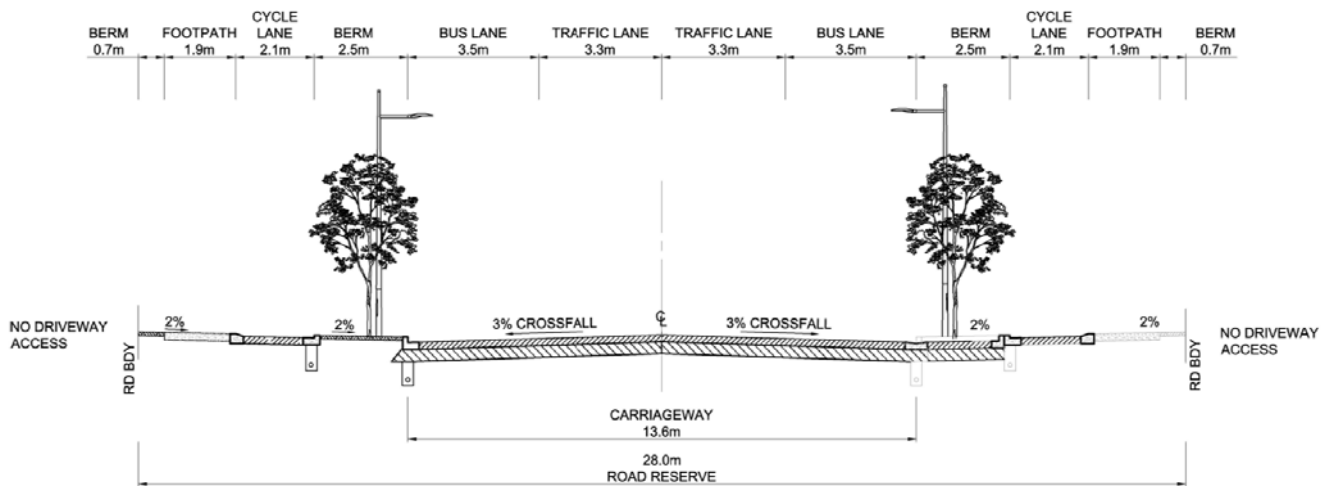


**ROAD H -
LOCAL ROAD (PARKING ONE SIDE)
CROSS SECTION**

Figure 9

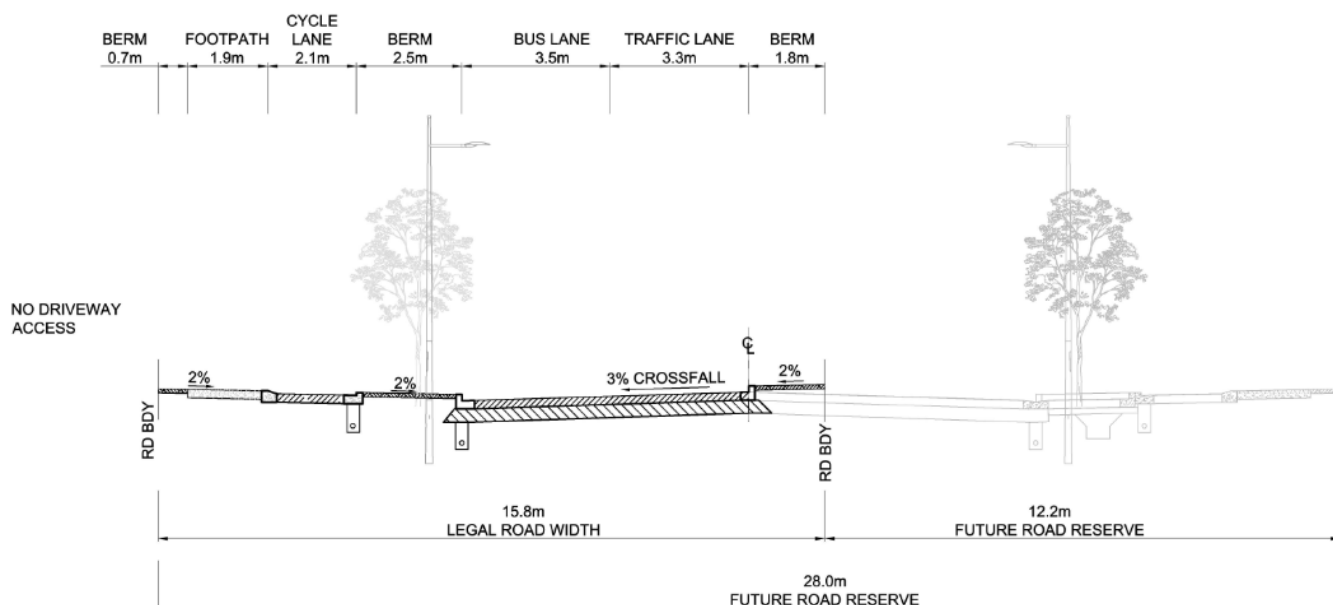


Figure 10



Road H – Future Collector Road (New) – Final 28m formation

Figure 11



Road I Future Collector Road (New) – Interim Local Road formation

Notes:

1. stormwater device width to be confirmed subject to width of device used.

6.4 Park Edge Roads

1. Where subdivision adjoins an Open Space Zone or Future Esplanade Reserve on precinct plan 1 and 2 or a recreation reserve to vest then park edge roads must be provided.
2. *[deleted]*

6.5 Site Access

1. Where subdivision adjoins a Future Collector road (New), Collector Road (New), Collector Road (Existing), Collector Road (possible future arterial) or a Collector Road – Protected Cycleway identified on the Precinct Plan 1 and 2 or a road with a 3m shared footpath on the site’s frontage, rear lanes (access lot) or access from side roads must be provided so that no vehicle access occurs directly from the site’s frontage to the 3m shared footpath or the road frontage.

6.6 Riparian Margin

1. Riparian margins must be planted either side to a minimum width of 10m measured from the bank of the stream. This rule shall not apply to road crossings over streams.
2. Any planting required, will be implemented in accordance with a council approved landscape plan and must be use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.
3. *[deleted]*

6.7 Stormwater Management

1. Within catchments draining to streams, stormwater runoff from impervious surfaces within roads

(and future roads) of 50 m² and over must be directed to a stormwater device(s) designed and sized to achieve the following stormwater hydrology mitigation requirements:

Except as provided by c. the following (a. and b.) applies.

a. provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area for which hydrology mitigation is required; and

b. provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.

c. where:

i. a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there are no areas on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and

ii. rainfall reuse is not available because:

- The quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden irrigation or toilet (flushing)); or
- There are no activities occurring on the site that can re-use the full 5mm retention volume of water;

the retention volume can be taken up by providing detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event over the impervious area for which hydrological mitigation is required (minus any designed retention volume that is achieved).

2. Within catchments draining to the coast, stormwater runoff from impervious surfaces within roads (and future roads) must achieve water quality treatment to all impervious surfaces based on rain gardens (or the equivalent) with a surface area sized to 2 percent of the contributing catchment.

3. Stormwater devices within the National Grid Yard must be designed to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001, including their ongoing operation and maintenance.

4. *[deleted]*

6.8 Affordable Housing

1. Rule 2.2 shall apply to subdivision applications containing 15 or more vacant sites.

7. Assessment – Land Use Control Infringements

7.1 Matters of Discretion

In addition to the general matters set out in standard C1.9(3) and the specific matters set out for infringements in the relevant underlying zones and Auckland-wide rules, the council will restrict its discretion to the matters below for the relevant land use control infringement.

1. Stormwater Management

a. the council will restrict its discretion to

- i. the matters set out in E10.8.1(1) of the Stormwater management area - Flow 1 and Flow 2 chapter
- ii. whether the non-compliance occurs on sites/lots intended for affordable housing or higher density development.

2. Development Control Infringements

a. For development control infringements within the Residential – Mixed Housing Suburban Zone, the council will restrict its discretion to those matters listed in H4.8.1(4), and the following matters:

i. For infringements to 4.9 Dwellings fronting the road, 4.11 Garages and 4.12 Vehicle access, the any policy which is relevant to the standard; the purpose of the standard; and the effects of the infringement of the standard

ii. urban design outcomes and density enabled by infringements to building coverage

b. For development control infringements within the Residential – Mixed Housing Urban Zone, the council will restrict its discretion to those matters listed in H5.8.1(4), and the following matters:

i. For infringements to 5.9 Dwellings fronting the road, 5.11 Garages and 5.12 Vehicle access, the any policy which is relevant to the standard; the purpose of the standard; and the effects of the infringement of the standard

ii. urban design outcomes and density enabled by infringements to building coverage.

3. Integrated Residential Development

a. Within the Residential – Mixed Housing Suburban Zone, the council will restrict its discretion to those matters listed in H4.8.1(3)

b. Within the Residential – Mixed Housing Urban Zone, the council will restrict its discretion to those matters listed in H5.8.1(3)

7.2 Assessment Criteria

In addition to the specific assessment criteria for the infringement in the relevant underlying zones and Auckland-wide rules, the council will consider the relevant assessment criteria below for the development control infringement.

1. On-site stormwater management

a. the assessment criteria set out in E10.8.2(1) of the Stormwater management area – Flow 1 and Flow 2 chapter.

b. where the non-compliance occurs on sites/lots intended for affordable housing or higher density development applicants may demonstrate that runoff from the impervious surfaces can be accommodated within the public stormwater system/network.

2. Development control Infringements

a. For development control infringements within the Residential – Mixed Housing Suburban Zone, the council will consider the criteria listed in H4.8.2, and the following matters:

i. For infringements to 4.9 Dwellings fronting the road; and 4.11 Garages, refer to Policy 6 of this precinct

ii. For infringements to 4.12 Vehicle access, refer to Policy 5(e) of this precinct.

iii. urban design outcomes and density enabled by infringements to building coverage

b. For development control infringements within the Residential – Mixed Housing Urban Zone, the council will consider the criteria listed in H5.8.2, and the following matters:

i. For infringements to 5.9 Dwellings fronting the road; and 5.11 Garages, refer to Policy 6 of this precinct

ii. For infringements to 5.12 Vehicle access, refer to Policy 5(e) of this precinct.

iii. urban design outcomes and density enabled by infringements to building coverage

c. the extent that any infringement of building coverage enables quality urban design outcomes and higher density development.

3. Integrated Residential Development

a. Within the Residential – Mixed Housing Suburban Zone, the council will consider the criteria listed in H4.8.2(3)

b. Within the Residential – Mixed Housing Urban Zone, the council will consider the criteria listed in H5.8.2(3)

8. Assessment – Subdivision

8.1 Matters of Discretion

1. Subdivision

a. the council will restrict its discretion to those matters listed in E38.12.1 within Chapter E38 Subdivision – Urban, and the following matters:

i. Consistency with precinct plan 1 and 2

ii. stormwater management

iii. for subdivision within the National Grid Corridor Overlay, the matters listed in D26.8.1(1) and (1A) within Chapter D26 National Grid Corridor Overlay.

iv. transportation Management

v. effects of additional traffic on the intersections identified in Assessment Criteria 8.2(3)(a) and the Norrie Road one way bridge and mitigation proposals for those effects.

vi. effects associated with the intersection of Burberry Road and SH22 and mitigation for those effects, prior to forming a physical connection to Burberry Road.

vii. for subdivision not complying with Standard 6.3(1)(d)(ii) these additional matters apply:

- protection of the route for the future collector road (new)
- integration of the proposed subdivision with the future collector road (new)
- effects on the transport network.

8.2 Assessment Criteria

1. For development that is a restricted discretionary activity, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the zone and Auckland Wide Rules:

a. the structural elements of precinct plan 1 and 2 are incorporated into the subdivision design.

b. the approach to stormwater management for roads, lanes (access lots) and sites addresses the recommendations of the Stormwater Management Plans (May 2016) for sites located within Precinct Plan 1 or March 2018 for sites located within Precinct Plan 2 (including those relating to the catchments discharging to both the streams and estuary), and that the hydrology mitigation requirements outlined in the relevant rules can be met. Consent Notices may be required on the titles of all new sites to ensure compliance with the onsite stormwater management requirements contained in the rules of this Precinct and where recommended with the subdivision application to implement the Stormwater Management Plans (May 2016 for sites located within Precinct Plan 1 or March 2018 for sites located within Precinct Plan 2).

c. the design of low impact outfalls as lengths of manmade channels with a natural form (materials and planting) to dissipate energy and minimise erosion for outfalls to streams and the coast.

d. the assessment criteria listed in E38.12.2 within Chapter E38 Subdivision – Urban.

e. *[deleted]*

2. The implementation of relevant upgrades to the roading network

Development of up to 50 households should occur when the following transport requirements are met:

- Bremner road approach to the Ngakoroa Stream Bridge to a two lane urban road (as required by the consented development) including separated cycle lanes (including a shared path on one side of the Ngakoroa Stream Bridge)
- Footpaths to link the Drury 1 precinct to Drury Township, as per Drawing Reference A1,1013-Qd1EX022 by McKenzie and Co Consulting
- SH22/Victoria Street intersection – changes to the intersection refer diagram below



- Pedestrian Improvements at Norrie road/Great South road Intersection, as illustrated at Figure 5-4 of the ITA
- Pedestrian upgrade (one side only) of Bremner road motorway overbridge, including safety improvements to the footpath and handrail structures.
- Great South road/Firth street intersection priority changes to the intersection

- a. prior to the development of 100 cumulative dwellings being constructed across the Drury 1 precinct, the Firth street/Great South road intersection improvements, including markings and curve realignment as per Drawing 1, Revision A, dated 20 June should be implemented
- b. prior to the development of 400 cumulative dwellings being constructed across the Drury 1 precinct, a dedicated cycle facility should to be constructed across State Highway 1, alongside Bremner road.

3. Effects of additional traffic on the intersections identified in (a) below and the Norrie Road one way bridge and mitigation proposed for those effects

a. Whether the proposal avoids, remedies, or mitigates adverse traffic effects to maintain the safe and efficient operation of the transport network at the following locations:

- intersection of Great South Road / Firth Street,
- intersection of Firth Street / Norrie Road,
- intersection of Great South Road / Norrie Road / Waihoehoe Road,
- intersection of Great South Road / Karaka Road (SH22),
- intersection of Victoria Street / SH22 and
- the Norrie Road One-Way Bridge.

Assessment of these adverse effects and mitigation proposed will be based on the transport assessment required to be provided with any subdivision application as outlined in Special Information Requirement 2.

b. The extent to which the road network within Precinct Plan 2 integrates with and takes into account information and outcomes associated with NZTA projects, and Auckland Council's structure planning for Drury/Opapeke.

c. The extent to which there is evidence of consultation regarding the proposal with Auckland Transport and NZTA.

4. Effects associated with the intersection of Burberry Road and SH22 and mitigation for those effects, prior to forming a physical connection to Burberry Road.

a. The extent to which, prior to the forming of a physical connection to Burberry Road, upgrading work has been undertaken to the intersection of Burberry Road and SH22 to ensure there are safe and appropriate connections.

5. For subdivision not complying with Standard 6.3(1)(d)(ii) (which requires the future collector road (new) to be constructed to local road standard as set out in Figure 11 with additional land vested to enable upgrading to a final 28m formation as set out in Figure 10) these additional assessment criteria apply:

a. Whether the proposal protects the route for the future collector road (new) with the formation identified on Figure 10 - Future Collector Road (New) - Final 28m formation, and in the location identified on Precinct Plan 2. This includes:

- clearly identifying the land to be set aside for the future collector road (new) on any subdivision plan
- the mechanisms to be used, such as conditions (including requiring a covenant under s108(2)(d) of the RMA or a consent notice under s221 of the RMA) or written legal agreements, to ensure that the land will be available for the future collector road (new) and will be kept clear and unobstructed by buildings or structures. Such mechanisms may include a time limit whereby they lapse after an appropriate period if the land no longer needs to be kept available for the future collector road (new).

b. Whether the proposed subdivision layout is designed to provide for integration with the future collector road (new) once it is constructed. This includes:

- providing connections for pedestrians and cyclists to the future collector road (new)
- providing local road access to the future collector road (new) and to any interim local road constructed within the future collector road (new) corridor on adjacent sites.

c. Whether the proposed road network can efficiently and safely accommodate walking, cycling and vehicles (excluding buses). This includes:

- providing pedestrian and cycling connectivity with the surrounding network
- avoiding generating high volumes of traffic onto local roads
- demonstrating through traffic modelling and vehicle tracking that the intersections serving the subdivision will operate safely and efficiently.

Special Information requirement:

1. All subdivision consent applications for development within Precinct Plan 2, must include a traffic assessment undertaken by a suitably qualified and experienced traffic engineer that addresses whether the proposal complies with (a) and (b) below. The assessment must utilise traffic data no older than two years at the time that a subdivision resource consent application is lodged.

The baseline scenario for the assessment is the operation of the road network at the time, plus development enabled in Precinct Plan 1 and activities that have already been consented in Precinct Plan 2.

a. Road Intersection Performance

i. All-day: No individual traffic movement shall have a LOS worse than LOS E, or have a degree of saturation higher than 95%. If the baseline scenario is already at LOS F, then:

- degrees of saturation shall be no more than the baseline scenario; or
- delay shall not increase beyond the baseline scenario by more than 10%.

ii. The overall intersection LOS shall be no worse than LOS D

For the purposes of this standard, the relevant road intersections are:

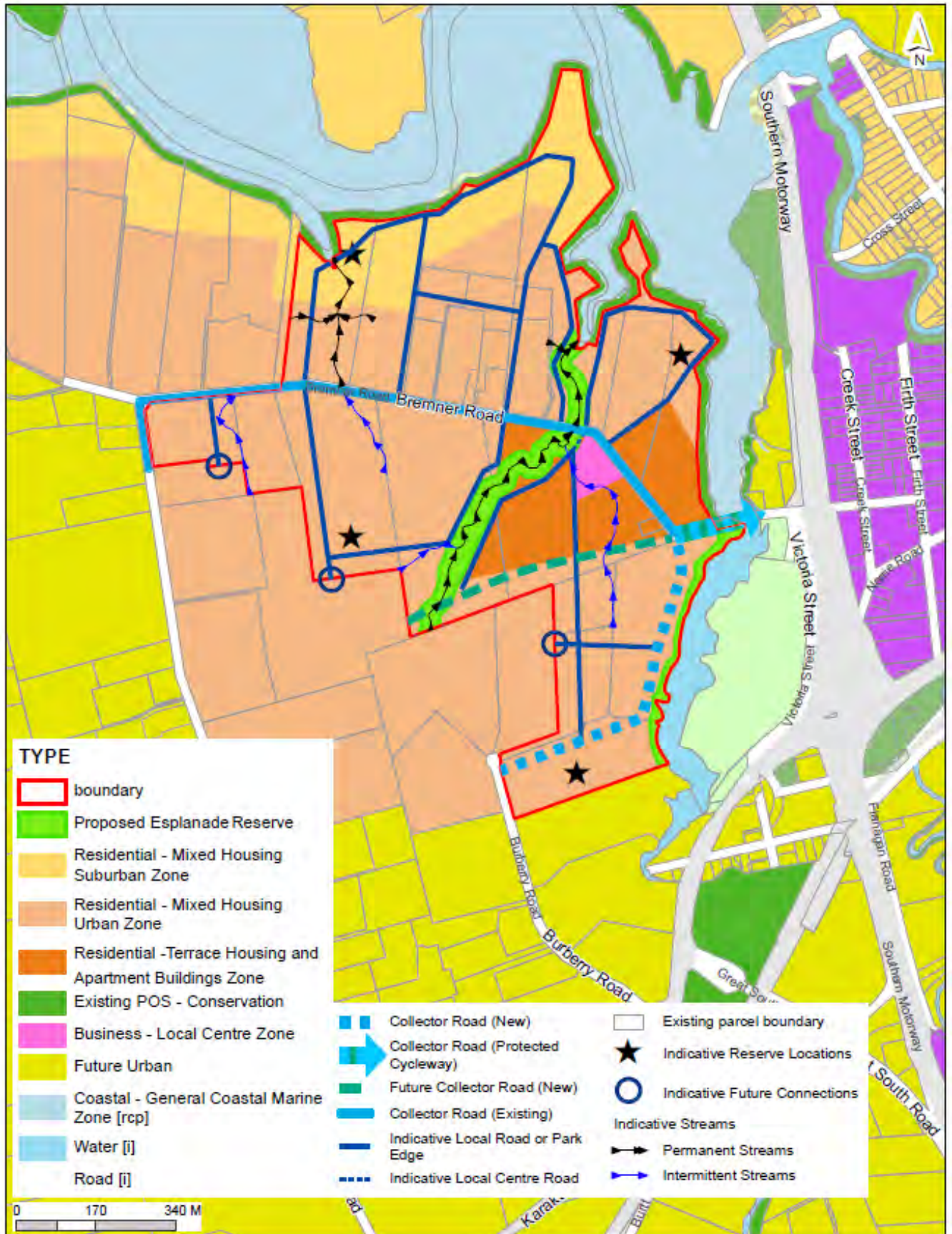
- Great South Road / Firth Street
- Firth Street / Norrie Road
- Great South Road / Norrie Road / Waihoehoe Road
- Great South Road / Karaka Road (SH22)
- Victoria Street / SH22

b. Norrie Road One-Way Bridge

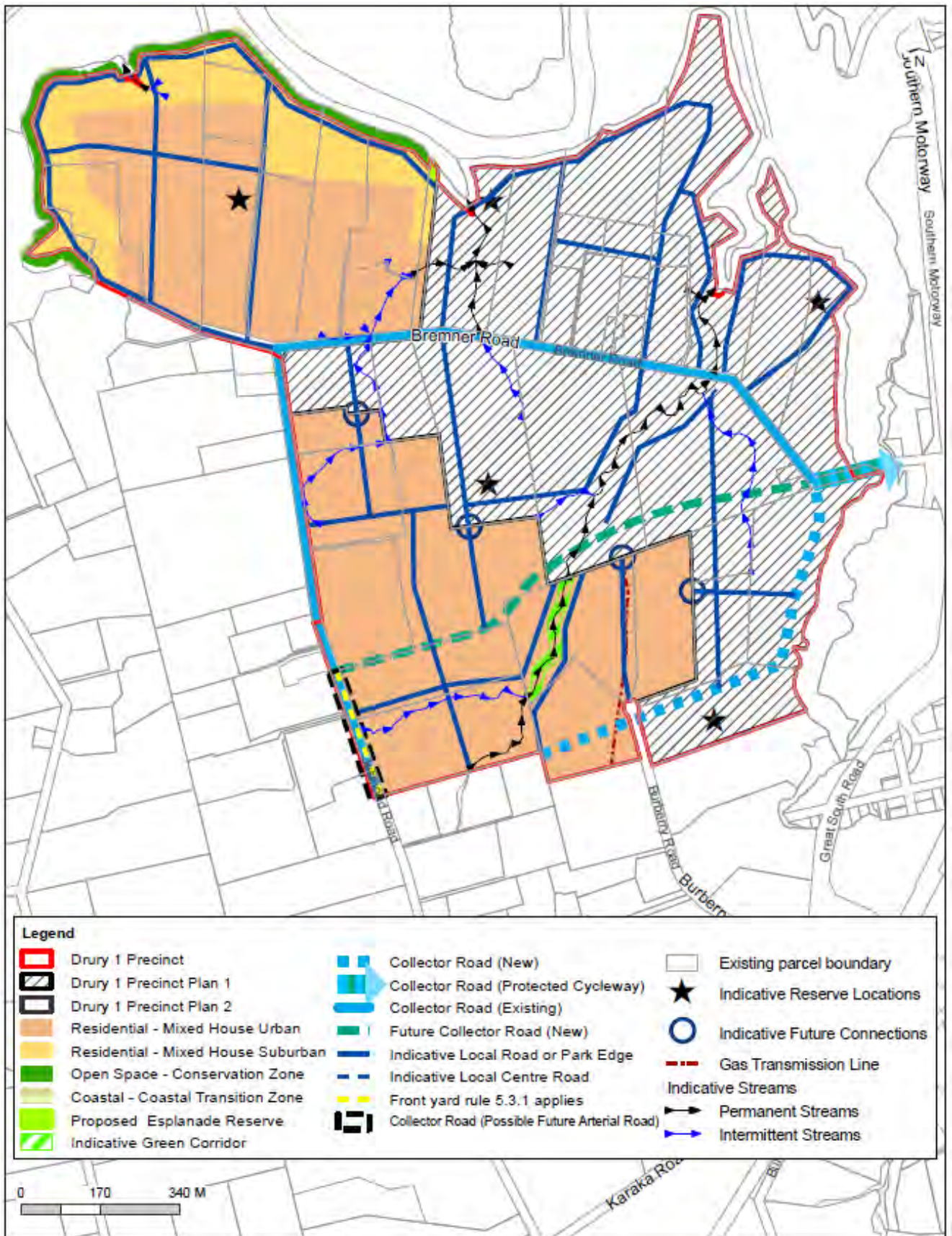
i. All-day: No individual traffic movement from upstream and downstream intersection shall have 85th percentile queues reaching or crossing the one-way bridge

- ii. Queues at the approaches to the one-way bridge shall not extend to and through the upstream intersection
- iii. Delays on the bridge shall not have LOS worse than LOS D.

9. PRECINCT PLAN 1



10. PRECINCT PLAN 2



Appendix 6.35.1 *[deleted]*

HGI

Part 14

Definitions

Contents	Page
14.1 Introduction	3
14.2 List of abbreviations used in the Plan	3
14.3 Definitions of terms used in the Plan.....	3
14.4 Definitions from the Resource Management Act 1991	28

Diagrams	Page
Figure 14.1 Entrance strip	11
Figure 14.2 Height	13
Figure 14.3 Yards.....	28

Annotations key

[DRx] indicates where the content is affected by decision report x


Underlined content to be inserted.


~~Struck through~~ content to be deleted.

where this annotation appears next to a figure, this indicates that the figure has been amended or deleted, or a new figure inserted.

[APx] indicates content is affected by Appeal x.

Plan modification annotations

 indicates where content is affected by proposed plan modification x. refer to plan modification folder or website for details.

 indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.

~~Struck through~~ content to be deleted.

14.1 Introduction

This part contains the following information:

- a list of abbreviations used in the Plan
- definitions of terms used in the Plan
- definitions from the RMA.

14.2 List of abbreviations used in the Plan

ARCAuckland Regional Council

AS/NZSJoint Australian and New Zealand Standard

DOCDepartment of Conservation

HGMPAHauraki Gulf Marine Park Act 2000

MHWSMean high water springs

NZSNew Zealand Standard

RMAResource Management Act 1991 and its amendments

14.3 Definitions of terms used in the Plan

Introduction

As well as the definitions below, there are additional specialist definitions in the following parts of the Plan:

- [part 6 - Financial contributions](#)
- [part 7 - Heritage](#)
- [part 9 - Hazardous facilities and contaminated land](#).

Definitions from the RMA are contained in [clause 14.4](#).

Definitions

Access lot	means a separate lot identified on a survey plan for the purpose of access. The lot may be jointly owned in shares by a number of users, or by a single owner. 'Access site' has a corresponding meaning.
Access strip	means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of the Act).
Accessory building	means either: <ol style="list-style-type: none"> 1. A building which is used in a way which is incidental to the use of another building or buildings on the site; or 2. A building which is used in a way which is incidental to a permitted activity on the site.
Accessway	means land providing vehicular access to a site or to a parking space. It includes any manoeuvring area associated with vehicle access.
Accommodation for care	means land or buildings used or designed to be used for residential accommodation by five or more people (exclusive of the manager and the manager's family) where live-in management, care and support are provided to the residents. This may include any of the following: <ul style="list-style-type: none"> • emergency housing, refuge centres, and halfway houses • accommodation for people who for mental or physical health reasons require management, care and support. <p>It does not include healthcare services.</p>
Accommodation for retired, elderly or disabled people	means a development which provides residential accommodation for retired, elderly or disabled people. The accommodation includes any of the following: <ol style="list-style-type: none"> 1. Shared accommodation, serviced apartments or small self contained dwellings (including bedsits). There may be some shared facilities such as kitchen and dining facilities, toilet and washing facilities. 2. A building or part of a building lawfully authorised and used as a rest home and providing accommodation and full-time care. Meals, nursing and other medical care may be provided. 3. A retirement village providing accommodation, recreation, welfare and medical facilities. <p>Any serviced apartments or dwellings must comply with one of the following:</p> <ul style="list-style-type: none"> • Be part of a development undertaken by a registered charity, society, or public body. • Be held together under one title. • Be held in unit titles under the Unit Titles Act 1972 and encumbered by an appropriate legal instrument which ensures that the use of the dwelling is confined to retired, elderly or disabled people.
Adjacent	means being near or close but not necessarily contiguous.
Ahi kaa	has the same meaning as 'mana whenua' (as in the RMA).
Airstrip	means land used for the take off and landing of aircraft used for commercial purposes. It does not include a helipad.
Allotment	has the same meaning as in the RMA.
Amenity values	has the same meaning as in the RMA.

Ancillary activities	<p>means an activity which meets all of the following:</p> <ol style="list-style-type: none"> 1. It is located on the same site as the primary activity which is permitted on that site. 2. It is incidental to the primary activity. 3. It serves a supportive function to the primary activity.
Annual exceedence probability	<p>means the chance that a particular event will occur in any given year. This may be expressed as a percentage or a ratio, eg 10% annual exceedence probability is the same as a 1 in 10 year return period for an event. This term generally relates to hazards and climatological events.</p>
Antenna	<p>means any telecommunication, radio-communication and broadcasting equipment (including a satellite dish) used for transmission or reception. It includes the antenna mounting. It does not include the supporting mast or structure.</p>
Art galleries and museums	<p>means land or buildings used for the display of artworks, historical or cultural collections to the public and includes sculpture parks. It may include the sale of these items.</p>
Biodiversity	<p>means the variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part. This includes diversity within species, between species and of ecosystems.</p> <p>Components include:</p> <ol style="list-style-type: none"> 1. Genetic diversity - the variability in the genetic makeup among individuals within a single species and those among individuals within a population. 2. Species diversity - the variety of species, whether wild or domesticated, within a particular geographical area. A species is a group of organisms which have evolved distinct inheritable features and occupy a unique geographic area. Species are usually unable to interbreed naturally with other species due to such factors as genetic divergence, different behaviour and biological needs and separate geographic location. 3. Ecological (ecosystem) diversity - the variety of ecosystem types (eg forests, deserts, grasslands, streams, lakes, wetlands and oceans) and their biological communities that interact with one another and their non-living environments.
Biosecurity	<p>means measures that protect the economy, the natural environment and people from exotic pests and diseases. It includes preventing new pest and diseases from arriving, and eradicating or controlling those already here.</p>
Boarding house or hostel	<p>means a building used or designed to be used for residential accommodation by five or more people, boarders or lodgers (not including the manager or person in charge of the building and their family). The accommodation provided includes any of the following:</p> <ul style="list-style-type: none"> • accommodation only • food and accommodation • accommodation and the use of communal food preparation, toilet and washing facilities. <p>It includes hostels for students or farm workers.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • premises which are licensed under the Sale of Liquor Act 1989 • camping facilities • dwellings (excluding the accommodation for the manager or person in charge) • homestays • visitors' accommodation • tourist complexes • accommodation for care.

Boarding kennels and catteries	means land or buildings used for the care of cats or dogs for commercial purposes, or by animal welfare agencies such as the SPCA (Society for the Prevention of Cruelty to Animals). It does not include the breeding or raising of cats or dogs for commercial purposes.
Boatshed	means an accessory building used exclusively for the construction, maintenance, or storage of boats or boating equipment.
Bridle paths	means a path or trail suitable for the purposes of riding and/or leading horses, which may also be suitable for use by pedestrians or cyclists.
Building	<p>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:</p> <ul style="list-style-type: none"> • 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. • <u>Rainwater tanks which are all of the following:</u> <ul style="list-style-type: none"> ○ <u>no greater than 3 m in height (excluding pipework);</u> ○ <u>not located in a front yard or frontage controls for the land unit unless they are located wholly below ground level;</u> ○ <u>finished in a recessive colour in a natural colour range (green, brown, grey) unless they are located wholly below ground level;</u> ○ <u>not located on or do not outflow across an existing effluent dispersal area;</u> ○ <u>designed to outflow into the site's existing stormwater management system;</u> ○ <u>not located: -</u> <ul style="list-style-type: none"> ➤ <u>in any natural hazard area identified on planning maps;</u> ➤ <u>within a horizontal distance of 20 m of any coastal cliff;</u> ➤ <u>at an elevation less than 1m above MHWS if less than 100m of MHWS;</u> ➤ <u>at an elevation less than 3m above mean high water springs if the activity is within 20m of mean high water springs;</u> ➤ <u>at an elevation less than 2m above mean high water springs if the activity is located more than 20m from mean high water springs.</u> ○ <u>not located on a site identified in Appendix 1: Heritage schedules for the inner islands & Appendix 2: Heritage schedules for the outer islands.</u> <p><u>Note: Rainwater tanks remain defined as a building under the Building Act. A building consent may still be required under the Building Act.</u></p>
Building Code	means the New Zealand Building Code, which is the first schedule to the Building Regulations 1992.
Building coverage	<p>means the extent or proportion of the net site area which is covered by buildings or parts of buildings.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • any parts of the eaves, spouting or bay windows which project more than 1m measured horizontally from an exterior wall

- tanks used for collecting and storing rainwater for reuse on the site.
- overhanging and cantilevered parts of buildings.

It does not include any of the following:

- pergolas with a permanently open roof
- parking below ground level with landscaping above which includes soil of sufficient depth to allow drainage
- earthen terracing
- satellite dishes
- tanks used for collecting and storing rainwater for reuse on the site.

Maximum building coverage may be defined as an area (such as in m²) or as a proportion (such as a percentage) of the net site area depending on the requirements of the Plan.

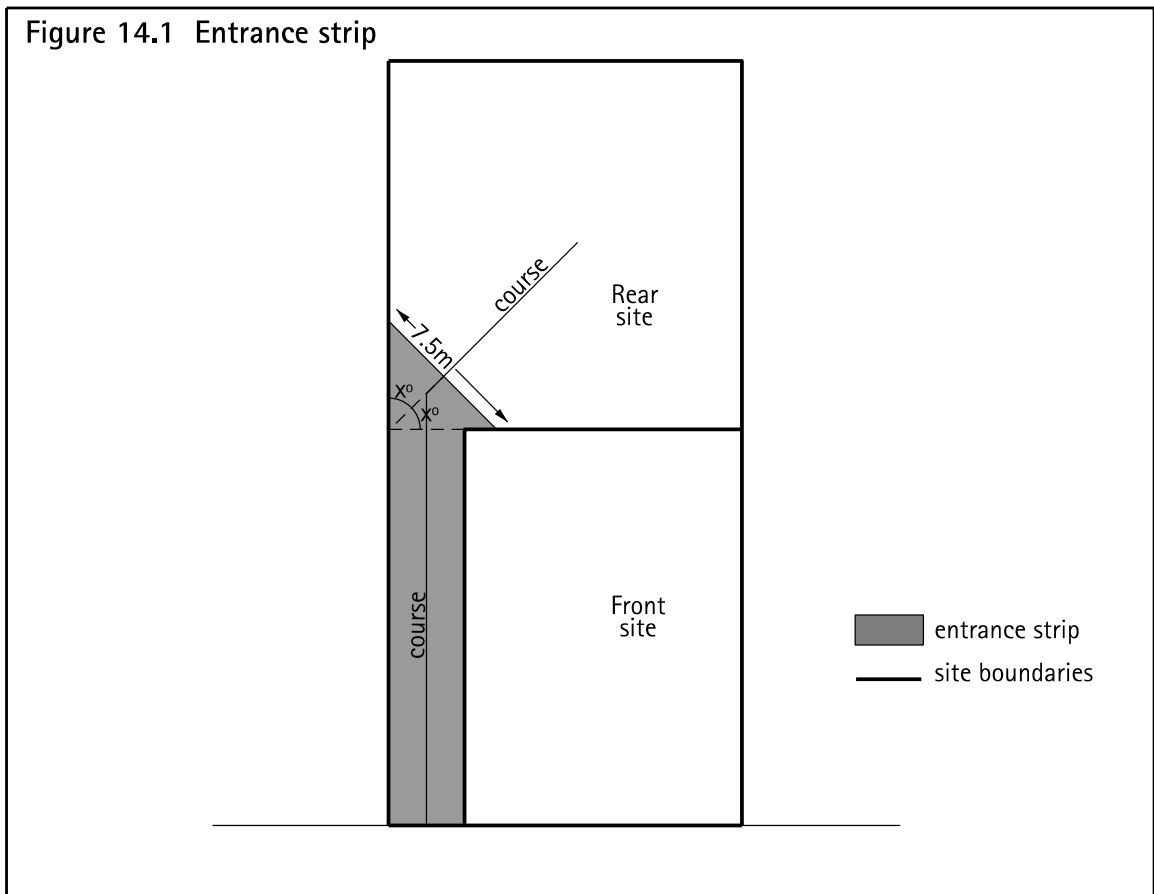
Building footprint	means the area of ground covered by a single building.
Building line	means a line drawn on the planning maps to indicate the extent of a building restriction yard.
Camping facilities	<p>means land or buildings used or designed to be used for rent, hire or reward for temporary living places by two or more families or groups of people living independently of each other.</p> <p>The temporary living places may include any of the following:</p> <ul style="list-style-type: none"> • a tent • a caravan, campervan or other vehicle occupied either wholly or in part as a temporary living place. <p>The families or groups may share common entrances, water supplies, cooking facilities, toilet and washing facilities, or other premises and equipment.</p>
Care centre	<p>means land or buildings where any of the following apply:</p> <ol style="list-style-type: none"> 1. Three or more children (in addition to the children of the person in charge) aged 5 years or younger are educated and cared for. It may be licensed as such by regulation. 2. Three or more children aged 5 years or older (in addition to the children of the person in charge) are cared for out of school hours. 3. Elderly people are cared for during the day. 4. People with disabilities are cared for during the day. <p>It includes creches, playcentres, kindergartens, childcare centres, kohanga reo, and play groups.</p>
Catchment	means an area of topography from which surface water flows via a self contained drainage system.
Commercial carparking	means land or buildings providing parking available to members of the public for a charge or fee. It does not include parking required under rule 13.7.2 .
Commercial firewood harvesting	<p>means the harvesting of living manuka, kanuka for the production and sale of firewood. The harvesting must occur in accordance with a management plan.</p> <p>It does not include other activities associated with the milling or processing of trees.</p> <p>Note: the Plan does not restrict the harvesting or sale of exotic or dead vegetation</p>
Community facilities	<p>means land or buildings used for community or public use and run on a not-for-profit basis.</p> <p>It includes places used for the gathering of people for recreation, worship, cultural and spiritual instruction and deliberation, public halls and libraries.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • entertainment facilities • healthcare services • restaurants, cafes and other eating places.



Comprehensive development	means a subdivision which creates at least three sites and which provides for the integrated assessment of the proposed sites, access (including any public access) and the development to be located on those sites.
Construction noise	means the noise arising from construction work.
Construction work	<p>means:</p> <p>'any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of:</p> <ol style="list-style-type: none"> a. Any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level; b. Any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome; c. Any drainage, irrigation, or river control work; d. Any electricity, water, gas, or telecommunications reticulation; e. Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation; or f. Any scaffolding. <p>Construction work includes:</p> <ol style="list-style-type: none"> g. Any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of construction work; h. The use of any plant, tools, gear, or materials for the purpose of any construction work; i. Any construction work carried out underwater, including work on ships, wrecks, buoys, rafts and obstructions to navigation; and j. Any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.' <p>This is the same definition as in NZS 6803:1999 Acoustics - Construction Noise.</p>
Contaminated land	has the same meaning as in the RMA.
Continuous canopy indigenous forestry	<p>means the sustainable harvesting of indigenous forests on a continuous canopy basis so that the ground is always covered by a canopy of tree species. The land must be registered with the New Zealand government's Permanent Forest Sink Initiative ('PFSI') and have a forest sink covenant registered on the title. Harvesting must be in accordance with the requirements of the PFSI.</p> <p>Note: To be eligible for the PFSI, the land must not have contained forest on 31 December 1989 and a change in land management practices since then must promote forest growth.</p>
Controlled activity	has the same meaning as in the RMA.
Co-operatively owned land	<p>means land owned by a number of individuals under a legally recognised, co-operative company or society structure. Land owned co-operatively has a corresponding meaning.</p> <p>Note: this definition is used in the context of the Plan rules which provide for multiple dwellings.</p>
Council	means the Auckland City Council. It includes any committee, community board, elected member of the council, or officer authorised to exercise the functions, duties or powers of the council.
Dairy	means a shop with a gross floor area of less than 50m ² (not including any attached dwelling) that supplies milk, bread, non-alcoholic drinks, packaged food and a variety of produce and household consumables.

DOC structures, facilities and operations	<p>means all structures, facilities and operations that are necessary to achieve the Department of Conservation's functions under the Conservation Act 1987 and consistent with any conservation management strategy, conservation management plan or management plans established under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act.</p> <p>It includes walking tracks, boardwalks, staircases, toilets, tramping huts and bunkhouses.</p>
Designation	has the same meaning as in the RMA.
Discretionary activity	has the same meaning as in the RMA.
Domestic firewood harvesting	<p>means the harvesting of living kanuka and manuka for the purpose of personal domestic firewood.</p> <p>It does not include other activities associated with the milling or processing of trees or the sale of firewood.</p> <p>Note: The Plan does not restrict the harvesting or sale of exotic or dead vegetation</p>
Dwelling	<p>means a building or a cluster of buildings, a room or group of rooms used or designed to be used exclusively on a permanent or temporary basis by one or more people as a separate household unit.</p> <p>Sleepouts must be treated as a building forming part of a dwelling rather than as an accessory building.</p> <p>It also includes the use of land for uses ancillary or incidental to a dwelling.</p> <p>Note: The terms 'accessory building', 'household unit' and 'sleepout' are defined elsewhere in this section.</p>
Earthen terracing	means an area of compacted earth that is above ground level, and includes any compacted earth behind a retaining wall.
Earthworks	<p>means earthmoving operations.</p> <p>It does not include quarrying, blasting, or rock drilling.</p> <p>Earthworks otherwise includes any of the following:</p> <ol style="list-style-type: none"> 1. The disturbance of land surfaces by: <ol style="list-style-type: none"> a. moving, removing, placing or replacing earth (including soil, clay, sand and rock); or b. excavation, contouring, cutting or filling operations. 2. Digging trenches for utility services or effluent disposal systems. 3. Cleanfill operations involving the depositing of soil or earth onto or into land, and not including material subject to biological breakdown.
Ecological corridor	means a geographical connection between natural habitats which provides for the movement of native flora and fauna between those habitats or provides a further habitat.
Ecosourcing	means the use of indigenous species naturally occurring in the general vicinity and the use of local genetic stock. In practice, this means sourcing seeds or cuttings from as close to the planting site as possible (eg from the same ecological unit or district). ' Ecosourced ' has a corresponding meaning.
Educational facilities	<p>means land or buildings used to provide regular instruction or training in accordance with a curriculum by teachers or instructors.</p> <p>It includes schools, technical institutes, teachers' colleges, universities, outdoor education centres, sports training establishments and home-schooling for more than two children not resident on the site.</p> <p>The activity also includes ancillary administrative, cultural, health, retail and communal facilities.</p>
Effect	has the same meaning as in the RMA.

Electricity network	<p>means a system made up of electrical links to allow the distribution of electricity. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes cables (service connection and distribution lines), cabinets, conductors, transformers, substations, and Totally Underground Distribution Systems (TUDS). 2. Aboveground infrastructure located above the existing ground surface. This includes cabinets, pillars, transformers and substations. 3. Overhead infrastructure located over the existing ground surface and suspended by poles or support structures. This includes cables (service connection and distribution lines) and support poles, and any equipment or structure located on support poles.
Emergency services facilities	<p>means land and buildings used for a fire station, ambulance station or police station. This may include administration, vehicle and equipment storage and maintenance, and training.</p>
Entertainment facilities	<p>means land or buildings that are used for:</p> <ul style="list-style-type: none"> • recreation and entertainment; or • promotion of fitness. <p>It includes any of the following:</p> <ul style="list-style-type: none"> • premises used for gambling • theatres and cinemas • brothels and massage parlours • gymnasiums • commercial swimming pools • internet cafes (where more than five computer terminals are available for hire and use on the premises for gaming or internet access). <p>It does not include community facilities.</p>
Entrance strip	<p>means the narrow part of a site, designed to provide vehicle or other access from a road to the main part of the site. The entrance strip may have easements that provide access to other sites. The entrance strip only includes the narrow part of the site until it reaches 7.5m wide, perpendicular to the course of the entrance strip (as shown on figure 14.1: Entrance strip).</p>
Environment	<p>has the same meaning as in the RMA.</p>
Equestrian activity	<p>means any activity involving the riding or leading of horses, including the teaching and learning of horse riding skills, and the showing of horses competitively (including trotting, galloping and cross-country jumping).</p>
Erosion risk zone	<p>means land and sites likely to be affected by coastal erosion. Land and sites within an 'erosion risk zone' is identified on the planning maps.</p>
Exploration	<p>means:</p> <p>'any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and 'to explore' has a corresponding meaning'</p> <p>This is the same definition as in the Crown Minerals Act 1991.</p>
Freight handling and wharf administration activities	<p>means land or buildings used for any of the following:</p> <ul style="list-style-type: none"> • administrative offices associated with a wharf • the moving or storage of freight.



Forestry means the management of land for commercial wood production including the extraction of timber.

It does not include any of the following:

- the milling or processing of timber
- commercial firewood harvesting.

Function facilities means land or buildings, or parts of buildings, where any of the following activities are held on a commercial basis:

1. Organised conferences, conventions, seminars and meetings.
2. Events and celebrations such as parties, wedding and funeral receptions.

It does not include community facilities.

Funeral parlour means land or buildings used for the purpose of directing or conducting funerals. It may include one or more of the following:

- mortuary facilities
- a place for holding funeral services
- facilities for cremating the bodies of people who have had their funeral on the premises.

Gross floor area ('GFA') means the combined area of all internal floorspaces, including any mezzanine floors, outdoor courtyards and external decking used for a commercial purposes such as beer gardens. The area includes all floors of all buildings on the site, but excludes any area used for required parking and loading spaces.

Gross site area means the total area of a site. It includes any entrance strip.

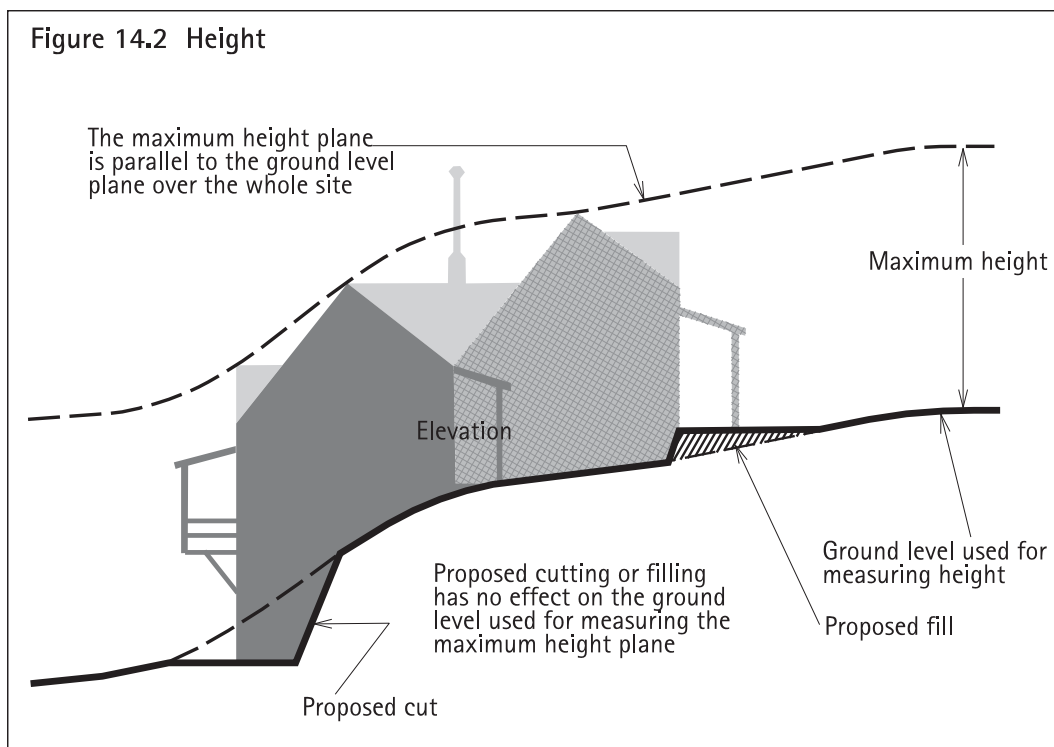


Ground level	means the finished level of the ground at the time the council issued a completion certificate under s224c of the RMA for the most recent subdivision applying to the site. However where there has been no such subdivision since 18 September 2006, the ground level will be taken to be the finished level of the ground as shown in the contour information based on 'light detection and ranging technology' (LIDAR) and flown between September 2005 and February 2006.
Hazardous facility	<p>means activities involving hazardous substances and sites.</p> <p>It includes any of the following:</p> <ol style="list-style-type: none"> 1. Sites where hazardous substances are used, stored or disposed of. 2. Vehicles used for transporting hazardous substances. <p>It does not include any of the following:</p> <ol style="list-style-type: none"> 1. The incidental use and storage of hazardous substances in minimal domestic scale quantities. 2. Hazardous activities which do not involve hazardous substances but which may pose a risk to people or the natural environment due to a physical or biological hazard (eg earthworks, electromagnetic radiation, genetically modified organisms and flour dust). 3. Network utility pipelines used for the transfer of hazardous substances such as gas, oil and sewage. 4. Infectious substances. 5. Retail premises which sell hazardous substances for the domestic use (eg supermarkets, hardware shops, pharmacies). 6. Fuel in motor vehicles, boats and small engines. 7. Facilities using genetically modified organisms.
Hazardous substance	<p>means any of the following:</p> <ol style="list-style-type: none"> 1. Substances with one or more of the following intrinsic properties: <ul style="list-style-type: none"> • an explosive nature • an oxidising nature • a corrosive nature • flammability • acute and chronic toxicity • ecotoxicity with or without bioaccumulation. 2. Substances which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generate a substance with any one or more of the properties specified in item (1) above. 3. Substances which when discharged to surface or ground waters, have the potential to deplete oxygen as a result of the microbial decomposition of organic materials (eg milk or other food stuffs). 4. Radio-active substances except smoke detectors.
Hauraki Gulf islands	means that part of Auckland City excluding the Central Area and the Isthmus. This is shown in figure 1.1: Geographic areas .
Healthcare services	<p>mean land or buildings used for treatment or diagnosis of physical or mental health or welfare for people or animals.</p> <p>It includes hospitals, dentists, doctors' surgeries, psychiatrists, psychologists, alternative healthcare or treatments, rehabilitation clinics, physiotherapists, paediatricians, dieticians, counselling services, medical laboratories, veterinarians and ancillary dispensary pharmacies.</p> <p>It does not include chemists, hairdressers, beauty clinics or other retail activities.</p>

Height in relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point (as shown on [figure 14.2: Height](#)).

When determining the highest part of the building, parapets will be taken into account but not any of the following:

1. Radio and television antennas which do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 3m.
2. Chimneys which:
 - a. Do not exceed 1.1m in any horizontal direction; and
 - b. Do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 1.5m.
3. Finials which do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 1.5m.



Helipad means land or buildings used for the take off and landing of helicopters. It does not include facilities for servicing, freight handling or storage hangars.

Historic heritage has the same meaning as in the RMA.

Home occupation

means the commercial use of a site for craft, occupation, business, trade or profession which is secondary and incidental to the use of the site for residential purposes.

The home occupation must meet all of the following:

1. Be carried out by a person who lives on the site.
2. Be carried out either wholly within the dwelling or within a residential accessory building. However fruit and vegetables used for the home occupation may be grown outdoors.
3. Employ no more than one full-time equivalent employee who does not live on the site.
4. No goods can be sold, or displayed for sale, on the site other than:
 - a. Goods made on the site; or
 - b. Fruit, vegetables or other natural products grown on the site.
5. Generate or cause no objectionable noise, smoke, smell, effluent, vibration, dust or other noxious or dangerous effects on the environment.
6. Generate no significant increase in traffic when compared with the traffic that could otherwise be generated from reasonable residential use of the site.
7. Include no exterior display, other than a single sign that complies with the council's bylaw about signs, no exterior storage of materials, no other exterior indication of the home occupation or variation from the residential character of the site or the neighbourhood.

None of the following activities may be undertaken as a home occupation:

- the boarding of cats, dogs or other animals
- storage or sorting of any bottles, scrap or other waste materials
- fish, meat or animal by-product processing
- panel beating
- vehicle wrecking
- spray painting
- non-residential vehicle storage
- sheet metal work
- heavy engineering
- engine reboring or crankshaft grinding
- boat, caravan or motor vehicle building.

These exclusions do not prevent the people who live in the dwelling from carrying out the normal maintenance and repair of domestic equipment (including motor vehicles) they own and use.

Homestay

means where a resident person, family or other household provide within their own dwelling, accommodation (which may include meals) for reward or payment for not more than five guests. Homestay accommodation is not self-contained and does not contain a kitchen sink or dishwashing facility.

Horticulture

means the use of land or buildings for the growing of vegetables, fruit, berries, nuts, vines, flowers, plants or fungi. It includes market gardening, orcharding, and viticulture (but not a winery).

Household unit	<p>means a separate housekeeping unit consisting of any one of the following:</p> <ol style="list-style-type: none"> 1. One person; and up to five other people unassociated with the household. 2. Two or more people related by blood, marriage (whether legal or defacto), civil union, adoption or legal guardianship; and up to five other people unassociated with the household. 3. A group of not more than eight people unrelated by blood, marriage whether legal or defacto, civil union, adoption or legal guardianship. <p>It includes any of the normal domestic household activities which may occur on the site.</p>
Impervious surface	<p>means a surface which prevents water from passing into the ground.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • roofed areas • concrete and paving • driveway and parking areas • decking where there is not a gap of at least 5mm between the boards • any pool or tank (other than tanks used for collecting and storing rainwater for reuse on the site). <p>It includes areas which also fit within the definition of building coverage.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • eco pavers or gobi blocks (unless used for driveway and parking areas) • paths under 1m in width • decking where there is a gap of at least 5mm between the boards • tanks used for collecting and storing rainwater for reuse on the site. <p>Maximum impervious surface may be defined as an area (such as in m²) or as a proportion (such as a percentage) of the net site area depending on the requirements of the Plan.</p>
Indigenous vegetation	<p>means vegetation of a species which occurs naturally in New Zealand or arrived in New Zealand without human assistance. It includes manuka and kanuka.</p>
Industry	<p>means the production, processing, assembly, packaging, servicing, testing, repair, or storage of any materials, goods, products, vehicles or equipment.</p> <p>It may include any of the following:</p> <ul style="list-style-type: none"> • a works depot • vehicle dismantling or wrecking to extract parts for sale • a recycling facility (but not the composting of green waste). <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • quarrying or mining • refuse transfer stations.
Integrated visitor development	<p>means a comprehensive proposal for all buildings (including new and existing buildings) and activities associated with a visitor development. It may include one or more of the following:</p> <ul style="list-style-type: none"> • visitor accommodation • restaurants, café and other eating places • tourist complex • visitor information centre • dairy • management and maintenance facilities and service infrastructure.
Islands	<p>means the Hauraki Gulf islands, unless the context makes it clear that a different or smaller group of islands is being referred to.</p>

Kaitiakitanga	has the same meaning as in the RMA.
Landing Area	Any land located in landforms 1 (coastal cliffs), 3 (alluvial flats), 5 (productive land), 6 (regenerating slopes) and 7 (forest and bush areas) only where they are used for the take-off and landing of helicopters and aircraft in association with pastoral farming and horticulture.
Lot	means a distinct parcel of land defined on a survey plan.
Mana whenua	has the same meaning as in the RMA.
Marine fuelling services	means any facility supplying motor fuels (excluding CNG or LPG) to boats or other vessels moored alongside at a jetty or wharf.
Marine recreation facilities	means land or buildings used for marine recreation activities that have a functional relationship with the sea. It must be for community use and includes clubrooms used by organisations such as boating clubs, sea scouts and surf life saving clubs. It does not include retail premises.
Mast	means any pole, tower or structure designed to carry antennas.
Mean high water springs ('MHWS')	is determined by the average of the heights of each pair of successive high waters during that period of about 24 hours in each semi-lunation (approximately every 14 days) when the range of tides is greatest.
Metrolight pole	means a street light pole that has been designed to include telecommunications equipment as part of the pole structure. The equipment may include radio communication antennas.
Mining	means: 'to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and 'to mine' has a corresponding meaning.' This is the same meaning as in the Crown Minerals Act 1991.
Minor alterations and additions to a building	means any of the following: 1. Constructing an uncovered deck of natural or dark stained timber. The deck must comply with the development controls for the land unit or settlement area. 2. Changing or putting in windows or doors in an existing building. 3. Changing existing materials or cladding with other materials or cladding of the same colour.
Motor vehicle sales	means any of the following: 1. The sale, hire or lease of motor vehicles, trailer boats, caravans, or trailers. 2. The sale of spare parts for motor vehicles, outboard motors or trailer boats.
Motor vehicle services	means the servicing and repair of motor vehicles and outboard motors. This may include any of the following: • building motor vehicle bodies • panel beating • spraypainting • engine reconditioning.
Multiple dwellings	means more than one dwelling on a site.
Natural and physical resources	has the same meaning as in the RMA.
Natural hazard	has the same meaning as in the RMA.

Natural hazard area	<p>means land identified on the planning maps as being in any of the following:</p> <ul style="list-style-type: none"> • flood prone land - type A flood plain • flood prone land - type B flood risk area • soil warning area • soil register area • erosion risk zone.
Net site area	<p>means the net area of a site. It is calculated by deducting the area of the entrance strip (if any) from gross site area.</p> <p>Note: for front and corner sites, net site area is the same as gross site area.</p>
Network utility service	<p>means any activity relating to one or more of the following:</p> <ol style="list-style-type: none"> 1. Distribution or transmission by pipeline of natural or manufactured gas petroleum or geothermal energy. 2. Telecommunication or radiocommunication. 3. Transformation, transmission or distribution of electricity. 4. The transmission and distribution of water, (whether treated or untreated), for the supply including irrigation. 5. Stormwater drainage or sewerage reticulation systems. 6. Construction, operation and maintenance of railway lines, tramways and roads. 7. Construction, operation and maintenance of an airport 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. 8. Lighthouse, navigation aids and beacons. 9. Meteorological services. 10. A project or work described as a 'network utility operation' by regulations made under the RMA. <p>'Network utility' or 'utility service' has a corresponding meaning.</p>

New organism

means:

1. A new organism is-
 - a. An organism belonging to a species that was not present in New Zealand immediately before 29 July 1998:
 - b. An organism belonging to a species, subspecies, infrasubspecies, variety, strain, or cultivar prescribed as a risk species, where that organism was not present in New Zealand at the time of promulgation of the relevant regulation:
 - c. An organism for which a containment approval has been given under this Act:
 - ca. an organism for which conditional release approval has been given:
 - cb. a qualifying organism approved for release with controls:
 - d. A genetically modified organism:
 - e. An organism that belongs to a species, subspecies, infrasubspecies, variety, strain, or cultivar that has been eradicated from New Zealand.
2. An organism is not a new organism if-
 - a. the organism is not a genetically modified organism and-
 - i. an approval is granted under section 38 to release an organism of the same taxonomic classification; or
 - ii. the organism is a qualifying organism and an approval has been granted under section 38I to release an organism of the same taxonomic classification without controls; or
 - iii. an organism of the same taxonomic classification has been prescribed as not a new organism; or
 - b. the organism is a genetically modified organism and-
 - i. an approval is granted under section 38 to release an organism of the same taxonomic classification with the same genetic modification; or
 - ii. the organism is a qualifying organism and an approval has been granted under section 38I to release an organism of the same taxonomic classification with the same genetic modification without controls; or
 - iii. an organism of the same taxonomic classification with the same genetic modification has been prescribed as not a new organism; or
 - c. the new organism was deemed to be a new organism under section 255 and other organisms of the same taxonomic classification were lawfully present in New Zealand before the commencement of that section and in a place that was not registered as a circus or zoo under the Zoological Gardens Regulations 1977.
- 2A. A new organism does not cease to be a new organism because-
 - a. it is subject to a conditional release approval; or
 - b. it is a qualifying organism approved for release with controls.
3. Despite the provisions of this section, an organism present in New Zealand before 29 July 1998 in contravention of the Animals Act 1967 or the Plants Act 1970 is a new organism.
4. Subsection (3) does not apply to the organism known as rabbit haemorrhagic disease virus, or rabbit calicivirus.'

This is the same definition as in the Hazardous Substances and New Organisms Act 1996.

Noise Sensitive Activity	Means any of the following activities that are sensitive to air transport noise: dwellings: educational facilities, care centres; healthcare services; accommodation for care: accommodation for retired, elderly or disabled people; boarding house or hostel, visitor facilities.
Non-complying activity	has the same meaning as in the RMA.
Notional boundary	means: 'The notional boundary is defined as a line 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.' This is the same meaning as NZS 9801:1999 Acoustics - Measurement of Sound. The term 'notional boundary' is used in the Plan in the context of measuring noise.
Offices	means land or buildings used for administration, consultation, or management of business transactions. It includes any of the following: <ol style="list-style-type: none"> 1. Administrative offices for managing the affairs of an organisation, whether or not trading takes place. 2. Commercial offices such as banks, insurance agents, or real estate agents where trade (other than the immediate exchange of money for physical goods) is transacted. 3. Professional offices such as the offices of accountants, solicitors, architects, engineers, surveyors, stockbrokers and consultants where a professional service is available and carried out. This does not include healthcare services.
Open air market	means an outdoor market which sells goods including bric a brac, produce, food and drink, art and cottage industry goods.
Outdoor adventure activities	means an adventure sport undertaken outdoors. It includes paintball, mountain biking and associated tracks, bungyjumping, kayaking, and other outdoor pursuits. It does not include motorised activities such as motorcross or go-karting.
Papakainga housing	means residential accommodation on any land classified as Maori land by the Maori Land Court.
Park and ride facilities	means all day carparking provided for commuters so that they can use passenger transport (ie bus) for all or part of their journey to and from work.
Pastoral farming	means the growing of grass and fodder crops on which stock are grazed. It includes the associated use of land and buildings. It does not include the grazing of deer or goats.
Permitted activity	has the same meaning as in the RMA.
Plan	means this District Plan (ie the proposed Hauraki Gulf Islands Section of the Auckland City District Plan).
Prohibited activity	has the same meaning as in the RMA.
Prospecting	means: 'any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes - <ol style="list-style-type: none"> a. Geological, geochemical, and geophysical surveys; and b. The taking of samples by hand or hand held methods; and c. Aerial surveys, and 'to prospect' has a corresponding meaning.' This is the same definition as in the Crown Minerals Act 1991.

Protection yard	<p>means either of the following:</p> <ol style="list-style-type: none"> 1. A strip of land located between the coast (as defined by mean high water springs 'MHWS') and a line parallel to that coast; or 2. A strip of land located between the edge of a wetland or water body, and a line parallel to that edge. <p>The Plan rules specify the required width for any particular protection yard. The width must be measured in the horizontal plane.</p> <p>The protection yard must be:</p> <ol style="list-style-type: none"> 1. Kept clear and unobstructed by buildings (including eaves, roof, gutter or downpipes). This includes buildings both above and below ground; and 2. Kept clear of earthworks and any other activities as specified in the Plan. <p>The location of the protection yard may change over time due to changes in the location of MHWS, the wetland or water body.</p>
Quarrying	<p>means the extraction of sand, gravel or rock for the purposes of providing construction materials. It may include any of the following:</p> <ol style="list-style-type: none"> 1. Blasting. 2. Removal of overburden. 3. Processing to produce aggregates of sand, gravel and rock only. 4. Storage of this material. 5. Construction and maintenance of plant, machinery and buildings. 6. Other ancillary works connected with such operations.
Rainwater tank	<p><u>A tank used for collecting and storing rainwater.</u></p>
Refuse transfer station	<p>means a facility where waste collected from waste generators is compacted before being taken to a waste deposal site.</p>
Requiring authority	<p>has the same meaning as in the RMA.</p>
Residential accessory building	<p>means an accessory building which is either:</p> <ol style="list-style-type: none"> 1. Incidental to the use of a dwelling on a site; or 2. Incidental to the residential use of a site. <p>It may include a garage or carport, a shed, a workshop, an office, a building used for a home occupation, a recreation room, a spa pool or swimming pool.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • a sleepout or other buildings that generally form part of a dwelling • a building which contains a kitchen sink, cooking or dishwashing facility. <p>Note: The terms 'accessory building', 'building', 'dwelling', 'residential use' and 'sleepout' are defined elsewhere in this section.</p>
Residential uses	<p>means any use of land or buildings for a dwelling or for uses ancillary or incidental to a dwelling.</p>
Restaurant, cafe and other eating places	<p>means land or buildings where food is sold to the public for eating on the premises. It may include premises licensed under the Sale of Liquor Act 1989. Part of the trade of the premises may involve sale of food to be eaten off the premises ie takeaway food.</p>
Restricted discretionary activity	<p>has the same meaning as in the RMA.</p>

Retail premises	<p>means land or buildings where goods, merchandise, equipment or services are sold, displayed, hired or offered for sale or direct hire to the public.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • a shop • a takeaway food bar • a market • premises which have an off-license under the Sale of Liquor Act 1989. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • a service station • motor vehicle sales • motor vehicle services • restaurant, cafe and other eating places • an internet cafe (where five or more computer terminals are available for hire and use on the premises for gaming and internet access.)
Ridgeline	means the line marking or following the crest of a ridge.
RMA - the RMA	means the Resource Management Act 1991 and includes any amendments to that Act. The RMA is also referred to as 'the Act'.
Road	<p>means:</p> <p>'the whole of land which is within the district, and which-</p> <ol style="list-style-type: none"> a. Immediately before the commencement of this Part of this Act was a road or street or public highway; or b. Immediately before the inclusion of any area in the district was a public highway within that area; or c. Is laid out by the council as a road or street after the commencement of this Part of this Act; or d. Is vested in the council for the purpose of a road as shown on a deposited survey plan; or e. Is vested in the council as a road or street pursuant to any other enactment;- <p>and includes-</p> <ol style="list-style-type: none"> f. Except where elsewhere provided in this Part of this Act, any access way or service lane which before the commencement of this Part of this Act was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this part of this Act or is declared by the Minister of Lands as an access way or service lane on or after the 1st day of April 1988. g. Every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or limits thereof;- <p>But, except as provided in the Public Works Act 1981 or in any regulations under that Act, but does not include a motorway within the meaning of that Act.'</p> <p>This is the same definition as in section 315 of the Local Government Act 1974.</p>

Road network	<p>means a system of roads to allow the movement of pedestrian, cycles and vehicles. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes any of the following: <ol style="list-style-type: none"> a. The construction (including earthworks), operation and maintenance of roads including associated footways, cycleways, footbridges, bridges, tunnels and retaining walls. b. Public transit systems. c. Road lighting, lighting in public places, lighting in private roads and private ways together with support structures as provided for by section 334A of the Local Government Act. d. Traffic and direction signs, information and naming signs permitted under the council's bylaw which controls signs. e. Traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals. f. Transport shelters. g. Seats and rubbish bins. 2. Aboveground infrastructure located above the existing ground surface. This includes any of the following: <ol style="list-style-type: none"> a. The construction (including earthworks), operation and maintenance of roads including associated footways, cycleways, footbridges, bridges, tunnels and retaining walls. b. Public transit systems. c. Road lighting, lighting in public places, lighting in private roads and private ways together with support structures as provided for by Section 334A of the Local Government Act. d. Traffic and direction signs, information and naming signs permitted under the council's bylaw which controls signs. e. Traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals. f. Parking meters. g. Refuse and recycling drop off points. h. Transport shelters. i. CCTV (closed circuit television) cameras. j. Seats and rubbish bins.
Rural property management plan	<p>means a long term management plan which comprehensively details all land use activities proposed to be undertaken on a site. It includes:</p> <ul style="list-style-type: none"> • the location of buildings and activities • the mitigation of effects proposed to manage adverse effects from those buildings and activities • methods for protecting and, where practicable, enhancing any parts of the site classified as landform 1, 2 or 4.
Sand quarrying	means 'quarrying' (as defined earlier) but for sand only.
Scheduled item	see definition in part 7 - Heritage .

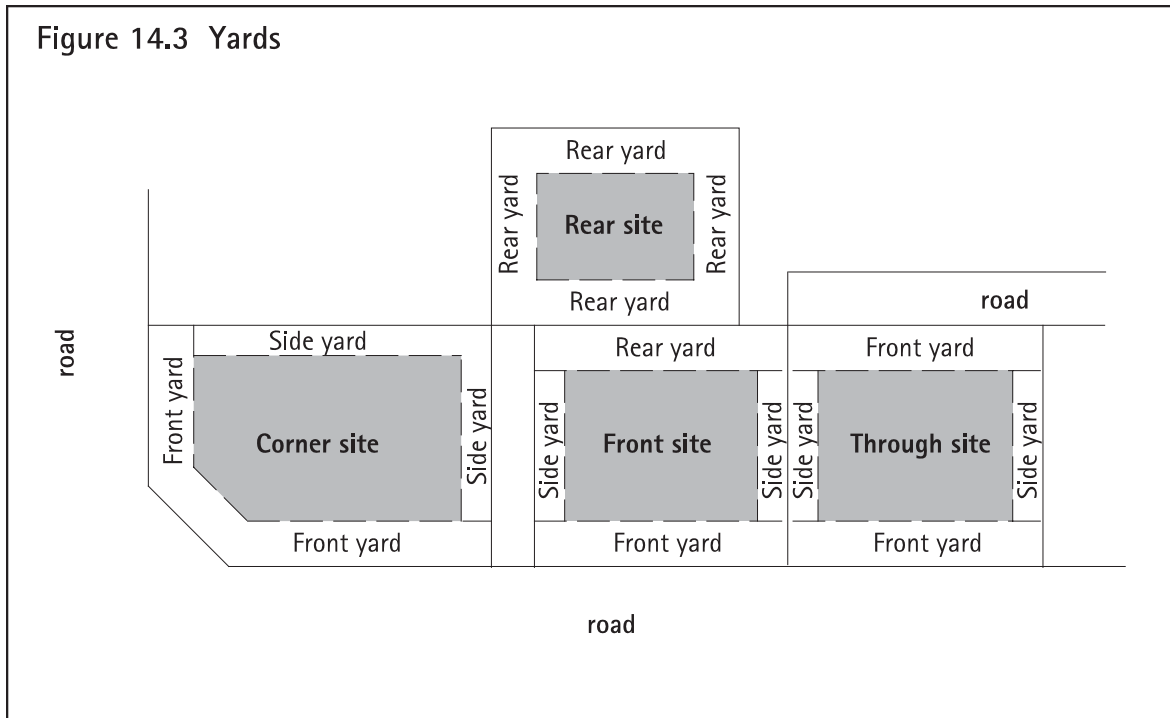
Service station	<p>means any land or buildings where the main activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel).</p> <p>It may also include one or more of the following:</p> <ol style="list-style-type: none"> 1. The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles. 2. A retail premises with a maximum gross floor area of 100m². 3. Mechanical repair and servicing of motor vehicles (including motor cycles, caravans, boat motors, trailers) and domestic gardening equipment. 4. Warrant of fitness testing. 5. Car wash facilities.
Settlement area	<p>means an area identified as such in figures 10b.1 to 8 and on the planning maps for the outer islands.</p>
Significant environmental feature	<p>means any of the following:</p> <ul style="list-style-type: none"> • The whole of any distinct natural feature, landform or landscape which makes a significant contribution to the quality of the local natural environment and amenity. • Any feature of archaeological, historical or cultural significance. <p>It may include one or more of the following:</p> <ul style="list-style-type: none"> • any site of ecological significance scheduled in the Plan • a water system • a habitat for indigenous species • an association of indigenous vegetation • a landform (including any significant ridgeline identified on the planning maps) • an ecological corridor • a visually significant area or group of areas • any item scheduled in the Plan for its archaeological, historical or cultural significance. <p>For the purposes of the Thumb Point Waiheke Island property, any site of ecological significance that is shown on the (Series 2) planning maps in the Plan is deemed to be a significant environmental feature (for the avoidance of doubt).</p>
Significant ridgeline area	<p>means an area surrounding a significant ridgeline as identified on the planning maps. The significant ridgeline area includes all land falling within 100m perpendicular to any point on the identified ridgeline.</p> <p>On the planning maps, the extent of the significant ridgeline area is shown by lighter dotted lines parallel to and on either side of a heavier dotted line which marks the location of the associated ridgeline.</p>

Site	<p>means either:</p> <ol style="list-style-type: none"> 1. An area of land which is: <ol style="list-style-type: none"> a. Contained in a single certificate of title; or b. Contained in a single lot on an approved survey plan or subdivision for which a separate certificate of title could be issued without further consent of the council; <p>being in any case the smaller land area of (a) or (b);or</p> 2. 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: <ol style="list-style-type: none"> a. Subject to a condition imposed under section 75 of the Building Act 2004 (or previously bound by section 37 of the Building Act 1991 (repealed)); or b. Held together in such a way that they cannot be dealt with separately without the prior consent of the council, such as a covenant imposed under section 220(2)(a) and section 240 of the Resource Management Act 1991, or any covenant previously bound by section 643 (repealed) of the Local Government Act 1974. <p>Except that in the case of land subdivided under the Unit Titles Act 1972 or the cross lease system, 'site' will be considered to be the whole of the land subject to the unit development or cross lease.</p>
Sleepout	<p>means a building which contains a bedroom or bedrooms. It may include bathroom and toilet facilities. It does not contain a kitchen sink, cooking or dishwashing facility.</p> <p>A sleepout must be treated as a building forming part of a dwelling rather than as an accessory building.</p> <p>Note: The terms 'accessory building', 'building' and 'dwelling' are defined earlier in this section.</p>
Soil register area	<p>means land for which the council holds a geotechnical report on the condition of soils for all or part of the sites identified. These reports have usually been prepared in conjunction with an application for a building consent because:</p> <ul style="list-style-type: none"> • The land was within a soil warning area; or • Site inspections by an engineer with geotechnical expertise determined that the foundations for a building or structure on the site would need specific design due to soil conditions. <p>Land within a 'soil register area' is identified on the planning maps.</p>
Soil warning area	<p>means any of the following:</p> <ul style="list-style-type: none"> • areas of filled or weak ground (this may include former refuse tip sites) • areas that are unstable • areas where the ground is suspected to be liable to slip, slump, or become liquefied, or perform poorly if loads are imposed upon it. <p>Land within a 'soil warning area' is identified on the planning maps.</p>
Sustainable management	<p>has the same meaning as in the RMA.</p>
Tavern	<p>means land or buildings used primarily for the sale of liquor and other refreshments to the public for consumption on the premises. Liquor may also be sold for consumption off the premises.</p>

Telecommunication network	<p>means a system made up of telecommunication links to allow telecommunication. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes cables (service connection and distribution lines including fibre optic), cabinets, conductors and Totally Underground Distribution Systems (TUDS). 2. Aboveground infrastructure located above the existing ground surface. This includes public telephone boxes, cabinets, junction pillars, cellphone antennas, cell site antennas, masts and metrolight poles. 3. Overhead cable infrastructure located above the existing ground surface and suspended by poles or support structures. This includes cables (service connection and distribution lines including fibre optic) and support poles, and any equipment or structure located on support poles.
Thumb Point Waiheke Island property	<p>Means any land that is (as at 17 October) contained within the following certificates of title NA23C/199. NA23C/200, NA26A/1073, NA26A/1074. NA26A/1075. NA47C/503. NA47C/889, NA173/117, NA195/118. NA758/233. NA758/234, NA758/235, NA970/265 and NA82C/468.</p>
Tourist complex	<p>means land or buildings which are used for the day to day accommodation of tourists and short-stay visitors away from their normal place of residence.</p> <p>It includes visitor accommodation in association with one or more of the following:</p> <ul style="list-style-type: none"> • function facilities • taverns • restaurants, cafe and other eating places • entertainment facilities <p>without limiting the use of such facilities to people staying in the complex.</p> <p>It may include premises licensed under the Sale of Liquor Act 1989.</p> <p>It does not include:</p> <ul style="list-style-type: none"> • camping facilities; or • boarding houses or hostels.
Type A flood plain	<p>means land that the council has identified as being likely to flood in a 1 in 100 year storm. Type A flood plains are identified on the planning maps. Type A flood plains are considered to be a reasonably accurate assessment of flooding in a 1 in 100 year storm.</p>
Type B flood risk area	<p>means land that the council has identified as being likely to flood in a 1 in 100 year storm. Type B flood risk areas are identified on the planning maps. Type B flood risk areas are based on less accurate information than type A flood plains.</p>

Visitor accommodation	<p>means land or buildings used for the day to day accommodation of tourists and short-stay visitors away from their normal place of residence.</p> <p>It may include shared or centralised services for the tourists or visitors such as kitchen and dining facilities, toilet and washing facilities, and recreational and bar facilities.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • motels and hotels • backpacker lodges • serviced rental accommodation for visitors that is offered at a daily tariff or with a pricing structure that is consistent with short stay accommodation • timeshare accommodation. <p>It may include premises licensed under the Sale of Liquor Act 1989.</p> <p>Where the visitor accommodation provides for more than 10 people, it may include on site accommodation for a manager and the manager's family.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • the letting of dwellings, including for holiday purposes • homestays • boarding houses and hostels • camping facilities • taverns • restaurants, cafes and other eating places except where these are limited to the use of people staying in the accommodation and their guests. <p>It may form part of a tourist complex.</p>
Wastewater network	<p>means a system made up of wastewater links to allow the reticulation of wastewater or sewage. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes associated equipment, pipes and fittings, chambers and pits, meters, pumping stations, manholes and detention tanks. 2. Aboveground infrastructure located above the existing ground surface. This includes aerial pipe bridges, pumping stations, transformers, ventilation pipes, manholes, discharge outlets equipment, cabinets, emergency overflows, aerials, overflow screens and biofilters.
Water body	<p>means fresh or tidal water in a river, lake, stream, pond or modified natural water course.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • any artificial water course such as a drain or an irrigation canal • any ephemeral streams that do not support aquatic life • any water located below mean high water springs.
Water system	<p>means any part of a natural drainage system including ground water, aquifers, water bodies, and wetlands.</p>
Wetland	<p>includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</p>

Winery	<p>means land or buildings used for the processing and, if required fermentation of grapes into wine or juice, and may include:</p> <ul style="list-style-type: none"> • the storage, blending, or mixing of a wine or wines • the bottling or otherwise packaging of wine • the labelling of wine • wine-tasting and ancillary wine retailing. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • visitor accommodation • restaurants, cafes or other eating places • function facilities. <p>The storage, packaging (but not bottling), and labelling of wine is not exclusively limited to a winery and can occur as part of viticulture.</p>
Works within the dripline	<p>Means the excavation, deposition of material, construction, work, emplacement of services, storage or other activity in, on, above or under, the dripline (branch spread) of a tree or vegetation.</p>
Yard	<p>means a part of a site which is to be kept clear and unobstructed by buildings (including eaves, roof, gutter or downpipes) from the ground upwards.</p> <p>The Plan rules specify the required width for any particular yard. The width must be measured in the horizontal plane.</p> <p>Except as otherwise provided by this Plan:</p> <p>Front yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the site boundary where it abuts the road and a line parallel to that; and • extends across the full width of the site. <p>Except that where any building line for road widening purposes is shown on the planning maps this line will be substituted for the site boundary.</p> <p>Rear yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the rear boundary of a site (other than a corner site) and a line parallel to that; and • extends across the full width of the site. <p>For a rear site, all boundaries, other than the boundary fronting the road, will be treated as rear boundaries.</p> <p>Side yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the side boundary of a site and a line parallel to that • extends across the full width of the site; and • excludes any part of the site which is a front or rear yard. <p>For a corner site, every boundary which does not abut the road, will be treated as a side boundary.</p> <p>The location of front, rear and side yards is shown on figure 14.3: Yards.</p> <p>Building restriction yard means a yard, the location of which is indicated on the planning maps. This replaces any other front yard requirements.</p> <p>Protection yard - this is defined under 'protection yard'</p>



14.4 Definitions from the Resource Management Act 1991

The Plan uses a number of terms which have particular meanings as defined the RMA. Those RMA terms which are likely to be of most relevance to a user of the Plan are set out below for information purposes only. However this list is by no means exhaustive.

The definitions below are correct at the time of notification of this Plan. However from time to time there may be further amendments to the RMA resulting in changes to defined terms. The council intends to update this list periodically to reflect any subsequent changes to the RMA. If any inconsistency arises between the most current RMA definition and this list, then the RMA definition takes precedence.

Allotment

Section 218 (2) states:

“In this Act, the term “allotment” means —

- a. Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not —
 - i. The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - ii. A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- b. Any parcel of land or building or part of a building that is shown or identified separately —
 - i. On a survey plan; or
 - ii. On a licence within the meaning of Part 7A of the Land Transfer Act 1952; or
- c. Any unit on a unit plan; or
- d. Any parcel of land not subject to the Land Transfer Act 1952.”

Amenity values	<p>Section 2 states:</p> <p>"Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."</p>
Coastal marine area	<p>Section 2 states:</p> <p>"Coastal marine area means the foreshore, seabed, and coastal water, and the air space above the water-</p> <ol style="list-style-type: none"> a. Of which the seaward boundary is the outer limits of the territorial sea: b. Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of- <ol style="list-style-type: none"> i. One kilometre upstream from the mouth of the river; or ii. The point upstream that is calculated by multiplying the width of the river mouth by 5:"
Contaminant	<p>Section 2 states:</p> <p>"Contaminant includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat-</p> <ol style="list-style-type: none"> a. When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged:"
Contaminated land	<p>Section 2 states:</p> <p>"contaminated land means land that has a hazardous substance in or on it that-</p> <ol style="list-style-type: none"> a. has significant adverse effects on the environment; or b. is reasonably likely to have significant adverse effects on the environment".
Controlled activity	<p>Section 87A(2) states:</p> <p>"If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a controlled activity, a resource consent is required for the activity and-</p> <ol style="list-style-type: none"> a. the consent authority must grant a resource consent (except if section 106 applies); and b. the consent authority's power to impose conditions on the resource consent is restricted to the matters over which control is reserved (whether in its plan or proposed plan, a national environmental standard, or otherwise); and c. the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Designation	<p>Section 166 states:</p> <p>"Designation means a provision made in a district plan to give effect to a requirement made by a requiring authority under section 168 or section 168A or clause 4 of Schedule 1."</p>

Discretionary activity	<p>Section 87A(4) states:</p> <p>"If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a discretionary activity, a resource consent is required for the activity and-</p> <ul style="list-style-type: none">a. the consent authority may decline the consent or grant the consent with or without conditions; andb. if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Effect	<p>Section 3 states:</p> <p>"In this Act, unless the context otherwise requires, the term "effect" includes —</p> <ul style="list-style-type: none">a. Any positive or adverse effect; andb. Any temporary or permanent effect; andc. Any past, present, or future effect; andd. Any cumulative effect which arises over time or in combination with other effects — <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes —</p> <ul style="list-style-type: none">e. Any potential effect of high probability; andf. Any potential effect of low probability which has a high potential impact."
Environment	<p>Section 2 states:</p> <p>"Environment includes —</p> <ul style="list-style-type: none">a. Ecosystems and their constituent parts, including people and communities; andb. All natural and physical resources; andc. Amenity values; andd. The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters."
Historic heritage	<p>Section 2 states:</p> <p>"Historic heritage -</p> <ul style="list-style-type: none">a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:<ul style="list-style-type: none">i. archaeological:ii. architectural:iii. cultural:iv. historic:v. scientific:vi. technological; andb. includes —<ul style="list-style-type: none">i. historic sites, structures, places, and areas; andii. archaeological sites; andiii. sites of significance to Maori, including wahi tapu; andiv. surroundings associated with the natural and physical resources."
Kaitiakitanga	<p>Section 2 states:</p> <p>"Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship."</p>

Mana whenua	Section 2 states: "Mana whenua means customary authority exercised by an iwi or hapu in an identified area."
Natural and physical resources	Section 2 states: "Natural and physical resources includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures."
Natural hazard	Section 2 states: "Natural hazard means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslide, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment."
Non-complying activity	Section 87A(5) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a non-complying activity, a resource consent is required for the activity and- a. decline the consent; or b. grant the consent, with or without conditions, but only if the consent authority is satisfied that the requirements of section 104D are met and the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Permitted activity	Section 87A(1) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a permitted activity, a resource consent is not required for the activity if it complies with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Prohibited activity	Section 87A(6) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a prohibited activity, a resource consent is required for the activity and- a. no application for a resource consent may be made for the activity; and b. the consent authority must not grant a consent for it."
Requiring authority	Section 166 states: "Requiring authority means - a. A Minister of the Crown; or b. A local authority; or c. network utility operator approved as a requiring authority under section 167."
Restricted discretionary activity	Section 87A(3) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a restricted discretionary activity, a resource consent is required for the activity and- a. grant a consent and to impose conditions on the consent, is restricted to the matters over which discretion is restricted (whether in its plan or proposed plan, a national environmental standard, or otherwise); and b. if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."

**Sustainable
management**

Section 5 (2) states:

“In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while —

- a. Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- b. Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- c. Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

Attachment C - Further Clause 20A changes to text

Memo

Date 02/06/2022

To: Warren MacLennan, Manager – Regional, North, West and Islands

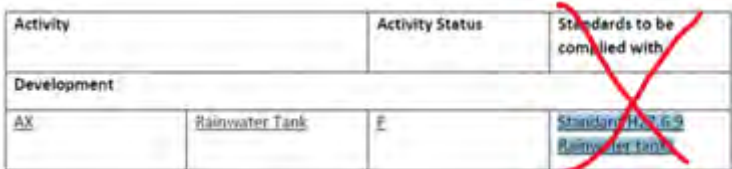
From: Alison Pye, Senior Policy Planner - Regional, North, West and Islands

Subject: **Plan Modification: Clause 20A modification to Auckland Unitary Plan**

Corrections are required to the Auckland Unitary Plan (Operative in Part) 2016 (the AUP).

I seek your approval of this plan modification pursuant to clause 20A, first schedule, Resource Management Act 1991.

You have delegated authority, as a tier four manager, to make a decision to correct an error to an operative plan under clause 20A. 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.

Rule or Section of Unitary Plan	<ul style="list-style-type: none"> H27 Special Purpose – Māori Purpose Zone – Activity table H27.4.1 H20.6.9 Rural – Waitakere Foothills Zone and H21.6.9 Rural – Waitakere Ranges Zone I550.6.5 Millwater South Precinct
Subject Site (if applicable)	N/A
Legal Description (if applicable)	N/A
Nature of change	<p>A Clause 20A modification is required to correct text in the AUP to correct minor errors arising from decision to PC 54 Enabling installation of rainwater tanks in residential and rural zones.</p> <p>Discussion</p> <p>1. <u>H27 Special Purpose – Māori Purpose Zone Activity table H27.4.1</u> Amend Special Purpose – Maori Special Purpose Zone – Activity table H27.4.1 Activity Table by deleting the column “standards to be complied with” and content of this column:</p> <div style="text-align: center;">  </div> <p>Reason: The decision to PC54 introduced an additional column - “standards to be complied with” to Activity Table H27.4.1 Special Purpose- Maori Purpose Zone Activity Table. The column was introduced in relation to the activity ‘Rainwater Tank’ and cross references to the rainwater tank standard at H27.6.9.</p>

The column and cross reference are unnecessary as Rule H27.6 Standards already requires that all activities in the table must comply with specified development standards:

H27.6. Standards

All activities listed as a permitted activity, controlled activity or restricted discretionary activity in Table H27.4.1 Activity table must comply with the following standards.

In this context the additional column and words are redundant and can be deleted without resulting in material difference to interpretation of the provisions.

Further to this, the new column if retained introduces inconsistency as the column is blank in relation to all other activities in the Activity Table – this could cause result in the incorrect interpretation that as no standards are specified, none apply. This is incorrect.

2. H20 Rural – Waitakere Foothills Zone and H21 Rural – Waitakere Ranges Zone

Amend clause 5 as follows (words to be deleted are struck through):

- (5) rainwater tanks must ~~be buried or be screened from views; and~~
 - (a) not be located:
 - (i)
 - (ii)
 - (b)...

Reason: The PC54 decision clearly sets out the intended wording for clause 5:

(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;

...

The decision wording for clause 5 does not include the words “must be buried or be screened from views; and”. The absence of the words is intentional and should have been identified as text intended to be deleted (i.e struckthrough) but was not. This is considered to have been an oversight.

3. I550 Millwater South Precinct




Amend I550.6.5(2) as follows (words to be deleted are struck through):

I550.6.5. Sunlight access to the private outdoor living space of proposed and exist dwellings

- (1)...
 - (2) A wall, ~~or~~ building or rainwater tank on a side or rear boundary allowed by clause H3.6.8.2 in the Residential – Single House zone must not reduce sunlight to the ...
- ...

Reasons: the clause 20A amends an error in the commissioners decision in which the word “or” is omitted rather than being identified as text intended to be deleted (i.e ‘struckthrough’). This is considered to

	<p>have been an oversight.</p> <p>I550.6.5. Sunlight access to the private outdoor living space of proposed and exist dwellings</p> <p>(1).... (2) A wall, building or rainwater tank on a side or rear boundary allowed clause H3.6.8.2 in the Residential - Single House zone must not reduce sunlight to the private outdoor living space of another dwelling to less than</p>
Effect of change	<p>The changes do not materially change the decision to PC54 and</p> <ul style="list-style-type: none"> • are to correct a minor errors; and • are neutral (it would not affect the rights of some members of the public)
Changes required to be made (text/in-text diagrams)	Amend H27, H20, H21 and I550 in the Operative in Part version.
Changes required to be made (maps)	N/A
Attachments	Attachment 1: Corrections to text (strikethrough/underlines)

<p>Prepared by: Alison Pye Senior Policy Planner - Regional, North, West and Islands Planner</p>	<p>Text Entered by: Sarah El Karamany Planning Technician</p>
<p>Signature:</p> 	<p>Signature:</p> 
<p>Maps prepared by: N/A Geospatial Analyst</p>	<p>Reviewed by: Peter Vari Team Leader - Regional, North, West and Islands Planner</p>
<p>Signature:</p>	<p>Signature:</p> 

Decision:

I agree/disagree to authorise the Clause 20A
modification using my delegated authority

Warren MacLennan
Manager Planning - Regional, North, West and
Islands Planner
Date: 08/06/2022

Signature:



Attachment 1: Corrections to text (strikethrough/underlines)

H20. Rural – Waitākere Foothills Zone

H20.1 Zone description

The Rural – Waitākere Foothills Zone covers the area between the developed, urban part of Auckland and westward to the bush-covered part of the Waitākere Ranges. It includes the mixed rural and natural landscape of the eastern foothills catchments of Ōrātia, Opānuku, Swanson South and the upper Kumeu streams, excluding the relatively contiguous bush cover of the upper catchments and ridges. It forms a visual buffer between metropolitan Auckland and the bush-clad core of the heritage area. Activities include a mixture of vineyards, orchards, dwellings and pasture. Limited settlement is allowed where it does not cause adverse effects on the heritage features. Opportunity exists for the development of a walkway linking Titirangi to the Swanson Railway station and for the restoration of streams within the foothills.

H20.2 Objectives

- (1) Activities, development, and subdivision in this zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in [D12.2](#).
- (2) Land is used and developed to achieve the objectives of the Rural – Countryside Living Zone unless otherwise specified in objectives H20.2(1), (3) and (4).
- (3) The Rural – Waitākere Foothills Zone retains a rural character with low-density settlement and few urban-scale activities.
- (4) The Rural – Waitākere Foothills Zone provides a rural and visual buffer between urban Auckland and the forested ranges and coasts.

H20.3 Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in [D12.3](#).
- (2) Provide for use and development which supports the policies of the Rural – Countryside Living Zone unless otherwise specified in policies H20.3(3) to (11).
- (3) Provide for buildings and activities that:
 - (a) avoid, remedy or mitigate adverse effects on views to the Waitākere Ranges, the rural foothills and the western skyline of Auckland;
 - (b) are compatible with the amenity values, rural character and the natural landscape;
 - (c) retain a rural buffer between the bush-clad and urban parts of the city;
 - (d) avoid, remedy or mitigate effects on ecosystems, including native vegetation and habitats of native fauna;

- (e) do not lead or contribute to urban expansion and/or the fragmentation of rural character; and
 - (f) contribute to and enhance the ongoing productive use of rural land, and the restoration of degraded terrestrial and aquatic ecosystems.
- (4) Provide for a diverse range of rural activities that have a clear connection with the resources, communities or the natural or rural character and amenity values of the Waitākere Ranges Heritage Area.
- (5) Limit retail activities outside of the Ōrātia Village to home occupations, nurseries, garden centres, food and beverages, visitor accommodation and agricultural and horticultural produce.
- (6) Enable rural activities that have a clear connection with the community and its resources or maintain connections with the foothills' productive past, including retaining and maintaining farming, orchards, vineyards and shelterbelts, and designing landscape elements of new activities to reflect the Waitākere Ranges Heritage Area's history and pattern of development.
- (7) Maintain a clear contrast between the urban parts of the city and the foothills through design and location of subdivision and development.
- (8) Provide for limited subdivision and/or development where this:
- (a) protects and enhances streams, lakes, watercourses, and wetlands and their margins;
 - (b) restores low-quality areas of vegetation or provides for revegetation of bare areas along waterway margins; or
 - (c) minimises vegetation clearance by locating buildings and development in areas of lower ecological value on the site.
- (9) Require subdivision design to:
- (a) incorporate on-site native vegetation planting;
 - (b) retain or link significant vegetation and fauna habitat areas; and
 - (c) avoid adversely affecting the visual, historic, cultural, or spiritual significance of heritage features.
- (10) Provide for legal and physical protection of native vegetation to ensure these areas are protected in perpetuity, including, where necessary requiring fencing to achieve permanent stock exclusion.
- (11) Provide for the establishment of the indicative foothills walkway and connections from it to existing walkways.

H20.4 Activity table

Table H20.4.1 specifies the activity status of land use activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991.

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

If any activity listed in rules (including standards) H20.4.1 to H20.6.17 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

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 H20.4.1 to H20.9, 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.

Table H20.4.1 Activity Table

Activity		Activity status
(A1)	Activities not provided for	NC
Development		
(A2)	Demolition of buildings	P

H20 Rural – Waitākere Foothills Zone

(A3)	Buildings not complying with Standard H20.6.2 Building height	D
(A4)	Building coverage that does not comply with Standard H20.6.4.(1) and which is less than or equal to 25 per cent of net site area	RD
(A5)	Building coverage that exceeds 25 per cent of net site area	NC
(A6)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A6A)	Rainwater tank	P
Use		
Rural		
(A7)	Farming	P
(A8)	Farm visit for up to 30 visitors	P
(A9)	Rural airstrips	D
(A10)	Greenhouses with a building coverage not exceeding 25 per cent of the net site area	RD
(A11)	Greenhouses with a building coverage exceeding 25 per cent of the net site area	NC
(A12)	Intensive farming not exceeding 200m ² in gross floor area	D
(A13)	Intensive poultry farming exceeding 200m ² in gross floor area	NC
(A14) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H20.6.1.(1) and (2)	P
(A15) [rp/dp]	Disposal of non-residential waste or composting that does not comply with Standard H20.6.1.(1) and (2)	D
(A16)	Free-range poultry farming complying with Standard H20.6.6(1)	RD
(A17)	Free-range poultry farming not complying with Standard H20.6.6(1)	D
(A18)	Mustelid farming	Pr
(A19)	Forestry complying with Standard H20.6.7(1) to (5)	P
(A20)	Forestry not complying with Standard H20.6.7(1) to (5)	D
(A21)	Conservation planting	P

H20 Rural – Waitākere Foothills Zone

(A22)	Rural commercial services	D
(A23)	Animal breeding or boarding	NC
(A24)	Produce sales complying with Standard H20.6.8	P
(A25)	Produce sales not complying with Standard H20.6.8	D
(A26)	Rural industries	NC
(A27)	On-site primary produce manufacturing not exceeding 200m ² in gross floor area	RD
(A28)	On-site primary produce manufacturing exceeding 200m ² in gross floor area	D
(A29)	On-site primary produce manufacturing not complying with Standard H20.6.15(1)	NC
(A30)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A31)	Post-harvest facilities not complying with Standard H20.6.14(1) and (2)	D
(A32)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A33)	Equestrian centres	D
(A34)	Quarries - farm or forestry	NC
Accommodation		
(A35)	One dwelling per site	P
(A36)	Any dwelling not complying with Standard H20.6.9	NC
(A37)	Minor dwellings	P
(A38)	Any minor dwelling not complying with Standard H20.6.10(1) to (6)	NC
(A39)	Workers' accommodation	NC
(A40)	Home occupations	P
(A41)	Home occupations not complying with Standard H20.6.11	NC
(A42)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A43)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A44)	Camping grounds	NC
Commerce		
(A45)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 200m ²	RD
(A46)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 200m ²	D
(A47)	Restaurants and cafes not complying with Standard H20.6.16	D
(A48)	Garden centres	D

H20 Rural – Waitākere Foothills Zone

(A49)	Markets	RD
(A50)	Markets not complying with Standard H20.6.12(1)(a) to (e)	D
(A51)	Storage and lock-up facilities	D
(A52)	Show homes	NC
(A53)	Veterinary clinics	D
(A54)	Filming	P
(A55)	Rural tourist and visitor activities	D
Community		
(A56)	Care centres	D
(A57)	Community facilities	D
(A58)	Healthcare facilities	D
(A59)	Education facilities	D
(A60)	Information facilities	D
(A61)	Outdoor recreational activities for up to 20 people	RD
(A62)	Outdoor recreational activities not complying with Standard H20.6.17	D
(A63)	Informal recreation and leisure	P
(A64)	Organised sport and recreation	D
(A65)	Clubrooms	RD
Mana Whenua		
(A66)	Urupā	D
(A67)	Marae	D
(A68)	Customary use	P
Mineral activities		
(A69)	Mineral extraction activities	NC
(A70)	Mineral prospecting	P
(A71)	Mineral exploration	P
(A72)	Mineral prospecting and mineral exploration not complying with Standard H20.6.13	D
Cleanfill, managed fill and landfill		
(A73)	Cleanfill	NC
(A74)	Managed fill	NC
(A75)	Landfill	NC

H20.5 Notification

- (1) Any application for resource consent for an activity listed in Table H20.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H20.6 Standards

All permitted and restricted discretionary activities listed in Table H20.4.1 Activity table must comply with standards in H20.6.1. In addition these activities must comply with the applicable standards in H20.6.2 to H20.6.17 where relevant.

H20.6.1. General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone and Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Pens or areas used for intensive farming (excluding poultry hatcheries), or any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be at located at least:
 - (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
 - (b) 100m from any boundary of the site on which the activity is located.

H20.6.2. Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with rural landscape, character and amenity.

- (1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed a height of 8m.
- (2) Other accessory buildings must not exceed a height of 15m.

H20.6.3. Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the rural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise

- the effects on streams to maintain water quality and provide protection from natural hazards.

(1) [deleted]

(2) [deleted]

(3) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H20.6.3.1 Minimum Yard Setback Requirements below.

Table H20.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards for sites with a net site area of less than 4000m ²	3m
Front, side and rear yards for sites with a net site area greater than 4000m ²	10m
Riparian yard	20m from the edge of permanent and intermittent streams

H20.6.4. Building coverage

- (1) The maximum building coverage is one per cent of the net site area or 300m², whichever is greater.
- (2) Activities that do not comply with Standard H20.6.4(1) are a restricted discretionary activity provided that the total building coverage on the site does not exceed 25 per cent of the net site area.
- (3) Building coverage that exceeds 25 per cent of net site area is a non-complying activity.

H20.6.5. Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties, and
- opportunity for reverse sensitivity effects to arise.

(1) Buildings for the primary purpose of housing animals with a gross floor area greater than 25m² must be located at least 50m from any boundary of the site.

H20.6.6. Free-range poultry farming

- (1) Coops and associated hard stand areas must be set back at least 50m from the nearest site boundary.

H20.6.7. Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already forested;
- (3) forestry must be carried out at least 5m from the bank of a permanent stream, river, lake, wetland or coastal edge;
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Areas Overlay; and
- (5) portable sawmills must be located on a site for no more than six months in any 12 month period. Where a portable sawmill has been located on a site for longer than six months in any 12-month period, the use of portable sawmill on the site will be considered as a rural industry being a non-complying activity in the Rural – Waitākere Foothills Zone.

H20.6.8. Produce sales

The following standards apply to produce sales:

- (1) produce sales must not be carried out on any part of the road reserve and the activity must not have its vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) The type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H20.6.9. Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H20.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must be buried or be screened from views; and:
 - (a) not be located:
 - (i) in a riparian yard unless less than 1m in height or wholly below ground level;
 - (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
 - (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H20.6.10. Minor dwellings

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;

- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (5) the minor dwelling must share the same driveway access as the principal dwelling; and
- (6) the building must comply with the relevant requirement for yards and maximum height for buildings as set out in Standards H20.6.2 and H20.6.3 and the standards for dwellings set out in Standard H20.6.9(2)-(6).

H20.6.11. Home occupations

The following standards apply to home occupations:

- (1) no more than five persons are engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) Heavy vehicle trips must not exceed two per week.
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H20.6.8 for produce sales; and
- (11) a home occupation involving homestays is limited to the accommodation of a maximum of 10 people on the site at any one time. This includes the people who reside on the site.

H20.6.12. Markets

- (1) Markets must comply with all of the following:
 - (a) must operate on a site greater than 2ha;
 - (b) must not be located on a rear site;
 - (c) must operate between 7am and 7pm daily;
 - (d) must not occur more than two days every week; and
 - (e) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts goods.

H20.6.13. Mineral prospecting and mineral exploration

- (1) Mineral prospecting and mineral exploration must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H20.6.14. Post-harvest facilities

The following standards apply to post-harvest facilities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H20.6.15. On-site primary produce manufacturing

- (1) The activity must be located on a site with a net site area exceeding 2ha.

H20.6.16. Restaurants and cafes

The following standards apply to restaurants and cafes:

- (1) the activity does not incorporate drive-through sales; and
- (2) the activity must occur on a site with a net site area greater than 2ha.

H20.6.17. Outdoor recreation activities

- (1) The activity may involve buildings or structures ancillary to the activity and must not have a gross floor area greater than 30m².
- (2) The activity must not involve motorsport or guns.

H20.7 Assessment – controlled activities

There are no controlled activities in this zone.

H20.8 Assessment – restricted discretionary activities

H20.8.1. Matters of discretion

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

- (1) All restricted discretionary activities:
 - (a) rural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19](#). Rural zones under [H19.12.1](#) Matters of discretion.
- (2) Infringement of the minimum yard setback requirement:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) Infringement of the building coverage:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H20.8.2. Assessment criteria

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

- (1) For all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity are compatible with amenity values, neighbourhood character, and the natural landscape and do not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects rural character;
 - (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
 - (d) whether the activity would result in adverse effects on water quality, native vegetation and fauna habitat;

PC 71 ([see Modifications](#))

- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a loss of rural character and amenity values;
 - (f) the extent to which the activity provides adequate parking and safe driveway access and sight lines;
 - (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
 - (h) the assessment criteria in [H19.12.2](#) Rural zones – assessment criteria for restricted discretionary activities.
- (2) Infringement of minimum yard setback requirement:
- (a) The extent to which buildings are located:
 - (i) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (ii) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (iii) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.
- (3) Infringement of building coverage standard:
- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H20.9 Special information requirements

There are no special information requirements in this zone.

H21. Rural – Waitākere Ranges Zone

H21.1. Zone description

The Rural – Waitākere Ranges Zone comprises most of the privately owned land around the periphery of the public open space and the regional park within the Waitakere Ranges Heritage Area. This typically contains small holdings and residential properties and has a natural character dominated by bush-clad land. It contains heritage features such as areas of contiguous native bush, coastal areas, significant landforms and geological sites and significant and other terrestrial and aquatic ecosystems.

In the centre of the zone is the Scenic Drive ridge and the forested upper reaches of the Ōrātia and Ōpānuku streams' catchments, the western and southern edges of which are bounded by large continuous areas of primary and regenerating indigenous rainforest, the Waitākere Ranges Regional Park and the public water supply catchments. The eastern edge is bounded by the orchards and farms of Ōrātia and Ōpānuku/Henderson Valley.

The zone provides limited opportunity for further growth and development. It recognises the local, regional and national significance of the area and aims to prevent subdivision, use and development from having adverse effects on the heritage features of the Waitakere Ranges Heritage Area. Existing and future land use and development is managed to maintain and protect heritage features. Activities provided for in the zone enable and support the social, economic, cultural and environmental well-being of the people that live and work in the zone and in its distinct communities, while protecting, restoring and enhancing the heritage features of the zone.

H21.2. Objectives

- (1) Activities, development, and subdivision in the Rural – Waitākere Ranges Zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in Section [D12.2](#).
- (2) Activities, development, and subdivision achieve the objectives of the Rural – Rural Conservation Zone unless otherwise provided for in Objectives H21.2(1) and (3).
- (3) The forested character and natural landscape qualities of the Rural – Waitākere Ranges Zone are maintained and enhanced.

H21.3. Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in Section [D12.3](#).
- (2) Provide for subdivision, use and development which supports the policies of the Rural – Rural Conservation Zone unless otherwise provided for in Policy H21.3(3).

(3) Design subdivision, activities and development to:

- (a) protect significant and outstanding native vegetation and fauna habitat, and where possible avoid clearance of, or damage to, this resource;
- (b) minimise adverse effects arising from placement of structures, roads and other infrastructure, on the overall resilience, biodiversity and integrity of ecosystems;
- (c) minimise adverse effects during the course of establishing the subdivision, activities and development including those arising from surveying; and
- (d) recognise the natural values of native vegetation and fauna habitat areas and the linkages between these areas.

H21.4. Activity table

Table H21.4.1 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.

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

If any activity listed in rules (including standards) H21.4.1 to H21.6.14 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

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 H21.4.1 to H21.9, 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.

Table H21.4.1 Activity table

Activity		Activity status
(A1)	Activities not otherwise provided for	NC
Development		
(A2)	Demolition of buildings	P
(A3)	Buildings having a height exceeding the maximum specified in Standard H21.6.2.	D
(A4)	A building that does not comply with Standard H21.6.3(1) that has front, side and rear yards of not less than 3m	RD
(A5)	A building that does not comply with Standard H21.6.3(1) with front, side or rear yards of less than 3m	D
(A6)	A building that does not comply with Standard H21.6.4(1) and (2) where the building coverage does not exceed 15 per cent.	RD
(A7)	A building that does not comply with Standard H21.6.3(1) and (2) where the building coverage exceeds 15 per cent.	NC
(A8)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A8A)	Rainwater tank	P
Use		
Rural		
(A9)	Farming	P
(A10)	Farm visit for up to 20 visitors	P
(A11)	Post-harvest facilities	D
(A12)	Rural airstrips	D
(A13)	Greenhouses with a building coverage not exceeding 25 per cent of net site area	RD

H21 Rural – Waitākere Ranges Zone

(A14)	Greenhouses with a building coverage exceeding 25 per cent of net site area	NC
(A15) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H21.6.1.(1) and (2)	P
(A16) [rp/dp]	Disposal of non-residential waste or composting not complying with Standard H21.6.1.(1) and (2)	D
(A17) [rp/dp]	Effluent disposal systems complying with Standard H21.6.1.(3)	P
(A18) [rp/dp]	Effluent disposal systems not complying with Standard H21.6.1.(3)	D
(A19)	Intensive farming	NC
(A20)	Intensive poultry farming	NC
(A21)	Free-range poultry farming	P
(A22)	Free-range poultry farming not complying with Standard H21.6.6	D
(A23)	Mustelid farming	Pr
(A24)	Forestry	P
(A25)	Forestry not complying with Standard H21.6.7	D
(A26)	Conservation planting	P
(A27)	Rural commercial services	NC
(A28)	Animal breeding or boarding	D
(A29)	Produce sales	P
(A30)	Produce sales not complying with Standard H21.6.8	D
(A31)	Rural industries	NC
(A32)	On-site primary produce manufacturing	NC
(A33)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A34)	Post-harvest facilities not complying with Standard H21.6.13	D
(A35)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A36)	Equestrian centres	D
(A37)	Quarries - farm or forestry	NC
Accommodation		
(A38)	One dwelling per site	P
(A39)	Dwelling not complying with Standard H21.6.9	NC
(A40)	Minor dwellings	P
(A41)	Minor dwellings that does not comply with Standard H21.6.10	NC
(A42)	Subdivision of the minor dwelling from the site on which the principal dwelling is located	Pr

H21 Rural – Waitākere Ranges Zone

(A43)	Workers' accommodation	NC
(A44)	Home occupation	P
(A45)	Home occupation not complying with Standard H21.16.11	NC
(A46)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A47)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A48)	Camping grounds	NC
Commerce		
(A49)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 300m ²	D
(A50)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 300m ²	NC
(A51)	Garden centres	NC
(A52)	Markets	NC
(A53)	Storage and lock-up facilities	D
(A54)	Show homes	NC
(A55)	Veterinary clinics	D
(A56)	Rural tourist and visitor activities	D
Community		
(A57)	Care centres	D
(A58)	Community facilities	D
(A59)	Healthcare facilities	D
(A60)	Education facilities	NC
(A61)	Information facilities	D
(A62)	Artworks	P
(A63)	Outdoor recreational activities for up to 20 people	RD
(A64)	Informal recreation and leisure	P
(A65)	Organised sport and recreation	NC
(A66)	Emergency services	RD
(A67)	Clubrooms	RD
Coastal		
(A68)	Navigational aids	P
(A69)	Structures for boat launching activities	D
Mana Whenua		
(A70)	Urupa	D
(A71)	Marae	D
(A72)	Customary use	P

Mineral activities		
(A73)	Mineral extraction activities	NC
(A74)	Mineral prospecting	P
(A75)	Mineral prospecting that does not comply with standard H21.6.12	D
(A76)	Mineral exploration	NC
Cleanfill, managed fill and landfill		
(A77)	Cleanfill	NC
(A78)	Managed fill	NC
(A79)	Landfill	NC

H21.5. Notification

- (1) Any application for resource consent for an activity listed in Table H21.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H21.6. Standards

All permitted and restricted discretionary activities listed in Table H21.4.1 Activity table must comply with Standard H21.6.1. In addition these activities must comply with standards in H21.6.2 to H21.6.14 where relevant.

H21.6.1 General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Ranges Zone, Rural – Waitākere Foothills Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be located at least:

(a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and

(b) 100m from any boundary of the site on which the activity is located.

H21.6.2 Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with the natural landscape, natural character and amenity values of the zone.

(1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed 8m in height.

(2) Other accessory buildings must not exceed a height of 15m.

H21.6.3 Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the natural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunities for reverse sensitivity effects to arise.
- the effects on streams, lakes and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) *[deleted]*

(2) *[deleted]*

(3) A building that does not comply with Standard H21.6.3(1) is a restricted discretionary activity provided that it has front, side and rear yards of a depth of not less than 3m.

(4) A building with front, side and rear yards of a depth less than 3m is a discretionary activity.

(5) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H21.6.3.1 Minimum Yard Setback Requirements below.

Table H21.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards	10m
Front, side and rear yards for sites located within Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in D12 Waitākere Ranges Heritage Area Overlay	3m
Riparian yard	20m from edge of permanent and intermittent streams

Lake yard	30m
Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard	50m

H21.6.4 Building coverage

- (1) The maximum building coverage within the Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in [D12 Waitākere Ranges Heritage Area Overlay](#) must not exceed ten per cent of net site area or 300m² whichever is the lesser.
- (2) The maximum building coverage outside the Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in the [D12 Waitākere Ranges Heritage Area Overlay](#) must not exceed 15 per cent of net site area or 300m² whichever is the lesser.
- (3) A building that does not comply with Standard H21.6.4(1) and (2) is a restricted discretionary activity provided the building coverage does not exceed 15 per cent.
- (4) A building that does not comply with Standard H21.6.4(1) and (2) and where the building coverage exceeds 15 per cent is a non-complying activity.

H21.6.5 Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the natural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise.

- (1) Buildings for the primary purpose of housing animals greater than 25m² gross floor area must be located at least 50m from any boundary of the site.

H21.6.6 Free-range poultry farming

- (1) Coops and associated hard stand areas for free-range poultry farming must be set back at least 50m from the nearest site boundary.

H21.6.7 Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or

the adjoining site is an area identified in the Significant Ecological Area Overlay or the adjoining site is already afforested;

- (3) forestry must be carried out at least 5m from the bank of any permanent stream, river, lake, wetland or coastal edge; and
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Area Overlay.

H21.6.8 Produce sales

The following standards apply to produce sales:

- (1) produce sales must not have their vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) the type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H21.6.9 Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H21.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must ~~be buried or be screened from views; and:~~
 - (a) not be located:

- (i) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
- (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
- (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H21.6.10 Minor dwelling

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;
- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) standard H21.6.10(3) does not apply to unstained timber and natural materials;
- (5) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (6) the minor dwelling must share the same driveway access as the principal dwelling; and
- (7) the building must comply with the relevant standards H21.6.2, H21.6.3, H21.6.4 and H21.6.9 (4) to (6).

H21.6.11 Home occupations

The following standards apply to home occupations:

- (1) no more than five persons may be engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) heavy vehicle trips must not exceed two per week;
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part of the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H21.6.8 for produce sales; and
- (11) home occupations involving homestays are limited to a maximum of 10 people. This includes the people who reside on the site.

H21.6.12 Mineral prospecting

- (1) Mineral prospecting must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H21.6.13 Post-harvest facilities

The following standards apply to post-harvest activities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H21.6.14 Outdoor recreation activities

The following standards apply to outdoor recreation activities:

- (1) the activity may involve buildings or structures ancillary to the activity and must not be greater than 30m²; and

(2) the activity must not involve motorsport and gun clubs.

H21.7. Assessment – controlled activities

There are no controlled activities in this zone.

H21.8. Assessment – restricted discretionary activities

H21.8.1 Matters of discretion

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

- (1) all restricted discretionary activities:
 - (a) natural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of indigenous vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19. Rural Zones](#) under [H19.12.1 Matters of discretion](#).
- (2) infringement of yard standard:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) infringement of building coverage standard:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H21.8.2 Assessment criteria

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

- (1) all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity is compatible with amenity values, natural character, and the natural landscape and does not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects natural character;

- (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
- (d) whether the activity results in adverse effects on water quality, native vegetation and fauna habitat;
- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a reduction of natural character and amenity;
- (f) the extent to which the activity provides adequate parking and safe driveway access and sight lines and limits the length of driveways;
- (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
- (h) the assessment criteria in [H19.12.2 Rural zones](#).

PC 71 ([see Modifications](#))

(2) infringement of yard standard:

- (a) the extent to which buildings are located:
 - (iii) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (iv) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (v) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.

(3) infringement of building coverage standard:

- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) the extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H21.9. Special information requirements

There are no special information requirements in this zone.

H27. Special Purpose – Māori Purpose Zone

H27.1. Zone description

The purpose of the Special Purpose – Māori Purpose Zone is to provide for the social and cultural needs of Mana Whenua and mataawaka and to promote the establishment of marae and papakāinga with supporting economic development to ensure thriving and self-sustaining Māori communities.

The Māori Purpose Zone is different from the Auckland-wide Treaty Settlement Land and Māori Land provisions in that it provides for a higher density and greater range of activities.

Those sites zoned as Special Purpose – Māori Purpose Zone are those which have existing or proposed marae development or other Māori cultural institutions, such as marae, and papakāinga-style development to be established in specific areas of Auckland, on general or Māori land.

The zone provides for development to reflect unique Mana Whenua and mataawaka identities and values. The zone acknowledges the importance of marae and papakāinga as focal points for wider community development and provides for a range of social and cultural activities. Supporting economic development is vital for the long-term sustainability of marae and papakāinga, and the well-being of the communities they support. The zone recognises the need to incorporate mātauranga and tikanga Māori into the design of the built environment and open space.

Precincts allow more detailed planning to be undertaken and give greater certainty with respect to environmental outcomes. In the Special Purpose – Māori Purpose Zone, precincts are used to provide for site-specific activities and development. Precincts are also used to reflect specific land uses agreed for land acquired through Treaty settlement.

H27.2. Objectives

- (1) Recognise the continued occupation by Māori of the Auckland area over many centuries and the holistic nature of traditional Māori village settlement.
- (2) The unique social and cultural needs of Auckland's Māori communities are met in both rural and urban settings including in coastal areas and outside the Rural Urban Boundary.
- (3) Areas are sustainably developed and used in accordance with mātauranga and tikanga Māori.
- (4) The quality of the local environment, including the amenity values of adjoining properties, the natural environment and local landscape values, is protected.
- (5) Opportunities to establish supporting economic activities of an appropriate scale are provided.

- (6) Quality living environments for whanau, hapū and all other future residents are provided.

H27.3. Policies

- (1) Enable development on land zoned for Māori purposes across Auckland, including in coastal areas and outside the Rural Urban Boundary.
- (2) Where appropriate, precincts to provide for:
 - (a) site specific development constraints or opportunities;
 - (b) Treaty settlement outcomes;
 - (c) the unique relationships Mana Whenua have with the whenua (land); and
 - (d) comprehensive development proposals.
- (3) Enable a range of activities including dwellings for papakāinga, marae and associated facilities, customary use, and cultural and commercial activities on land zoned for Māori purposes.
- (4) Mitigate any adverse effects on adjoining properties associated with activities within the Special Purpose - Māori Purpose Zone in relation to:
 - (a) access to sunlight and daylight;
 - (b) privacy;
 - (c) the acoustic environment; and
 - (d) traffic and parking.
- (5) Consider alternative approaches to site access or infrastructure provision in rural or coastal areas where the development of a site is constrained by access or the availability of reticulated infrastructure.
- (6) Enable the occupation, use and development of sites in areas where there are natural and physical resources that have been scheduled in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character, by considering:
 - (a) the need to enable development, occupation and use of land in the Māori Purpose Zone in accordance with mātauranga and tikanga to support the social, cultural and economic well-being of Mana Whenua;
 - (b) alternative approaches to or locations for development that avoid adverse effects on the characteristics and qualities that contribute to the values for which the area was scheduled; and

- (c) that there may be no or limited alternative locations for whanau, hapū or iwi to occupy, manage and use their ancestral lands.
- (7) Manage the effects of development, including character, intensity and range of activities, having regard to the capacity of the site to:
- (a) accommodate the development, based on an assessment of physical constraints;
 - (b) be sustainably serviced, utilising reticulated or alternative forms of infrastructure; and
 - (c) avoid, remedy and mitigate any adverse effects on adjoining sites while recognising the purpose of the Special Purpose – Māori Purpose Zone is to facilitate activities that may be of a character, scale, intensity or range that is not provided for in the surrounding area.
- (8) Enable the integration of mātauranga and tikanga in design and layout of development within the Special Purpose – Māori Purpose Zone.
- (9) Require the built form and layout of medium density residential development (four or more dwellings on a site) to:
- (a) complement the character and amenity of surrounding sites; and
 - (b) incorporate appropriate mātauranga and tikanga.

H27.4. Activity table

Table H27.4.1 Activity table specifies the activity status of land use and development activities in the Special Purpose - Māori Purpose Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H27.4.1 Activity table

Activity		Activity status	Standards to be complied with
(A1)	Activities not provided for	NC	
Residential			
(A2)	Home occupations	P	
(A3)	Visitor accommodation	D	
(A4)	Up to three dwellings per site	P	
(A5)	Four or more dwellings per site	RD	
Community			
(A6)	Care centres up to 250m ² gross floor area per site	P	

H27 Special Purpose – Māori Purpose Zone

(A7)	Care centres greater than 250m ² gross floor area per site	RD	
(A8)	Community facilities up to 250m ² gross floor area per site	P	
(A9)	Community facilities greater than 250m ² gross floor area per site	RD	
(A10)	Education facilities up to 250m ² gross floor area per site	P	
(A11)	Education facilities greater than 250m ² gross floor area per site	RD	
(A12)	Healthcare facilities up to 250m ² gross floor area per site	P	
(A13)	Healthcare facilities greater than 250m ² gross floor area per site	RD	
(A14)	Māori cultural activities	P	
(A15)	Marae	P	
(A16)	Organised sport and recreation	RD	
(A17)	Urupā	P	
Commerce			
(A18)	Commercial services	D	
(A19)	Markets	P	
(A20)	Produce stalls	P	
(A21)	Offices	D	
(A22)	Retail up to 100m ² gross floor area per site	P	
(A23)	Retail greater than 100m ² gross floor area per site	RD	
Development			
(A24)	New structures or buildings associated with Māori cultural activities	P	
(A25)	Alterations and additions to buildings	P	
(A26)	Demolition of buildings	P	
(A27)	Integrated Māori development	D	
(A28)	New buildings	The same activity status and standards as applies to the land use activity that the new building or addition to the building is designed to accommodate	
(A28A)	Rainwater Tank	P	Standard H27.6.9 Rainwater tanks

Rural			
(A29)	Farming	D	

H27.5. Notification

- (1) Any application for resource consent for an activity listed in Table H27.4.1 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\(4\)](#).

H27.6. Standards

All activities listed as a permitted activity, controlled activity or restricted discretionary activity in Table H27.4.1 Activity table must comply with the following standards.

H27.6.1. Urupā

- (1) Urupā must meet the yard setback required by Standard H27.6.4 below, except the side and rear yard setback must be 10m from the side or rear boundary.

H27.6.2. Building height

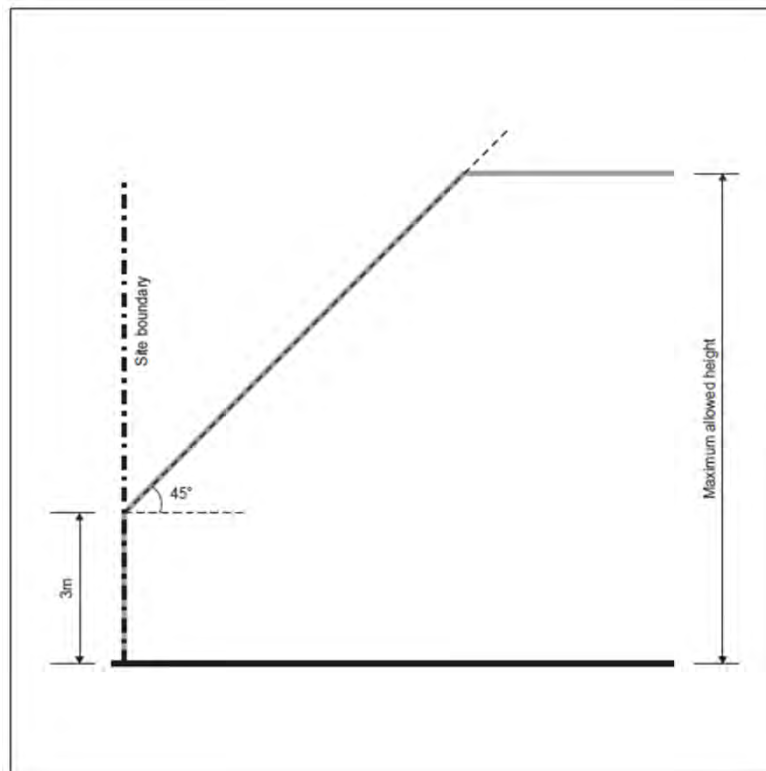
- (1) Marae (including wharenuī and wharekai) and structures or buildings associated with Māori cultural activities (including but not limited to waharoa, pekerangi/taiapa, whare waka) must not exceed 10m in height.
- (2) Pou haki are excluded from Standard H27.6.2(1) if they:
 - (a) do not exceed an additional one third of the permitted activity height for the site; and
 - (b) are not more than 300mm in diameter.
- (3) All other buildings must not exceed 8m in height.

H27.6.3. Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit over-shadowing to neighbouring properties sites and provide space between buildings.

- (1) Buildings must not exceed a height of 3m measured vertically above ground level at side and rear boundaries. Thereafter buildings must be set back 1m for every additional metre in height (45 degrees) up to the maximum building height as shown in Figure H27.6.3.1 Height in relation to boundary.

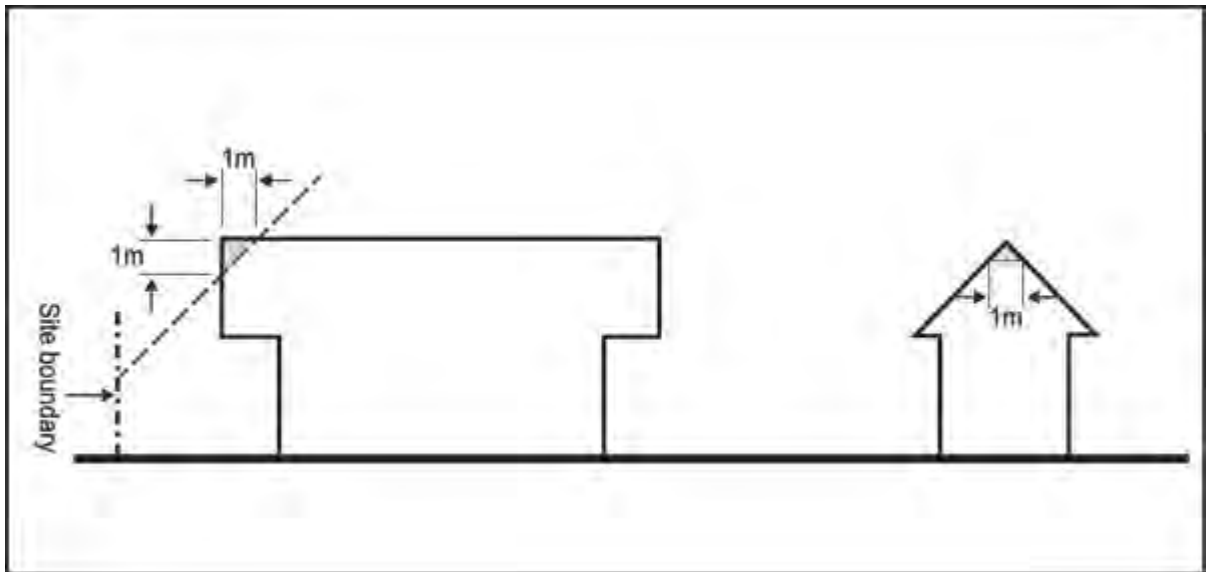
Figure H27.6.3.1 Height in relation to boundary



- (2) Standard H27.6.3(1) does not apply to a boundary adjoining:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone;
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone exceeding 2000m².
- (3) Standard H27.6.3(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the standard applies at the other side of that right of way, pedestrian access way or access site.
- (5) A gable end or dormer may project beyond the recession plane where it is:
- (a) No greater than 1m in height and width measured parallel to the nearest adjacent boundary; and

- (b) No greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure H27.6.3.2 Height in relation to boundary exceptions



- (6) No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

H27.6.4. Yards

Purpose: maintain the spacious and landscaped qualities of the streetscape and ensure dwellings are adequately set back from lakes, streams and coastal edges to maintain water quality and provide protection from natural hazards.

- (1) A building or parts of the building must be set back from the relevant boundary by the minimum depth listed in Table H27.6.4.1 Yards.

Table H27.6.4.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

H27.6.5. Building coverage

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

H27.6.6. Maximum impervious area

- (1) The maximum impervious area must not exceed 60 per cent of site area.

H27.6.7. Accessory buildings

- (1) Accessory buildings must not exceed 80m² gross floor area and must not exceed 4m in height.

H27.6.8. Outdoor living space

- (1) A dwelling at ground level must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling; and

- (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling.

H27.6.9. Rainwater tanks

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

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - (b) in a 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H27.7. Assessment – controlled activities

There are no controlled activities in this section.

H27.8. Assessment – restricted discretionary activities

H27.8.1. Matters of discretion

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

- (1) for care centres greater than 250m² gross floor area per site; community facilities greater than 250m² gross floor area per site; education facilities greater than 250m² gross floor area per site; and healthcare facilities greater than 250m² gross floor area per site:

- (a) the effect on the surrounding area from all of the following:
 - (i) intensity and scale;
 - (ii) traffic and access; and
 - (iii) noise, lighting and hours of operation; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (2) for four or more dwellings on a site:
- (a) the effect on the surrounding area from all of the following:
 - (i) intensity and scale;
 - (ii) traffic and access;
 - (iii) building design and external appearance;
 - (iv) topography, site orientation and earthworks;
 - (v) design of landscaping; and
 - (vi) internal layout and on-site amenities for dwellings; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (3) for retail greater than 100m² gross floor area per site:
- (a) the effect on the surrounding area from all of the following:
 - (i) intensity and scale;
 - (ii) traffic and access; and
 - (iii) noise, lighting and hours of operation; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (4) for organised sport and recreation:
- (a) the effect on the surrounding area from all of the following:
 - (i) traffic and access;
 - (ii) noise, lighting and hours of operation; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (5) for building height, height in relation to boundary and building coverage:
- (a) the effect of additional building scale on neighbouring sites, streets and public open spaces including:

- (i) sunlight;
 - (ii) access;
 - (iii) dominance; and
 - (iv) visual amenity; and
- (b) the impact on the planned future form and character of the area or zone.
- (6) for yards:
- (a) the effects on streetscape amenity and safety.

H27.8.2. Assessment criteria

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

- (1) for care centres greater than 250m² gross floor area per site; community facilities greater than 250m² gross floor area per site; education facilities greater than 250m² gross floor area per site; and healthcare facilities greater than 250m² gross floor area per site:
 - (a) intensity and scale:
 - (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.
 - (b) traffic and access:
 - (i) whether the effects of parking and traffic are compatible with the character and amenity of the surrounding neighbourhood;
 - (ii) for care centres, whether the site is of an adequate size and road frontage to provide sufficient space for safe pick-up and drop-off areas.
 - (c) noise, lighting and hours of operation:
 - (i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering:
 - the location of noisy activities such as outdoor play areas;
 - screening or other design features; and
 - the proposed hours of operation.
 - (d) integration of mātauranga and tikanga into the activity:
 - (i) the extent to which the development integrates mātauranga and tikanga into the design of the built environment and open space by considering:

- the expression of Māori values and the type of development proposed;
- the relationship between buildings (marae ātea, wharenuī, wharekai, and waharoa) and accessways;
- the use of materials and landscaping which reflect the natural features of the surrounding environment; and
- the recognition of local history and whakapapa through design.

(2) for four or more dwellings on a site:

(a) intensity and scale:

- (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.

(b) building design and external appearance:

- (i) the extent to which buildings and structures associated with Māori cultural activities and the incorporation of Māori design features contribute positively to the public realm.

(c) topography, site orientation and earthworks:

- (i) whether the topography, size and proportions of the site are suitable to accommodate the housing type proposed;
- (ii) the extent to which building platforms, outdoor living spaces, car parking areas and driveways are designed and located to respond to the natural landform and site orientation;
- (iii) whether earthworks can be incorporated as a positive feature by:
 - integrating retaining as part of the building design; and
 - stepping and landscaping earthworks.

(d) integration of mātauranga and tikanga into the activity:

- (i) the extent to which the development integrates mātauranga and tikanga into the design of the built environment and open space by considering;
- (ii) the expression of Māori values and the type of development proposed;
- (iii) the relationship between buildings (marae ātea, wharenuī, wharekai, and waharoa) and accessways;
- (iv) the use of materials and landscaping which reflect the natural features of the surrounding environment; and

(v) the demonstration of awareness of local history and whakapapa through design.

(3) for retail greater than 100m² gross floor area per site:

(a) intensity and scale:

(i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.

(b) traffic and access:

(i) whether the effects of parking and traffic are compatible with the character and amenity of the surrounding neighbourhood.

(c) noise, lighting and hours of operation:

(i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering the proposed hours of operation.

(d) integration of mātauranga and tikanga into the activity;

(i) the extent to which the development integrates mātauranga and tikanga into the design by considering:

- the expression of Māori values and the type of development proposed; and
- the recognition of local history and whakapapa through design.

(4) for organised sport and recreation:

(a) noise, lighting and hours of operation:

(i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering:

- the location of noisy activities such as outdoor play areas;
- screening or other design features; and
- the proposed hours of operation.

(b) integration of mātauranga and tikanga into the activity:

(i) the extent to which the development integrates mātauranga and tikanga into the activity by considering the expression of Māori values and the type of development proposed.

(5) for building height, height in relation to boundary and building coverage:

(a) the extent to which additional building scale effects neighbouring sites, streets and public open spaces by considering:

H27 Special Purpose – Māori Purpose Zone

- (i) avoidance of unreasonable shading, over-shadowing or reduced access to sunlight on neighbouring dwellings and their outdoor living spaces; and
 - (b) whether the additional building scale is consistent with the planned future form and character of the area.
- (6) for yards:
- (a) the extent to which yard infringement effects streetscape amenity and safety.

H27.9. Special information requirements

There are no special information requirements in this section.

I550. Millwater South Precinct

I550.1. Precinct Description

The Millwater South precinct is located northwest of the original Silverdale town centre and applies to approximately 51 ha of land bounded by Wainui Road to the south and west, Manuel Road to the east and Grut Greens to the north. It is part of the wider Millwater residential area. It is characterised by a steep north east facing horseshoe shaped valley with views of Orewa and the coast from the higher areas.

The purpose of the precinct is to ensure that the development is carried out in an integrated way and that the urban form is consistent with the rest of the already developed Millwater area to the north. The precinct enables more intensive development than the underlying Single House zone and enables a mix of housing densities. The rules also apply a consistent approach to the development controls under which the rest of the Millwater area was developed.

The zoning of the land in the Millwater South precinct is Residential - Single House zone.

I550.2. Objectives

- (1) Subdivision and development are designed and implemented in a comprehensive, efficient and integrated manner.
- (2) Open space and land for community facilities are identified.
- (3) Significant views from public places are protected.
- (4) High standards of urban design are achieved including distinctive architectural styles, attractive landscaping and the use of colours and materials that will not dominate the landscape setting or compromise character of the streetscape or neighbourhood in which they are located.
- (5) A range of housing types, densities and site sizes are provided in the precinct.

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

I550.3. Policies

- (1) Enable flexibility to develop a range of housing sizes, types and densities throughout the precinct.
- (2) Encourage higher densities around public open space.
- (3) Require and protect sunlight access to proposed and existing private outdoor living spaces to ensure they receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (4) Require development of two or more dwellings to achieve the following outcomes:
 - (a) a high standard of architectural design;
 - (b) buildings that are well proportioned and articulated;

- (c) landscaping that will reduce the appearance of building bulk and mass;
 - (d) a high standard of amenity including provision for and protection of privacy and solar access to private outdoor living spaces.
- (5) Discourage subdivision that creates rear sites.
- (6) Require that buildings and structures in the Subject to Building Restrictions area in the Millwater South I550.10.1 Precinct plan 1 do not obscure significant view shafts when viewed from identified public places.

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

I550.4. Activity table

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

Table I550.4.1 Activity table, specifies the activity status of land use, development and subdivision activities in the Millwater South Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

Table I550.4.1 Millwater South Precinct

Activity		Activity status
Use		
Accommodation		
(A1)	Two dwellings on a site	P
(A2)	Three or more dwellings on a site	RD

I550.5. Notification

- (1) Any application for resource consent for an activity listed in Table I550.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

I550.6. Standards

The standards applicable to the zone, overlays and Auckland-wide apply in this precinct unless otherwise specified below.

All activities listed as permitted or restricted discretionary in Table I550.4.1 Activity table must comply with the following standards.

Development that does not comply with clauses I550.6.1 and I550.6.7 is a discretionary activity unless otherwise specified.

I550.6.1. Activities

(1) Densities are those allowed in the Residential - Single House zone except for the following:

(a) The number of dwellings on a site must not exceed the limits specified in Table I550.6.1.1 below:

Table I550.6.1.1

Density – site size per dwelling	Percentage of dwellings in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

(b) Where two dwellings are proposed on a site, each dwelling must front a street.

(c) Where two to four dwellings are proposed on a site, the site must be at least 15m wide:

- (i) at the site frontage; and
- (ii) for at least 80 per cent of the length of its side boundaries.

(d) Where five or more dwellings are proposed on a site, the site:

- (i) has a minimum net site area of 1200m²; and
- (ii) is at least 20m wide:
 - at the site frontage;
 - for at least 80 per cent of the length of its side boundaries.

I550.6.2. Height

(1) Buildings must not exceed a height of 9m.

I550.6.3. Side and Rear Yards

(1) Buildings must be set back:

- (a) 3m from one side yard;
- (b) 1m from any other side yard except where a wall is located on a boundary as provided for in clause [H3.6.8.2](#) in the Residential - Single House zone; and

- (c) 3m from rear yard, or for rear sites, 3m for one rear yard and 1m for any other rear yard.

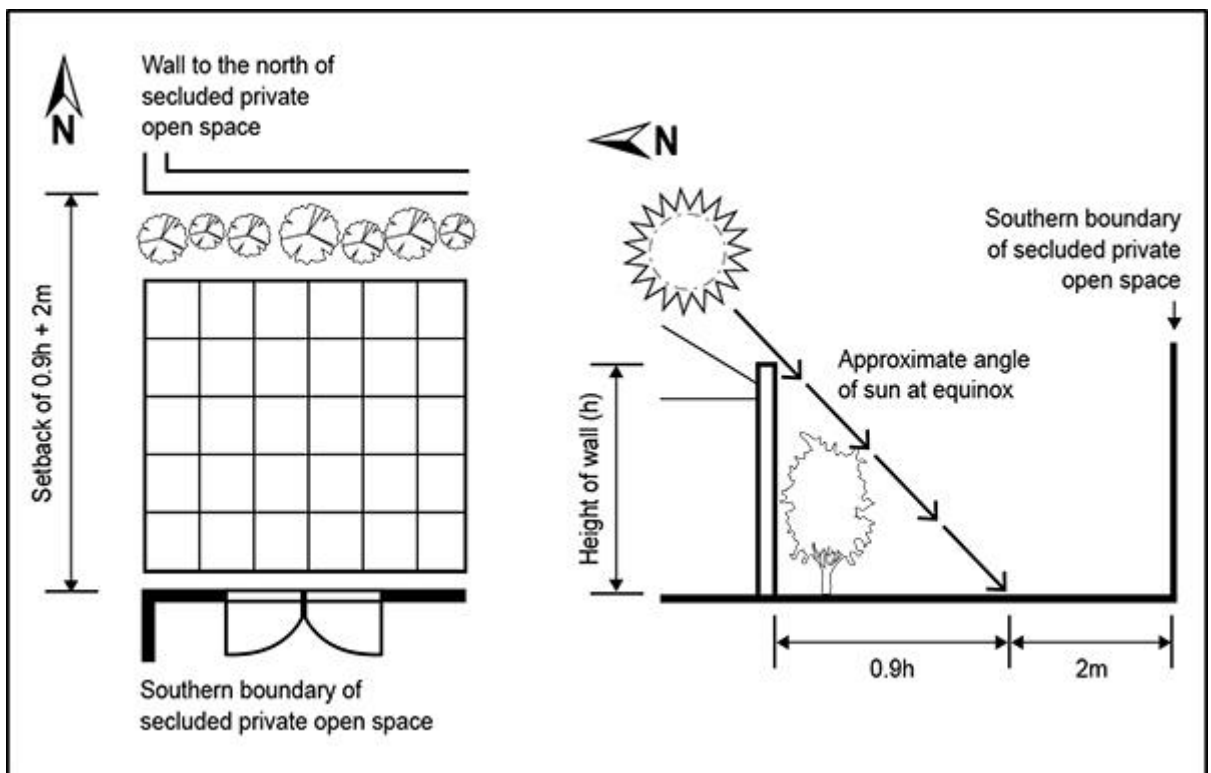
I550.6.4. Private outdoor living space

- (1) For sites less than 450m², the Residential - Mixed Housing Suburban zone standards apply.
- (2) In applying the Residential – Mixed Housing Suburban standard for outdoor living space, rainwater tanks shall be considered as ‘buildings’.

I550.6.5. Sunlight access to the private outdoor living space of proposed and existing dwellings

- (1) Private outdoor living space must be located to receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (2) A wall, or building or rainwater tank on a side or rear boundary allowed by clause [H3.6.8.2](#) in the Residential - Single House zone must not reduce sunlight to the private outdoor living space of another dwelling to less than five hours between 9am and 3pm on 22 March/September. The private outdoor living space of another dwelling is deemed to be any area behind the front facade of the dwelling that contains a square measuring at least 4.5m by 4.5m. If existing sunlight to the private outdoor living space of another dwelling is already less than required by this rule, the amount of sunlight must not be further reduced.
- (3) The southern boundary of any private outdoor living space must be set back from a wall on the north of the space at least $(2 + 0.9h)$ metres, where ‘h’ is the height of the wall (Refer Figure I550.6.5.1).

Figure I550.6.5.1: Sunlight access to private outdoor living space



I550.6.6. Additional controls for sites 450m² to 650m²

I550.6.6.1. Height in relation to boundary

- (1) No part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and any site boundary, except a front boundary, and except that on side boundaries within 14m of the road frontage, the maximum height of a building shall not exceed a height equal to 5m plus the horizontal distance between that part of the building and the side boundary.
- (2) This rule shall not apply to:
 - (a) chimneys, radio and television aerials, domestic satellite dishes less than 1m in diameter;
 - (b) the apex of any roof or gable end not exceeding 1m² in area;
 - (c) dormers not exceeding 2m in width (not more than two per building facing the same boundary); and
 - (d) those parts of buildings that share a common wall on a site boundary.
- (3) Where a site boundary adjoins a site in the precinct with a site size of 650m² or greater that is not part of a multi-unit development then rule [H3.6.7.6 Residential - Single House height in relation to boundary](#) shall apply to that boundary.

I550.6.6.2. Yards

Table I550.6.6.2.1 Yards

Yard	Dimension
Front	3m
Side	One yard of 1m and one yard of 3m
Rear	See I550.6.6.3 below

Front Yards: The siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.

Notwithstanding the above, the following additional rules also apply:

- (1) Bay windows, steps, verandas, porches and balconies may protrude into the 3m maximum front yard but shall not be closer than 1.5m to the front boundary;

- (2) No fence, wall, or screen located within the front yard may exceed 0.8m in height; and
- (3) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary.

I550.6.6.3. Rear Yards/Open Space

- (1) The minimum rear yards dimensions must be as follows:
 - (a) For sites accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (b) For sites accessed from street frontages oriented between SW (225°) and SE (135°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site must be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (c) For sites accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW (225°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.

I550.6.6.4. Building Frontages

- (1) The total area of all attached or detached garages doors or the open façade of a carport fronting the street shall not occupy more than 35 per cent of the building frontage which excludes:
 - (a) Any vertical faces that are located more than 3m to the rear of the garage door; and
 - (b) Any roof.

I550.6.7. Additional controls for two or more dwellings

- (1) The Residential - Mixed Housing Suburban zone standards, except for building height, apply where two or more dwellings are proposed on a site.

I550.6.8. View Protection

- (1) Buildings and structures (including a parapet, chimney, communication device, tank or building services component, ornamental tower or lift tower) on any land identified within the view shafts shown on Precinct Plan 1 must not exceed the height limits specified in the standards for the underlying zone.
- (2) Development that does not comply with clause I550.6.8(1) above is a non-complying activity.

I550.6.9. Subdivision

I550.6.9.1. General

- (1) The following subdivision controls apply.
- (2) Site sizes must comply with the net site area specified in Table I550.6.9.1.1 below:

Table I550.6.9.1.1 Minimum net site size

Site size per dwelling	Percentage of sites in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

- (3) All residential sites must have:
 - (a) a minimum frontage and access of 6m; and
 - (b) a minimum 0.5m landscaped strip on each side of a carriageway within a jointly owned accessway or right of way.

I550.7. Assessment – controlled activities

There are no controlled activities in the precinct.

I550.8. Assessment – restricted discretionary activities

I550.8.1. Matters of discretion

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

matters specified for the relevant restricted discretionary land use activities in the overlay, Auckland-wide or zone provisions:

(1) Three or more dwellings on a site

Development generally in accordance with I550.10.1 Millwater South Precinct Plan 1:

- (a) the effect of the siting, scale, form, design, appearance of development and landscaping of buildings and development on the amenity and character of the area;
- (b) the effects of development on sunlight access to outdoor living space; and
- (c) the effects of development on views as identified by the view shafts in Precinct Plan 1.

I550.8.2. Assessment criteria

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

(1) Three or more dwellings on a site

- (a) The extent to which landscaping and planting enhances the amenity values and character of the streetscape and surrounding area and mitigates the visual effects of building and development.
- (b) The extent to which the location and height of any buildings or structures within the view shafts identified in Precinct Plan I550.10.1 obscure views to features or public places protected by the relevant view shaft.
- (c) The extent to which the construction, additions, alterations or the relocation of any buildings should be developed and landscaped to comply with policy I550.3(4).
- (d) The extent to which the bulk, shape and design of buildings:
 - (i) is consistent with the buildings in the neighbourhood;
 - (ii) adversely affects public enjoyment of public open space, including the street; and
 - (iii) adversely affects the provision of landscaping on the site, on neighbouring sites or on the street.
- (e) The extent to which the setback of a building from a side or rear boundary allows for the efficient use of the site while respecting the character of the neighbourhood and the amenity of adjacent sites.
- (f) The extent to which the location of buildings:
 - (i) results in significant shading effects;

- (ii) results in a significant reduction in visual and/or aural privacy;
 - (iii) results in significant adverse visual impacts;
 - (iv) adversely affects the safe and efficient operation, including maintenance, of any utility or network utility; and
 - (v) adversely affects practical access to the rear of the site.
- (g) The extent to which additional building coverage compromises the character of the streetscape and surrounding neighbourhood and whether any effects are off-set by additional landscaping.
- (h) The extent to which garage(s) dominate the street frontage.
- (i) The extent to which street frontages of dwellings provide potential for surveillance of the street.
- (j) The extent to which private outdoor living space is located on the north side of the dwelling , and if not, whether it is oriented to the side or rear of the dwelling to maximise solar access and avoid unreasonable overshadowing from a wall on its northern boundary. Consideration will also be given to:
- (i) whether the private outdoor living space receives adequate levels of sunlight;
 - (ii) the usability and amenity of the private outdoor living space based on the sunlight it will receive; and
 - (iii) whether the private outdoor living space is directly accessible to and part of the associated dwelling.
- (k) The extent to which the location of any wall on a boundary unreasonably overshadows any north facing windows or the private outdoor living space of any adjacent property.

I550.9. Special information requirements

An application for the following activities must be accompanied by the following additional information to that required in the underlying zone required to address the matters for discretion.

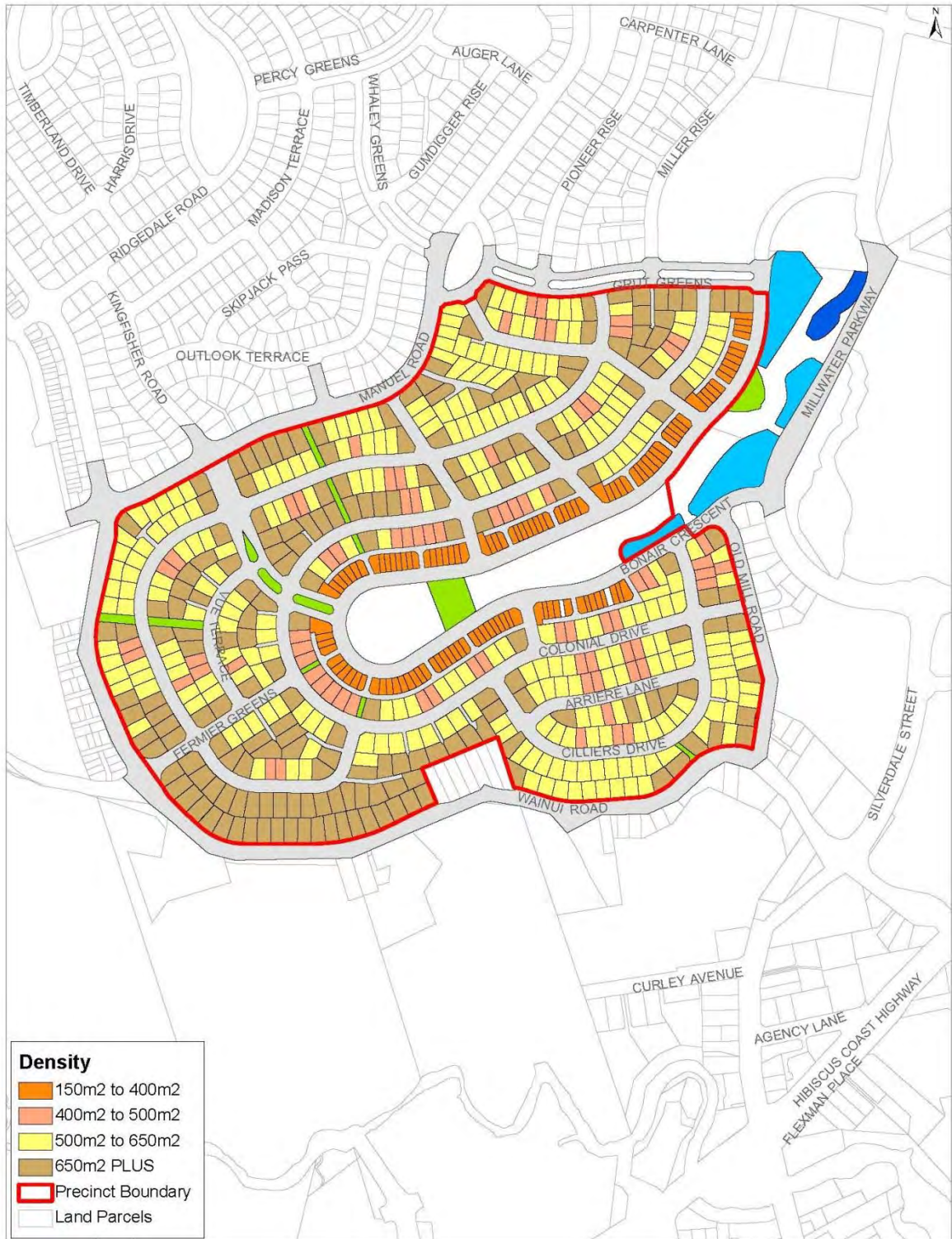
Buildings, and alterations and additions to buildings, and subdivision must provide the following information:

- (1) Where three or more dwellings are proposed a design statement equivalent to that required for more than five dwellings in the Mixed Housing Suburban zone must be prepared in accordance with the Special Information requirements of the residential zones (refer to Chapter I clause 12).

I550 Millwater South Precinct

I550.10. Precinct plans

I550.10.1. Precinct Plan 1: Millwater South Precinct



Attachment D - Updated text to AUP(OIP) and HGI (Clean)

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

- (1) 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.
- (2) Words and phrases used in the Plan have the meaning set out in their definitions in this chapter unless the context otherwise requires.
- (3) 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.
- (4) Words in the singular include the plural and words in the plural include the singular.
- (5) Where a list is preceded by the word “includes”, that list is not limited to the matters listed.
- (6) Where a list is preceded by the word “excludes”, that list is limited to the matters listed.
- (7) 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:

J1 Definitions

- (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

AEP

Annual exceedance probability

AFA

Average floor area

ANNA

Aircraft noise notification area

AIAL

Auckland International Airport Limited

ARI

Average rain index

ASAN

Activities sensitive to aircraft noise

J1 Definitions

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

J1 Definitions

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

J1 Definitions

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

J1 Definitions

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	

J1 Definitions

		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	

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.

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 or required 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.

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.

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

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.

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

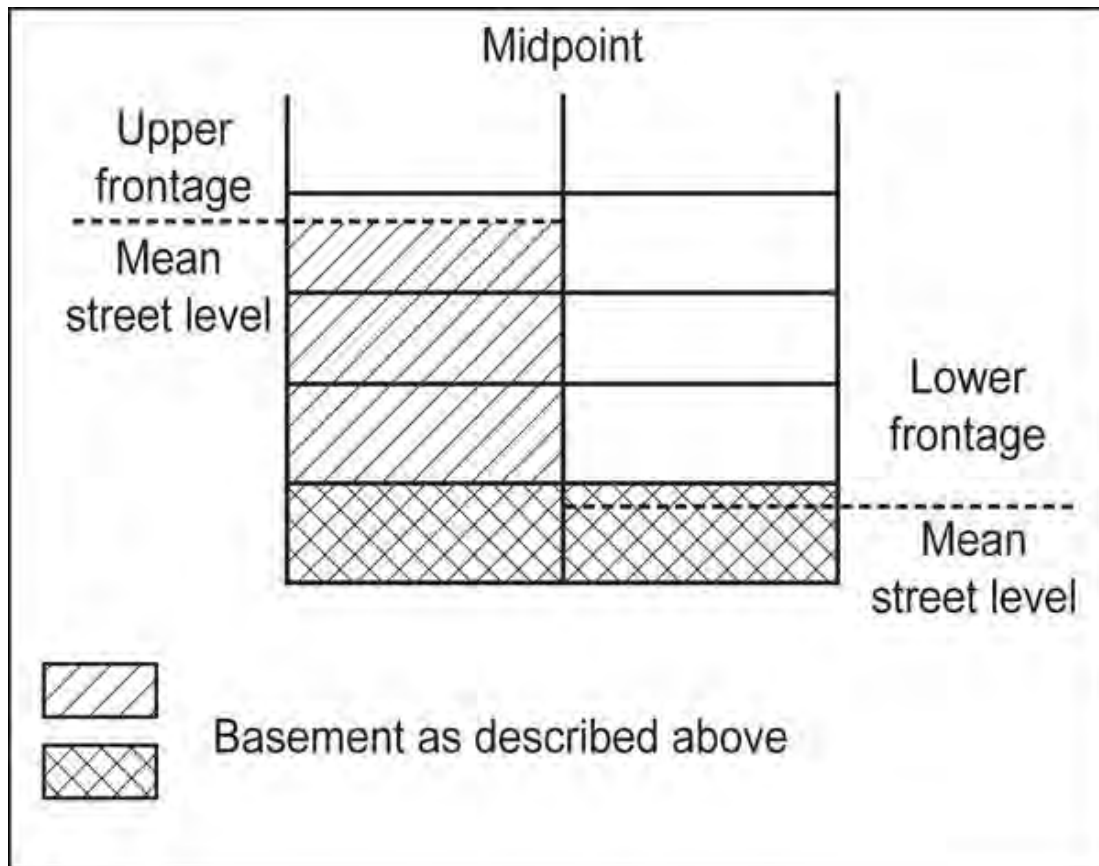
Base flow

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

J1 Definitions

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.

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.

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.

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.

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.

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:

(8) permanently impounds surface water; or

(9) 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.

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.

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.

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 2m³/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 affecting specific properties in its GIS viewer for the one per cent annual exceedance probability (AEP) rainfall event (the floodplain maps). The floodplain map is indicative only although Council accepts its accuracy with regard to land shown on the floodplain map as being outside the floodplain. A party may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the extent, depth and flow characteristics of the floodplain.

When taking account of impervious areas that would arise from changes in land use enabled by the policies and zonings of the Plan, recognition should be given to any existing or planned flood attenuation works either existing or planned in an integrated catchment management plan.

Council will continually update the floodplain map to reflect the best information available.

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

(1) 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:

J1 Definitions

- 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.

(2) 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 m³ 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.

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.

J1 Definitions

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:

(1) 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;

(2) 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.

(3) 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:

J1 Definitions

- 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.
- (4) 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

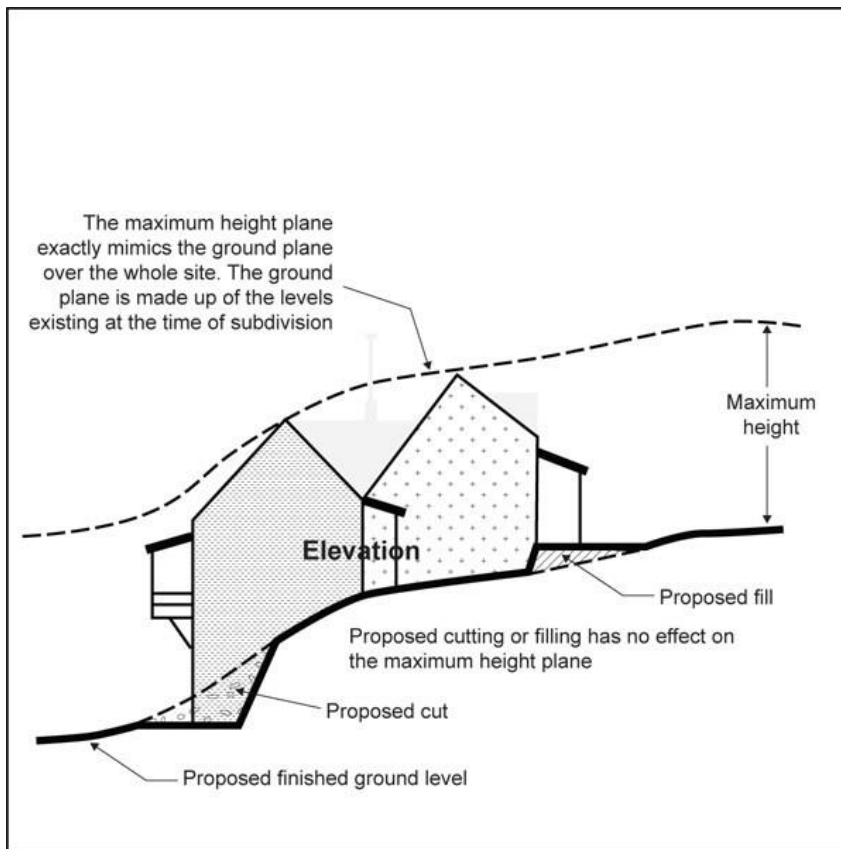
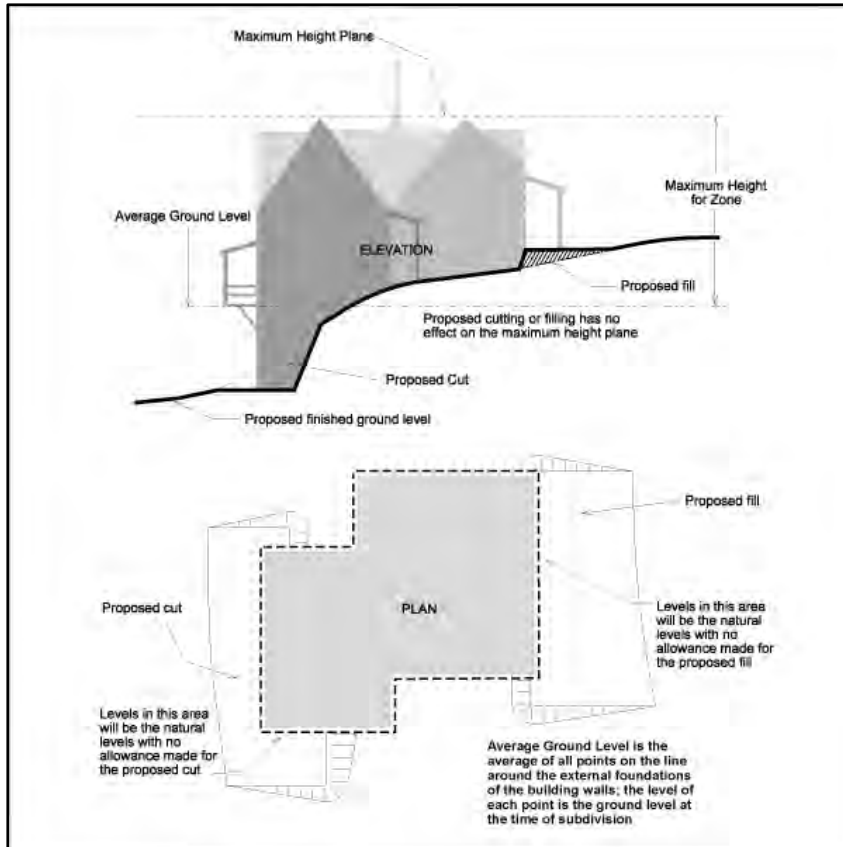


Figure J1.4.3 Height - average ground level method

J1 Definitions



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 unbanded 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 2,000m² 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 5000m² 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.

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

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:

- (1) 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;
- (2) non-permeable pathways not exceeding 1.5m in width;
- (3) 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;

J1 Definitions

- 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.

(4) 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.

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 450m², 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.

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.

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

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);
- wharenuī/wharehui (main building or meeting house);
- wharemoe (sleeping house);
- kāuta (kitchen, cookhouse, cooking shed);
- wharekai (dining hall);
- māra kai (food garden):

J1 Definitions

- 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

Has the same meaning as section 129 of Te Ture Whenua Maori Act 1993.

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 through 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.

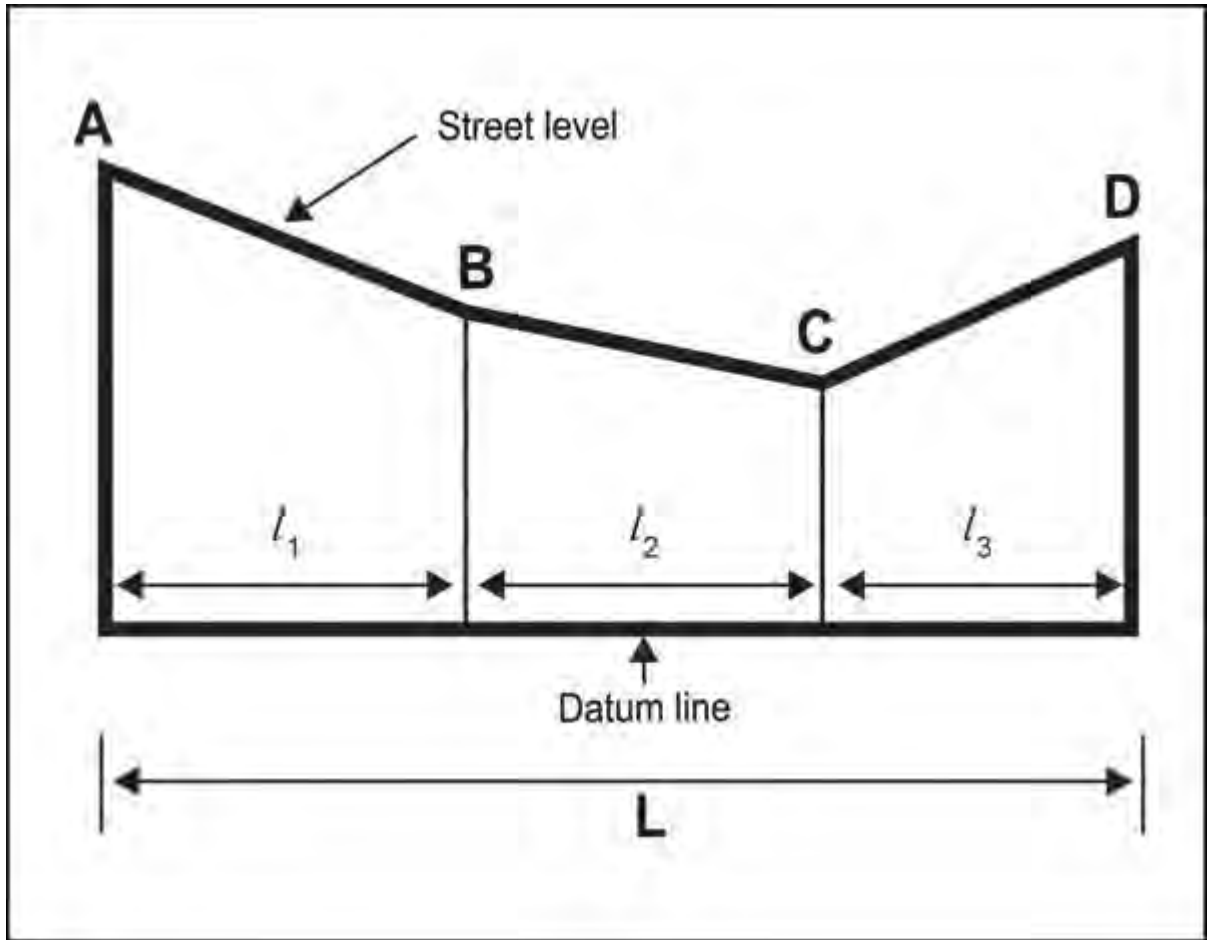
Mean high water springs

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).

$$\text{MSL} = \frac{\left(\frac{A+B}{2} \times l_1\right) + \left(\frac{B+C}{2} \times l_2\right) + \left(\frac{C+D}{2} \times l_3\right)}{L}$$

$$l_1 + l_2 + l_3 = L$$

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.

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.

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:

- parking required or permitted accessory 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 required or permitted on that other site or sites.

PC 71 ([see Modifications](#))

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 field 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 20m², 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.

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.

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

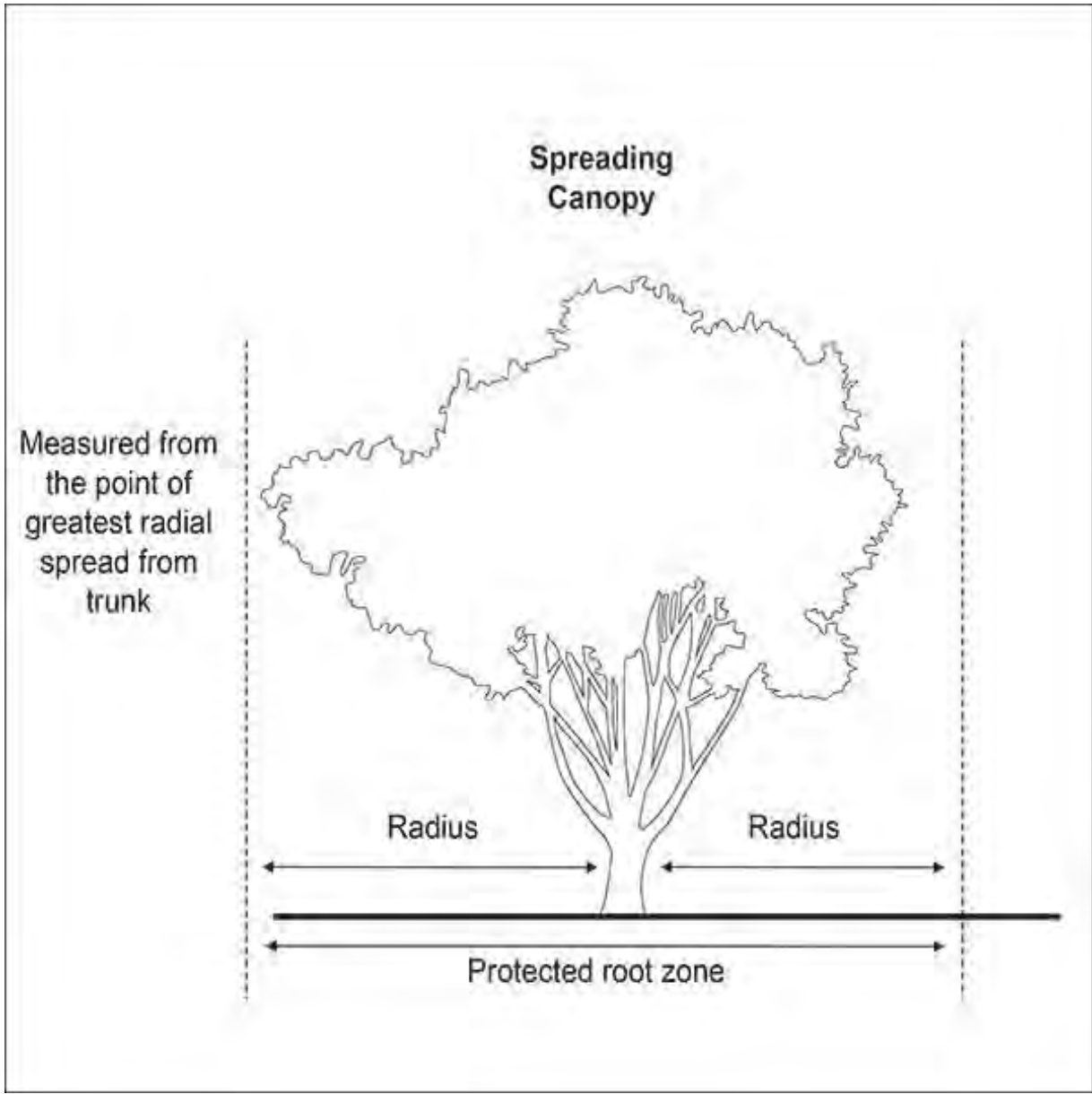
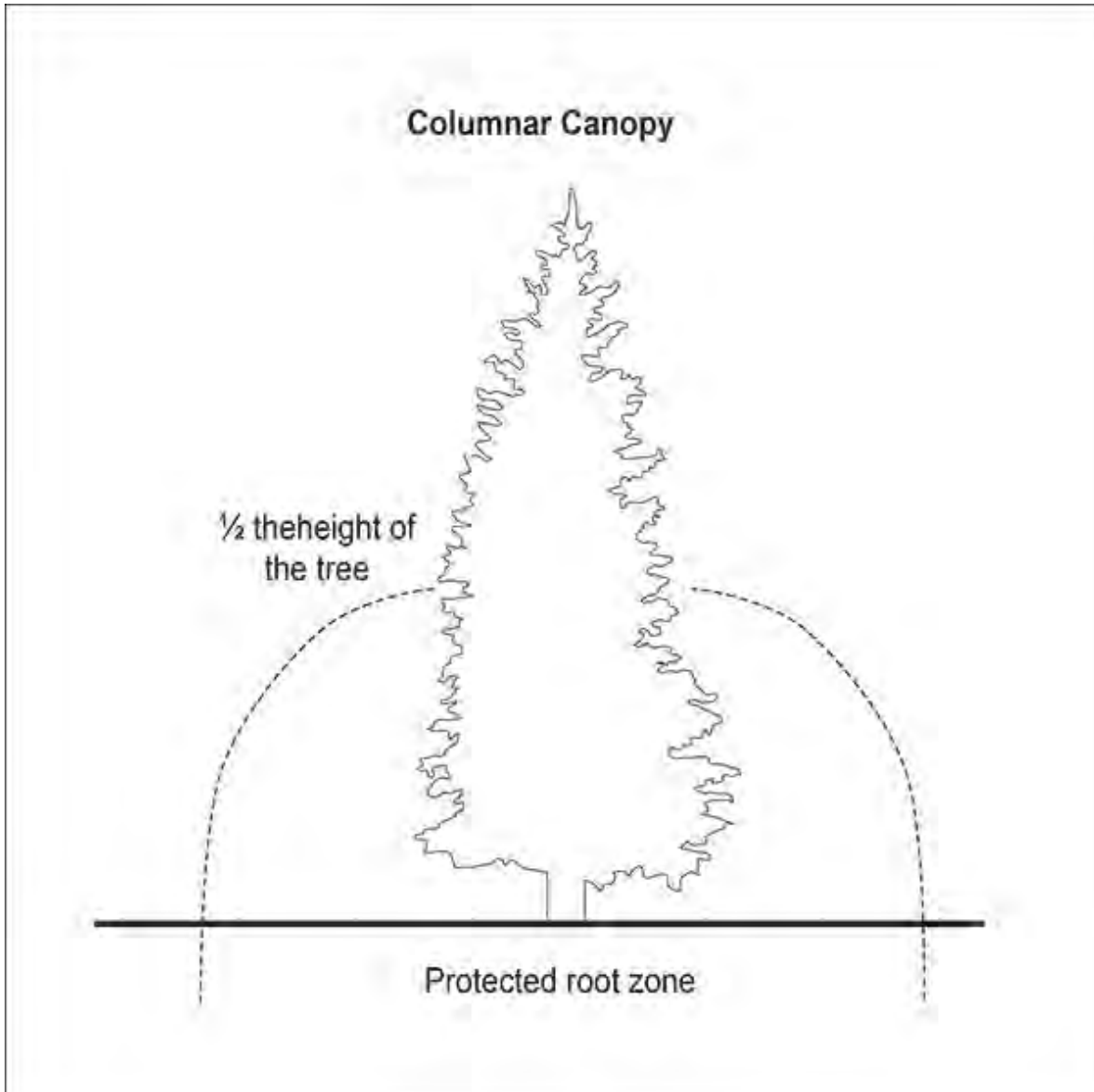


Figure J1.4.6 Protected root zone B



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:

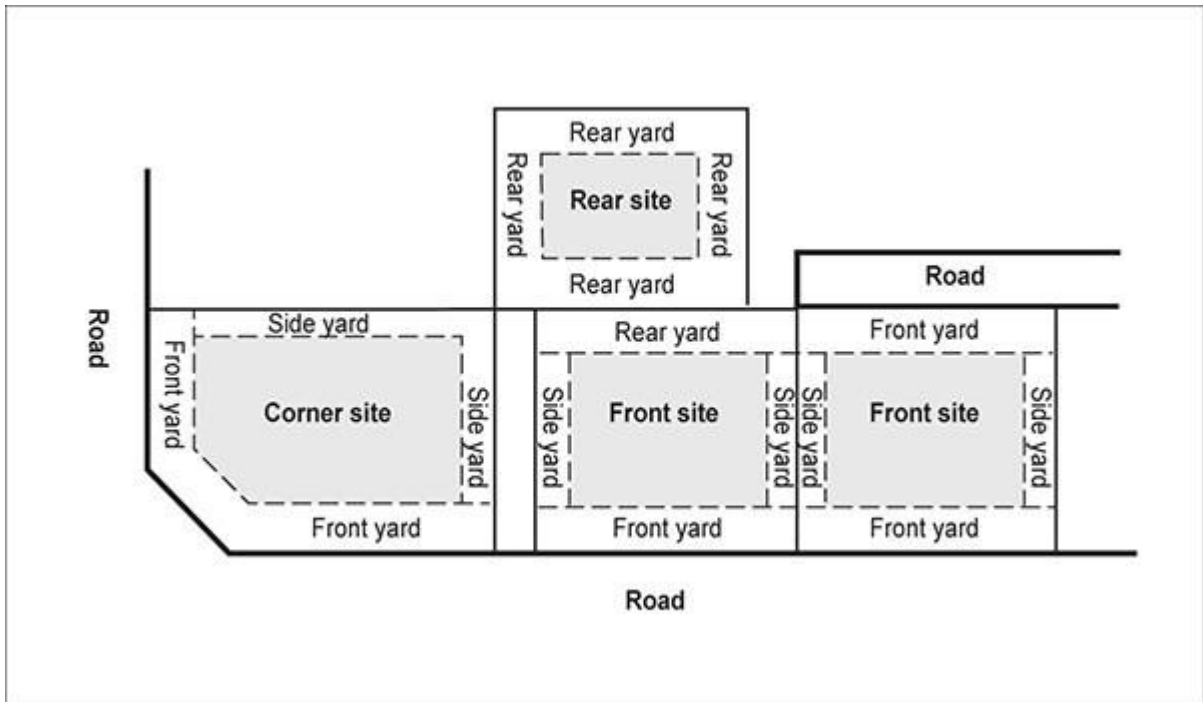
- all yards on a rear site.

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 1,000m² 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;

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 Roding 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;

J1 Definitions

- 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.

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/m³ 5-day biochemical oxygen demand and 30g/m³ 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 1,000m² 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.

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:

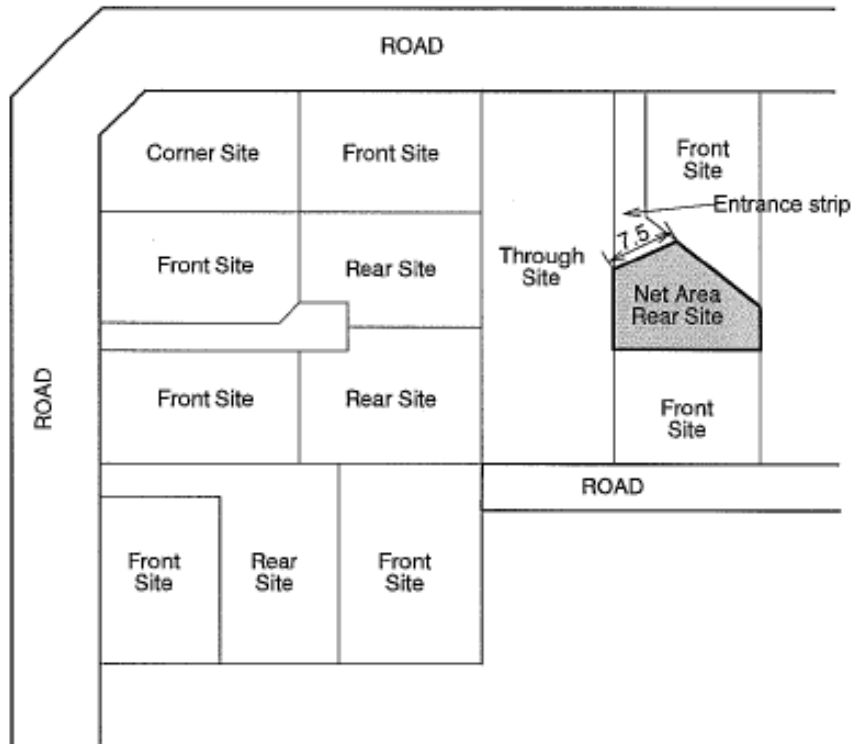
- (i) subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974; or
- (ii) held together in such a way that they cannot be dealt with separately without the prior consent of the council; or

(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.

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 Commerce 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

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:

[PC 71 \(see Modifications\)](#)

J1 Definitions

- 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.

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;

J1 Definitions

- 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.

D18. Special Character Areas Overlay – Residential and Business

D18.1. Background

The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

Each special character area is supported by a Special character area statement identifying the key special character values of the area. Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

- (1) Special Character Areas - Business; and
- (2) Special Character Areas – Residential; and
- (3) Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas are identified as special character areas:

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay – Business : Howick	Special Character Areas Overlay – General : Balmoral Tram Suburb, East
Special Character Areas Overlay – Residential : Helensville	Special Character Areas Overlay – Business : Balmoral Shopping Centre	Special Character Areas Overlay – General : Foch Avenue and Haig Avenue
Special Character Areas Overlay – Residential : North Shore – Birkenhead Point	Special Character Areas Overlay – Business : Eden Valley	Special Character Areas Overlay – General : Hill Park
Special Character Areas	Special Character Areas	Special Character Areas

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Overlay – Residential : North Shore – Devonport and Stanley Point	Overlay – Business : Ellerslie	Overlay – General : Puhoi
Special Character Areas Overlay – Residential : North Shore – Northcote Point	Special Character Areas Overlay – Business : Grey Lynn	
Special Character Areas Overlay – Residential : Early Road Links	Special Character Areas Overlay – Business : Helensville Central	
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Kingsland	
Special Character Areas Overlay – Residential : Isthmus A	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B - Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay – Residential : Isthmus B – Remuera / Meadowbank	Special Character Areas Overlay – Business : Mt Eden Village	
Special Character Areas Overlay – Residential : Isthmus B – Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay – Residential : Isthmus B – St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay – Residential : Isthmus B – Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay – Residential : Isthmus B - Parnell	Special Character Areas Overlay – Business : Sandringham	
Special Character Areas Overlay – Residential : Isthmus B - Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas	Special Character Areas	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Overlay – Residential : Isthmus B – Epsom/Greenlane	Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business : Onehunga	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	
Special Character Areas Overlay – Residential : Isthmus B - Mount Albert		
Special Character Areas Overlay – Residential : Isthmus B - Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B - Otahuhu		
Special Character Areas Overlay – Residential : Isthmus C : St Heliers		
Special Character Areas Overlay – Residential : Isthmus C - Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C -Three Kings		
Special Character Areas Overlay – Residential : Isthmus C - Mount Albert		
Special Character Areas Overlay – Residential : Isthmus C – Remuera/Epsom		
Special Character Areas Overlay – Residential : Station Road, Papatoetoe		
Special Character Areas		

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Overlay – Residential : Pukehana Avenue		

The special character area statements are located in [Schedule 15 Special Character Schedule, Statements and Maps](#).

The maps for the following special character areas are located in [Schedule 15 Special Character Schedule, Statements and Maps](#):

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Balmoral Tram Suburb, West	Special Character Areas Overlay – Business : Balmoral Shopping Centre	Special Character Areas Overlay – General : Balmoral Tram Suburb, East
Special Character Areas Overlay – Residential : Helensville	Special Character Areas Overlay – Business : Eden Valley	Special Character Areas Overlay – General : Foch Avenue and Haig Avenue
Special Character Areas Overlay – Residential : North Shore – Birkenhead Point	Special Character Areas Overlay – Business : Ellerslie	
Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point	Special Character Areas Overlay – Business : Grey Lynn	
Special Character Areas Overlay – Residential : North Shore – Northcote Point	Special Character Areas Overlay – Business : Helensville Central	
Special Character Areas Overlay – Residential : Early Road Links	Special Character Areas Overlay – Business : Kingsland	
Special Character Areas Overlay – Residential : Kings Road and Princes Avenue	Special Character Areas Overlay – Business : Lower Hinemoa Street	
Special Character Areas Overlay – Residential : Isthmus B - Remuera	Special Character Areas Overlay – Business : Devonport	
Special Character Areas Overlay – Residential :	Special Character Areas Overlay – Business : Mt Eden	

D18 Special Character Areas Overlay – Residential and Business

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Isthmus B – Remuera / Meadowbank	Village	
Special Character Areas Overlay – Residential : Isthmus B – Mission Bay	Special Character Areas Overlay – Business : Newmarket	
Special Character Areas Overlay – Residential : Isthmus B – St Heliers	Special Character Areas Overlay – Business : Parnell	
Special Character Areas Overlay – Residential : Isthmus B – Herne Bay	Special Character Areas Overlay – Business : Ponsonby Road	
Special Character Areas Overlay – Residential : Isthmus B - Parnell	Special Character Areas Overlay – Business : Sandringham	
Special Character Areas Overlay – Residential : Isthmus B - Epsom	Special Character Areas Overlay – Business : Upper Symonds Street	
Special Character Areas Overlay – Residential : Isthmus B – Epsom/Greenlane	Special Character Areas Overlay – Business : West Lynn	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part A)	Special Character Areas Overlay – Business : Onehunga	
Special Character Areas Overlay – Residential : Isthmus B – Mount Eden/Epsom (Part B)	Special Character Areas Overlay – Business : Otahuhu	
Special Character Areas Overlay – Residential : Isthmus B - Mount Albert	Special Character Areas Overlay – Business : Howick	
Special Character Areas Overlay – Residential : Isthmus B - Mount Roskill		
Special Character Areas Overlay – Residential : Isthmus B - Otahuhu		
Special Character Areas Overlay – Residential :		

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Isthmus C – St Heliers		
Special Character Areas Overlay – Residential : Isthmus C - Mount Eden		
Special Character Areas Overlay – Residential : Isthmus C -Three Kings		
Special Character Areas Overlay – Residential : Isthmus C - Mount Albert		
Special Character Areas Overlay – Residential : Isthmus C – Remuera/Epsom		
Special Character Areas Overlay – Residential : Station Road, Papatoetoe		
Special Character Areas Overlay – Residential : Pukehana Avenue		

The maps for the following special character areas are only provided in the planning maps:

Special Character Areas Overlay - Residential	Special Character Areas Overlay - Business	Special Character Areas Overlay – General (both Residential and Business)
Special Character Areas Overlay – Residential : Isthmus A		Special Character Areas Overlay – General : Hill Park
Special Character Areas Overlay – Residential : Pukehana Avenue		Special Character Areas Overlay – General : Puhoi

D18.2. Objectives

- (1) The special character values of the area, as identified in the special character area statement are maintained and enhanced.
- (2) The physical attributes that define, contribute to, or support the special character of the area are retained, including:

- (a) built form, design and architectural values of buildings and their contexts;
 - (b) streetscape qualities and cohesiveness, including historical form of subdivision and patterns of streets and roads; and
 - (c) the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.
- (3) The adverse effects of subdivision, use and development on the identified special character values of the area are avoided, remedied or mitigated.

D18.3. Policies

Special Character Areas Overlay - Residential

- (1) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (2) Maintain and enhance the built form, design and architectural values of the buildings and the area, as identified in the special character area statement, so that new buildings, alterations and additions to existing buildings, infrastructure and subdivision (where applicable):
 - (a) maintain the continuity or coherence of the identified special character values of the area;
 - (b) maintain the streetscape qualities and cohesiveness;
 - (c) respond positively to the design, scale, height, setback and massing of existing development, any distinctive pattern of subdivision, intensity of development, its relationship to the street, streetscape cohesiveness and is of a compatible form which contributes to the identified special character values of the area;
 - (d) maintain the relationship of built form to open space and landscape context;
 - (e) maintain the setting of the special character area, where these features, such as mature trees and landform, contribute to the special character values of the area;
 - (f) enable the removal of additions and features that detract from the special character of the building or identified special character of the wider area;
 - (g) minimise the loss of built fabric and encourage maintenance and repair;

- (h) require new materials to be compatible with the age, detailing, finishes and colour; and
 - (i) recover or reveal special character values of buildings and features.
- (3) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (4) Require any application for demolition or removal of a building in a special character area to, on its own or cumulatively as a result of other removals or demolition, demonstrate that the loss of the building:
- (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (5) Encourage the on-going use and maintenance of buildings in special character areas.
- (6) Manage the design and location of car parking, garaging and accessory buildings to maintain and enhance the streetscape and special character values of the area, as identified in the special character statement.
- (7) Encourage the retention of special features such as boundary walls, fences, paths and plantings that contribute to the character of the area.

Special Character Areas Overlay - Business

- (8) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (9) Identify individual buildings that contribute to the identified special character according to the following descriptions:
- (a) character defining – makes a considerable contribution to the character of the area because of historical, physical and visual qualities; and
 - (b) character supporting – makes a moderate contribution to the character of the area. The building should contribute to the appearance, quality, and identity of the area and should be consistent with the values of character-defining places.
- (10) Require any application for demolition or removal of a character-defining and character-supporting building in a Special Character Area- Business to, on its

own or cumulatively as a result of other demolition, demonstrate that the loss of the building:

- (a) would not erode the identified special character values of the area; and
 - (b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.
- (11) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.
- (12) Require new buildings, alterations or additions to existing buildings, or infrastructure, which are within the overlay but are not character defining or character supporting buildings, to maintain the integrity of the context of the area by providing quality design, materials, colour and decoration which respects and enhances the built form and streetscape of the area.
- (13) Require additions and alterations to existing character defining and character-supporting buildings, to be compatible with and respect the special character and existing scale of development.
- (14) Encourage the ongoing use and maintenance of buildings in special character areas.

D18.4. Activity table

Table D18.4.1 Activity table Special Character Areas Overlay – Residential specifies the activity status of land use and development for activities in the Special Character Area Overlay – Residential pursuant to section 9(3) of the Resource Management Act 1991.

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply.

Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).

Table D18.4.1 Activity table – Special Character Areas Overlay - Residential

Activity		Activity status
Development		
(A1)	Restoration and repair to a building on all sites in the Special Character Areas Overlay–Residential or the Special Character Areas Overlay - General (with a residential zoning)	P
(A2)	Minor alterations to the rear of a building on all sites in the Special Character Area Overlay – Residential or Special	P

	Character Areas Overlay - General (with a residential zoning) where works to the building use the same design and materials to the existing building	
(A3)	Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within the site on: <ul style="list-style-type: none"> (a) all sites in all the following Special Character Areas Overlay - Residential: <ul style="list-style-type: none"> (i) Special Character Area Overlay – Residential : Isthmus A; (ii) Special Character Areas Overlay – Residential : Pukehana Avenue; (iii) Special Character Area Overlay – General : Hill Park (those sites with a residential zone); and (iv) Special Character Area Overlay – General : Puhoi (those sites with a residential zone); and (b) all other sites identified as subject to demolition, removal or relocation rules as shown in the maps in the Special Character Areas Overlay Statements. 	RD
(A4)	External alterations or additions to a building on all sites in the Special Character Areas Overlay–Residential or Special Character Areas Overlay - General (with a residential zoning)	RD
(A5)	Construction of a new building or relocation of a building onto a site on all sites in the Special Character Area Overlay–Residential or Special Character Areas Overlay - General (those sites with a residential zone)	RD
(A5A)	Rainwater tank	P

Table D18.4.2 Activity table – Special Character Area – Business specifies the activity status of land use and development for activities in the Special Character Area Overlay – Business pursuant to section 9(3) of the Resource Management Act 1991.

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply.

Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in [E26 Infrastructure](#).

Table D18.4.2 Activity table – Special Character Areas Overlay - Business

Activity		Activity status
Development		
Special Character Areas Overlay – Business with identified character defining buildings		
(A6)	External redecoration and repair to a character defining building	P
(A7)	Alterations to the rear of a character defining building	P
(A8)	Additions to a character defining building	RD
(A9)	Total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building	D
(A10)	Any demolition of the front façade of a character defining building	RD
(A11)	Alterations to a character defining building not otherwise provided for above	RD
(A12)	New buildings	RD
(A13)	Alterations and additions to buildings, not identified as character defining buildings	RD
Special Character Areas Overlay – Business with identified character supporting buildings		
(A14)	External redecoration and repair of a character supporting building	P
(A15)	Alterations to the rear of a character supporting building, except on corner sites where the works use a similar design and materials to the existing building	P
(A16)	Additions to a character supporting building	RD
(A17)	Alterations to a character supporting building not otherwise provided for above	RD
(A18)	Total or substantial demolition of a character supporting building (exceeding 30 per cent or more, by area, of wall elevations and roof area)	RD
(A19)	Any demolition of the front façade of a character supporting building	RD
(A20)	New buildings	RD
(A21)	Alterations and additions to buildings not identified as character supporting buildings	RD
Special Character Areas Overlay – Business with no identified character defining or character supporting buildings		
(A22)	External redecoration and repair of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A23)	Alterations to the rear of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	P
(A24)	Additions to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD

(A25)	Alterations to a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A26)	Total or substantial demolition of a building (exceeding 30 per cent or more, by area, of wall elevations and roof area) in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD
(A27)	New buildings in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings	RD

D18.5. Notification

- (1) Any application for resource consent for an activity listed in Table D18.4.1 or Table D18.4.2 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

D18.6. Standards

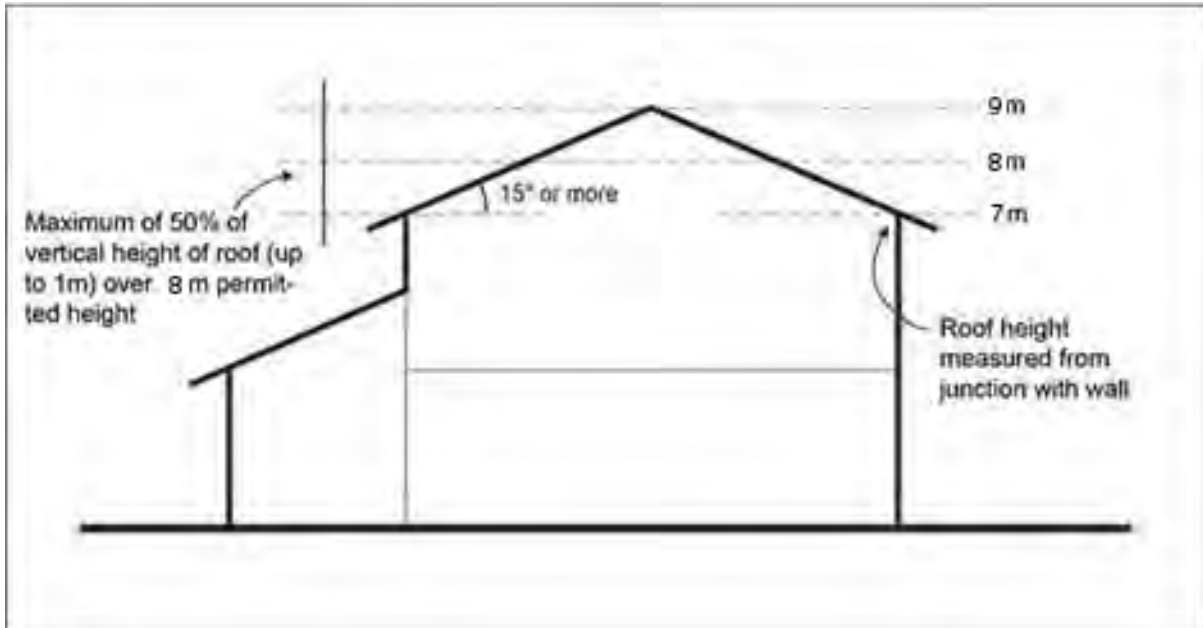
D18.6.1. Standards for activities in the Special Character Areas Overlay - Residential

All activities listed in Table D18.4.1 Activity table - Special Character Areas Overlay - Residential must comply with the following standards.

D18.6.1.1. Building height

- (1) Buildings in the Special Character Areas Overlay – Residential must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential.

Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay - Residential



D18.6.1.2. Height in relation to boundary

- (1) Buildings in the Special Character Areas Overlay – Residential must not project above a 45-degree recession plane measured from a point 3m above the ground level along any boundary of the site.

D18.6.1.3. Yards

- (1) A building or parts of a building in the Special Character Overlay – Residential must be set back from the relevant boundary by the minimum depth listed in Table D18.6.1.3.1 Yards below:

Table D18.6.1.3.1 Yards

Yard	Minimum depth
Front	The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site
Side	1.2m
Rear	3m

D18.6.1.4. Building coverage

- (1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential below:

Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential

Site area	Building coverage
Up to 200m ²	55 per cent of the net site area
200m ² – 300m ²	45 per cent of the net site area
300m ² – 500m ²	40 per cent of the net site area
500m ² – 1,000m ²	35 per cent of the net site area
Greater than 1,000m ²	25 per cent of the net site area

D18.6.1.5. Landscaped area

- (1) The minimum landscaped area for sites in the Special Character Areas Overlay – Residential is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential

Site area	Landscaped area
Up to 200m ²	28 per cent of the net site area
200m ² – 500m ²	33 per cent of the net site area
500m ² – 1,000m ²	40 per cent of the net site area
Greater than 1,000m ²	50 per cent of the net site area

- (2) The front yard must comprise at least 50 per cent landscaped area.

D18.6.1.6. Maximum paved area

- (1) The maximum paved area for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum paved area in the Special Character Areas Overlay – Residential below:

Table D18.6.1.6.1 Maximum paved area in the Special Character Areas Overlay – Residential

Site area	Paved area
Up to 200m ²	17 per cent of the net site area
200m ² – 500m ²	20 per cent of the net site area
500m ² – 1,000m ²	25 per cent of the net site area
Greater than 1,000m ²	25 per cent of the net site area

D18.6.1.7. Fences, walls and other structures

- (1) Fences, walls and other structures, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed a height of 1.2m above ground level.

D18.6.1.8. Rainwater tanks

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

- (1) Rainwater tanks must not be located in a front yard unless they are at least 1.5m from the front boundary and located wholly below ground level. This standard shall not apply to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks directly adjoining a side yard facing building façade or located within a side yard must be wholly below ground level or set back at least 1m behind a line from the street facing building façade.
- (3) Rainwater tanks must not obscure (partially or totally) any window or door of the dwelling on the subject site.
- (4) Rainwater tanks directly adjoining a side façade or located within a side yard must be no greater than 800mm in width.
- (5) Rainwater tanks directly adjoining a side facade of a building must match the colour of that façade.
- (6) Rainwater tanks must not exceed 2 m in height, or 3 m in height where the rainwater tank directly adjoins an existing building.
- (7) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

D18.6.2. Standards for buildings in the Special Character Areas Overlay – Business

All activities listed in Table D18.4.2 Activity table - Special Character Areas Overlay - Business must comply with the standards for the zone in which they are located, unless otherwise specified.

D18.7. Assessment – controlled activities

There are no controlled activities in this section.

D18.8. Assessment – Restricted discretionary activities

D18.8.1. Matters of discretion

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

D18.8.1.1. Special Character Areas Overlay - Residential

- (1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:
 - (a) the effects on the streetscape and special character context as outlined in the special character area statement;
 - (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
 - (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its loss or relocation would result in the loss of a character value attributable to the group;
 - (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004;
 - (e) where a replacement building is proposed, its design, quality, purpose and amenities and the contribution that such as building might make to the qualities of streetscape character; and
 - (f) the effect on landscape and vegetation.
- (2) for external alterations or additions to buildings; or for the construction of a new building or the relocation of a building onto a site:
 - (a) the effects on the streetscape and special character context as outlined in the Special Character Area Statement;
 - (b) the building and its contribution to streetscape character; including its design, quality, purpose and amenities including matters of scale, form, massing, materials, setbacks and the relationship to the street; and
 - (c) the effects on landscape and vegetation.
- (3) for an infringement of the any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:

- (a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement; and

Note 1

Where more than one standard will be infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

- (b) the matters for external alterations or additions to buildings or for the construction of a new building or relocation of buildings onto a site listed in D18.8.1.1(2) above.

D18.8.1.2. Special Character Business Areas

- (1) For all restricted discretionary activities:

- (a) the effects of the activity on the streetscape and special character context as outlined in the special character area statement;
- (b) the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts as well as its contribution to the streetscape character;
- (c) the building's relationship to other adjacent buildings, and if it contributes to a group in such a way that its demolition, alteration or addition would result in the loss of a character value attributable to the group; and
- (d) the condition of the building, and the practicality and cost of any necessary rehabilitation, and the ability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act 2004.

- (2) for an infringement of the any of the standards on the zone in which the building is located :

- (a) the effects of the infringement of the standard on the streetscape and special character context as outlined in the special character area statement.

Note 1

Where more than one standard is infringed, the effects of all infringements on the streetscape and special character context as outlined in the special character area statement will be considered together.

D18.8.2. Assessment criteria

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

D18.8.2.1. Special Character Areas Overlay – Residential

(1) For the total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas); or the removal of a building (excluding accessory buildings) from a site; or the relocation of a building within the site:

(a) Policies D18.3(1) to (7);

(b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the building has retained its original (or repaired) visual design features relating to form, mass, proportion and materials so that restoration/renovation of the building is practical and reasonable. When determining what is practical and reasonable, regard shall be had to providing amenity for occupants and compliance with any requirement of the Building Act;
- (ii) the extent to which any special character qualities and original design features of the existing building are visible from the street or a public realm;
- (iii) whether the building is beyond rehabilitation to its original state and the costs of the rehabilitation to reproduce the special character qualities of the building and enhance the architectural qualities and special character of the streetscape and the surrounding area, in comparison to the costs of a new building of a similar size and quality;
- (iv) whether in rare cases the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair work or upgrading necessary to extend the useful life of the building are prohibitive, (in comparison to the costs of a new building of similar size), an application for a new building may be considered favourably in accordance with assessment criteria D18.8.2.1(1)(b)(v) below;
- (v) whether any proposed replacement building, in terms of its design, quality and amenities, makes a positive contribution to the qualities of streetscape character;

(c) for Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the special character and architectural value of the existing building (irrespective of age) and its contribution to streetscape character warrants its retention;
- (ii) whether the special character value of the building by reference to its architectural style, whether as an exemplar of the type or as being representative of the type warrants its retention;
- (iii) whether the integrity of the building in its current state, having regard to its architectural form and style and the authenticity of its component parts warrants its retention;
- (iv) whether its relationship to other adjacent buildings and whether the contribution it makes to a group of buildings is such that its loss would result in the loss of a character value attributable to the group;
- (v) whether its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or to relationships to open space shared with adjacent buildings warrants its retention;
- (vi) whether the practicability and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act warrants its demolition;
- (vii) whether any proposed replacement building, in terms of its design, quality and amenities makes a positive contribution to the qualities of streetscape character.
- (viii) in Special Character Areas Overlay – Residential : Isthmus C; the extent to which the nature and extent of any disturbance to the biophysical components that contribute to streetscape character such as landform or vegetation cover can be avoided, remedied or mitigated.

(2) For external alterations and additions to a building:

- (a) policies D18.3(1) to (7);
- (b) for Special Character Areas Overlay – Residential : Helensville; Residential : General (with a residential zone); Residential – Balmoral Tram Suburb, West; Residential : Early Road Links; Residential : Kings Road and Princes Avenue; and Residential : Pukehana Avenue; Residential : Station Road, Papatoetoe:

- (i) whether the effect of the additions and/or alterations on the special character of the building maintains or enhances its contribution to the streetscape of the area;
 - (ii) whether the design and appearance of the additions and/or alterations respond positively to the building, in terms of scale, proportions, architectural form, massing, materials and detailing;
 - (iii) whether the addition or alteration is of a design and uses materials similar or compatible with the traditional character and material of the building;
 - (iv) whether consideration has been given to retaining as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the existing building rather than replacing them;
 - (v) whether the colour scheme is compatible with the age and detailing of the building; and
 - (vi) whether the location and design of attachments, such as aerials and air conditioning units, are sympathetic to the existing building through the use of appropriate colour, design, form and location on the building.
- (c) for Special Character Areas Overlay – Residential : Isthmus A:
- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered.
- (d) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C:
- (i) whether the form, mass, proportion and scale of the external additions and alterations are such that they maintain or enhance the streetscape character and amenity.
- (e) for Special Character Areas Overlay – Residential : Isthmus A and Residential : Isthmus C1:
- (i) whether the alterations and/or additions to expand the building within a roof space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
 - (ii) whether, where decoration and architectural features are used, they follow the characteristic form and detail of the existing

building on the site, or if the original features have been removed/altered, they follow the characteristic form and detail of other buildings of the same period in the street;

- (iii) whether materials used are the same or similar as the existing materials of the building so that the new building work is consistent with the traditional character and material of existing buildings on the site and in the street;
- (iv) whether any existing traditional fencing along the road frontage boundary is preserved or reinstated at the completion of development; and
- (v) whether, for those parts of the buildings highly visible to the street or public place the proportions and detail of the new windows and doors are consistent with those traditionally present in buildings of the style including the overall window to wall ratio.

(f) for Special Character Areas Overlay – Residential : Isthmus B:

- (i) whether the alteration or addition has regard to, or complements the form, style and materials of the existing building;
- (ii) whether the proposed change contributes positively to the street; and
- (iii) whether the alteration or addition is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical, replacement planting or a replacement structural/built element is proposed.

(g) for Special Character Areas Overlay – Residential : Isthmus C:

- (i) whether the scale, form, mass, proportion and colour of the external addition or alteration is compatible with the prevailing architectural style of the existing building on the site; and
- (ii) whether the additions and alterations which are visible from the street or public realm detract from the architectural character of period housing or landscape qualities that are predominant in the street.

(h) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether, where garages or carports are to be adjoined to the existing building on the site, they are designed primarily to allow good visibility of the residential building from the street. Where

visibility of the building will be significantly obscured, whether alternative designs and locations for garages and carports or provision of a car pad have been considered, unless such alternative locations create adverse visual effects on a volcanic landform;

- (ii) whether the addition or alteration or associated site-works for any proposed addition or relocation has avoided physical effects on the natural volcanic landform, including cumulative effects; and
 - (iii) whether the addition, alteration or relocation has minimized adverse visual effects on the volcanic landscape by minimising alteration to the natural landform, and by appropriate placement of additions or alterations on the site.
- (i) for Special Character Areas Overlay – Residential : Isthmus C2:
- (i) whether, the additions, alterations or relocation are located so that larger trees on the site are retained, where this is not practical, whether replacement planting, particularly of indigenous trees will be undertaken where appropriate; and
 - (ii) whether, the addition, alteration or relocation minimizes adverse visual effects on the landscape context by avoiding visually obtrusive excavation, and by appropriate placement of additions on the site.
- (j) for Special Character Areas Overlay – Residential : North Shore:

Note1

The threshold limits outlined below and illustrated in Figure D18.8.2.1(2)(j).1 Threshold limits for alterations and additions have been determined in consideration of the sensitivity to change inherent in the various elements of special character buildings. These thresholds distinguish between relatively minor proposals for change and proposals which will require additional consideration and assessment.

An application which proposes the following may be assessed only against criteria D18.8.2.1(2)(j)(i) – (v) below, where relevant:

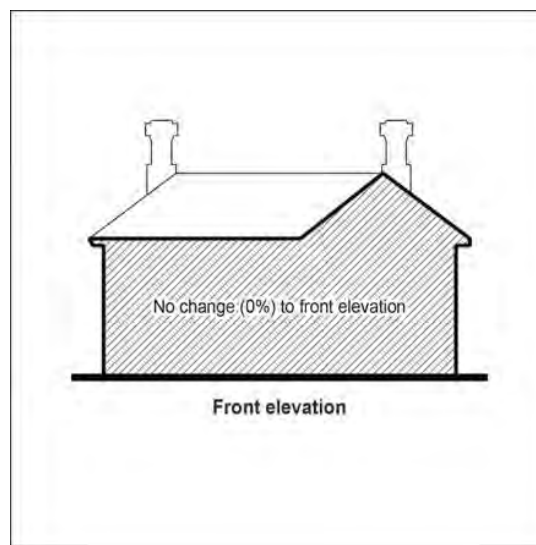
- no change to the front elevation (excluding the roof); and/or
- changes involving up to 20 per cent of the area of one or each of the side elevations (excluding the roof); and/or
- changes involving up to 80 per cent of the area of the rear elevation (excluding the roof); and/or

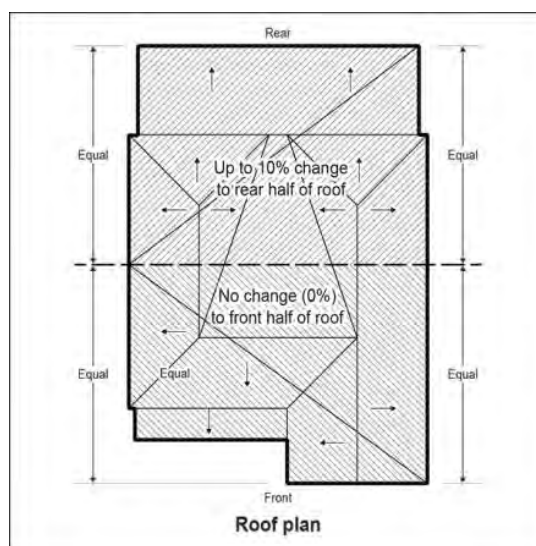
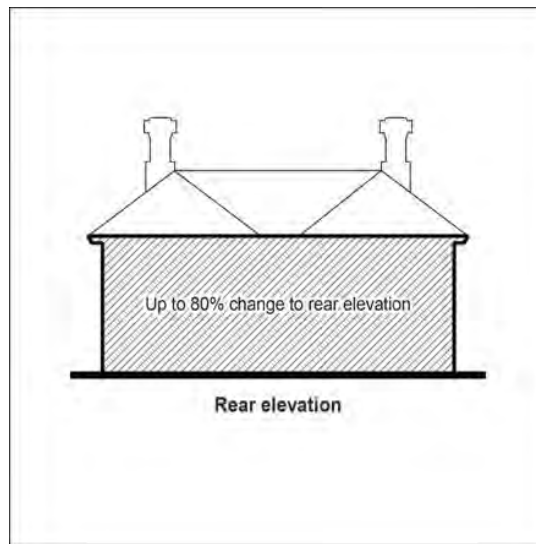
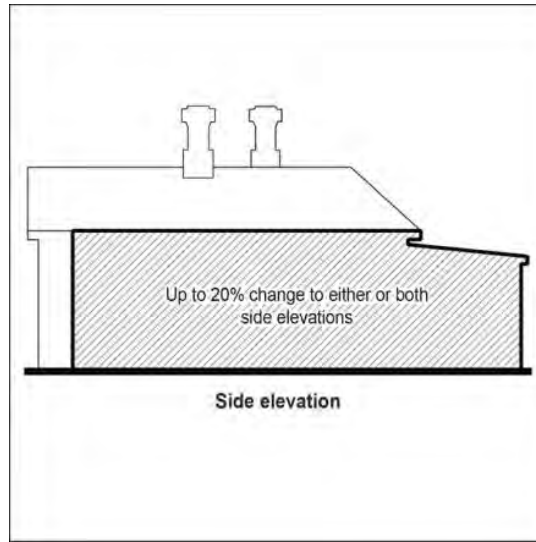
- no change to the front half of the roof; and/or
- changes involving up to 10 per cent of the rear half of the roof.

An application which proposes the following may be assessed against D18.8.2.1(2)(j)(i) – (vi) below, where relevant:

- any change to the front elevation (excluding the roof); and/or
- changes involving more than 20 per cent of the area of either side elevation (excluding the roof); and/or
- changes involving more than 80 per cent of the area of the rear elevation (excluding the roof); and/or
- any change to the front half of the roof; and/or
- changes involving more than 10 per cent of the rear half of the roof.

Figure D18.8.2.1(2)(j).1 Threshold limits for additions and alterations





- (i) whether the proposed additions/alterations to pre-1940 buildings retain the architectural and historic fabric, including the original

roof form, proportions and style of the building and other design characteristics such as design detailing, built fabric and materials, finishes, proportions, and window size, proportion and location within walls. Whether alterations to post-1940s buildings are designed to avoid dominance of, or contrast with, the streetscape character;

- (ii) whether the alterations and/or additions to expand the building within a roof-space leave visible the dominant form and lines of the existing roof, particularly when viewed from the street;
 - (iii) whether the additions and/or alterations adversely affects the contribution the subject building makes to a group of buildings which contribute to the special character of the area, particularly when the subject site is adjacent to or in the vicinity of any scheduled historic heritage place;
 - (iv) whether the design and appearance of alterations or additions use materials that are the same or similar to existing materials to maintain the integrity of the special character of the area. Traditional materials such as corrugated steel sheet, timber shingles, timber weatherboards, and timber joinery are considered generally appropriate, especially where these materials match or are very similar to the original materials, and are used in the same manner as those of the subject building;
 - (v) whether alterations and additions, to buildings that are clearly visible from the street or public realm should fit compatibly within the context of surrounding buildings and the neighbourhood and avoid dominance of, or contrast with the character of that context. Special attention must be paid to the bulk, scale, form, massing and use of materials and consistency with the style and detailing of the building; and
 - (vi) whether the additions/alterations have been designed to avoid cumulative adverse effects arising from successive additions and alterations. Where cumulative effects cannot be avoided, whether proposals include initiatives to recover original built form and lost details, particularly at the front of the buildings.
- (3) For the construction of a new building or relocation of a building onto a site:
- (a) policies D18.3(1) to (7);
 - (b) for all areas in a Special Character Areas Overlay other than Special Character Areas Overlay – Residential : Isthmus B and Residential : Isthmus C:

- (i) whether the design and external appearance of the proposed building is compatible with the streetscape and the identified special character of the area;
- (ii) whether the form, mass, proportion and scale of the building is compatible with the special character of the area;
- (iii) whether the building preserves the sense of visual frontage access and interactivity between residential buildings and the street, and does not present blank or near-blank façades to the street;
- (iv) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of buildings in the street;
- (v) whether those parts of a building which are highly visible to the street maintain a window to wall ratio visible from the street that is similar to that surviving original predominant character buildings in the street;
- (vi) whether the building is located on a site that reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street front buildings;
- (vii) whether particular attention has been paid to the continuity of the front façade alignment to the street;
- (viii) whether the building has a roof form that is compatible with the traditional roof forms predominant in the special character area and identified in the special character statement;
- (ix) whether the provision of any vehicle access and parking complements the character of the streetscape, having particular regard to location, design, detailing, use of materials and landscaping;
- (x) whether garages and carports allow good visibility of the building from the street, and where possible are located to the rear of, underneath (where appropriate in terms of topography), or alongside the building on the site.
- (xi) consent to the location of a garage or carport in the front yard may be considered acceptable where:
 - no practical location is available elsewhere on the site;

- any structure associated with the parking provisions is minimal in scale, (which in most circumstances will exclude a double-width garage or double-width carport) and is designed in a manner which is coherent with the architectural character of any buildings on the site; and
 - the garage or carport will not significantly obscure the visibility of the existing building from the street or public realm;
- (xii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development; and
- (xiii) the extent to which a building is designed to have regard to any particular landscape elements including mature trees, which make a significant contribution to the streetscape and special character of the area, or how the proposal mitigates this through replacement planting.
- (c) for Special Character Areas Overlay – Residential : Isthmus B:
- (i) the design of a proposed new/relocated building will complement the existing patterns of bulk and location, and the relationship to the street in the vicinity of the site;
 - (ii) if a new/relocated building is significantly larger than existing adjacent buildings, its architectural design acknowledges the predominant scale of those existing buildings, through its massing and formal arrangement on the site. In the case of non-residential buildings, it is acknowledged that such formal arrangement may not be appropriate;
 - (iii) whether bulk and location standards prevent the achievement of an architectural scale which might otherwise be appropriate to the locality or to the prevailing scale, or whether some relaxation of such standards will enable development of more appropriate form and scale;
 - (iv) whether the design of a new/relocated building in a contemporary idiom can be shown by analysis to have qualities which are sympathetic to existing established architectural forms and scale, in such a way as to make a positive contribution to streetscape; and
 - (v) whether a new/relocated building is designed to have regard to landscape elements, including structural and built elements and existing established trees and hedges which make a significant contribution to streetscape value or if, where this is not practical,

replacement planting or a replacement structural/built element is proposed

(d) for Special Character Areas Overlay – Residential : Isthmus C1:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings along the street;
- (ii) whether the scale, form, mass, proportion and colour of the building is compatible with the architectural style predominant in the street;
- (iii) whether those parts of a building highly visible to the street maintain a window to wall ratio visible from the street that is similar to the predominant special character buildings in the street;
- (iv) whether the building is located on a site so that it reflects the original subdivision and development patterns existing in the street, particularly in situations where development is occurring on an amalgamated site so as to maintain the 'grain' of the area in terms of the size, spacing and rhythm of street-front buildings;
- (v) whether buildings are located on a site so as not to detract from the continuity of the front façade alignment of residential buildings in the street;
- (vi) whether any new or relocated building is visually compatible with and minimises the adverse effects on the volcanic landscape by minimising alteration to the landform and the appropriate placement of the building on the site;
- (vii) whether any existing traditional fencing along the front boundary will be preserved or reinstated at the completion of development;
- (viii) whether the buildings preserves the sense of visual frontage access and interactivity between houses and the street, and does not present blank or near-blank façades to the street;
- (ix) whether the building maintains the predominance of pitched roof form; and
- (x) whether garages and carports obscure the visibility of the existing dwelling from the street or give rise to adverse visual effects on the volcanic landscape.

(e) for Special Character Areas Overlay – Residential : Isthmus C2:

- (i) whether materials used maintain the integrity of, and have a clear relationship to, the traditional character and materials of existing buildings on the street;
 - (ii) whether the scale, form, mass, proportion and materials of the building is compatible with the architectural style of the existing building on the site, or the architectural style predominant in the street;
 - (iii) whether the new building detracts from or adds to the consistency and harmony of building forms in the street and the coherence of the streetscape;
 - (iv) whether the building contributes positively to the special character and coherence of the streetscape;
 - (v) whether the building is located so that larger trees on the site are retained, and where this is not practical, replacement planting, particularly of indigenous trees are undertaken where appropriate;
 - (vi) whether any building or site-works avoids physical effects on the natural land-form, including cumulative effects;
 - (vii) whether any new or relocated building minimises adverse visual effects on the landscape by avoiding visually obtrusive excavation and by appropriate placement of the building on the site; and
 - (viii) whether pitched roofs, in gabled and/or hipped forms, are used to mitigate adverse visual effects on the natural environment.
- (4) for an infringement of any of the standards listed in Standard D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential:
- (a) policies D18.3(1) to (7).

D18.8.2.2. Special Character Areas Overlay - Business

- (1) For the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a character defining building or a character supporting building; or for the total or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof area) of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings; or for any demolition of the front façade of a character supporting building:
- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:

- (i) whether the proposal significantly adversely affects the built special character of the area, including the contribution the individual building makes to the context, character or cohesiveness of the streetscape;
- (ii) the contribution the building makes to adjoining or nearby scheduled buildings and other character defining or supporting buildings or to the wider character area where there are no identified character supporting or character defining buildings, either through the context and the relationship of the building or through the building's mass, height or rhythm of façades;
- (iii) whether the existing building forms part of a cohesive group of buildings in terms of similarity of age, scale, proportion or design and the extent to which the building's demolition or partial demolition would detract from the contribution that group makes to streetscape, the special character and context of the area;
- (iv) whether the building is beyond rehabilitation to a state which would display its special qualities, architectural qualities or special characteristics of the streetscape and the surrounding area; and
- (v) whether the costs of restoration and repair are significantly greater in comparison to the costs of a new building of similar size and quality.

(2) For additions to a character defining building:

- (a) policies D18.3(8) to (14) as relevant, and in addition, all of the following:
 - (i) whether the additions are appropriate when considered against the relevant assessment criteria for additions in the zone;
 - (ii) whether at the street elevation(s) maintains an appearance similar to the original façade of the character defining building;
 - (iii) where relevant, whether the addition to building is positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings and the established horizontal or vertical modulation;
 - (iv) whether the design and materials respect and respond positively to those originally used and contribute strongly to the architectural character and detailing of the building;

- (v) whether the additions to building are compatible with the architectural form, mass, proportions and style of the existing building(s) on the site;
 - (vi) whether the additions to the building retain as much of the existing building fabric as practicable;
 - (vii) whether the additions to building use a colour scheme which is compatible with the age and detailing of the building;
 - (viii) for retail premises whether the additions to the building have main frontage(s) incorporating significant areas of unobscured display glazing and building entries reflecting traditional forms in order to maintain good visual connections with the street; and
 - (ix) whether the additions to the building locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.
- (3) For alterations or additions to buildings identified as character supporting:
- (a) policies D18.3(8) to (14);
 - (b) whether the alterations or additions to the building:
 - (i) are appropriate when considered against the relevant assessment criteria for alterations or additions in the zone;
 - (ii) have street elevation(s) sympathetic to the existing building, and any other surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
 - (iii) where relevant, are positioned and designed to retain the continuity of the front façade alignment of the building or adjoining buildings, and the adjoining established horizontal or vertical modulation;
 - (iv) are compatible with the dominant architectural style of the existing building in terms of form, mass, proportion and materials;
 - (v) use materials which maintain the integrity of the special character and materiality of the building;
 - (vi) propose to combine adjoining buildings and whether the finished appearance/façade retains visual evidence of the historic pattern of development by vertical modulation;
 - (vii) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building

entries reflecting traditional forms in order to maintain good visual connections with the street; and

- (viii) locate and design attachments, such as signs, aerials and air conditioning units, sympathetically to the existing building.

(4) For new buildings; or alterations and additions to buildings not identified as character defining or character supporting:

(a) policies D18.3(8) to (14);

(b) whether the new building or alterations and additions to buildings not identified as character defining or character supporting:

- (i) are appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflect and have regard to the special character statement for the area;
- (iii) are designed to respond positively to the architectural form, bulk, proportions, materials and colour of any existing buildings on the site and/or any surrounding scheduled historic heritage place, character-defining or character-supporting buildings;
- (iv) are designed to respond positively to the built form characteristics and urban structure of the special character area;
- (v) are designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character statement;
- (vi) where possible, are positioned to reflect and/or enhance the continuity of the historic front façade alignments of the adjoining character defining or character supporting buildings;
- (vii) are constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing of any scheduled historic heritage place, character-defining or character-supporting buildings;
- (viii) are designed to respond positively to the established horizontal or vertical modulation evident on the front façade of any existing scheduled historic heritage place, character-defining or character-supporting buildings;
- (ix) for retail premises, have main frontage(s) incorporating significant areas of unobscured display glazing and building

entries reflecting traditional forms in order to maintain good visual connections with the street;

- (x) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (xi) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

(5) For additions or alterations to a building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings; or for a new building in a Special Character Areas Overlay – Business with no identified character supporting or character defining buildings:

(a) policies D18.3(8) to (14);

(b) whether the proposal:

- (i) is appropriate when considered against the relevant assessment criteria for new buildings or alterations or additions in the zone;
- (ii) reflects and has regard to the special character statement for the area;
- (iii) is designed to respond positively to the architectural form, bulk, proportions, materials, colour and other built form characteristics and urban structure of the special character area;
- (iv) is designed and located in a manner that respects original physical features of the special character area as identified in the built form section of the special character statement;
- (v) where possible, is positioned to reflect and/or enhance the continuity of the front façade alignments of the adjoining buildings;
- (vi) is constructed with materials that are of a high standard of quality and durability that respond positively to the architectural character and detailing identified in the special character statement;
- (vii) is designed to respond positively to the established horizontal or vertical modulation evident on the front façade of the existing buildings in the character area;
- (viii) for retail premises, has main frontage(s) incorporating significant areas of unobscured display glazing and building entries

reflecting traditional forms in order to maintain good visual connections with the street;

- (ix) proposes to combine buildings and/or sites, so that the finished appearance/facade maintains visual evidence of the previous pattern of development by vertical modulation; and
- (x) provides for on-site parking or loading where this would enable better outcomes in terms of maintaining/enhancing special character and supporting commercial land use viability.

D18.9. Special information requirements

There are no special information requirements in this section.

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.

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	3
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 generation – Earthworks overlays except	53 62

	Outstanding Natural Features Overlay E26.7 Network utilities and electricity Generation – Earthworks Outstanding Natural Features Overlay	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

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 – Health care 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
(A2)	Minor infrastructure upgrading of network utilities	P	P	P	P	P	P
(A3)	Service connections	P	P	P	P	P	P
(A4)	Minor utility structure	P	P	P	P	P	P
(A5)	Electric vehicle charging stations	P	P	P	P	P	P
(A6)	Removal of network utilities and electricity generation facilities	P	P	P	P	P	P
(A7)	Ancillary telecommunication equipment/devices 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	P	P	P	P	P	P

E26 Infrastructure

	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	D	D	D	D	D RD*	D	D

E26 Infrastructure

	* Business – Heavy Industrial Zone							
(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 28 and 29 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: <ul style="list-style-type: none"> • 300mm high and 130mm in diameter • small cell units/antennas that do not exceed a volumetric dimension of 0.25m³ Omni-directional antennas: <ul style="list-style-type: none"> • 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	P	P	P	P	P	P	P

E26 Infrastructure

	existing telephone exchanges							
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

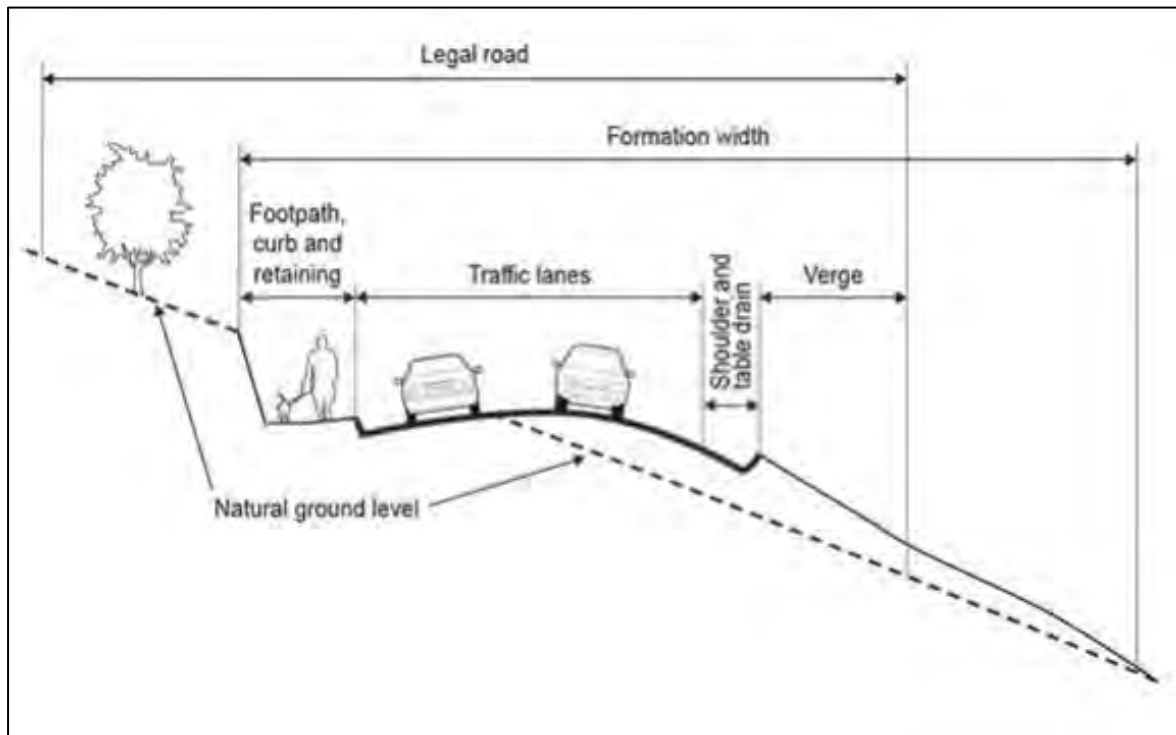
Table E26.2.3.2 Activity table specifies the activity status of land use and development for road network activities pursuant to section 9(3) of the Resource Management Act 1991.

(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(4) 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) 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 20m²;
 - (ii) in all other zones is 30m²;
 - (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 2m³
- (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 LAm_{ax} 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
<ul style="list-style-type: none"> • Rural zones; • Coastal – Marina Zone (land) and Coastal – Minor Port Zone (land); • Future Urban Zone; • Special Purpose – Quarry Zone; 	5m

<ul style="list-style-type: none"> • 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 	
<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> • 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) Electric vehicle charging stations must be:

- (a) maximum height of 1.8m;

- (b) maximum area of 1.5m²; 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 20m² of vegetation within a significant ecological area.
- (4) Must not result in the removal of more than 50m² 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 50m² 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 20m² 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 500m² 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 250m² 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 50m² 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 50m² of vegetation within an overlay.
- (3) Must not result in the removal of more than 20m² 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 250m² 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(4) 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 1m²;

(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

E26 Infrastructure

	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	
(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	
(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	
(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	
(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(4) 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 5m² or 5m³; for general earthworks;
 - (c) less than 10m² or 5m³ 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 10m³ 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 mātaītai;
 - (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]	WSM A [rp]	ONL and HNC [dp]	Historic Heritage [dp]	SSMW [dp]	Special Charact er [dp]
(A110)	Earthworks for maintenance, renewal	P	P	P	P	P	P	P

E26 Infrastructure

	and repair of network utilities and electricity generation activities RD* where archaeological controls apply as listed in Schedule 14					RD*		
(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 network activities within the legal road or the formation width of the road RD* where archaeological controls apply as listed in Schedule 14.1	P	P	P	P	P RD*	P	P
(A115)	Earthworks for network utilities and	RD	RD	RD	RD	RD	RD	RD

	electricity generation facilities that do not comply with the standards in E26.6.5.2							
(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 10m² and 5m³
- (3) Earthworks for the minor upgrading of road network activities that exceed 10m² or 5m³ 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 10m² and 5m³
- (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 10m² and 5m³
- (16) Earthworks for the minor upgrading of road network activities that exceed 10m² and 5m³ 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 5m² or 5m³; for general earthworks;
 - (c) less than 10m² or 5m³ 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 10m³ 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* within the legal road or the formation width of the road	P	P	RD P*	RD P*	RD	RD	RD	RD	RD	RD
(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	RD	RD	RD	RD	RD	RD	RD	RD	RD	RD

	provided for										
(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.

Resumption 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 10m² and 5m³.
- (3) Earthworks for the minor upgrading of road network activities that exceed 10m² or 5m³ 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 5m² or 5m³; for general earthworks;
 - (c) less than 10m² or 5m³ 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 10m³ 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 0.5m²; 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:

E26 Infrastructure

- (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.

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.

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 construction 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 0.5m²
- (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:
 - (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
 - (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 utilities 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

E26 Infrastructure

(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 0.5m²; 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 utilities 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

E26 Infrastructure

	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 50m² in high natural character and outstanding natural landscapes and 25m² 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.

E36. Natural hazards and flooding

E36.1. Background

Auckland is affected by natural hazards including:

- those that occur frequently such as flooding, coastal erosion (including the effects of sea level rise), freshwater erosion and land instability; and
- those that occur less frequently such as wildfires, volcanic activity, tsunamis, earthquakes and meteorological hazards such as cyclones, tornados and drought.

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

The risk that these natural hazards pose is made up of factors including:

- the nature, magnitude and extent of the hazard;
- the anticipated frequency or probability of the hazard event occurring; and
- the exposure and vulnerability of the environment to the hazard.

Decisions on how to avoid or mitigate natural hazards can affect not only the subject site but also neighbouring properties and the wider environment, and may unintentionally exacerbate the risk. Risk assessment is a key means to identify and understand risks, and to determine which aspects of risk can be managed through appropriate land use planning tools and development methods. Both current and future risks (including the effects of climate change such as sea level rise) need to be considered.

A flexible risk-based approach has been taken to address the risks associated with natural hazards. A risk management approach applies to existing development and infrastructure while a risk reduction (including avoidance where appropriate) approach applies to development of greenfield land.

The Plan has defined criteria to identify land which may be subject to natural hazards. The Plan requires the use of the best information available to identify greenfield land or land which is proposed for redevelopment which may be subject to natural hazards. This includes hazard maps, databases and reports held by the Council. The level of detail and the quality of this information is variable. This affects the Council's ability to identify and map land that may be subject to natural hazards. At this time, the provisions in the Plan are focussed on the following hazards:

- coastal erosion;
- coastal storm inundation;
- flooding;
- land instability; and
- wildfires.

The Council is working to gather, assess and refine information so that a more comprehensive range of natural hazards can be assessed and, as appropriate, subdivision, use and development can be better managed through provisions in the Plan.

Some risks from events with low probability but high potential impact (e.g. volcanic activity, tsunamis and earthquakes) cannot be addressed through land use planning and may be better addressed through measures put in place by emergency management groups such as Civil Defence. These include education, warning systems and emergency preparedness.

E36.2. Objectives

- (1) Subdivision, use and development outside urban areas does not occur unless the risk of adverse effects to people, property, infrastructure and the environment from natural hazards has been assessed and significant adverse effects are avoided, taking into account the likely long-term effects of climate change.
- (2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long term effects of climate change.
- (3) Subdivision, use and development on rural land for rural uses is managed to ensure that the risks of adverse effects from natural hazards are not increased and where practicable are reduced.
- (4) Where infrastructure has a functional or operational need to locate in a natural hazard area, the risk of adverse effects to other people, property, and the environment shall be assessed and significant adverse effects are sought first to be avoided or, if avoidance is not able to be totally achieved, the residual effects are otherwise mitigated to the extent practicable.
- (5) Subdivision, use and development including redevelopment, is managed to safely maintain the conveyance function of floodplains and overland flow paths.
- (6) Where appropriate, natural features and buffers are used in preference to hard protection structures to manage natural hazards.

E36.3. Policies

General

- (1) Identify land that may be subject to natural hazards, taking into account the likely effects of climate change, including all of the following:
 - (a) coastal hazards (including coastal erosion and coastal storm inundation, excluding tsunami);
 - (b) flood hazards;
 - (c) land instability; and

- (d) wildfires.
- (2) Investigate other natural hazards to assess whether risks to people, property or the environment should be managed through the Plan or otherwise.
- (3) Consider all of the following, as part of a risk assessment of proposals to subdivide, use or develop land that is subject to natural hazards:
 - (a) the type, frequency and scale of the natural hazard and whether adverse effects on the development will be temporary or permanent;
 - (b) the type of activity being undertaken and its vulnerability to natural hazard events;
 - (c) the consequences of a natural hazard event in relation to the proposed activity;
 - (d) the potential effects on public safety and other property;
 - (e) any exacerbation of an existing natural hazard risk or the emergence of natural hazard risks that previously were not present at the location;
 - (f) whether any building, structure or activity located on land subject to natural hazards near the coast can be relocated in the event of severe coastal erosion, inundation or shoreline retreat;
 - (g) the ability to use non-structural solutions, such as planting or the retention or enhancement of natural landform buffers to avoid, remedy or mitigate hazards, rather than hard protection structures;
 - (h) the design and construction of buildings and structures to mitigate the effects of natural hazards;
 - (i) the effect of structures used to mitigate hazards on landscape values and public access;
 - (j) site layout and management to avoid or mitigate the adverse effects of natural hazards, including access and exit during a natural hazard event; and
 - (k) the duration of consent and how this may limit the exposure for more or less vulnerable activities to the effects of natural hazards including the likely effects of climate change.
- (4) Control subdivision, use and development of land that is subject to natural hazards so that the proposed activity does not increase, and where practicable reduces, risk associated with all of the following adverse effects:
 - (a) accelerating or exacerbating the natural hazard and/or its potential impacts;
 - (b) exposing vulnerable activities to the adverse effects of natural hazards;

- (c) creating a risk to human life; and
- (d) increasing the natural hazard risk to neighbouring properties or infrastructure.

Coastal hazards (including coastal erosion and coastal storm inundation)

- (5) Ensure that subdivision, use and development on rural land for rural uses and in existing urban areas subject to coastal hazards avoids or mitigates adverse effects resulting from coastal storm inundation, coastal erosion and sea level rise of 1m through location, design and management.
- (6) Avoid subdivision, use and development in greenfield areas which would result in an increased risk of adverse effects from coastal hazards, taking account of a longer term rise in sea level.
- (7) Ensure that buildings in areas subject to coastal hazards are located and designed to minimise the need for hard protection structures.
- (8) Ensure that when locating any new infrastructure in areas potentially subject to coastal hazards consider, where appropriate, an adaptive management response taking account of a longer term rise in sea level.
- (9) Require habitable areas of new buildings and substantial additions, alterations, modifications or extensions to existing buildings located in coastal storm inundation areas to be above the 1 per cent annual exceedance probability (AEP) coastal storm inundation event including an additional sea level rise of 1m.

Defences against coastal hazards

- (10) Avoid the modification, alteration or removal of sand dunes and vegetation on sand dunes which would compromise their function as natural defences for an area subject to coastal hazards and ensure adverse effects on wider coastal processes are avoided or mitigated.
- (11) Consider hard protection works to protect development only where existing natural features will not provide protection from the natural hazard and enhancement of natural defences is not practicable.
- (12) Require hard protection works involving the placement of any material, objects or structures in or on any area located above mean high water springs to be designed and located to avoid, remedy or mitigate adverse environmental effects including all of the following:
 - (a) location of structures as far landward as possible to retain as much natural beach buffer as possible;
 - (b) any likely increase in the coastal hazard, including increased rates of erosion, accretion, subsidence or slippage;
 - (c) undermining of the foundations at the base of the structure;

- (d) erosion in front of, behind or around the ends or down-drift of the structure;
- (e) settlement or loss of foundation material;
- (f) movement or dislodgement of individual structural elements;
- (g) offshore or long-shore loss of sediment from the immediate vicinity;
- (h) long-term adverse visual effects on coastal landscape and amenity values;
and
- (i) effects on public access.

Floodplains in urban areas

- (13) In existing urban areas require new buildings designed to accommodate more vulnerable activities to be located:
 - (a) outside of the 1 per cent annual exceedance probability (AEP) floodplain; or
 - (b) within or above the 1 per cent annual exceedance probability (AEP) floodplain where safe evacuation routes or refuges are provided.
- (14) Require redevelopment of sites where existing more vulnerable activities are located within the 1 per cent annual exceedance probability (AEP) floodplain to address all of the following:
 - (a) minimise risks from flood hazards within the site;
 - (b) minimise the risks from flood hazards to people and property upstream and downstream of the site;
 - (c) remedy or mitigate where practicable or contribute to remedying or mitigating flood hazards in the 1 per cent annual exceedance probability floodplain;
 - (d) location of habitable rooms above flood levels; and
 - (e) provide safe evacuation routes or refuges from buildings and sites.
- (15) Within existing urban areas, enable buildings containing less vulnerable activities to locate in the 1 per cent annual exceedance probability (AEP) floodplains where that activity avoids, remedies or mitigates effects from flood hazards on other properties.

Floodplains in rural areas

- (16) In rural areas, avoid where practicable locating buildings accommodating more vulnerable activities in the 1 per cent annual exceedance probability (AEP) floodplain and manage other buildings and structures so that flood hazards are not exacerbated.

Floodplains in greenfield areas

- (17) On greenfield land outside of existing urban areas, avoid locating buildings in the 1 per cent annual exceedance probability (AEP) floodplain.
- (18) Enable flood tolerant activities to locate in the 1 per cent annual exceedance probability (AEP) floodplain where these activities do not involve buildings or structures that exacerbate the flood hazard to other properties upstream or downstream of the site.
- (19) Require fences, storage of materials and goods and car parking in the 1 per cent annual exceedance probability (AEP) floodplains to not exacerbate the flood hazard to other properties upstream or downstream of the site.
- (20) Require earthworks within the 1 per cent annual exceedance probability (AEP) floodplain to do all of the following:
 - (a) remedy or mitigate where practicable or contribute to remedying or mitigating flood hazards in the floodplain;
 - (b) not exacerbate flooding experienced by other sites upstream or downstream of the works; and
 - (c) not permanently reduce the conveyance function of the floodplain.

Floodplains - general

- (21) Ensure all development in the 1 per cent annual exceedance probability (AEP) floodplain does not increase adverse effects from flood hazards or increased flood depths and velocities, to other properties upstream or downstream of the site.
- (22) Required the storage and containment of hazardous substances in floodplains so that the integrity of the storage method will not be compromised in a flood event.
- (23) Provide for flood mitigation measures which reduce flood-related effects and provide for the reconstruction of culverts and bridges where those measures do not create or exacerbate flooding upstream or downstream or otherwise increase flood hazards.
- (24) Enable the planting and retention of vegetation cover to enhance amenity values, green linkages and ecological values in floodplains as long as it does not create or exacerbate flooding upstream or downstream or otherwise increase flood hazards.
- (25) When considering mitigation of flood hazards where buildings are located in floodplains, promote measures such as use of water resistant materials and flood-proof utility connections to increase resilience to flood damage.
- (26) Construct accessways, including private roads, so that flood hazard risks are not increased.

- (27) Enable the construction and maintenance of flood mitigation works to reduce flood risks to people, property, infrastructure and the environment.
- (28) Take into account any authorised earthworks or drainage infrastructure which avoids, remedies or mitigates flood hazards when assessing proposed subdivision, use or development.

Overland flow paths

- (29) Maintain the function of overland flow paths to convey stormwater runoff safely from a site to the receiving environment.
- (30) Require changes to overland flow paths to retain their capacity to pass stormwater flows safely without causing damage to property or the environment.

Land instability

- (31) Identify land that may be subject to land instability taking into account all of the following features:
 - (a) proximity to cliffs;
 - (b) steepness of land;
 - (c) geological characteristics; and
 - (d) uncontrolled fill.
- (32) Require risk assessment prior to subdivision, use and development of land subject to instability.
- (33) Locate and design subdivision, use and development first to avoid potential adverse effects arising from risks due to land instability hazards, and, if avoidance is not practicably able to be totally achieved, otherwise to remedy or mitigate residual risks and effects to people, property and the environment resulting from those hazards.

Wildfire hazards

- (34) Ensure that plan provisions for subdivision and vegetation management appropriately take into account wildfire hazards.

Note 1

Areas of high wildfire risk may be determined applying the National Rural Fire Authority New Zealand Wildfire Threat Analysis.

Infrastructure in areas subject to natural hazards

- (35) Allow for the operation, maintenance, upgrading and construction of infrastructure, in areas subject to natural hazards when:

- (a) infrastructure is functionally or operationally required to locate in hazard areas or it is not reasonably practicable that it be located elsewhere;
- (b) in coastal hazard areas the infrastructure does not significantly increase risk to people, property and the environment, and where risks cannot be avoided, adverse effects are mitigated; and
- (c) in all flood hazard areas risks to people, property and the environment are mitigated to the extent practicable.

E36.4. Activity table

Table E36.4.1 Activity table specifies the activity status of land use and development activities pursuant to section 9(3) of the Resource Management Act 1991.

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

If any activity listed in rules (including standards) E36.4.1 to E36.6.1 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

Note 1

Where activities are located in the coastal marine area then see Chapter F Coastal.

Table E36.4.1 Activity table

Activity		Activity status
Activities on land in the coastal erosion hazard area		
(A1)	External alterations to buildings which do not increase the gross floor area of the building, on land in the coastal erosion hazard area	P
(A2)	External alterations to buildings which increase the gross floor area of the building on land in the coastal erosion hazard area	RD
(A3)	New structures and buildings (excluding dwellings) ancillary to farming	P

E36 Natural hazards and flooding

	activities with a gross floor area of up to 100m ² on land in the coastal erosion hazard area Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures.	
(A4)	All other buildings and structures on land in the coastal erosion hazard area	RD
(A5)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields on land in the coastal erosion hazard area	RD
Activities on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area		
(A6)	External alterations to buildings which do not increase the gross floor area on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	P
(A7)	External alterations to buildings which increase the gross floor area of the building on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD
(A8)	New structures and buildings (excluding dwellings) ancillary to farming activities with a gross floor area of up to 100m ² on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures.	P
(A9)	All other buildings and structures on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD
(A10)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks (including rainwater tanks) or stormwater pipes or soakage fields on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	RD
Activities on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area		
(A11)	Additions of habitable rooms up to 25m ² to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area	P
(A12)	Habitable rooms in new buildings and additions of habitable rooms (greater than 25m ²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area that comply with standard E36.6.1.1	P
(A13)	Habitable rooms in new buildings and additions of habitable rooms (greater than 25m ²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area that do not comply with Standard E36.6.1.1	D
Defences against coastal hazards		
(A14)	Beach nourishment	P
(A15)	Dune stabilisation	P
(A16)	Beach nourishment which does not comply with Standard E36.6.1.2	D
(A17)	Dune stabilisation which does not comply with Standard E36.6.1.3	D
(A18)	Modification, alteration or removal of sand dunes and vegetation on	D

E36 Natural hazards and flooding

	sand dunes within 40m of mean high water springs not otherwise provided for	
(A19)	Repair, maintenance or minor upgrade (which does not increase the area occupied by the structure) of lawfully established hard protection structures landward of mean high water springs that may serve as a defence against coastal erosion or inundation	P
(A20)	Extension (including upgrading that increases the area occupied by the structure) or alteration of existing lawfully established hard protection structures	RD
(A21)	New hard protection structures located landward of the coastal protection yard that may serve as a defence against coastal erosion or inundation	RD
(A22)	Hard protection structures not otherwise provided for	D
Activities in the 1 per cent annual exceedance probability (AEP) floodplain		
(A23)	Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A24)	Surface parking and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain, that comply with Standard E36.6.1.7	P
(A25)	Surface parking areas and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain, that do not comply with Standard E36.6.1.7	C
(A26)	Below ground parking or parking areas in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A27)	Maintenance, repair and construction of private roads and accessways in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A28)	Storage of goods and materials in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A29)	Storage of hazardous substances in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A30)	On-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A31)	Operation, maintenance, renewal, repair and minor infrastructure upgrading of land drainage works, stormwater management devices and flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A32)	Construction of stormwater management devices or flood mitigation works that are to be vested in the Council or which are identified in a precinct plan incorporated into the Plan or an approved network discharge consent in the 1 per cent annual exceedance probability (AEP) floodplain	P
(A33)	Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A34)	New structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m ² within the 1 per cent annual exceedance probability (AEP) floodplain that comply with standard E36.6.1.9	P
(A35)	New structures and buildings designed to accommodate flood tolerant activities up to 100m ² gross floor area within the 1 per cent annual	P

E36 Natural hazards and flooding

	exceedance probability (AEP) floodplain	
(A36)	New structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m ² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9	RD
(A37)	All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain	RD
(A38)	Use of new buildings to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability (AEP) floodplain	RD
Activities in overland flow paths		
(A39)	Fences and walls located within or over an overland flow path that do not obstruct the overland flow path	P
(A40)	Flood mitigation works within an overland flow path required to reduce the risk to existing buildings from flooding hazards	P
(A41)	Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	RD
(A42)	Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path	RD
Activities on land which may be subject to land instability		
(A43)	Buildings and structures on land which may be subject to land instability that comply with Standard E36.6.1.11	P
(A44)	On-site septic tanks, onsite wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and access ways on land which may be subject to land instability that comply with Standard E36.6.1.12	P
(A45)	On-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields, on land which may be subject to land instability that do not comply with Standard E36.6.1.12	RD
(A46)	Storage of hazardous substances on land which may be subject to land instability	RD
(A47)	External alteration to any building, on land which may be subject to land instability which does not increase the gross floor area	P
(A48)	New structures and buildings (excluding dwellings) ancillary to farming activities with a gross floor area up to 100m ² on land which may be subject to land instability Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures	P
(A49)	Alterations to existing structures and buildings (excluding dwellings) ancillary to farming activities which do not increase the gross floor area, on land which may be subject to land instability Note 1 Structures ancillary to farming activities includes artificial crop protection structures and crop support structures	P
(A50)	External additions to buildings and to any structures excluding decks under 1.2m high and 20m ² gross floor area on land which may be	RD

	subject to land instability	
(A51)	All other buildings and structures, on land which may be subject to land instability not otherwise provided for	RD
Infrastructure: <ul style="list-style-type: none"> • in the coastal erosion hazard area; • in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; • in the 1 per cent annual exceedance probability (AEP) floodplain; • in overland flow paths • on land which may be subject to land instability 		
(A52)	Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in areas listed in the heading above that complies with Standard E36.6.1.13	P
(A53)	Construction, operation, maintenance, renewal and repair of road network activities within the legal road or road formation width in areas listed in the heading above	P
(A54)	Infrastructure within roads or the Strategic Transport Corridor Zone in areas listed in the heading above	P
(A55)	Operation, maintenance, renewal, repair and minor infrastructure upgrading of infrastructure in areas listed in the heading the above that do not comply with Standard E36.6.1.13	RD
(A56)	All other infrastructure in areas listed in the heading above not otherwise provided for	RD

E36.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table E36.4.1 Activity table 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(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table E36.4.1 Activity table and which is not listed in E36.5(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\(4\)](#).

E36.6. Standards

E36.6.1. Permitted activity standards

Activities listed as a permitted activity in Table E36.4.1 Activity table must comply with the specified permitted activity standards.

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area

E36.6.1.1. Habitable rooms in new buildings and additions of habitable rooms (greater than 25m²) to existing buildings in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area

- (1) Finished floor levels of habitable rooms must be above the inundation level of the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise area.

Defences against coastal hazards

E36.6.1.2. Beach nourishment

- (1) Depositing must be for the purpose of:
 - (a) erosion management;
 - (b) beach (including dune system) replenishment or re-contouring;
 - (c) habitat enhancement; or
 - (d) depositing of material excavated during stream mouth and stormwater outfall clearance operations.
- (2) Written advice must be given to the council at least 10 working days prior to the work starting.
- (3) Placement of sediment must avoid existing areas of indigenous vegetation and any bird nesting area.
- (4) The deposited material must have similar physical characteristics to the sediment at the location it will be deposited, and must generally be of slightly coarser grain size.
- (5) The deposited sediment must not permanently prevent or hinder public access or prevent or hinder the operation of any existing infrastructure.
- (6) There must be no release of contaminants from equipment being used for the activity.
- (7) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.

E36.6.1.3. Dune stabilisation

- (1) Dune stabilisation must be for the purpose of:
 - (a) erosion management;
 - (b) beach (including dune system) replenishment or re-contouring;

- (c) habitat enhancement; or
 - (d) depositing of material excavated during stream mouth and stormwater outfall clearance operations.
- (2) Written advice must be given to the Council at least 10 working days prior to the work starting.
 - (3) Placement of sediment must avoid existing areas of indigenous vegetation and any bird nesting area.
 - (4) The deposited sediment must not permanently prevent or hinder public access or prevent or hinder the operation of any existing infrastructure.
 - (5) There must be no release of contaminants from equipment being used for the activity.
 - (6) The reshaped dune toe must not extend seaward of the typical extent of the natural dune toe position, and the seaward slope must lie within the slope range of 1:5 (around 11 degrees) to 1:3 (around 18 degrees).
 - (7) Any foreign material; including clay fill or soil material that has been placed on the dune must be removed and lawfully disposed off-site.
 - (8) Works must be timed in accordance with favourable weather patterns and, where necessary, carried out in stages to enable planting work to commence immediately to minimise risk of wind erosion.
 - (9) Planting of native vegetation must be sourced from the same ecological district and must use plants that are appropriate for the location considering dune form and function.

E36.6.1.4. The repair, maintenance or minor upgrade (which does not increase the area occupied by the structure) of lawfully established hard protection structures, landward of mean high water springs that may serve as a defence against coastal erosion or inundation

- (1) The work must maintain the structure or building in a good and safe working condition.
- (2) The work must not use materials which alter the form or external appearance of the structure in more than a minor way.
- (3) The work must not change the area occupied by the structure.

Activities in the 1 per cent annual exceedance probability (AEP) floodplain

E36.6.1.5. Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain

- (1) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain must be designed to allow for the passage of flood waters where those flood waters exceed 300mm in depth.
- (2) Standard E36.6.1.5(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.

Note 1

The following fence designs would comply with Standard E36.6.1.5(1) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain:

- post and wire fences and wire mesh fences;
- railing type fences where at least 70 per cent of the surface area of the fence is not solid; or
- solid fences and walls with an opening of sufficient size at flood level that can convey the 1 per cent annual exceedance probability (AEP) flood flow.

E36.6.1.6. Storage of goods and materials in the 1 per cent annual exceedance probability (AEP) floodplain

- (1) Goods and materials stored in the 1 per cent annual exceedance probability (AEP) floodplain for longer than 28 consecutive days must:
 - (a) not impede flood flows; and
 - (b) where capable of creating a safety hazard by being shifted by floodwaters, be contained and secured in order to minimise movement in times of floods; and
 - (c) be stored in watertight containers if they are hazardous substances.

E36.6.1.7. Surface parking areas and above ground parking areas within the 1 per cent annual exceedance probability (AEP) flood plain

- (1) Surface parking areas and vehicle entry and exit points to above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain must be located where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 200mm above ground level.

E36.6.1.8. Maintenance, repair and construction of private roads and accessways in the 1 per cent annual exceedance probability (AEP) floodplain

- (1) Where the road or accessway serves more than two lots, the road or accessway is to be located where the depth of flood waters in a 1 per cent

annual exceedance probability (AEP) event does not exceed 200mm above ground level.

E36.6.1.9. New structures and buildings with a gross floor area of up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain

- (1) The structure or building is to be located where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 300mm above ground level.

Activities in overland flow paths

E36.6.1.10. Fences and walls located within or over an overland flow path that do not obstruct the overland flow path

- (1) Any ponding of floodwater caused by any fence or wall must not extend beyond (upstream of or adjacent to) the site.
- (2) Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.

Note 1

The following fence designs would comply with Standard E36.6.1.10(1) above:

- (a) post and wire fences and wire mesh fences;
- (b) railing type fences where at least 70 per cent of the surface area of the fence is not solid; or
- (c) solid fences and walls with an opening at ground level sufficient to convey the overland flow.

Activities on land which may be subject to land instability

E36.6.1.11. Buildings and structures on land which may be subject to land instability

- (1) Buildings and structures located on land which may be subject to land instability must be constructed in accordance with:
- (a) a geotechnical completion report or similar professional report, approved by Council; and
- (b) any conditions of resource consent or subdivision consent associated with the site relating to stability or geotechnical matters.

E36.6.1.12. On-site septic tanks, on-site wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and accessways on land which may be subject to land instability

(1) On-site septic tanks, on-site wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and accessways on land which may be subject to land instability must be constructed in accordance with:

- (a) a geotechnical completion report or similar professional report, approved or endorsed by Council; and
- (b) any conditions of resource consent or subdivision consent associated with the site relating to stability or geotechnical matters.

Infrastructure:

- *in the coastal erosion hazard area;*
- *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;*
- *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;*
- *in the 1 per cent annual exceedance probability (AEP) floodplain;*
- *in overland flow paths and*
- *on land which may be subject to land instability*

E36.6.1.13. Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in areas listed in the heading above

(1) Minor infrastructure upgrading of infrastructure must comply with the following (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; or
 - (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 per cent; or
- (ii) 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, 1 hot water pilot line, 1 street light line, and 2 for telecommunication purposes.

E36 Natural hazards and flooding

Where the hot water pilot and street light lines are not required, the maximum number of new conductors must not exceed 6;

- (iii) the provisions in E36.6.1.13(b)(i) and (ii) above exclude service connections and lateral network connections;
 - (iv) include additional cross arms that do not exceed the length of the existing cross arm by more than 100 per cent, up to a maximum of 4m;
 - (v) additional or replacement electricity and telecommunication lines that do not exceed 30mm in diameter;
- (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 per cent and in the case of double pole 100 per cent, 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 stay wires, anchor blocks, on overhead electricity and telecommunication lines; or
 - (ii) when modifications to structures are required to meet mechanical loading requirements provided that the height and profile of any modified support structures remains the same as existed prior to the improvements;
- (f) the installation of new mid-span electricity poles in existing networks to address clearances in New Zealand Electrical Code of Practice for Electrical Safe Distances 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 E36.6.1.13(c) to (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 per cent increase in the width, length and/or height of the structure;
 - (ii) the structure must be located within the 2m of existing alignment or location;
 - (iii) must not involve a new or relocated outfall structure that discharges to an area outside the influence of the current outfall structure;
- (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 per cent increase in the diameter of the pipe;
- (j) the replacement of any antennae with a new antenna provided that the new antenna does not exceed the maximum dimension of the antenna, or the diameter where it is a dish antenna, by more than 20 per cent, and 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.

E36.6.2. Controlled activity standards

Activities listed as a controlled activity in Table E36.4.1 Activity table must comply with the specified controlled activity standards.

E36.6.2.1. Surface parking areas and above ground parking areas in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.7

- (1) Surface parking areas and above ground parking areas (excluding parking on roads) within the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) must be located where depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 500mm above ground level; and
 - (b) vehicles can be contained within the site during the flood event.

E36.7. Assessment – controlled activities

E36.7.1. Matters of control

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

- (1) for surface parking areas and above ground parking areas (excluding parking on roads) in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) the effects of the location and design of parking;
 - (b) actions necessary to protect people in flood events; and
 - (c) the design of containment structures.

E36.7.2. Assessment criteria

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

- (1) for surface parking areas and above ground parking areas (excluding parking on roads) in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) the adequacy of the site design to contain vehicles displaced by flood waters within the site;
 - (b) whether actions are necessary to ensure that people will not be placed in danger during a flood event when parking or retrieving vehicles; and
 - (c) the extent to which the containment structures will not result in increased flood hazards upstream or downstream through blockage or displacement of flood waters.

E36.8. Assessment – restricted discretionary activities

E36.8.1. Matters of discretion

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

Activities in the coastal erosion hazard area

- (1) for external alterations to existing buildings which increase the gross floor area of the building in the coastal erosion hazard area; for all other buildings and structures in the coastal erosion hazard area; and for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal erosion hazard area:
 - (a) the type of activity being undertaken and its vulnerability to natural hazard events including the consequences of a natural hazard event in relation to more or less vulnerable activities;
 - (b) the likelihood of a natural hazard event occurring and the likely extent of any damage to people, property or the environment taking in to account the likely effects of climate change, including sea level rise;

- (c) the effects on public access, landscape and other environmental values, caused by any works proposed in association with the building or structure, including any associated earthworks and land form modifications, to address the hazard by way of mitigation; and
- (d) the ability to relocate buildings or structures including the proposed duration of occupation of the building or structure within a hazard area, taking into account the long term likely effects of climate change.

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

- (2) for external alterations to existing buildings which increase the gross floor area of the building in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for all other buildings and structures in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area:
 - (a) the type of activity being undertaken and its vulnerability to natural hazard events including the consequences of a natural hazard event in relation to more or less vulnerable activities;
 - (b) the likelihood of a natural hazard event occurring and the likely extent of any damage to people, property or the environment taking into account the likely effects of climate change, including sea level rise;
 - (c) the effects on public access, landscape and other environmental values, caused by any works proposed in association with the building or structure, including any associated earthworks and land form modifications, to address the hazard by way of mitigation; and
 - (d) the ability to relocate buildings or structures including the proposed duration of occupation of the building or structure within a hazard area, taking into account the long term likely effects of climate change.

Defences against coastal hazards

- (3) for the extension (including upgrading that increases the area occupied by the structure) or alteration of existing lawfully established hard protection structures; and for new hard protection structures, located landward of the coastal protection yard that may serve as a defence against coastal erosion or inundation:
 - (a) any relevant management strategy, strategic plan or hazard risk assessment relating to the area where hard protection structures are

proposed, including the ability to relocate buildings, structures, infrastructure or land uses which the structure is designed to protect;

(b) effects on coastal processes, ecological values, landscape values and visual amenity;

(c) effects on public access and safety;

(d) effects on existing uses and activities (including other infrastructure);

(e) consent duration and monitoring;

(f) the operational or functional need for the structure;

(g) the design, location and construction including:

(i) the ability to locate the structure as far landward as practicable from mean high water springs;

(ii) the ability to use, retain or enhance natural defences non-structural solutions in place of hard protection structures;

(iii) the ongoing management, maintenance and monitoring of structures;

(iv) construction or works methods, timing and hours of construction, including any associated earthworks; and

(v) location, design and materials.

Activities in the 1 per cent annual exceedance probability (AEP) flood plain

(4) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.5:

(a) the design of the fence or wall;

(b) the effects on flood depth and velocity from the blocking or channelling of water; and

(c) the effects of the flood hazard within the site and on other properties upstream or downstream of the site.

(5) for below ground parking or parking areas in the 1 per cent annual exceedance probability (AEP) floodplain:

(a) the effects of the location of the structures and building platforms;

(b) the effects of flood hazards on the structural integrity of a building or structure;

(c) the effects of storage of outdoor goods and materials;

(d) the effects of the location and design of roads, accessways and parking areas;

- (e) the extent of any associated earthworks;
 - (f) the effects of potential changes in flood depth, velocity and frequency on adjoining sites, including upstream and downstream from buildings and structures;
 - (g) the extent to which methods for long term maintenance of areas affected by flooding, such as easements, are provided;
 - (h) the effects of the use of spaces under buildings; and
 - (i) the effects on the operational or functional needs of network utilities, marine and port activities and electricity generation activities.
- (6) for the storage of hazardous substances in the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the location, design and management of facilities where hazardous substances are stored, used or disposed;
 - (b) the potential risk to public health; and
 - (c) the potential contamination of water.
- (7) for on-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) flood plain:
- (a) the design of the device including flood proofing;
 - (b) the potential risk to public health; and
 - (c) the potential contamination of groundwater.
- (8) for the construction of other land drainage works, stormwater management devices and flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the effects that the flooding may have on the function of the device including the potential mobilisation of accumulated contaminants.
- (9) for new structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9; and all other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the effects of the location of the structures and building platforms;
 - (b) the effects of flood hazards on the structural integrity of a building or structure;

- (c) the effects of storage of outdoor goods and materials;
 - (d) the effects of the location and design of roads, accessways and parking areas;
 - (e) the extent of any associated earthworks;
 - (f) the effects of potential changes in flood depth, velocity and frequency on adjoining sites, including upstream and downstream from buildings and structures;
 - (g) the extent to which methods for long term maintenance of areas affected by flooding, such as easements, are provided;
 - (h) the effects of the use of spaces under buildings; and
 - (i) the effects on the operational or functional needs of network utilities, marine and port activities and electricity generation activities.
- (10) for use of new buildings to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability(AEP) floodplain:
- (a) the type of activity being undertaken and its vulnerability to flood events;
 - (b) the likelihood and consequences of a flood event in relation to more vulnerable activities;
 - (c) the possible effects on public safety and other property resulting from the proposed development or activity;
 - (d) the effects on landscape values, associated earthworks and land form modifications;
 - (e) the effects on public access;
 - (f) the methods provided to manage activities and uses within the site, including safe egress from buildings and structures or the site and the management of people and property during a flood event;
 - (g) any exacerbation of an existing flood hazard or creation of a new flood hazard as a result of the proposed activity or development and possible effects on public safety and other property;
 - (h) the proposed use of, necessity for and design of hard engineering solutions to mitigate the hazard;
 - (i) the ability to relocate buildings or structures, including the proposed duration of occupation of the buildings or structures, taking into account the long term likely effects of climate change; and

- (j) the ability to design, construct and maintain buildings or structures so that they are resilient to the effects of the hazard.

Activities in overland flow paths

- (11) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.10:
 - (a) the design of the fence or wall;
 - (b) the potential impacts on the overland flow path including all of the following:
 - (i) the obstruction of flows;
 - (ii) any change to location and capacity;
 - (iii) any changes in depth and velocity of flow; and
 - (iv) any change to overland flow on the site and on other properties upstream or downstream of the site.
- (12) for diverting the entry or exit point, piping or reducing the capacity in any part of an overland flow path:
 - (a) the potential impacts on the overland flow path including:
 - (i) the obstruction of flows; and
 - (ii) any change to location and capacity; and
 - (iii) any changes in depth and velocity of flow; and
 - (iv) any change to overland flow on other properties.
 - (b) the provision of alternative overland flow paths;
 - (c) the extent of any associated earthworks; and
 - (d) the extent to which methods for long term maintenance of areas affected by flooding, such as easements, are provided.
- (13) for any buildings or structures including retaining walls (but excluding permitted fences and walls) located within an overland flow path:
 - (a) the effects of flooding on the activity proposed, including whether it is a more or less vulnerable activity;
 - (b) the effects on the location of habitable rooms;
 - (c) the design of the building and how it provides for safe access and the potential effects of flood hazards on chosen access routes; and
 - (d) the effects on people during a flood event and the ability to avoid, remedy or mitigate these.

Activities on land which may be subject to land instability

- (14) for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields on land which may be subject to land instability that do not comply with permitted activity Standard E36.6.1.12:
- (a) the likely effect of land instability on the design, location and functioning of the device;
 - (b) the potential risk to public health; and
 - (c) the potential for contamination of groundwater.
- (15) for the storage of hazardous substances on land which may be subject to land instability:
- (a) the likely effect of land instability on the design, location and management of facilities where hazardous substances are stored, used or disposed; and
 - (b) the potential risk to public health.
- (16) for external additions to buildings and to any structures excluding decks under 1.2m high and 20m² gross floor area on land which may be subject to instability; and for all other buildings and structures on land which may be subject to land instability not otherwise provided for:
- (a) the type of activity being undertaken and its vulnerability to the potential effects of land instability;
 - (b) the consequences of the potential effects of land instability in relation to more vulnerable activities;
 - (c) the possible effects on public safety and other property resulting from the proposed development or activity;
 - (d) the likelihood of a hazard arising from unstable land event and the likely extent of any damage;
 - (e) the effects on landscape values, associated earthworks and land form modifications;
 - (f) the methods provided to manage activities and uses within the site, including safe egress from buildings and structures and the management of people and property during a hazard event;
 - (g) any exacerbation of an existing land instability hazard or creation of a new land instability hazard as a result of the proposed activity or development and possible effects on public safety and other property;
 - (h) the proposed use of, necessity for and design of hard engineering solutions for land instability hazards;

- (i) the ability to relocate buildings or structures within a hazard area, including the proposed duration of occupation of the structures or building; and
 - (j) the ability to design, construct and maintain buildings or structures so that they are resilient to land instability hazards.
- (17) for all other infrastructure on land which may be subject to land instability not otherwise provided for:
- (a) the functional and/or operational need to locate within the hazard area;
 - (b) the risk of adverse effects to other people, property and the environment including all of the following:
 - (i) risk to public health and safety;
 - (ii) impacts on landscape values and public access associated with the proposed activity including a need for hard protection structures to be required to protect the utility from land instability hazards;
 - (iii) the management or regulation of other people and property required to mitigate land instability hazard risks resulting from the location of the network utility or infrastructure;
 - (iv) the storage or use of hazardous substances in relation to the activity;
 - (v) any exacerbation of an existing land instability hazard or creation of a new land instability hazard as a result of the structure;
 - (vi) the use of non-structural solutions instead of hard engineering solutions; and
 - (vii) the ability to relocate or remove structures.

Infrastructure:

- *in the coastal erosion hazard area;*
 - *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area;*
 - *in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;*
 - *in the 1 per cent annual exceedance probability (AEP) floodplain;*
 - *in overland flow paths and*
 - *on land which may be subject to land instability*
- (18) Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in areas listed in the heading above that do not comply with Standard E36.6.1.13:
- (a) the functional and/or operational need to locate within the hazard area;

- (b) the risk of adverse effects to other people, property and the environment including all of the following:
 - (i) risk to public health and safety;
 - (ii) impacts on landscape values and public access associated with the proposed activity including a need for hard protection structures to be required to protect the utility from the natural hazard;
 - (iii) the management or regulation of other people and property required to mitigate natural hazard risks resulting from the location of the infrastructure;
 - (iv) the storage or use of hazardous substances in relation to the activity;
 - (v) any exacerbation of an existing natural hazard or creation of a new natural hazard as a result of the structure;
 - (vi) the use of non-structural solutions instead of hard engineering solutions; and
 - (vii) the ability to relocate or remove structures.

E36.8.2. Assessment criteria

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

Activities in the coastal erosion hazard area

- (1) for external alterations to existing buildings which increase the gross floor area of the building in the coastal erosion hazard area; for all other buildings and structures in the coastal erosion hazard area; and for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal erosion hazard area:
 - (a) the likelihood of a coastal hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;
 - (b) the extent to which site specific analysis, such as engineering, stability or flooding reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;
 - (c) the extent to which public access, landscape and other environmental values are affected by any works proposed in association with the building or structure, by way of mitigation of the hazard; and
 - (d) the extent to which any building or structure can be relocated in the event of severe coastal erosion or shoreline retreat, taking into account the likely long term effects of climate change.

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

- (2) for external alterations to existing buildings which increase the gross floor area of the building in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for all other buildings and structures in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area:
- (a) the likelihood of a coastal storm inundation hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;
 - (b) the extent to which site-specific analysis, such as engineering, stability or flooding reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;
 - (c) the extent to which public access, landscape and other environmental values are affected by any works proposed in association with the building or structure, by way of mitigation of the hazard; and
 - (d) the extent to which any building or structure can be relocated in the event of severe coastal erosion or shoreline retreat, taking into account the likely long term effects of climate change.

Defences against coastal hazards

- (3) for the extension (including upgrading that increases the area occupied by the structure) or alteration of existing lawfully established hard protection structures; and for new hard protection structures, located landward of the coastal protection yard that may serve as a defence against coastal erosion or inundation:
- (a) the extent to which the structure or works for the structure are located and designed to avoid, remedy or mitigate adverse effects;
 - (b) the extent to which the structure avoids, remedies or mitigates effects on public access, including pedestrian access, access to the coastline and access to areas of public open space;
 - (c) the extent of consent duration sought and whether it is necessary for the functional and operational needs of the activity or whether an adaptive management approach can be achieved;
 - (d) the extent of monitoring required to avoid, remedy or mitigate adverse environmental effects;

- (e) whether the construction works can be undertaken at a time that will avoid or minimise adverse effects on marine mammals, roosting, nesting and feeding areas, and recreational users of the coastal marine area;
- (f) whether the construction works or methods avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation;
- (g) whether the structure is located and designed to avoid, remedy or mitigate adverse effects on the environment; and
- (h) the extent to which material used are compatible with the surrounding coastal environment and where practicable, with the natural material at the site. This includes texture, colour, composition, grain size, level of contamination and potential for leaching.

Activities in the 1 per cent annual exceedance probability (AEP) flood plain

- (4) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.5:
 - (a) whether the fence or wall will result in changes to the flood hazard experienced within the site, or on other sites including upstream or downstream of the site;
 - (b) whether the fence or wall will result in changes to flood depths and velocities from the blocking or channelling of flood waters; and
 - (c) the extent to which the fence or wall is necessary to maintain privacy, security, biosecurity or safety of the site or adjoining sites.
- (5) for below ground parking or parking areas in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) whether the parking area can be located outside of the 1 per cent annual exceedance probability (AEP) floodplain so as not to block or impede the flood hazard;
 - (b) where the parking area cannot be practically located outside or above the floodplain, how the parking areas can be designed and managed to minimise any increase in flood related risks to people and property on site and to other properties upstream or downstream of the site;
 - (c) the extent of potential adverse effects resulting from vehicles being mobilised by a 1 per cent annual exceedance probability (AEP) flood event;
 - (d) whether the building or structure maintains structural integrity during a flood event; and
 - (e) whether site layout and management can avoid hazardous and floatable materials, including cars and other stored items, being carried off the site.

- (6) for the storage of hazardous substances in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) the extent to which the proposal ensures that hazardous substances stored in flood hazard areas are protected from flooding, spillage and leakage should a flood hazard event occur;
 - (b) the extent of public health hazards that may result from a flood hazard event and how these are proposed to be avoided; and
 - (c) whether groundwater contamination in a flood event can be avoided.
- (7) for on-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) flood plain:
 - (a) whether the design of the device impedes flood flows or otherwise increases flood risk upstream or downstream of the site and how such effects can be avoided or mitigated;
 - (b) whether the design of the device is resilient to damage from a range of flood events;
 - (c) whether access to the device for maintenance and maintenance plans are provided and the potential effects that may result from the proposed access route;
 - (d) the extent of public health hazards that may result from a flood hazard event and how these are proposed to be avoided; and
 - (e) whether groundwater contamination in a flood event can be avoided.
- (8) for the construction of other land drainage works, stormwater management devices and flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain:
 - (a) whether the design of and works or devices impede flood flows or otherwise increases flood risk upstream or downstream of the site and how such effects can be avoided or mitigated;
 - (b) whether the design of the works or any device is resilient to damage from a range of flood events; and
 - (c) whether access to the works or device for maintenance and maintenance plans are provided and the potential effects that may result from the proposed access route.
- (9) for new structures and buildings (and external alterations to existing buildings) with a gross floor area up to 10m² within the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with standard E36.6.1.9; and all other new structures and buildings and (and external alterations to

existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain:

- (a) whether the building platform can be located outside of the 1 per cent AEP floodplain so as not to block or impede the flood waters;
 - (b) where the building cannot be practically located outside or above the flood plain, how the building can be designed and managed to minimise increase in flood related risks experienced by other properties, including those upstream or downstream such as, maintaining a clear undercroft, allowing for the passage of flood waters;
 - (c) whether buildings likely to be affected by flood waters should be wet proofed or dry proofed to minimise damage to the building and its contents; and
 - (d) site layout and management to avoid hazardous and floatable materials including cars and other stored items being carried off site.
- (10) for new buildings designed to accommodate more vulnerable activities, and changes of use to accommodate more vulnerable activities within existing buildings located within the 1 per cent annual exceedance probability (AEP) floodplain:
- (a) the likelihood of a flood hazard event occurring and its magnitude and duration, and the consequences of the event, its possible effects on public health, safety, property and the environment;
 - (b) the extent to which a flood hazard assessment or mitigation plan addresses methods provided to manage activities or uses within the site;
 - (c) whether sufficient actions can be undertaken to ensure that people will not be placed in danger during a flood event;
 - (d) the extent to which the proposal and any subsequent land use is likely to exacerbate the flood hazard or create a new flood on the subject land and/ or on any adjacent land; and
 - (e) whether the building or structure maintains structural integrity during as flood event.

Activities in overland flow paths

- (11) for fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain that do not comply with Standard E36.6.1.10:
- (a) whether the fence or wall will result in changes to the flood hazard experienced within the site, or on other sites including upstream or downstream of the site;

- (b) whether the fence or wall will result in changes to flood depths and velocities from the blocking or channelling of flood waters; and
 - (c) the extent to which the fence or wall is necessary to maintain privacy, security, biosecurity or safety of the site or adjoining sites.
- (12) for diverting the entry or exit point, piping or reducing the capacity in any part of an overland flow path:
- (a) the extent to which the continuity of the overland flow paths both within the site and upstream and downstream of the site will be maintained;
 - (b) the extent to which and how the effects on other properties from the diversion or alteration of the overland flow path will be avoided or mitigated;
 - (c) the extent to which and how scouring and erosion will be managed;
 - (d) the extent to which and how the proposal will avoid, or mitigate adverse effects on stream ecology;
 - (e) the extent of long-term maintenance proposed, ensuring that, when appropriate, an easement in favour of Council is created to limit further changes to the overland flow path; and
 - (f) the extent to which design and management measures are proposed to manage risk to a building, its occupants or contents.
- (12A) for any buildings or structures including retaining walls (but excluding permitted fences and walls) located within an overland flow path:
- (a) the extent to which the overland flow path is maintained to convey stormwater runoff safely from a site to the receiving environment;
 - (b) the location of habitable rooms in relation to the overland flow path;
 - (c) the extent to which the design of the building provides for safe access and the potential effects of flood hazards on chosen access routes; and
 - (d) the extent to which people are affected during flood events and the extent to which effects are avoided, remedied or mitigated.

Activities on land which may be subject to land instability

- (13) for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields on land which may be subject to land instability that do not comply with permitted activity Standard E36.6.1.12:
- (a) the extent to which the location, design and functioning of the device would be adversely affected by the land instability hazard and how such effects can be avoided or mitigated;

- (b) whether the design of the device is resilient to damage from the land instability hazard;
 - (c) whether access to the device for maintenance and maintenance plans are provided and the potential effects that may result from the proposed access route;
 - (d) the extent of public health hazards that may result from the land instability hazard and how these are proposed to be avoided; and
 - (e) whether groundwater contamination from the land instability hazard can be avoided.
- (14) for the storage of hazardous substances on land which may be subject to land instability:
- (a) the extent to which the proposal ensures that hazardous substances are protected from spillage or leakage should a natural hazard event occur; and
 - (b) the extent of public health hazards that may result from the land instability hazard and how these are proposed to be avoided.
- (15) for external additions to buildings and to any structures excluding decks under 1.2m high and 20m² gross floor area on land which may be subject to instability; and for all other buildings and structures on land which may be subject to land instability not otherwise provided for:
- (a) the likelihood of a land instability hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;
 - (b) the extent to which site-specific analysis, such as engineering, or stability reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;
 - (c) the extent to which landscape and other environmental values are affected by any works proposed in association with the building or structure or mitigation of the hazard; and
 - (d) the extent to which any building or structure can be relocated in the event of a land instability hazard occurring.
- (16) for all other infrastructure on land which may be subject to land instability not otherwise provided for:
- (a) the long-term management, maintenance and monitoring of any mechanisms associated with managing the risk of adverse effects resulting from the placement of infrastructure within a hazard area to other people, property and the environment including the management of hazardous substances;

- (b) the extent to which residual risks to people, property and the environment resulting from any mitigation measures implemented to manage the hazard;
 - (c) the extent to which an existing hazard is exacerbated or a new hazard is created as a result of the structure;
 - (d) the extent to which the proposal includes non-structural solutions to protect infrastructure from the hazard and resulting adverse effects; and
 - (e) the extent to which landscape values and/ or public access are affected by the proposed structure or structures associated with the mitigation of the hazard.
- (17) for operation, maintenance, renewal, repair and minor infrastructure upgrading of infrastructure in the coastal erosion hazard area; or in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; or in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; or in the 1 per cent annual exceedance probability (AEP) floodplain; or in overland flow paths; or on land which may be subject to land instability:
- (a) the long-term management, maintenance and monitoring of any mechanisms associated with managing the risk of adverse effects resulting from the placement of infrastructure within a hazard area to other people, property and the environment including the management of hazardous substances;
 - (b) the extent to which residual risks to people, property and the environment resulting from any mitigation measures implemented to manage the hazard;
 - (c) the extent to which an existing hazard is exacerbated or a new hazard is created as a result of the structure;
 - (d) the extent to which the proposal includes non-structural solutions to protect infrastructure from the hazard and resulting adverse effects; and
 - (e) the extent to which landscape values and/ or public access are affected by the proposed structure or structures associated with the mitigation of the hazard.

E36.9. Special information requirements

- (1) A hazard risk assessment must be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which may be subject to any one or more of the following:
- (a) coastal erosion;

- (b) coastal storm inundation 1 per cent annual exceedance probability (AEP);
- (c) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise;
- (d) the 1 per cent annual exceedance probability (AEP) floodplain;
- (e) overland flow paths; or
- (f) land instability.

The level of information required to be provided should be proportionate to the hazard risk, the nature of the hazard. It should also be appropriate to the scale, nature and location of the development and reflective of the scale of the activity proposed. For coastal hazards this should include a consideration of the effects of climate change over at least a 100 year timeframe.

- (2) A hazard risk assessment report must accompany a resource consent application for the subdivision, use or development referenced in E36.9(1) above and must identify whether the land is or is likely to be subject to coastal erosion; coastal storm inundation 1 per cent annual exceedance probability (AEP); coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 metre sea level rise; the 1 per cent annual exceedance probability (AEP) floodplain; overland flow paths; or land instability, over at least the next 100 years and, if found to be subject to one or more of these hazards, should provide an assessment, which does not need to duplicate an assessment of environmental effects, which addresses all of the following:
 - (a) the type, frequency and scale of the natural hazard and whether adverse effects on the development will be temporary or permanent;
 - (b) the type of activity being undertaken and its vulnerability to natural hazard events;
 - (c) the consequences of a natural hazard event in relation to the proposed activity and the people likely to be involved in that activity;
 - (d) the potential effects on public safety and other property;
 - (e) any exacerbation of an existing natural hazard risks or creation of a new natural hazard risks;
 - (f) whether any building, structure or activity located on land subject to natural hazards near the coast can be relocated in the event of severe coastal erosion, coastal storm inundation or shoreline retreat;
 - (g) the ability to use of non-structural solutions, such as planting or the retention or enhancement of natural landform buffers to avoid, remedy or mitigate the hazard, rather than hard engineering solutions or protection structures;

- (h) the design and construction of buildings and structures to mitigate the effects of natural hazards;
- (i) the effect of structures used to mitigate hazards on landscape values and public access;
- (j) site layout and management to avoid or mitigate the adverse effects of natural hazards, including access and exit during a natural hazard event;
- (k) the duration of consent and how this may limit the exposure for more or less vulnerable activities to the effects of natural hazards including the effects of climate change; and
- (l) any measures and/ or plans proposed to mitigate the natural hazard or the effects of the natural hazard.

H1. Residential – Large Lot Zone

H1.1. Zone description

The Residential – Large Lot Zone provides for large lot residential development on the periphery of urban areas. Large lot development is managed to address one or more of the following factors:

- it is in keeping with the area's landscape qualities; or
- the land is not suited to conventional residential subdivision because of the absence of reticulated services or there is limited accessibility to reticulated services; or
- there may be physical limitations to more intensive development such as servicing, topography, ground conditions, instability or natural hazards where more intensive development may cause or exacerbate adverse effects on the environment.

To manage existing or potential adverse effects, larger than standard site sizes are required and building coverage and impervious surface areas are restricted.

H1.2. Objectives

- (1) Development maintains and is in keeping with the area's spacious landscape character, landscape qualities and natural features.
- (2) Development maintains the amenity of adjoining sites.
- (3) Development is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H1.3. Policies

- (1) Require large minimum site sizes and limit the scale and intensity of development to ensure that:
 - (a) sites are able to accommodate on-site wastewater treatment and disposal;
 - (b) development will be in keeping with any landscape qualities or natural features; and
 - (c) development will not exacerbate any physical limitations such as land instability.
- (2) Require development to be of a height and bulk and have sufficient setbacks and open space to maintain and be in keeping with the spacious landscape character of the area.

- (3) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (4) Encourage accommodation to have useable and accessible outdoor living space.
- (5) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (6) Enable non-residential activities that:
 - (a) support the social and economic well-being of the community; and
 - (b) are compatible with the scale and intensity of development anticipated within the zone; and
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and the Business – Town Centre Zone.

H1.4. Activity table

Table H1.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Large Lot Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H1.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A4)	Minor dwellings	RD	Standard H1.6.3 Minor dwellings; Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A5)	More than one dwelling per site (other than a minor dwelling in Rule H1.4.1(A4))	D	

H1 Residential – Large Lot Zone

(A6)	Home occupations	P	Standard H1.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H1.6.2	D	
(A8)	Integrated Residential Development	D	
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	RD	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A15)	Dairies up to 100m ² gross floor area per site	D	
(A16)	Restaurants and cafe up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
Community			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A19)	Care centres accommodating greater than 10 people per site	D	

H1 Residential – Large Lot Zone

	excluding staff		
(A20)	Community facilities	D	
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities	NC	
(A25)	Veterinary clinics	D	
(A26)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A27)	Marae	D	
Development			
(A28)	Demolition of buildings	P	
(A29)	Internal and external alterations to buildings	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A30)	Accessory buildings	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A31)	Additions to an existing dwelling	P	Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; Standard H1.6.7 Building coverage
(A32)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A33)	Rainwater tank	P	Standard H1.6.8 Rainwater tanks

H1.5. Notification

- (1) Any application for resource consent for an activity listed in Table H1.4.1 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\(4\)](#).

H1.6. Standards

H1.6.1. Activities listed in Table H1.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H1.4.1 Activity table must comply with the standards listed in the column in Table H1.4.1 called Standards to be complied with.

H1.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
 - (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
 - (c) no more than four people in total may work in the home occupation;
 - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
 - (e) car trips to and from the home occupation activity must not exceed 20 per day;
 - (f) heavy vehicle trips must not exceed two per week;
 - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
 - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
 - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
 - (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H1.6.3 Minor dwellings

Purpose:

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

(1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.

(2) A minor dwelling must have an outdoor living space that is:

- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) at least 1.8m in depth; and
- (c) directly accessible from the minor dwelling.

(3) There must be no more than one minor dwelling per site.

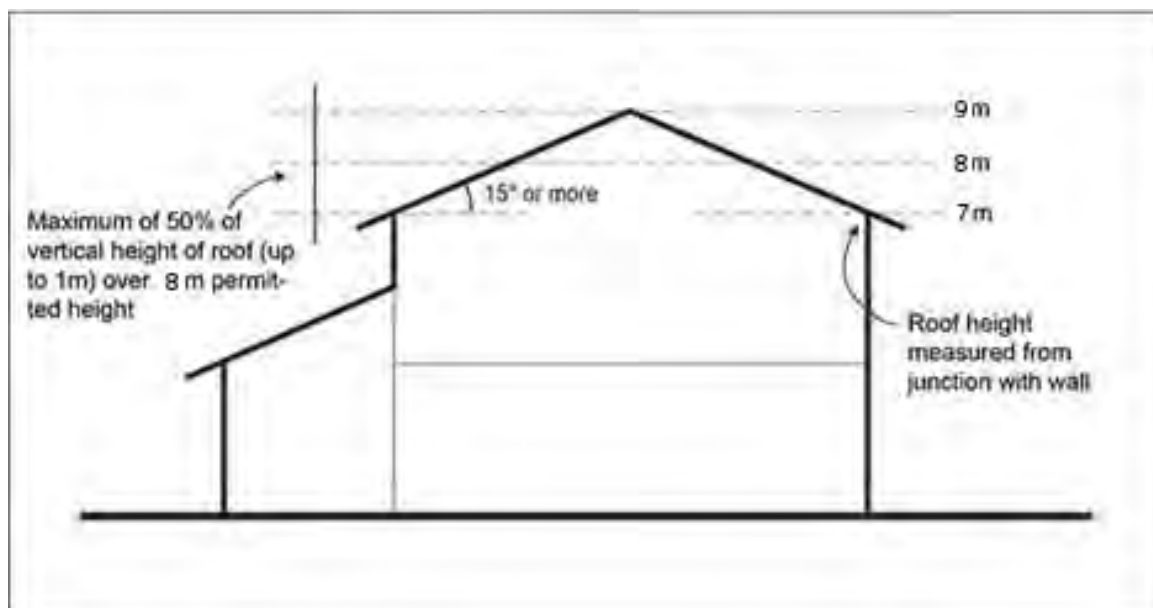
H1.6.4. Building height

Purpose: to manage the height of buildings to:

- maintain and complement the spacious landscape character of predominantly one to two storeys and any landscape qualities and natural features; and
- minimise visual dominance effects; and
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure H1.6.4.1 Building height in the Residential – Large Lot Zone.

Figure H1.6.4.1 Building height in the Residential – Large Lot Zone



H1.6.5. Yards

Purpose:

- to maintain the spacious landscape character of the zone; and
- to maintain a reasonable standard of residential amenity for adjoining sites; and
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H1.6.5.1 Yards below.

Table H1.6.5.1 Yards

Yard	Minimum depth
Front	10m
Side	6m
Rear	6m
Riparian	10m from the edge of permanent and intermittent streams
Lakeside	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

H1.6.6. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks; and
 - to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology; and
 - to reinforce the building coverage standard; and
 - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 35 per cent of the site area or 1400m², whichever is the lesser.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H1.6.7. Building coverage

Purpose: to manage the extent of buildings on a site to maintain and complement the spacious, landscape character of the zone and any landscape qualities and natural features.

- (1) The maximum building coverage must not exceed 20 per cent of the net site area or 400m², whichever is the lesser.

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 unless less than 1m in height, or wholly below ground level;
 - (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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H1.7. Assessment – controlled activities

There are no controlled activities in this zone.

H1.8. Assessment – restricted discretionary activities

H1.8.1. Matters of discretion

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

- (1) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; and visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors:
 - (a) the effects on wastewater capacity; and
 - (b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for minor dwellings:
 - (a) the effects on the landscape character, landscape qualities and natural features of the zone; and
 - (b) the effects on wastewater capacity.
- (3) for buildings that do not comply with Standard H1.6.4 Building height; Standard H1.6.5 Yards; Standard H1.6.6 Maximum impervious areas; and Standard H1.6.7 Building coverage:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the landscape character, landscape qualities and natural features of the zone;
 - (e) the effects on the amenity of neighbouring sites;

- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

H1.8.2. Assessment criteria

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

- (1) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; and visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors:

- (a) wastewater capacity:

- (i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.

- (b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

- (c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

- (d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

- (e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries; and

PC 71 ([see Modifications](#))

- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for minor dwellings:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(4).

(3) for building height:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(3).

(4) for yards:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(3).

(5) for maximum impervious areas:

- (a) refer to Policy H1.3(5).

(6) For building coverage:

- (a) refer to Policy H1.3(1);
- (b) refer to Policy H1.3(2); and
- (c) refer to Policy H1.3(3).

H1.9. Special information requirements

There are no special information requirements in this zone.

H2. Residential – Rural and Coastal Settlement Zone

H2.1. Zone description

The Residential – Rural and Coastal Settlement Zone applies to rural and coastal settlements in a variety of environments including high-quality landscape areas and coastal areas. Some settlements rely on on-site wastewater disposal and treatment and water supply, while others are serviced relying on reticulated community wastewater facilities and water supply. Due to factors including servicing, infrastructure and accessibility constraints and, in some cases their sensitive character, growth needs to be managed accordingly.

The zone limits lot sizes and/or development to avoid, remedy or mitigate existing or potential adverse effects on water and land and to maintain rural and coastal character. Non-residential uses of a scale and intensity that serve the local population are provided for.

H2.2. Objectives

- (1) Development maintains and is in keeping with the area's rural and coastal character, landscape qualities and natural features.
- (2) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (3) Development in rural and coastal settlements is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H2.3. Policies

- (1) Require minimum site sizes and limit the scale and intensity of development for un-serviced sites to ensure that:
 - (a) sites are able to accommodate on-site wastewater treatment and disposal; and
 - (b) development will be in keeping with any landscape qualities or natural features; and
 - (c) development will not exacerbate any physical limitations such as land instability.
- (2) For serviced sites, the scale and intensity of development, including minimum site sizes, ensures that:
 - (a) development will be in keeping with any landscapes qualities or natural features; and

- (b) development will not exacerbate any physical limitations such as land instability.
- (3) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to immediate neighbours.
- (4) Require development to be of a height and bulk and have sufficient setbacks and open space to maintain and complement the rural and coastal built character of the area.
- (5) Encourage accommodation to have useable and accessible outdoor living space.
- (6) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (7) Enable non-residential activities that:
- (a) support the social and economic well-being of the community; and
 - (b) are in keeping with the scale and intensity of development anticipated within the zone; and
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and the Business – Town Centre Zone.

H2.4. Activity table

Table H2.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Rural and Coastal Settlement Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H2.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear

H2 Residential – Rural and Coastal Settlement Zone

			fences and walls
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	RD	Standard H2.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A5)	Minor dwellings	RD	Standard H2.6.4 Minor dwellings; Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A6)	More than one dwelling per site (other than the conversion of a principal dwelling in Rule H2.4.1(A4) or a minor dwelling in Rule H2.4.1(A5))	NC	
(A7)	Home occupations	P	Standard H2.6.2 Home occupations
(A8)	Home occupations that do not meet Standard H2.6.2	D	
(A9)	Integrated Residential Development	D	
(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A11)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A12)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A13)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	

H2 Residential – Rural and Coastal Settlement Zone

(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A15)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A16)	Dairies up to 100m ² gross floor area per site	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A17)	Restaurants and cafes up to 100m ² gross floor area per site	D	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A18)	Service stations on arterial roads	D	
Community			
(A19)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A20)	Care centres not provided for above accommodating greater than 10 people per site excluding staff	D	
(A21)	Community facilities	D	
(A22)	Education facilities	D	
(A23)	Tertiary education facilities	D	
(A24)	Emergency services adjoining an arterial road	D	
(A25)	Healthcare facilities up to 200m ² gross floor area per	RD	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation

H2 Residential – Rural and Coastal Settlement Zone

	site		to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A26)	Healthcare facilities greater than 200m ² gross floor area per site	NC	
(A27)	Veterinary clinics	D	
Rural			
(A28)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A29)	Marae	D	
Development			
(A30)	Demolition of buildings	P	
(A31)	Internal and external alterations to buildings	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A32)	Accessory buildings	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage
(A33)	Additions to an existing dwelling	P	Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; Standard H2.6.10 Side and rear fences and walls
(A34)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	Rainwater Tank	P	Standard H2.6.11

H2.5. Notification

- (1) Any application for resource consent for an activity listed in Table H2.4.1 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\(4\)](#).

H2.6. Standards

H2.6.1. Activities listed in Table H2.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H2.4.1 Activity table must comply with the standards listed in the column in Table H2.4.1 Activity table called Standards to be complied with.

H2.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
 - (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
 - (c) no more than four people in total may work in the home occupation;
 - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
 - (e) car trips to and from the home occupation activity must not exceed 20 per day;
 - (f) heavy vehicle trips must not exceed two per week;
 - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
 - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
 - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
 - (j) goods sold from the home occupation must be:

- (i) goods produced on site; or
- (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
- (iii) goods ancillary and related to a service provided by the home occupation.

H2.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H2.6.4. Minor dwellings

Purpose:

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

(1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.

(2) A minor dwelling must have an outdoor living space that is:

- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) least 1.8m in depth; and
- (c) directly accessible from the minor dwelling.

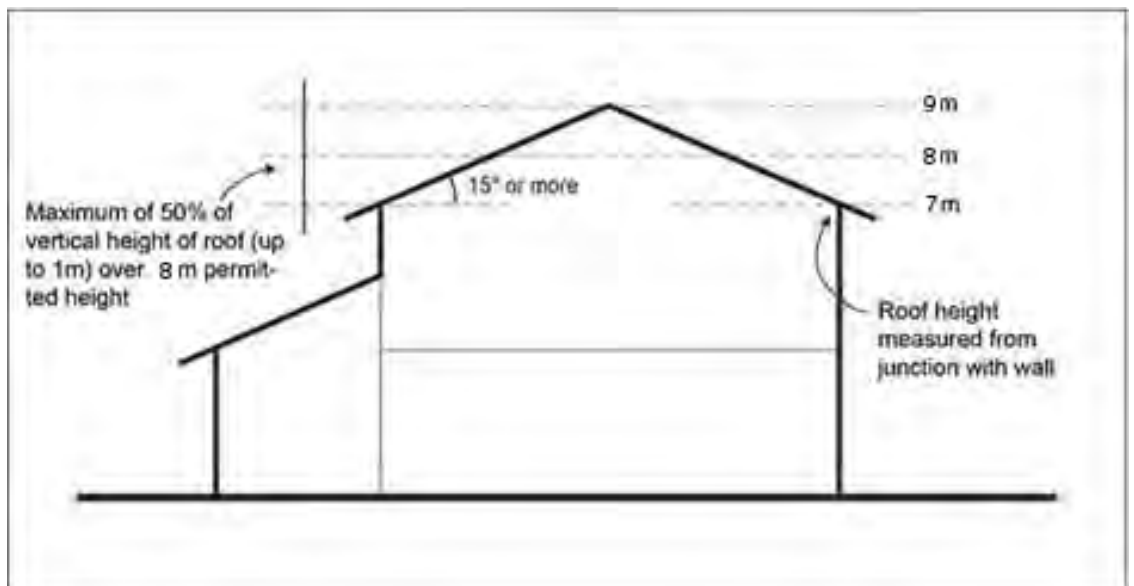
(3) There must be no more than one minor dwelling per site.

H2.6.5. Building height

Purpose: to manage the height of buildings to:

- maintain and complement the rural and coastal built character of predominantly one to two storeys and any landscape qualities and natural features; and
 - minimise visual dominance effects; and
 - maintain a reasonable standard of residential amenity for adjoining sites; and
 - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H2.6.5.1 Building height in the Residential – Rural and Coastal Settlement Zone below.

Figure H2.6.5.1 Building height in the Residential – Rural and Coastal Settlement Zone

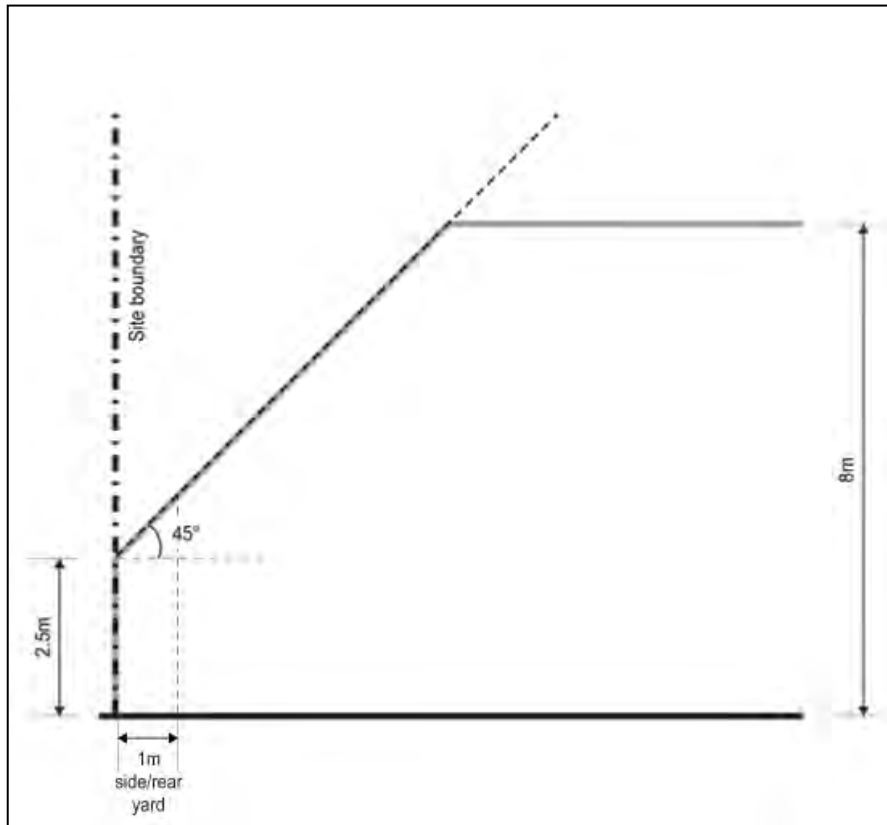


H2.6.6. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H2.6.6.1 Height in relation to boundary below.

Figure H2.6.6.1 Height in relation to boundary



(2) Standard H2.6.6(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

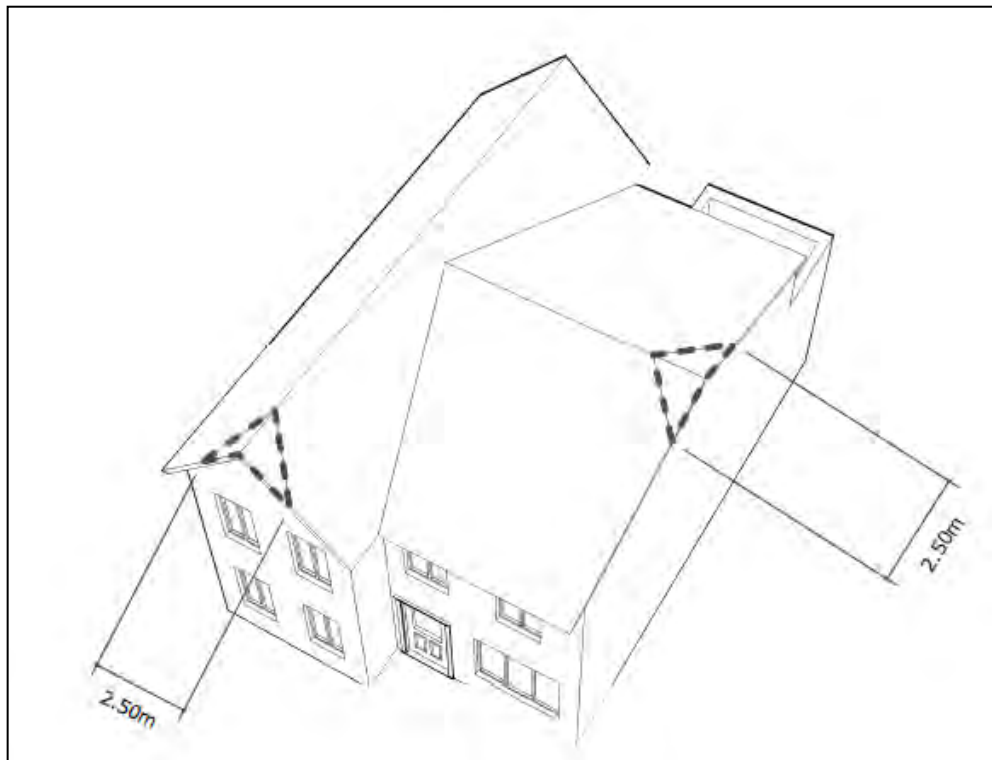
(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H2.6.6(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (4) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H2.6.6.2 Exceptions for gable ends and dormers and roof projections below.

Figure H2.6.6.2 Exceptions for gable ends and dormers and roof projections



- (5) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

H2.6.7. Yards

Purpose:

- to maintain the rural and coastal built character of the streetscape and provide sufficient space for landscaping within the front yard; and
- to maintain a reasonable standard of residential amenity for adjoining sites; and

- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
 - to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H2.6.7.1 Yards below.

Table H2.6.7.1 Yards

Yard	Minimum depth
Front	5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	20m, or as otherwise specified in Appendix 6 Coastal protection yard

H2.6.8. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks; and
 - to support the functioning of riparian yards, lakeside yards and coastal protection yards and water quality and ecology; and
 - to reinforce the building coverage and landscaped area standards; and
 - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 35 per cent of site area or 1400m², whichever is the lesser.
- (2) The maximum impervious area within a riparian yard, lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H2.6.9. Building coverage

Purpose: to manage the extent of buildings on a site to maintain and complement the rural and coastal built character of the zone and any landscape qualities and natural features.

- (1) The maximum building coverage must not exceed 20 per cent of net site area or 400m², whichever is the lesser.

H2.6.10. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy; and
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

- (1) Fences or walls or a combination of these structures (whether separate or joined together) on a side or rear boundary or within a side or rear yard must not exceed a height of 2m above ground level.

(a) on a side or rear boundary or within a side, rear, coastal protection yard, riparian yard or lakeside yard must not exceed a height of 2m above ground level.

(b) on or within the front yard, either:

(i) 1.4m in height, or

(ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or

(iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the boundary.

H2.6.11. Rainwater tanks

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

- (1) Rainwater tanks must not be located:

(i) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;

(ii) in a 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 3 m in height in a rear or side yard

- (3) Rainwater tanks must not be located on or outflow across an effluent dispersal area.

- (4) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H2.7. Assessment – controlled activities

There are no controlled activities in this section.

H2.8. Assessment – restricted discretionary activities

H2.8.1. 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) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on wastewater capacity; and
 - (b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for minor dwellings:
 - (a) the effects on the rural and coastal character of the zone; and
 - (b) the effects on wastewater capacity.
- (3) for the conversion of a primary dwelling existing as at 30 September 2013 into a maximum of two dwellings:
 - (a) the effects on wastewater capacity.
- (4) for buildings that do not comply with Standard H2.6.5 Building height; Standard H2.6.6 Height in relation to boundary; Standard H2.6.7 Yards; Standard H2.6.8 Maximum impervious areas; Standard H2.6.9 Building coverage; and Standard H2.6.10 Side and rear fences and walls:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;

- (d) the effects on the rural and coastal character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

H2.8.2. Assessment criteria

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

- (1) for supported residential care accommodating up to 10 people per site inclusive of staff and residents; boarding houses accommodating up to 10 people per site inclusive of staff and residents; visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:

- (a) wastewater capacity:

- (i) whether adequate wastewater capacity is provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.

- (b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

- (c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

- (d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

- (e) noise, lighting and hours of operation:

PC 71 ([see Modifications](#))

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries; and
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for minor dwellings:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and
- (d) refer to Policy H2.3(5).

(3) for the conversion of a primary dwelling existing as at 30 September 2013 into a maximum of two dwellings:

- (a) refer to Policy H2.3(1); and
- (b) refer to Policy H2.3(2).

(4) for building height:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and
- (d) refer to Policy H2.3(4).

(5) for height in relation to boundary:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and
- (d) refer to Policy H2.3(4).

(6) for yards:

- (a) refer to Policy H2.3(1);
- (b) refer to Policy H2.3(2);
- (c) refer to Policy H2.3(3); and

(d) refer to Policy H2.3(4).

(7) for maximum impervious areas:

(e) refer to Policy H2.3(6).

(8) for building coverage:

(a) refer to Policy H2.3(1);

(b) refer to Policy H2.3(2);

(c) refer to Policy H2.3(3); and

(d) refer to Policy H2.3(4).

(9) for side and rear fences and walls:

(a) refer to Policy H2.3(1);

(b) refer to Policy H2.3(2);

(c) refer to Policy H2.3(3); and

(d) refer to Policy H2.3(4).

H2.9. Special information requirements

There are no special information requirements in this zone.

H3. Residential – Single House Zone

H3.1. Zone description

The purpose of the Residential – Single House Zone is to maintain and enhance the amenity values of established residential neighbourhoods in number of locations. The particular amenity values of a neighbourhood may be based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character. To provide choice for future residents, Residential – Single House Zone zoning may also be applied in greenfield developments.

To support the purpose of the zone, multi-unit development is not anticipated, with additional housing limited to the conversion of an existing dwelling into two dwellings and minor dwelling units. The zone is generally characterised by one to two storey high buildings consistent with a suburban built character.

H3.2. Objectives

- (1) Development maintains and is in keeping with the amenity values of established residential neighbourhoods including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.
- (2) Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storeys buildings.
- (3) Development provides quality on-site residential amenity for residents and for adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H3.3. Policies

- (1) Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings.
- (2) Require development to:
 - (a) be of a height, bulk and form that maintains and is in keeping with the character and amenity values of the established residential neighbourhood; or
 - (b) be of a height and bulk and have sufficient setbacks and landscaped areas to maintain an existing suburban built character or achieve the planned suburban built character of predominantly one to two storey dwellings within a generally spacious setting.

- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
- (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to the adjoining sites.
- (5) Encourage accommodation to have useable and accessible outdoor living space.
- (6) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (7) Provide for non-residential activities that:
- (a) support the social and economic well-being of the community;
 - (b) are in keeping with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and the Business – Town Centre Zone.
- (8) To provide for integrated residential development on larger sites.

H3.4. Activity table

Table H3.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Single House Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H3.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard

H3 Residential – Single House Zone

			H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H3.6.3 Conversion of a principal dwelling into a maximum of two dwellings
(A5)	Minor dwellings	P	Standard H3.6.4 Minor dwellings; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A6)	More than one dwelling per site (other than the conversion of a principal dwelling in Rule H3.4.1(A4) or minor dwellings in Rule a H3.4.1(A5)	NC	
(A7)	Home occupations	P	Standard H3.6.2 Home occupations
(A8)	Home occupations that do not meet Standard H3.6.2	D	
(A9)	Integrated Residential Development	D	
(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A11)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A12)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage;

H3 Residential – Single House Zone

			Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A13)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	
(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A15)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A16)	Dairies up to 100m ² gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; and Standard H3.6.12 Front, side and rear fences and walls
(A17)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A18)	Service stations on arterial roads	D	
(A19)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H3.6.5 Offices within the Centre Fringe Office Control
(A20)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H3.6.5	D	
Community			
(A21)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard

H3 Residential – Single House Zone

			H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A22)	Care centres accommodating greater than 10 people per site excluding staff	D	
(A23)	Community facilities	D	
(A24)	Education facilities	D	
(A25)	Tertiary education facilities	D	
(A26)	Emergency services adjoining an arterial road	D	
(A27)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A28)	Healthcare facilities greater than 200m ² gross floor area per site	NC	
(A29)	Veterinary clinics	D	
Rural			
(A30)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A31)	Marae	D	
Development			
(A32)	Demolition of buildings	P	
(A33)	Internal and external alterations to buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A34)	Accessory buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard

			H3.6.10 Building coverage
(A35)	Additions to an existing dwelling	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A36)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A37)	Rainwater Tank	P	Standard H3.6.13 Rainwater tanks

H3.5. 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(4) of the Resource Management Act 1991:

(a) [deleted]

(b) development which does not comply with H3.6.12 (1a) Front, side and rear fences and walls.

(2) Any application for resource consent for an activity listed in Table H3.4.1 Activity table and which is not listed in H3.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H3.6. Standards

H3.6.1. Activities listed in Table H3.4.1 Activity table

(1) Activities and buildings containing activities listed in Table H3.4.1 Activity table must comply with the standards listed in the column in Table H3.4.1 Activity table called Standards to be complied with.

H3.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H3.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and

(c) directly accessible from the dwelling.

H3.6.4. Minor dwellings

Purpose:

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

(1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.

(2) A minor dwelling must have an outdoor living space that is:

- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) least 1.8m in depth; and
- (c) directly accessible from the minor dwelling.

(3) There must be no more than one minor dwelling per site.

H3.6.5. Offices within the Centre Fringe Office Control as identified on the planning maps

(1) Offices must be located in existing buildings.

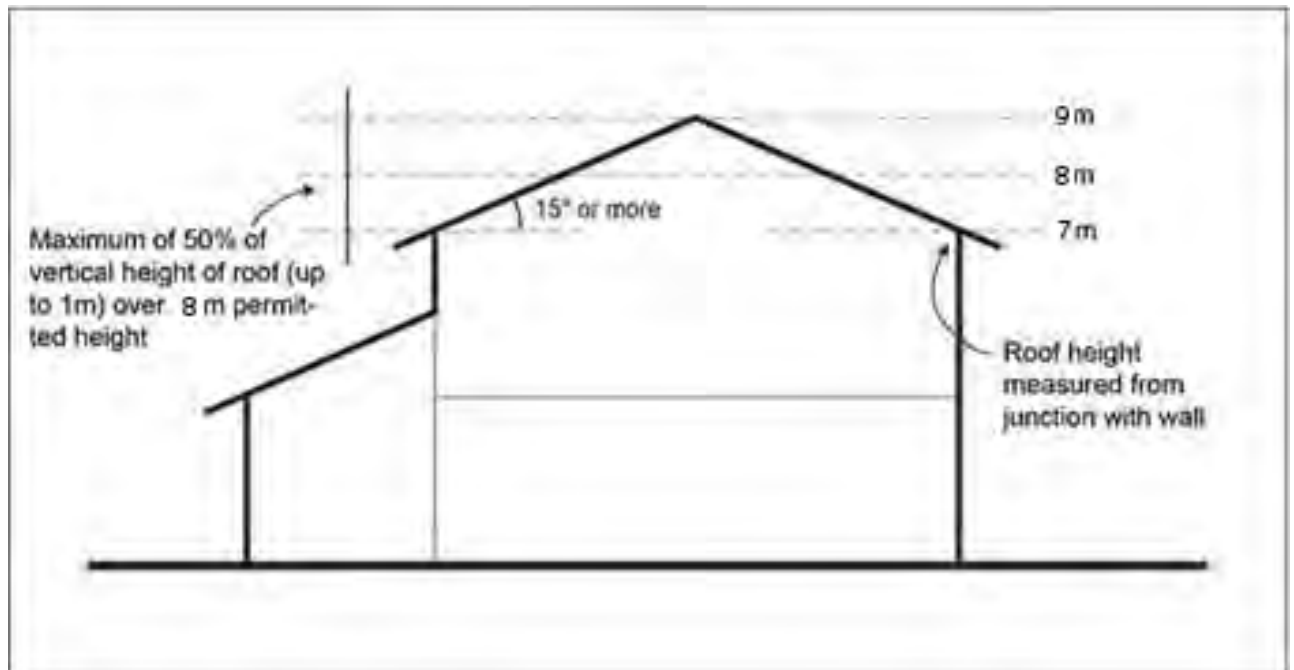
H3.6.6. Building height

Purpose: to manage the height of buildings to:

- Achieve the planned suburban built character of predominantly one to two storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H3.6.6.1 Building height in the Residential – Single House Zone below.

Figure H3.6.6.1 Building height in the Residential – Single House Zone

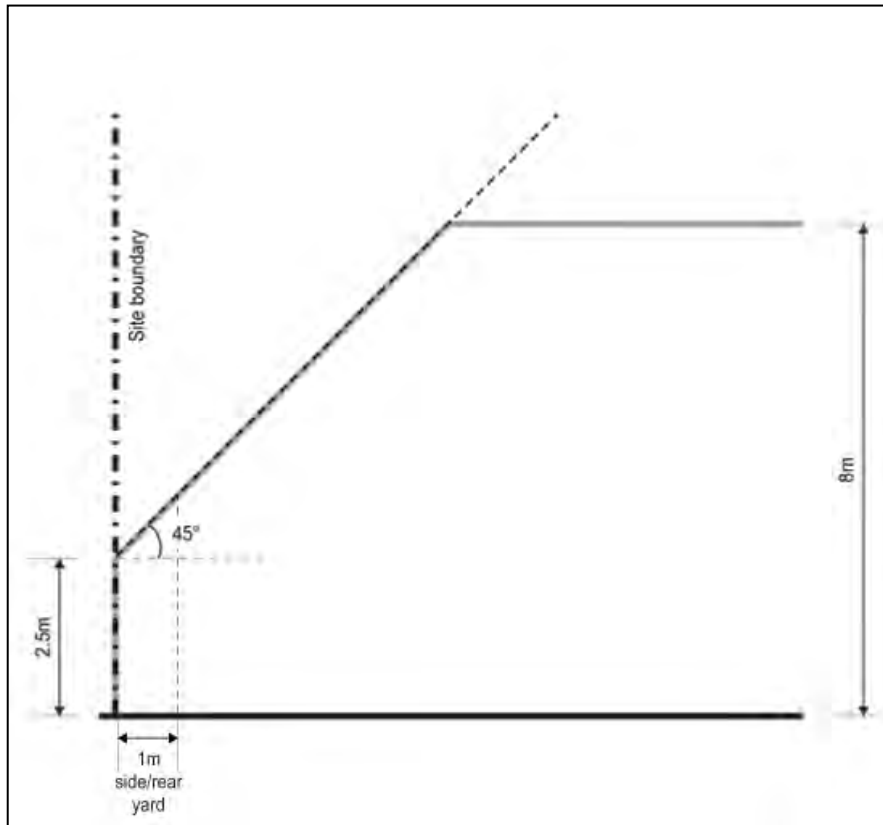


H3.6.7. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H3.6.7.1 Height in relation to boundary below.

Figure H3.6.7.1 Height in relation to boundary



(2) Standard H3.6.7(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a 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 – Light Industry Zone and Business – Heavy Industry Zone.

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone:

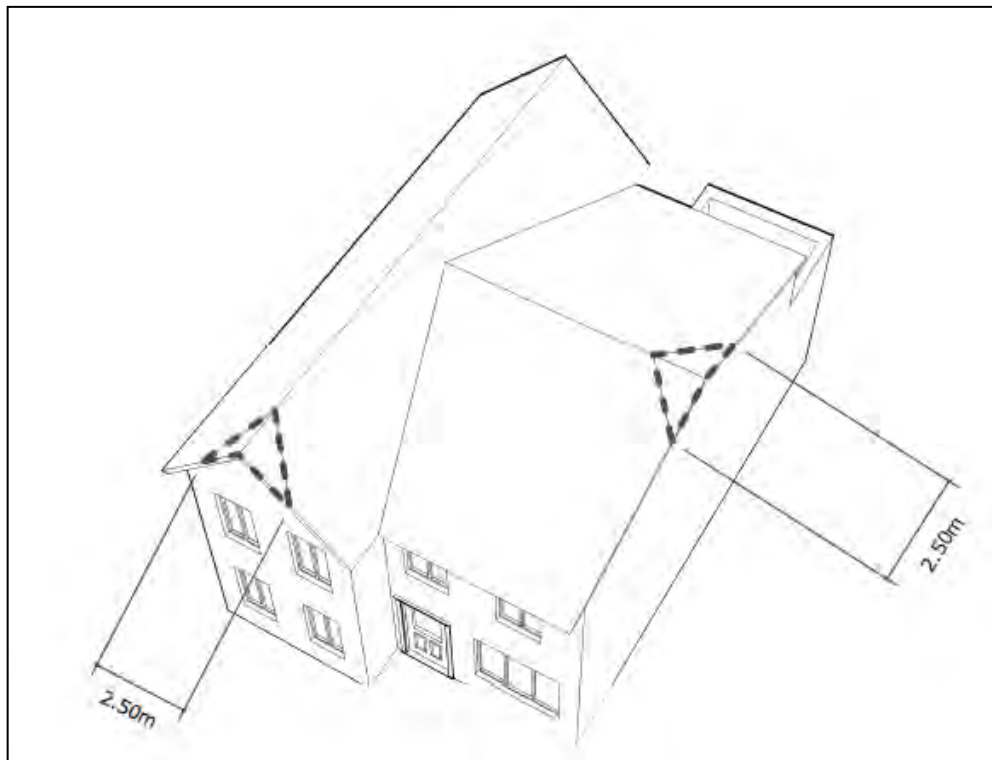
(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Standard H3.6.7(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, control in Standard H3.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H3.6.7.2 Exceptions for gable ends and dormers and roof projections below .

Figure H3.6.7.2: Exceptions for gable ends and dormers and roof projections



- (6) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

H3.6.8. Yards

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;

- to maintain a reasonable standard of residential amenity for adjoining sites;
 - to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
 - to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H3.6.8.1 Yards below.

Table H3.6.8.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H3.6.8.1 above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H3.6.9. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
 - to support the functioning of riparian yards, lakeside yards and coastal protection yards and water quality and ecology;
 - to reinforce the building coverage and landscaped area standards; and
 - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, lakeside yard or coastal protection yard area.

H3.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

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

H3.6.11. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings;
- to maintain the landscaped character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.

- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

H3.6.12. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

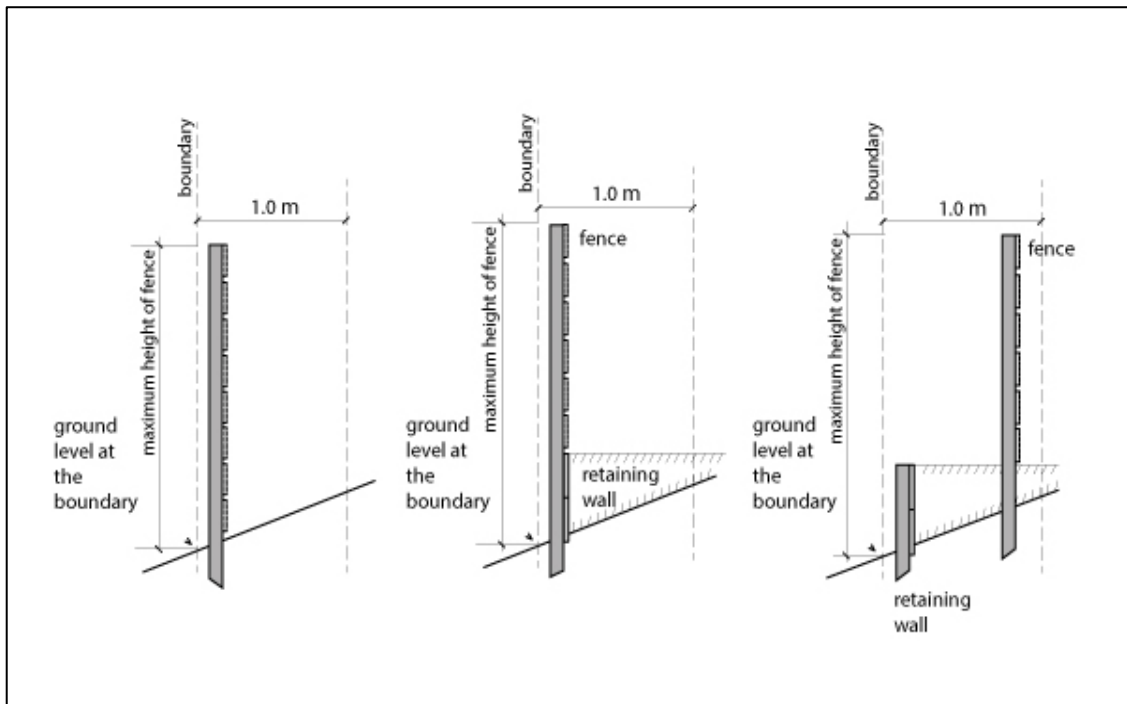
(i) 1.4m in height, or

(ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or

(iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.3.6.12.1 Measurement of fence height



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 unless they are less than 1m in height, or wholly below ground level;
 - (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 3 m in height in a rear or side yard.
- (3) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H3.7. Assessment – controlled activities

There are no controlled activities in this zone.

H3.8. Assessment – restricted discretionary activities

H3.8.1. 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) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.

- (2) for buildings that do not comply with Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the suburban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.

H3.8.2. Assessment criteria

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

- (1) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) building intensity, scale, location, form and appearance:

H3 Residential – Single House Zone

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(b) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(c) location and design of parking and access:

(i) whether adequate parking and access is provided or required.

(d) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries; and
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for building height:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(3) for height in relation to boundary:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(4) for yards:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(4); and

(d) refer to Policy H3.3(5).

(5) for maximum impervious areas:

(a) refer to Policy H3.3(6).

(6) for building coverage:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(7) for landscaped area:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(8) for front, side and rear fences and walls:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(3); and

(d) refer to Policy H3.3(4).

H3.9. Special information requirements

There are no special information requirements in this zone.

H4. Residential – Mixed Housing Suburban Zone

H4.1. Zone description

The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly stand-alone buildings, set back from site boundaries with landscaped gardens.

The zone enables intensification, while retaining a suburban built character.

Development within the zone will generally be two storey detached and attached housing in a variety of types and sizes to provide housing choice. The height of permitted buildings is the main difference between this zone and the Residential – Mixed Housing Urban Zone which generally provides for three storey predominately attached dwellings.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining sites and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned suburban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases.

H4.2. Objectives

- (1) Housing capacity, intensity and choice in the zone is increased.
- (2) Development is in keeping with the neighbourhood's planned suburban built character of predominantly two storey buildings, in a variety of forms (attached and detached).
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H4.3. Policies

- (1) Enable a variety of housing types including integrated residential development such as retirement villages.

- (2) Achieve the planned suburban built character of predominantly two storey buildings, in a variety of forms by:
 - (a) limiting the height, bulk and form of development;
 - (b) managing the design and appearance of multiple-unit residential development; and
 - (c) requiring sufficient setbacks and landscaped areas.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (5) Require accommodation to be designed to meet the day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.
- (6) Encourage accommodation to have useable and accessible outdoor living space.
- (7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (8) Enable more efficient use of larger sites by providing for integrated residential development.
- (9) Provide for non-residential activities that:
 - (a) support the social and economic well-being of the community;
 - (b) are in keeping with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.

H4.4. Activity table

Table H4.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Suburban Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H4.4.1 Activity table

		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	Up to three dwellings per site	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls
(A4)	Four or more dwellings per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H4.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A6)	Home occupations	P	Standard H4.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H4.6.2	D	
(A8)	Integrated Residential Development	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor

H4 Residential – Mixed Housing Suburban Zone

			living space; Standard H4.6.14 Front, side and rear fences and walls
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards
Commerce			
(A15)	Dairies up to 100m ² gross floor area per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; and Standard H4.6.14 Front, side and rear

H4 Residential – Mixed Housing Suburban Zone

			fences and walls
(A16)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
Community			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A20)	Community facilities	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, side and rear fences and walls
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard

H4 Residential – Mixed Housing Suburban Zone

			H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; and Standard H4.6.14 Front, Side and rear fences and walls
(A25)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A26)	Veterinary clinics	D	
Rural			
(A27)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A28)	Marae complex	D	
Development			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size
(A31)	Accessory buildings	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage.
(A32)	Additions to an existing dwelling	P	Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size

(A33)	New buildings and additions to buildings which do not comply with H4.6.5 Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary	RD	Standard H4.6.6 Alternative height in relation to boundary Note: Compliance with Standard H4.6.5 Height in relation to boundary is not required.
(A34)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	Rainwater Tank	P	Standard H4.6.16 Rainwater tanks

H4.5. 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(4) of the Resource Management Act 1991:
- (a) four or more dwellings per site that comply with all of the standards listed in Table H4.4.1 Activity table
 - (b) an integrated residential development that complies with all of the standards listed in Table H4.4.1 Activity table;
 - (c) New buildings and additions to buildings which do not comply with H4.6.5 Height in relation to boundary, but comply with Standard H4.6.6 Alternative height in relation to boundary.
 - (d) development which does not comply with H4.6.14 (1a) Front, side and rear fences and walls; or
 - (e) development which does not comply with Standard H4.6.15 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H4.4.1 Activity table and which is not listed in H4.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H4.6. Standards

H4.6.1. Activities listed in Table H4.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H4.4.1 Activity table must comply with the standards listed in the column in Table H4.4.1 called Standards to be complied with.

H4.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H4.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

(1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:

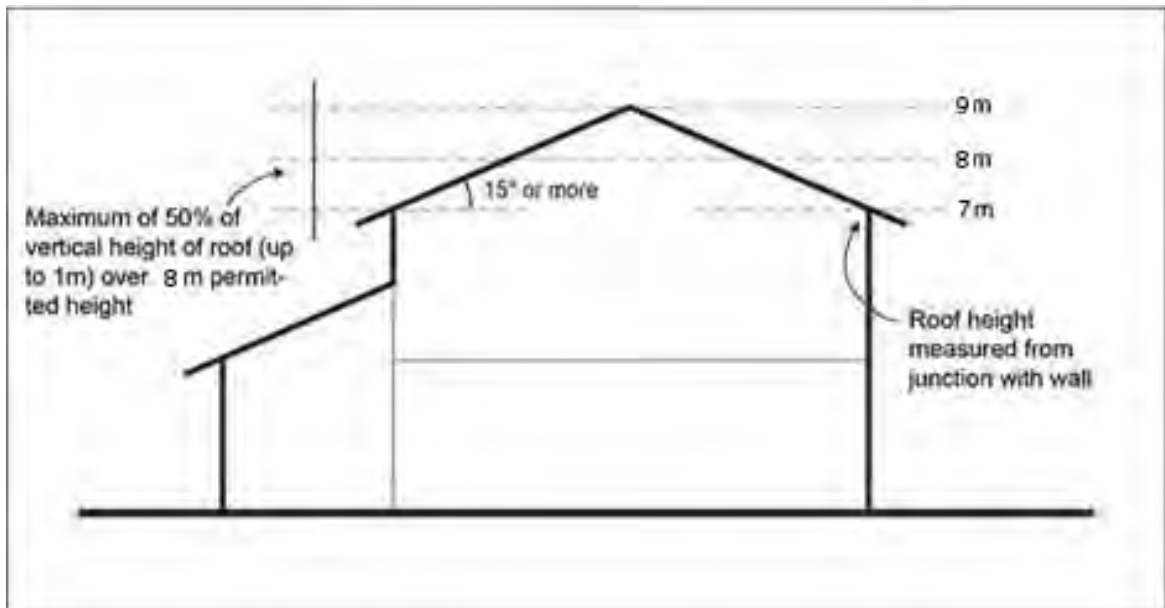
- (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
- (b) at least 1.8m in depth; and
- (c) directly accessible from the dwelling.

H4.6.4. Building height

Purpose: to manage the height of buildings to:

- achieve the planned suburban built character of predominantly one to two storeys;
 - minimise visual dominance effects;
 - maintain a reasonable standard of residential amenity for adjoining sites; and
 - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H4.6.4.1 Building height in the Residential – Mixed Housing Suburban Zone below.

Figure H4.6.4.1 Building height in the Residential – Mixed Housing Suburban Zone

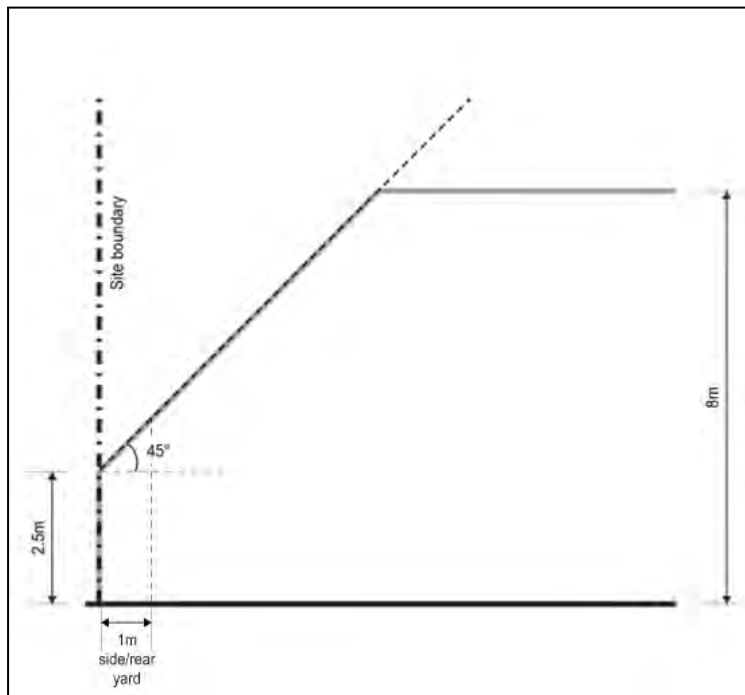


H4.6.5. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H4.6.5.1 Height in relation to boundary below.

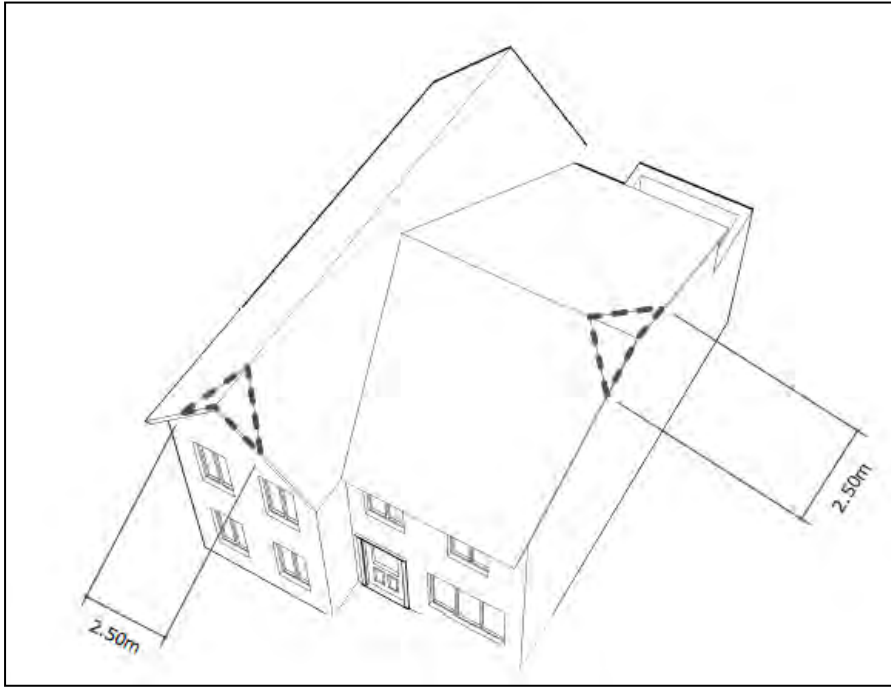
Figure H4.6.5.1 Height in relation to boundary



- (2) Standard H4.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the: Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (3) Standard H4.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the control in Standard H4.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H4.6.5.2 Exceptions for gable ends, dormers and roof projections below.

Figure H4.6.5.2 Exceptions for gable ends, dormers and roof projections



- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

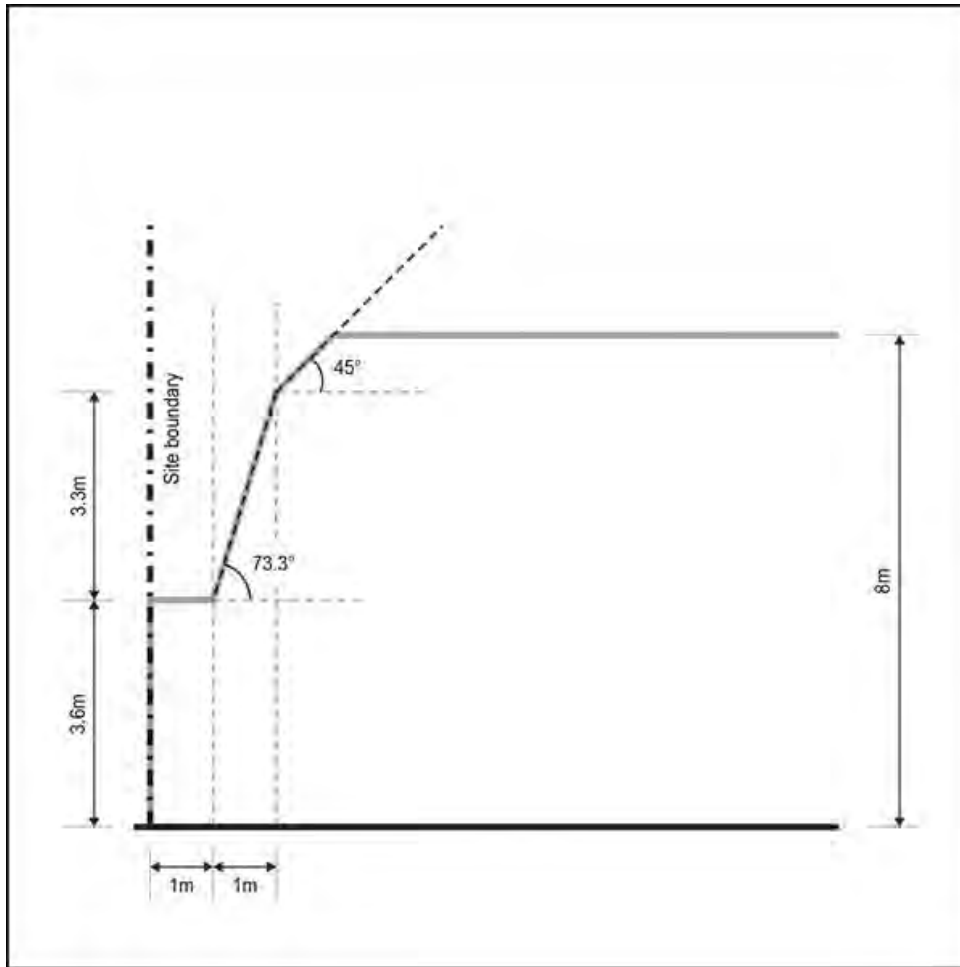
H4.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility where a building is located close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

- (1) This standard is an alternative to the permitted Standard H4.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.
- (2) Buildings within 20m of the site frontage must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries.

Thereafter, buildings must be set back one metre and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then one metre for every additional metre in height (45 degrees) as shown in Figure H4.6.6.1 Alternative height in relation to boundary below.

Figure H4.6.6.1 Alternative height in relation to boundary

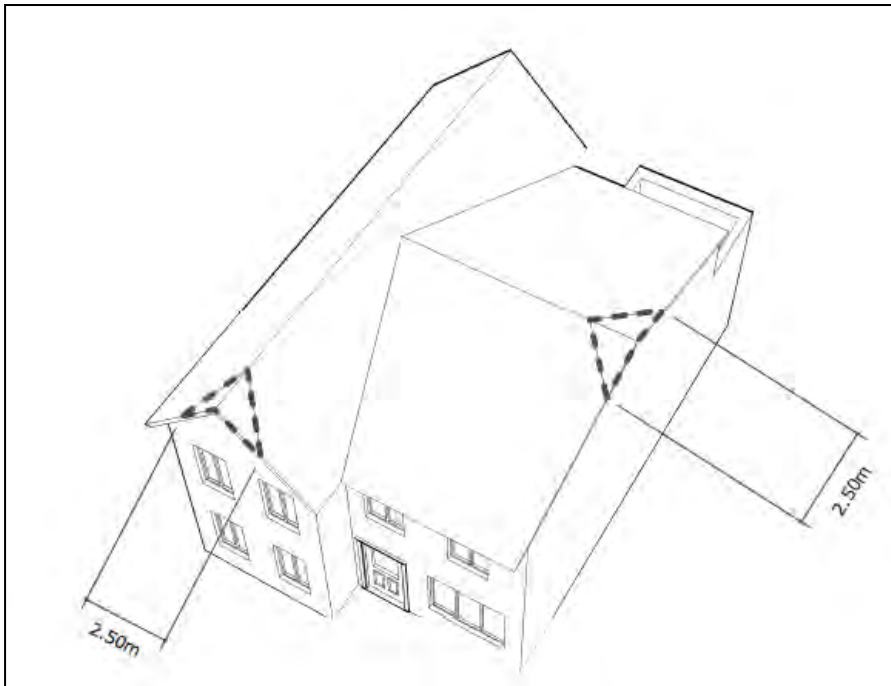


(3) Standard H4.6.6(2) above does not apply to a boundary adjoining any of the following:

- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
- (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (4) Standard H4.6.6(2) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H4.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H4.6.6.2 Exceptions for gable ends and dormers and roof projections below.

Figure H4.6.6.2 Exceptions for gable ends, dormers and roof projections



- (7) No more than two gable ends, dormer or roof projections are allowed for every 6m length of site boundary.
- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H4.6.7. Yards

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;

- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H4.6.7.1 Yards below.

Table H4.6.7.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

(2) Standard H4.6.7(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H4.6.8. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

(1) The maximum impervious area must not exceed 60 per cent of site area.

(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H4.6.9. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

- (1) The maximum building coverage must not exceed 40 per cent of the net site area.

H4.6.10. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings within a generally spacious setting; and
- to maintain the landscaped character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.
- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

H4.6.11. Outlook space

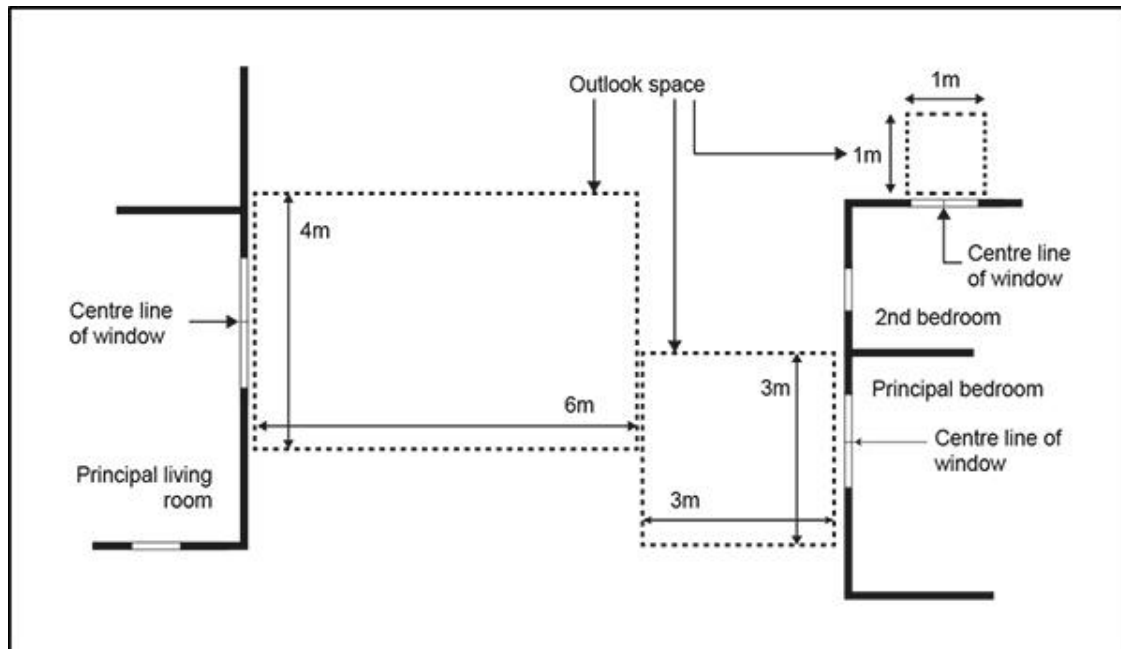
Purpose:

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

- (1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
- (2) The minimum dimensions for a required outlook space are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width;
 - (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and
 - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
- (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.

- (6) Outlook spaces may be within the site, over a public street, or other public open space.
- (7) Outlook spaces required from different rooms within the same building may overlap.
- (8) Outlook spaces may overlap where they are on the same wall plane.
- (9) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in Standard H4.6.11(6) above; and
 - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H4.6.11.1 Required outlook space



H4.6.12. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
 - in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:
 - (a) That part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc

may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H4.6.12.2 Required setbacks for daylight below.

Refer to Table H4.6.12.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H4.6.12.1 Required setbacks for daylight and Figure H4.6.12.2 Required setbacks for daylight below).

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H4.6.12(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standards H4.6.12(1), (2) and (3) do not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H4.6.12.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m

Figure H4.6.12.1 Required setbacks for daylight

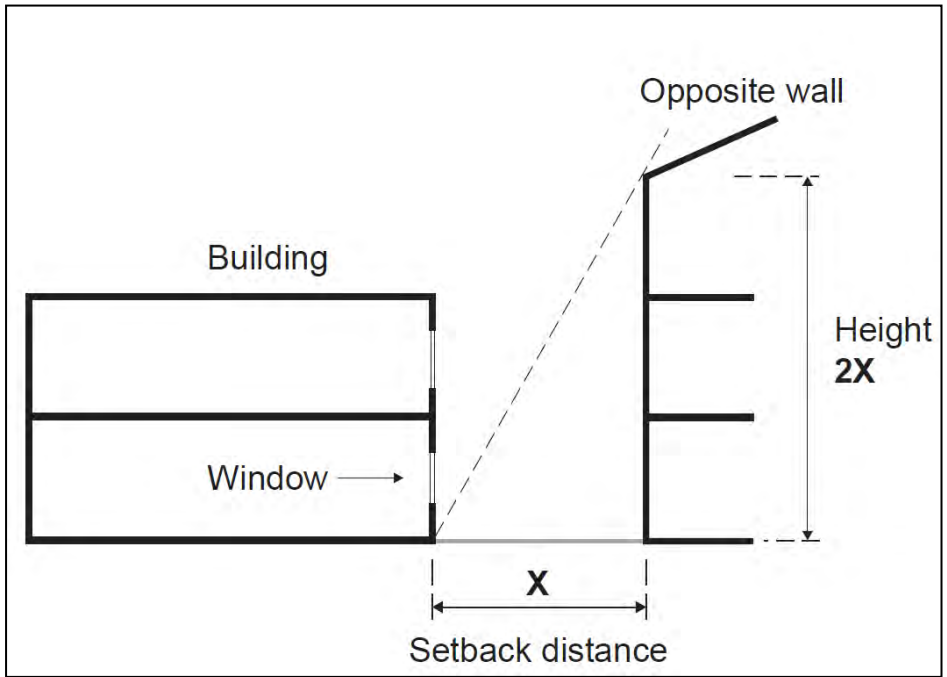
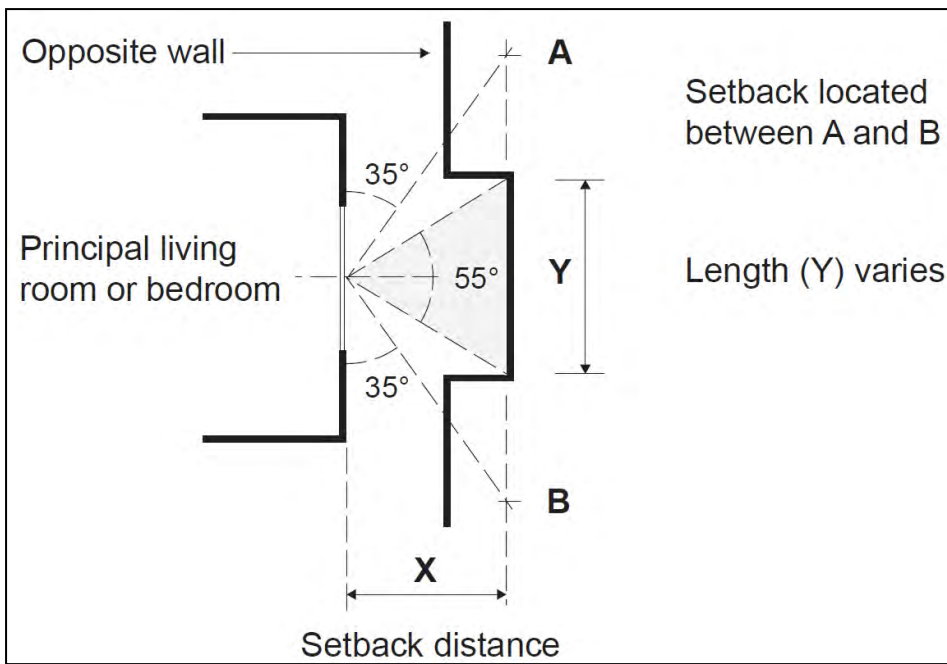


Figure H4.6.12.2 Required setbacks for daylight

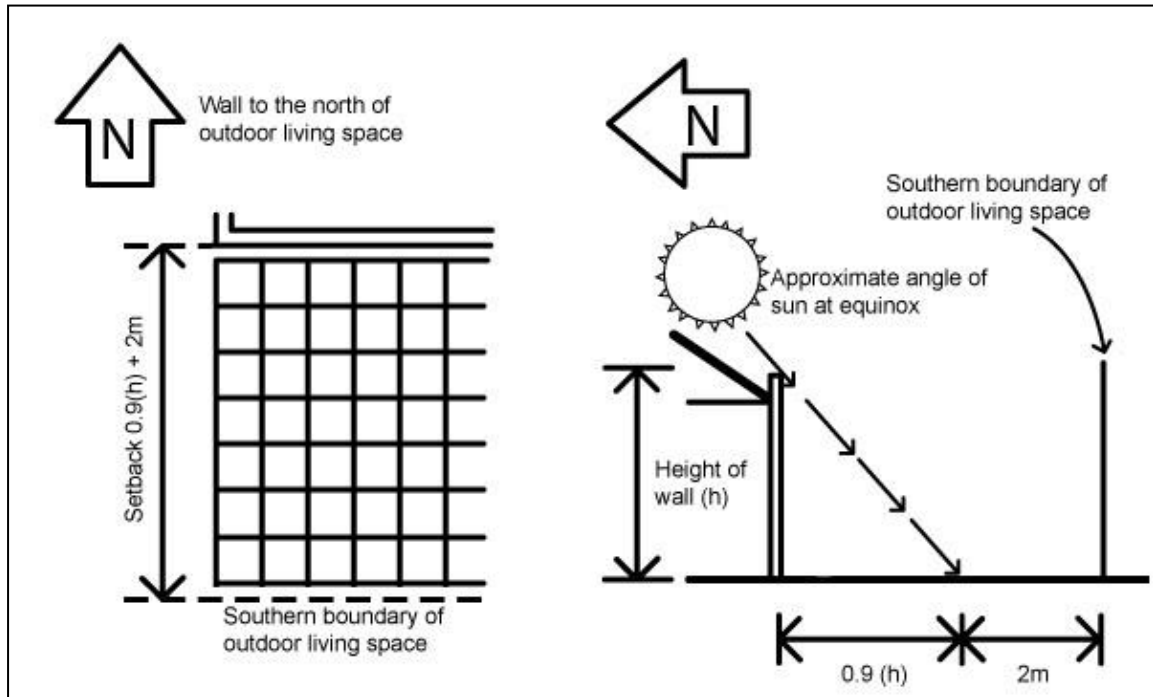


H4.6.13. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is accessible from the dwelling.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
 - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house.
- (3) Where outdoor living space required by Standard H4.6.13(1) or Standard H4.6.13(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least $2m + 0.9(h)$, where (h) is the height of the wall or building as shown in the Figure H4.6.13.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Figure H4.6.13.1 Location of outdoor living space



H4.6.14. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place.
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

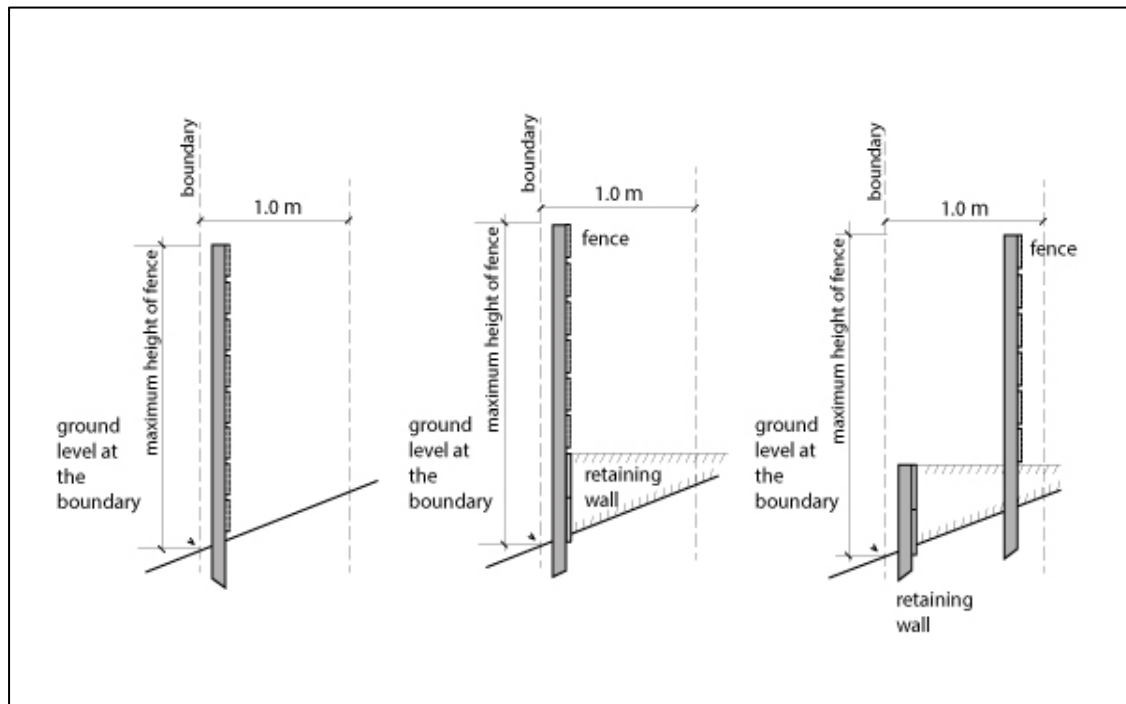
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.4.6.14.1 Measurement of fence height



H4.6.15. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H4.6.16. Rainwater tanks

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

(1) Rainwater tanks must not be located:

- (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
- (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
- (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
- (d) Clause (c) does not apply
 - (i) to sites with (or proposed to have) three or less dwellings;

(ii) to a rear service lane where the dwellings have frontage to a public street.

- (2) Rainwater tanks located within any required outlook area must be no higher than 1 m.
- (3) Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m must be installed wholly below ground level.
- (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H4.7. Assessment – controlled activities

There are no controlled activities in this zone.

H4.8. Assessment – restricted discretionary activities

H4.8.1. Matters of discretion

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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
 - (b) Infrastructure and servicing.
- (2) for four or more dwellings per site:
 - (a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following:

H4 Residential – Mixed Housing Suburban Zone

- (i) building intensity, scale, location, form and appearance;
 - (ii) traffic; and
 - (iii) location and design of parking and access.
- (b) all of the following standards:
- (i) Standard H4.6.8 Maximum impervious areas;
 - (ii) Standard H4.6.9 Building coverage;
 - (iii) Standard H4.6.10 Landscaped area;
 - (iv) Standard H4.6.11 Outlook space;
 - (v) Standard H4.6.12 Daylight;
 - (vi) Standard H4.6.13 Outdoor living space;
 - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
 - (viii) Standard H4.6.15 Minimum dwelling size.
- (c) Infrastructure and servicing.
- (3) for integrated residential development:
- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
- (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (b) all of the following standards:
- (i) Standard H4.6.8 Maximum impervious areas;
 - (ii) Standard H4.6.9 Building coverage;
 - (iii) Standard H4.6.10 Landscaped area;
 - (iv) Standard H4.6.11 Outlook space;
 - (v) Standard H4.6.12 Daylight;
 - (vi) Standard H4.6.13 Outdoor living space;
 - (vii) Standard H4.6.14 Front, side and rear fences and walls; and
 - (viii) Standard H4.6.15 Minimum dwelling size.
- (c) Infrastructure and servicing.
- (4) for buildings that do not comply with Standard H4.6.4 Building height; Standard H4.6.5 Height in relation to boundary; Standard H4.6.6 Alternative height in relation to boundary; Standard H4.6.7 Yards; Standard H4.6.8 Maximum impervious areas; Standard H4.6.9 Building coverage; Standard H4.6.10 Landscaped area; Standard

H4.6.11 Outlook space; Standard H4.6.12 Daylight; Standard H4.6.13 Outdoor living space; Standard H4.6.14 Front, side and rear fences and walls; Standard H4.6.15 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the suburban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.
- (5) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:
- (a) Sunlight access;
 - (b) Attractiveness and safety of the street; and
 - (c) Overlooking and Privacy.

H4.8.2. Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
- (a) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
 - (b) building intensity, scale, location, form and appearance:

(i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

(i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of parking and access:

(i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for four or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

(i) Standard H4.6.8 Maximum impervious areas;

(ii) Standard H4.6.9 Building coverage;

(iii) Standard H4.6.10 Landscaped area;

(iv) Standard H4.6.11 Outlook space;

(v) Standard H4.6.12 Daylight;

(vi) Standard H4.6.13 Outdoor living space;

(vii) Standard H4.6.14 Front, side and rear fences and walls; and

(viii) Standard H4.6.15 Minimum dwelling size

(b) The extent to which the development contributes to a variety of housing types in the zone and is in keeping with the neighbourhood's planned suburban build character of predominantly two storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.

(c) [deleted]

(d) The extent to which development achieves attractive and safe streets and public open space by:

- (i) providing doors, windows and/or balconies facing the street and public open space
 - (ii) minimising tall, visually impermeable fences
 - (iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.
 - (iv) optimising front yard landscaping
 - (v) providing safe pedestrian access to buildings from the street
 - (vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces
- (e) The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites.
- (f) The extent to which dwellings:
- (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling
 - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space
 - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.
 - (iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screened from streets and public open spaces.
- (g) The extent to which outdoor living space:
- (i) Provides for access to sunlight
 - (ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.
 - (iii) When provided at ground level, is located on generally flat land or is otherwise functional.
- (h) refer to Policy H4.3(7); and
- (i) infrastructure and servicing:
- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(3) for integrated residential development:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H4.6.8 Maximum impervious areas;
- (ii) Standard H4.6.9 Building coverage;
- (iii) Standard H4.6.10 Landscaped area;
- (iv) Standard H4.6.11 Outlook space;
- (v) Standard H4.6.12 Daylight;
- (vi) Standard H4.6.13 Outdoor living space; and
- (vii) Standard H4.6.14 Front, side and rear fences and walls; and
- (viii) Standard H4.6.15 Minimum dwelling size (excluding retirement villages).

(b) refer to Policy H4.3(1);

(c) refer to Policy H4.3(2);

(d) refer to Policy H4.3(3);

(e) refer to Policy H4.3(4);

(f) refer to Policy H4.3(5);

(g) refer to Policy H4.3(6);

(h) refer to Policy H4.3(7);

(i) refer to Policy H4.3(8).

(j) refer to Policy H4.3(9); and

(k) infrastructure and servicing:

- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(4) For new buildings and additions to buildings which do not comply with H4.6.5. Height in relation to boundary, but comply with H4.6.6 Alternative height in relation to boundary:

Sunlight access

(a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H4.6.13: or
 - (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H4.6.13.
- (b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):
- (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H4.6.5 Height in relation to boundary control; and
 - (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Attractiveness and safety of the street

- (c) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by:
- (i) providing doors, windows and balconies facing the street;
 - (ii) optimising front yard landscaping;
 - (iii) providing safe pedestrian access to buildings from the street; and
 - (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (d) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (5) for building height:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4); and
 - (c) refer to Policy H4.3(5).
- (6) for height in relation to boundary:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4); and
 - (c) refer to Policy H4.3(5).
- (7) for alternative height in relation to boundary infringements:

- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(3);
 - (c) refer to Policy H4.3(4); and
 - (d) refer to Policy H4.3(5).
- (8) for yards:
- (a) refer to Policy H4.3(2); and
 - (b) refer to Policy H4.3(4).
- (9) for maximum impervious areas:
- (a) refer to Policy H4.3(7).
- (10) for building coverage:
- (a) refer to Policy H4.3(2); and
 - (b) refer to Policy H4.3(4).
- (11) for landscaped area:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4);
 - (c) refer to Policy H4.3(5); and
 - (d) refer to Policy H4.3(6).
- (12) for outlook space:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4);
 - (c) refer to Policy H4.3(5); and
 - (d) refer to Policy H4.3(6);
- (13) for daylight:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4); and
 - (c) refer to Policy H4.3(5).
- (14) for outdoor living space:
- (a) refer to Policy H4.3(2);
 - (b) refer to Policy H4.3(4);
 - (c) refer to Policy H4.3(5); and
 - (d) refer to Policy H4.3(6).
- (15) for front, side and rear fences and walls:
- (a) refer to Policy H4.3(2);

(b) refer to Policy H4.3(3); and

(c) refer to Policy H4.3(4).

(16) For minimum dwelling size:

(a) Policy H4.3(5)

H4.9. Special information requirements

There are no special information requirements in this zone.

H5. Residential – Mixed Housing Urban Zone

H5.1. Zone description

The Residential – Mixed Housing Urban Zone is a reasonably high-intensity zone enabling a greater intensity of development than previously provided for.

Over time, the appearance of neighbourhoods within this zone will change, with development typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments. This supports increasing the capacity and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining site and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve quality design is important as the scale of development increases.

H5.2. Objectives

- (1) Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.
- (2) Development is in keeping with the neighbourhood's planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H5.3. Policies

- (1) Enable a variety of housing types at higher densities, including low-rise apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (5) Require accommodation to be designed to meet day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.
- (6) Encourage accommodation to have useable and accessible outdoor living space.
- (7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (8) Provide for non-residential activities that:
 - (a) support the social and economic well-being of the community;
 - (b) are in keeping with the with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.

- (9) Enable more efficient use of larger sites by providing for integrated residential development.

H5.4. Activity table

Table H5.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Urban Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H5.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	Up to three dwellings per site	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A4)	Four or more dwellings per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H5.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A6)	Home occupations	P	Standard H5.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H5.6.2	D	
(A8)	Integrated residential development	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A9)	Supported residential care accommodating up to 10 people per	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard

H5 Residential – Mixed Housing Urban Zone

	site inclusive of staff and residents		H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A13)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
Commerce			
(A15)	Dairies up to 100m ² gross floor area per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; and Standard H5.6.15 Front, side and rear fences and walls

H5 Residential – Mixed Housing Urban Zone

(A16)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	
Community			
(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A20)	Community facilities	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A25)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A26)	Veterinary clinics	D	
Rural			

H5 Residential – Mixed Housing Urban Zone

(A27)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A28)	Marae complex	D	
Development			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls, Standard H5.6.16 Minimum dwelling size
(A31)	Accessory buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage
(A32)	Additions to an existing dwelling	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls, Standard H5.6.16 Minimum dwelling size
(A33)	New buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
(A34)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	Rainwater Tank	P	Standard H5.6.17 Rainwater tanks

H5.5. 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(4) of the Resource Management Act 1991:
 - (a) four or more dwellings per site that comply with all of the standards listed in Table H5.4.1 Activity table;
 - (b) an integrated residential development that complies with all of the standards listed in Table H5.4.1 Activity table;
 - (c) New buildings and additions to buildings which do not comply with H5.6.5 Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary;
 - (d) development which does not comply with H5.6.15 (1a) Front, side and rear fences and walls; and
 - (e) development which does not comply with H5.6.16 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H5.4.1 Activity table and which is not listed in H5.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H5.6. Standards

H5.6.1. Activities listed in Table H5.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H5.4.1 Activity table must comply with the standards listed in the column in Table H5.4.1 called Standards to be complied with.

H5.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
 - (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;

- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H5.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

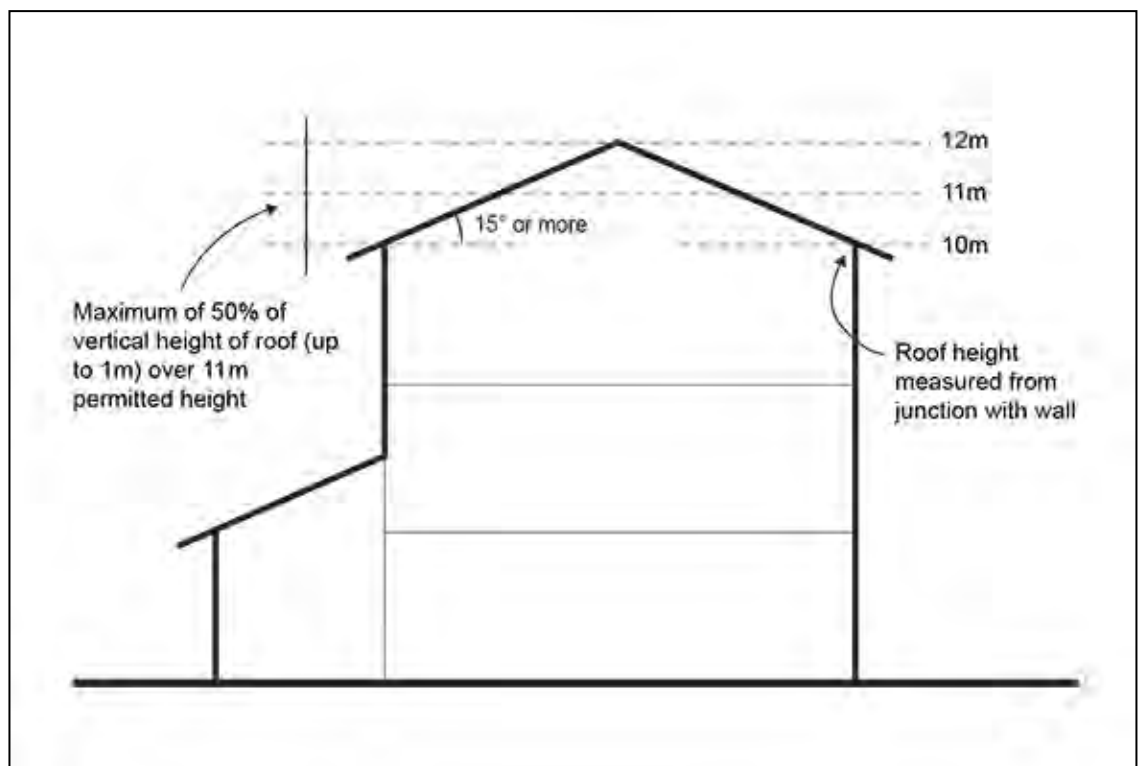
- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H5.6.4. Building height

Purpose: to manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys;
 - minimise visual dominance effects;
 - maintain a reasonable standard of residential amenity for adjoining sites; and
 - provide some flexibility to enable variety in roof forms.
- (1) Buildings must not exceed 11m in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone below.

Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone

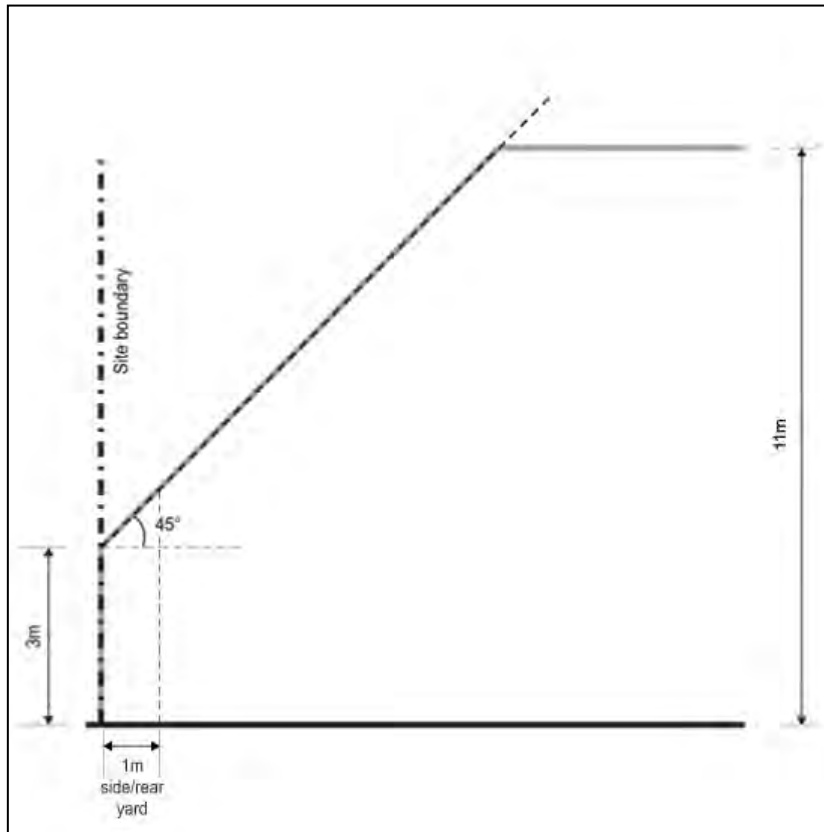


H5.6.5. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.

Figure H5.6.5.1 Height in relation to boundary



(2) Standard H5.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

(i) that are greater than 2000m²;

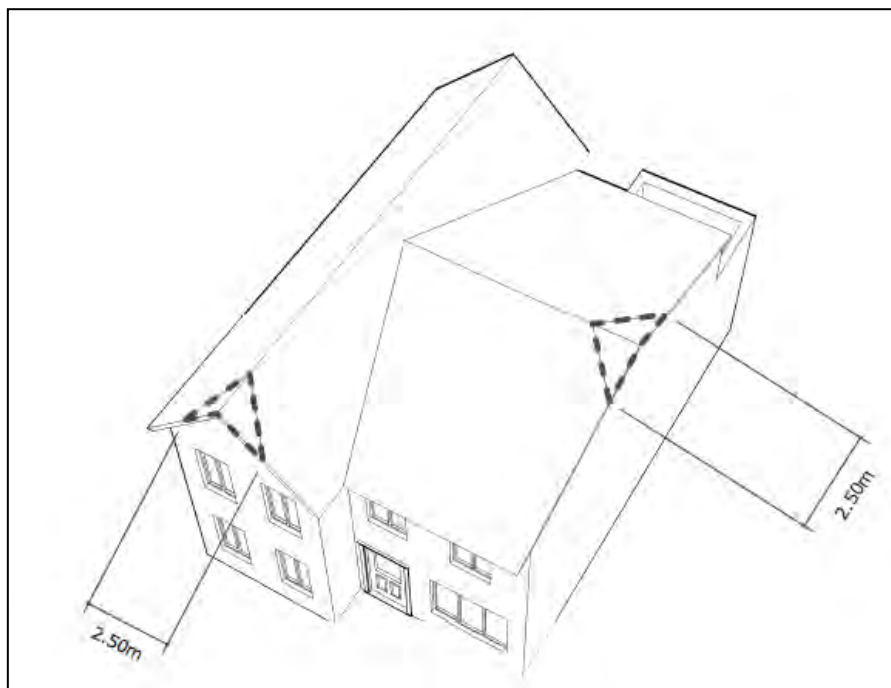
(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

(3) Standard H5.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.

Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections



- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

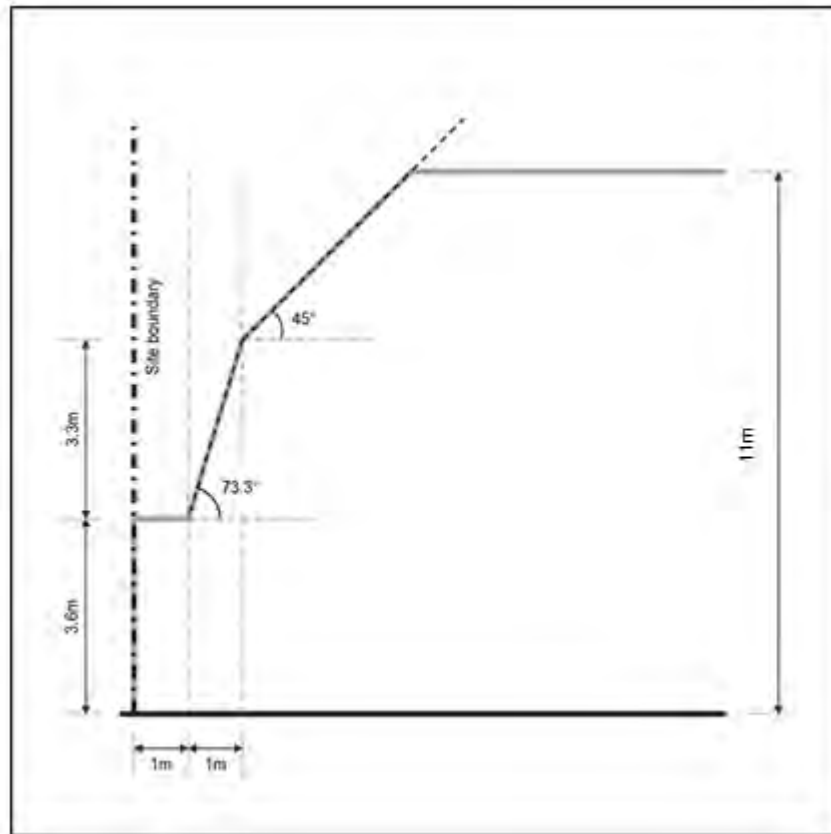
H5.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

- (1) This standard is an alternative to the permitted Standard H5.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.

- (2) Any buildings or parts of buildings within 20m of the site frontage must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees) as shown in Figure H5.6.6.1 Alternative height in relation to boundary below.

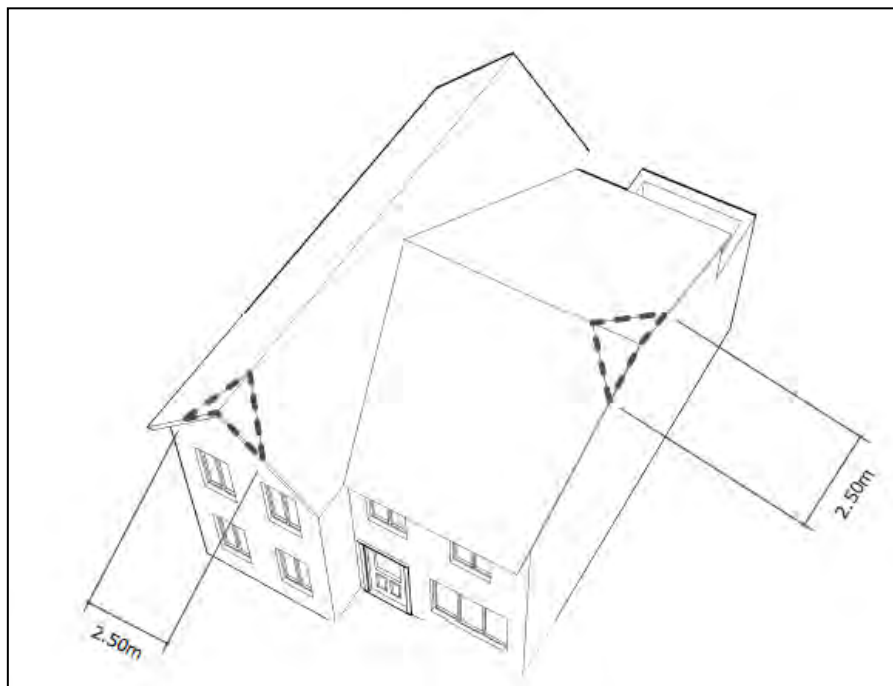
Figure H5.6.6.1 Alternative height in relation to boundary



- (3) Standard H5.6.6(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

- (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (4) Standard H5.6.6(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers below.

Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers



- (7) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H5.6.7. Height in relation to boundary adjoining lower intensity zones

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

(1) Where a site in the Residential – Mixed Housing Urban Zone adjoins:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2,000m² in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Mixed Housing Urban Zone with the zone listed in Standard H5.6.7(1)(a) – (c) above.

(2) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

(3) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

- (i) no greater than 1.5m² in area and no greater than 1m in height; and
- (ii) no greater than 2.5m cumulatively in length measured along the edge of the roof.

H5.6.8. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H5.6.8.1 Yards below.

Table H5.6.8.1 Yards

Yard	Minimum depth
Front	2.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H5.6.8(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H5.6.9. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards;
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H5.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 45 per cent of the net site area.

H5.6.11. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space; and
- to create a landscaped urban streetscape character within the zone.

- (1) The minimum landscaped area must be at least 35 per cent of the net site area.
- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

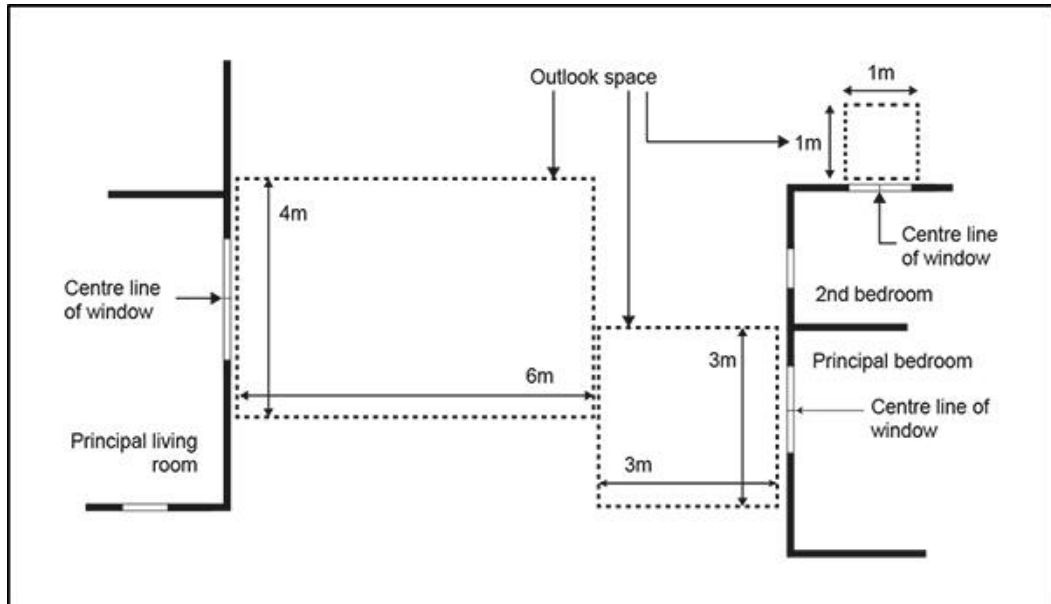
H5.6.12. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
 - in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.
 - (2) The minimum dimensions for a required outlook space are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and
 - (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and
 - (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.
 - (3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
 - (4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
 - (5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
 - (6) Outlook spaces may be within the site, over a public street, or other public open space.
 - (7) Outlook spaces required from different rooms within the same building may overlap.
 - (8) Outlook spaces may overlap where they are on the same wall plane.
 - (9) Outlook spaces must:

- (a) be clear and unobstructed by buildings; and
- (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(6) above; and
- (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H5.6.12.1 Required outlook space



H5.6.13. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- (a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H5.6.13.2 Required setbacks for daylight below.

Refer to Table H5.6.13.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same

site; Figure H5.6.13.1 Required setbacks for daylight and Figure H5.6.13.2 Required setbacks for daylight below.

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H5.6.13(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standard H5.6.13(1), (2) and (3) does not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H5.6.13.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m

Figure H5.6.13.1 Required setbacks for daylight

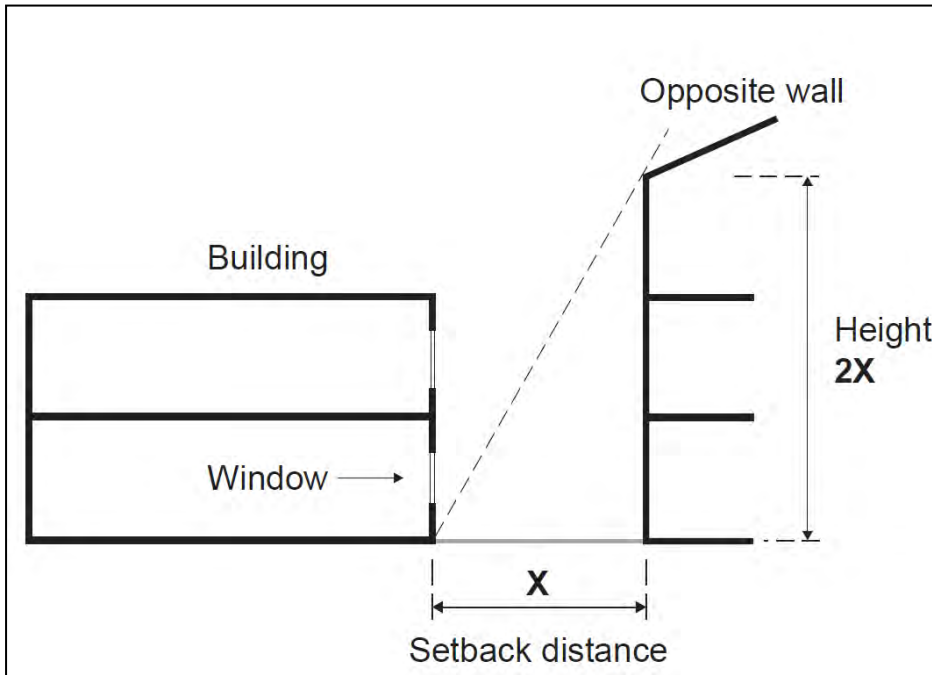
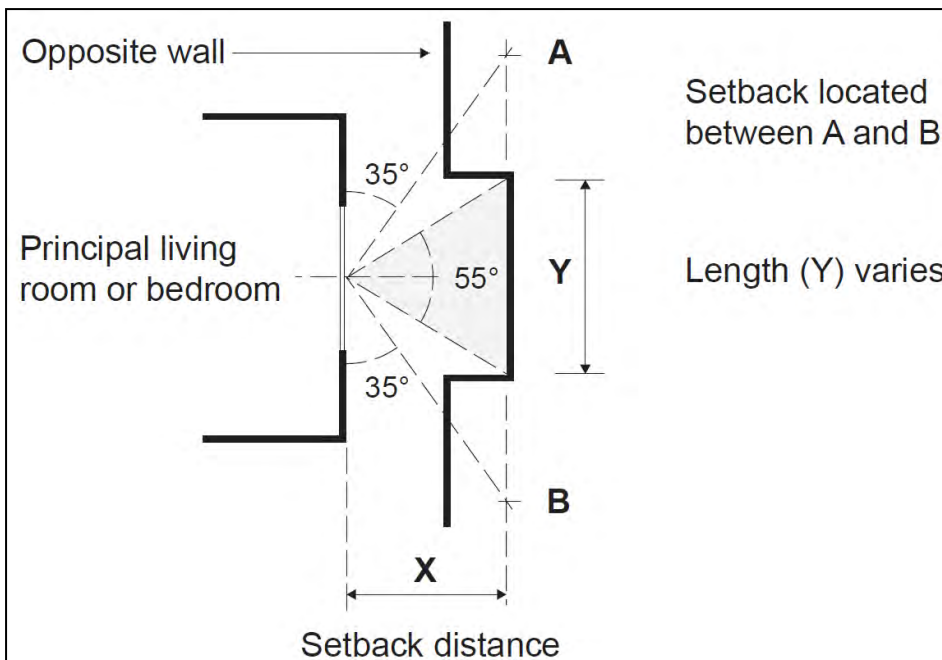


Figure H5.6.13.2 Required setbacks for daylight



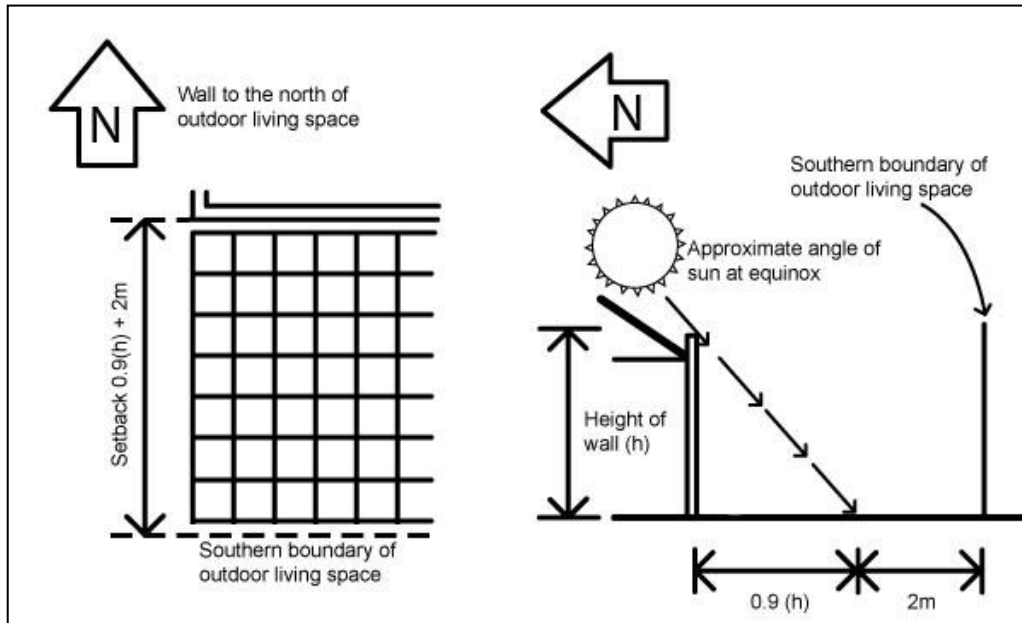
H5.6.14. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is accessible from the dwelling.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:

- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
- (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house.
 - (d) except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m² for a studio and 50m² for a dwelling with one or more bedrooms.
- (3) Where outdoor living space required by Standard H5.6.14(1) or Standard H5.6.14(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least $2m + 0.9(h)$, where (h) is the height of the wall or building as shown in the Figure H5.6.14.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Figure H5.6.14.1 Location of outdoor living space



H5.6.15. Front, side and rear fences and walls

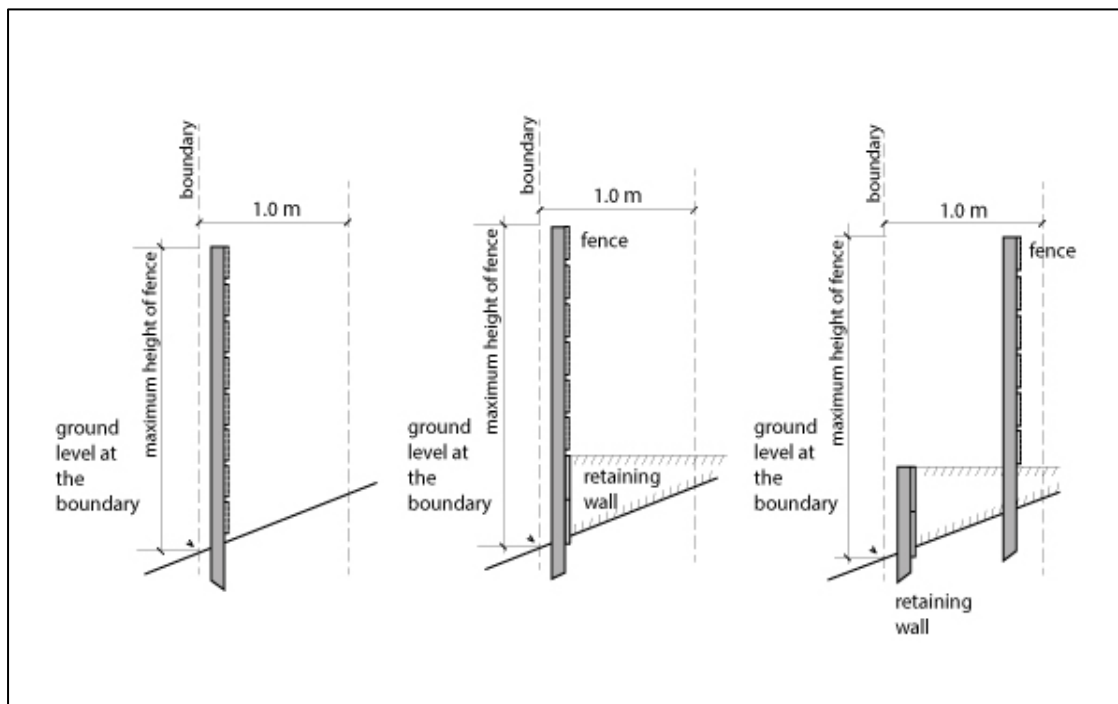
Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

- (a) Within the front yard, either:
 - (i) 1.4m in height, or
 - (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
 - (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.
- (b) Within the side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.5.6.15.1 Measurement of fence height



H5.6.16. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

(1) Dwellings must have a minimum net internal floor area as follows:

- (a) 30m² for studio dwellings.
- (b) 45m² for one or more bedroom dwellings.

H5.6.17. Rainwater tanks

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

(1) Rainwater tanks must not be located:

- (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;
- (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
- (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
- (d) Clause (c) does not apply

- (i) to sites with (or proposed to have) three or less dwellings;
 - (ii) to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks located within a required outlook area must be no higher than 1m.
- (3) Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m (Rule H5.6.14(1)) must be installed wholly below ground level.
- (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H5.7. Assessment – controlled activities

There are no controlled activities in this zone.

H5.8. Assessment – restricted discretionary activities

H5.8.1. 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) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
 - (a) infrastructure and servicing
 - (b) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for four or more dwellings per site:

- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic; and
 - (iii) location and design of parking and access.
 - (b) all of the following standards:
 - (i) Standard H5.6.9 Maximum impervious areas;
 - (ii) Standard H5.6.10 Building coverage;
 - (iii) Standard H5.6.11 Landscaped area;
 - (iv) Standard H5.6.12 Outlook space;
 - (v) Standard H5.6.13 Daylight;
 - (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size
 - (c) Infrastructure and servicing
- (3) for integrated residential development:
- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
 - (b) all of the following standards:
 - (i) Standard H5.6.9 Maximum impervious areas;
 - (ii) Standard H5.6.10 Building coverage;
 - (iii) Standard H5.6.11 Landscaped area;
 - (iv) Standard H5.6.12 Outlook space;
 - (v) Standard H5.6.13 Daylight;
 - (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size.
 - (c) Infrastructure and servicing

(4) for buildings that do not comply with Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the urban built character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

(5) For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary but comply with H5.6.6 Alternative height in relation to boundary:

- (a) Sunlight access;
- (b) Attractiveness and safety of the street; and
- (c) Overlooking and Privacy.

H5.8.2. Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

(1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating

greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:

(a) infrastructure and servicing:

- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries;
 - screening or other design features; and
 - controlling the hours of operation and operational measures

(2) for four or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;

- (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size.
- (b) The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.
- (c) The extent to which development achieves attractive and safe streets and public open space by:
- (i) providing doors, windows and/or balconies facing the street and public open spaces
 - (ii) minimising tall, visually impermeable fences
 - (iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.
 - (iv) optimising front yard landscaping
 - (v) providing safe pedestrian access to buildings from the street
 - (vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces
- (d) The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;
- (e) The extent to which dwellings:
- (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling
 - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space
 - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.
 - (iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.
- (f) The extent to which outdoor living space:
- (i) Provides for access to sunlight

- (ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.
 - (iii) When provided at ground level, is located on generally flat land or otherwise functional
 - (g) refer to Policy H5.3(7); and
 - (h) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (3) for integrated residential development:
- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
 - (i) Standard H5.6.9 Maximum impervious areas;
 - (ii) Standard H5.6.10 Building coverage;
 - (iii) Standard H5.6.11 Landscaped area;
 - (iv) Standard H5.6.12 Outlook space;
 - (v) Standard H5.6.13 Daylight;
 - (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size (excluding retirement villages).
 - (b) refer to Policy H5.3(1);
 - (c) refer to Policy H5.3(2);
 - (d) refer to Policy H5.3(3);
 - (e) refer to Policy H5.3(4);
 - (f) refer to Policy H5.3(5);
 - (g) refer to Policy H5.3(6);
 - (h) refer to Policy H5.3(7);
 - (i) refer to Policy H5.3(8);

(j) refer to Policy H5.3(9); and

(k) infrastructure and servicing:

(i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

(ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(4) for building height:

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(4).

(5) For new buildings and additions to buildings which do not comply with H5.6.5.

Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary:

Sunlight access

(a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

(i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4:
or

(ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14.

(b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):

(i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and

(ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Attractiveness and safety of the street

- (c) The extent to which those parts of the buildings located closest to the front boundary achieve attractive and safe streets by:
 - (i) providing doors, windows and balconies facing the street;
 - (ii) optimising front yard landscaping;
 - (iii) providing safe pedestrian access to buildings from the street; and
 - (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (d) The extent to which direct overlooking of a neighbour’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.
- (6) for height in relation to boundary:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(4); and
 - (c) refer to Policy H5.3(5).
 - (7) for alternative height in relation to boundary infringements:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(3)
 - (c) refer to Policy H5.3(4); and
 - (d) refer to Policy H5.3(5).
 - (8) for height in relation to boundary adjoining lower intensity zones:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(4); and
 - (c) refer to Policy H5.3(5).
 - (9) for yards:
 - (a) refer to Policy H5.3(2);
 - (b) refer to Policy H5.3(4); and
 - (c) refer to Policy H5.3(5).
 - (10) for maximum impervious areas:
 - (a) refer to Policy H5.3(7);

(11) for building coverage:

- (a) refer to Policy H5.3(2); and
- (b) refer to Policy H5.3(4);

(12) for landscaped area:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(13) for outlook space:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(14) for daylight:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(15) for outdoor living space:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4);
- (c) refer to Policy H5.3(5); and
- (d) refer to Policy H5.3(6).

(16) for front, side and rear fences and walls:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(3); and
- (c) refer to Policy H5.3(4).

(17) For minimum dwelling size:

- (a) Policy H5.3(5)

H5.9. Special information requirements

There are no special information requirements in this zone.

H6. Residential – Terrace Housing and Apartment Buildings Zone

[CIV-2016-404-002333: Franco Belgiorno-Nettis]-Note: The properties affected by this appeal are identified on the Auckland Unitary Plan viewer.

H6.1. Zone Description

The Residential – Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a greater intensity of development than previously provided for. This zone provides for urban residential living in the form of terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification.

The purpose of the zone is to make efficient use of land and infrastructure, increase the capacity of housing and ensure that residents have convenient access to services, employment, education facilities, retail and entertainment opportunities, public open space and public transport. This will promote walkable neighbourhoods and increase the vitality of centres.

The zone provides for the greatest density, height and scale of development of all the residential zones. Buildings are enabled up to five, six or seven storeys in identified Height Variation Control areas, depending on the scale of the adjoining centre, to achieve a transition in height from the centre to lower scale residential zones. This form of development will, over time, result in a change from a suburban to urban built character with a high degree of visual change.

Standards are applied to all buildings and resource consent is required for all dwellings and for other specified buildings and activities in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve a quality design is increasingly important as the scale of development increases.

This zone also provides for a range of non-residential activities so that residents have convenient access to these activities and services while maintaining the urban residential character of these areas.

H6.2. Objectives

- (1) Land adjacent to centres and near the public transport network is efficiently used to provide high-density urban living that increases housing capacity and choice and access to centres and public transport.
- (2) Development is in keeping with the areas planned urban built character of predominantly five, six or seven storey buildings in identified areas, in a variety of forms.

- (3) Development provides quality on-site residential amenity for residents and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H6.3. Policies

- (1) Enable a variety of housing types at high densities including terrace housing and apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of setbacks and landscaped areas to achieve a high-density urban built character of predominantly five, six or seven storey buildings in identified areas, in a variety of forms.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) In identified locations adjacent to centres, enable greater building height through the application of the Height Variation Control where the additional development potential enabled:
 - (a) provides an appropriate transition in building scale from the adjoining higher density business zone to neighbouring lower intensity residential zones, and;
 - (b) supports public transport, social infrastructure and the vitality of the adjoining centre.
- (5) Manage the height and bulk of development to maintain daylight access and a reasonable standard of privacy, and to minimise visual dominance effects to adjoining sites and developments.
- (6) Require accommodation to be designed to meet the day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight, and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.

- (7) Encourage accommodation to have useable and accessible outdoor living space.
- (8) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (9) Provide for non-residential activities that:
- (a) support the social and economic well-being of the community;
 - (b) are in keeping with the with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone.

H6.4. Activity table

Table H6.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Terrace Housing and Apartment Buildings Zone pursuant to section 9(3) of the Resource Management Act 1991).

Table H6.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	NC	
(A3)	Dwellings	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H6.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A5)	Home occupations	P	Standard H6.6.2 Home occupations
(A6)	Home occupations that do not meet Standard H6.6.2	D	
(A7)	Integrated residential development	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones;

H6 Residential – Terrace Housing and Apartment Buildings Zone

			Standard H6.6.9 Yards
(A8)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls
(A9)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A10)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls
(A11)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
(A12)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A13)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards
Commerce			
(A14)	Dairies up to 100m ² gross floor area per	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard

H6 Residential – Terrace Housing and Apartment Buildings Zone

	site		H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls
(A15)	Restaurants and cafes up to 100m ² gross floor area per site	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; and Standard H6.6.16 Front, side and rear fences and walls
(A16)	Service stations on arterial roads	D	
(A17)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H6.6.4 Offices within the Centre Fringe Office Control as identified on the planning maps
(A18)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H6.6.4	D	
Community			
(A19)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A20)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A21)	Community facilities	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11

H6 Residential – Terrace Housing and Apartment Buildings Zone

			Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A22)	Education facilities	D	
(A23)	Tertiary education facilities	D	
(A24)	Emergency services adjoining an arterial road	D	
(A25)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.16 Front, side and rear fences and walls
(A26)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A27)	Veterinary clinics	D	
Rural			
(A28)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A29)	Marae complex	D	
Development			
(A30)	Demolition of buildings	P	
(A31)	Internal and external alterations to buildings	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls, H6.6.17 Minimum dwelling size
(A32)	Accessory buildings	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage
(A33)	Additions to an existing dwelling	P	Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards;

			Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16 Front, side and rear fences and walls, H6.6.17 Minimum dwelling size.
(A34)	New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary	RD	H6.6.7 Alternative height in relation to boundary Note: Compliance with standard H6.6.6 Height in relation to boundary is not required.
(A35)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A36)	Rainwater Tank	P	Standard H6.6.18

H6.5. 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(4) of the Resource Management Act 1991:
- (a) dwellings that comply with all of the standards listed in Table H6.4.1 Activity table;
 - (b) an integrated residential development that complies with all of the standards listed in Table H6.4.1 Activity table;
 - (c) New buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary, but comply with Rule 6.6.7 Alternative height in relation to boundary;
 - (d) development which does not comply with H6.6.16 (1a) Front, side and rear fences and walls; or
 - (e) development which does not comply with H6.6.17 Minimum dwelling size.
- (2) Any application for resource consent for an activity listed in Table H6.4.1 Activity table and which is not listed in H6.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H6.6. Standards

H6.6.1. Activities listed in Table H6.4.1 Activity table

- (1) Activities and buildings containing activities listed in Table H6.4.1 Activity table must comply with the standards listed in the column in Table H6.4.1 Activity table called Standards to be complied with.

H6.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

- (1) A home occupation must comply with all the following standards:
- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
 - (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
 - (c) no more than four people in total may work in the home occupation;
 - (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
 - (e) car trips to and from the home occupation activity must not exceed 20 per day;
 - (f) heavy vehicle trips must not exceed two per week;
 - (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
 - (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
 - (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
 - (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H6.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H6.6.4. Offices within the Centre Fringe Office Control as identified on the planning maps

Purpose: enable offices in existing buildings in the Centre Fringe Office Control area.

- (1) Offices must be located in existing buildings.

H6.6.5. Building height

Purpose: to manage the height of buildings to provide for terrace housing and apartments and achieve an urban built character of predominantly five storeys or six or seven storeys in identified locations adjacent to centres.

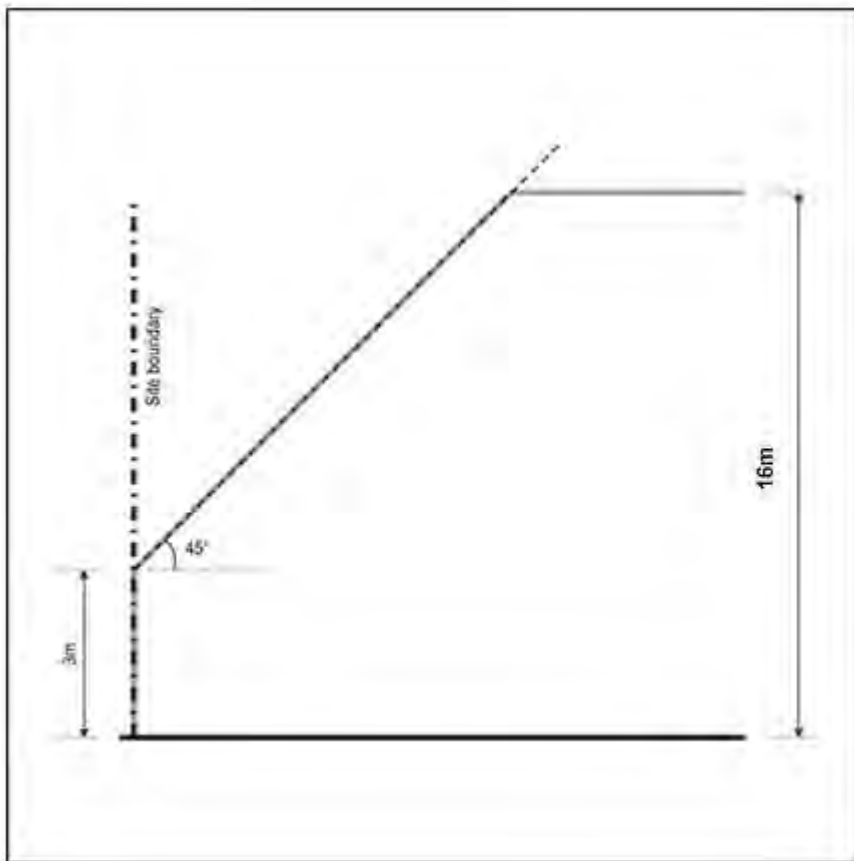
- (1) Buildings must not exceed 16m in height.
- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for the site on the planning maps.
- (3) Standard H5.6.4 Building height applies to the site at 16 Spring Street, Freemans Bay (Lot 1 DP 85829) within a 10m setback area along Spring Street, England Street and adjoining the reserve at 10 England Street (Lot 1 DP 85953) as indicated on the planning maps. Outside of the setback area Buildings must not exceed 16m in height.

H6.6.6. Height in relation to boundary

Purpose: to minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along the side and rear boundaries, as shown in Figure H6.6.6.1 Height in relation to boundary below.

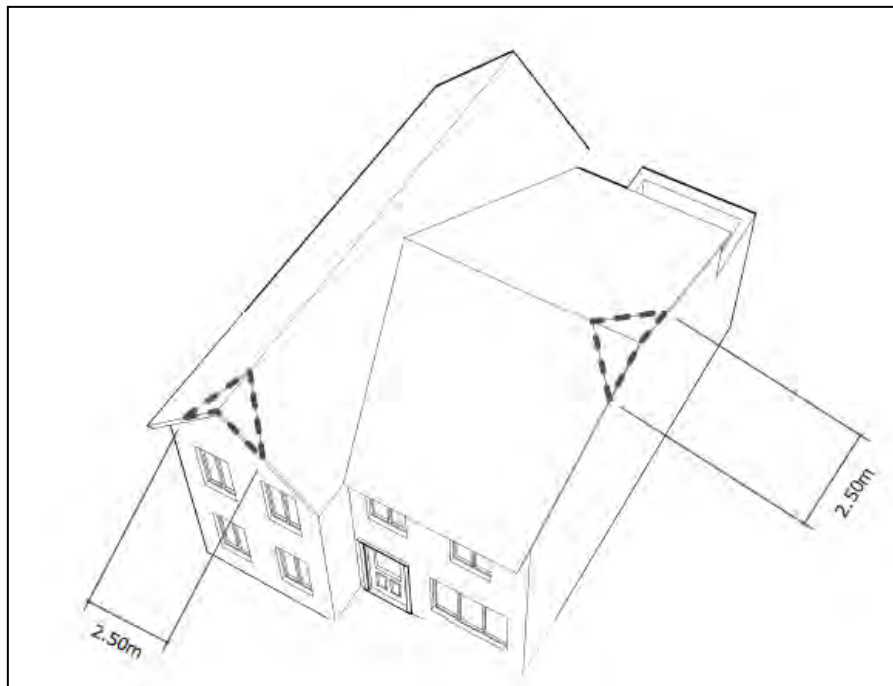
Figure H6.6.1 Height in relation to boundary



- (2) Standard H6.6.6(1) does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Standard H6.6.6(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H6.6.6(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H6.6.6.2 Exceptions for gable ends and dormers and roof projections below.

Figure H6.6.6.2 Exceptions for gable ends and dormers and roof projections



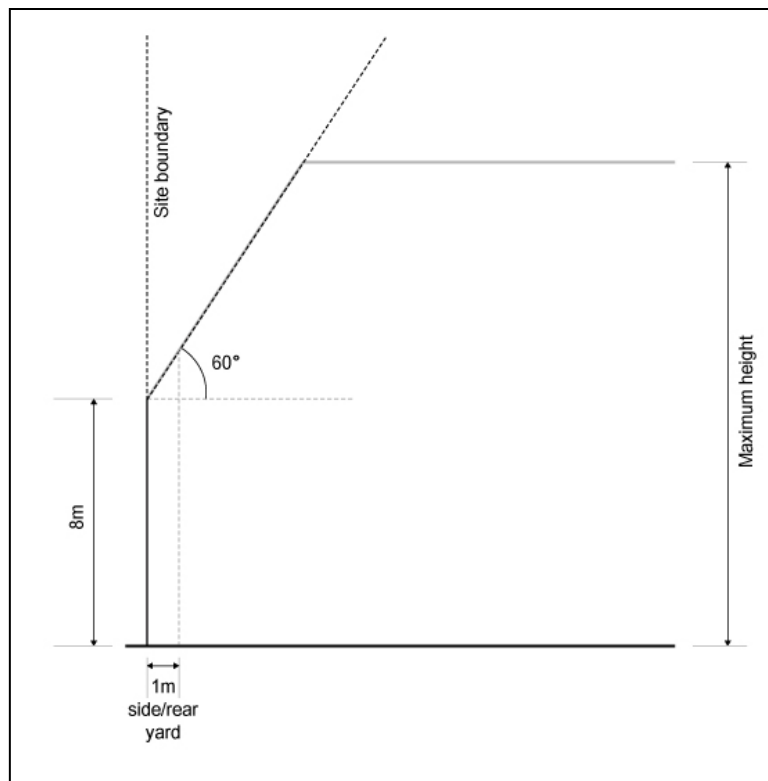
- (6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H6.6.7. Alternative height in relation to boundary within the Residential – Terrace Housing and Apartment Buildings Zone

Purpose: to enable the efficient use of the site by providing design flexibility at the upper floors of a building, while maintaining a reasonable level of daylight access and reducing visual dominance effects to immediate neighbours.

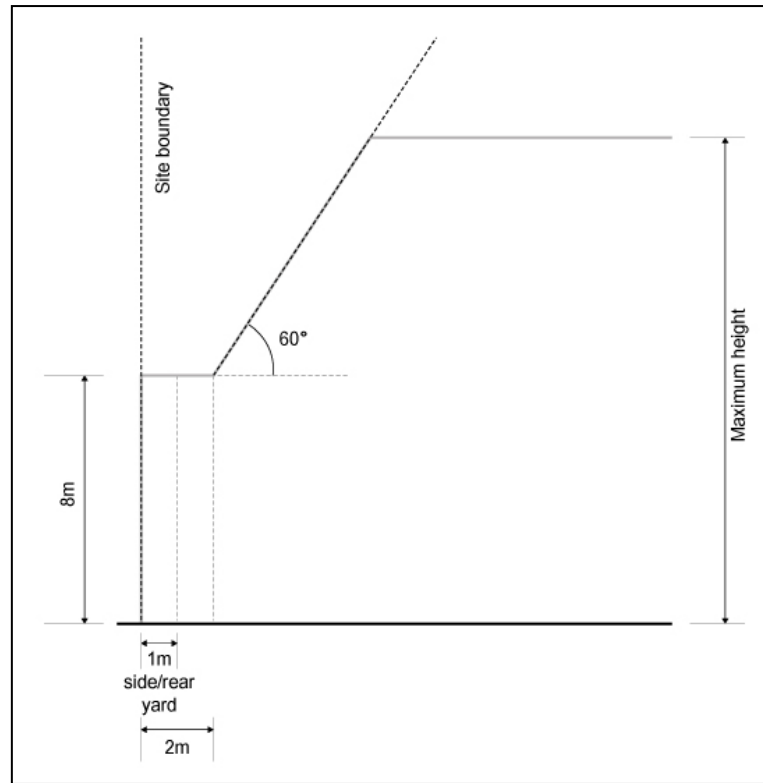
- (1) This standard is an alternative to the permitted Standard H6.6.6 Height in relation to boundary and applies to sites in the Terrace Housing and Apartment Buildings Zone that adjoin another site in the same zone or any other zone not specified in Standard H6.6.8 Height in relation to boundary adjoining lower intensity zones.
- (2) Buildings or any parts of buildings must not project beyond a 60 degree recession plane measured from a point 8m vertically above ground level along side and rear boundaries within 20m of the site frontage, as shown in Figure H6.6.7.1 Alternative height in relation to boundary within 20m of the site frontage below.

Figure H6.6.7.1 Alternative height in relation to boundary within 20m of the site frontage



- (3) Buildings or any parts of buildings further than 20m from the site frontage must not project beyond a 60 degree recession plane measured from a point 8m vertically above ground level, and 2m perpendicular to side and rear boundaries, as shown in Figure H6.6.7.2 Alternative height in relation to boundary further than 20m from the site frontage below.

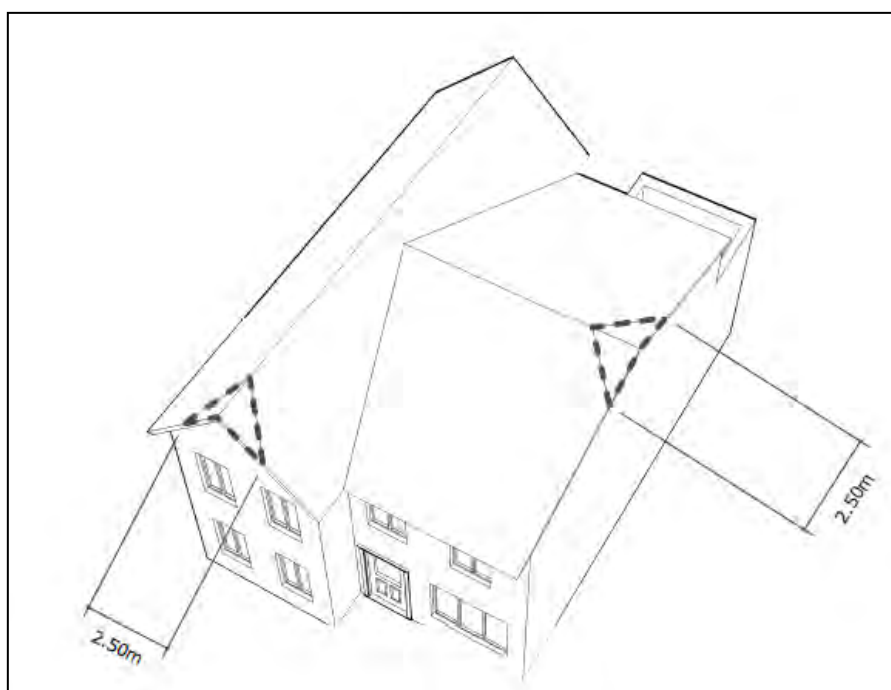
Figure H6.6.7.2 Alternative height in relation to boundary further than 20m from the site frontage



- (4) Standard H6.6.7(2) and (3) above do not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and
 - (iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (5) Standard H6.6.7(2) and (3) above do not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (6) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H6.6.7(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (7) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof, as shown in Figure H6.6.7.3 Exceptions for gable ends, dormers and roof projections below.

Figure H6.6.7.3 Exceptions for gable ends, dormers and roof projections



- (8) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (9) The building setback must be a stepped profile and must not be a literal regression of the recession plane.
- (10) This alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H6.6.8. Height in relation to boundary adjoining lower intensity zones

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

- (1) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone adjoin:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2000m² in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone except Standard H6.6.8(1)(c) does not apply to the site at 16 Spring Street, Freemans Bay (Lot DP 58529);

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone with the zone listed in Standard H6.6.8(1)(a) – (c) above.

- (2) Where sites in the Residential – Terrace Housing and Apartment Buildings Zone adjoin sites in the Residential – Mixed Housing Urban Zone then Standard H5.6.5 Height in relation to boundary in the Residential – Mixed Housing Urban Zone or Standard H5.6.6 Alternative height in relation to boundary in the Residential – Mixed Housing Urban Zone applies to the boundary of the site in the Residential – Terrace Housing and Apartment Buildings Zone that adjoins the Residential – Mixed Housing Urban Zone.
- (3) The building setback must be a stepped profile and must not be a literal regression of the recession plane.
- (4) Where the boundary forms part of a legal right of way, entrance strip or access site or pedestrian access way, the control in Standard H6.6.8(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

H6.6.9. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and

- to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H6.6.9.1 Yards below.

Table H6.6.9.1 Yards

Yard	Minimum depth
Front	1.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H6.6.9(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H6.6.10. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards; and
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

(1) The maximum impervious area must not exceed 70 per cent of site area.

(2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H6.6.11. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

(1) The maximum building coverage must not exceed 50 per cent of the net site area.

H6.6.12. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space; and
- to create a landscaped urban streetscape character within the zone.

(1) The minimum landscaped area must be at least 30 per cent of the net site area.

H6.6.13. Outlook space

Purpose:

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

(1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.

(2) The minimum dimensions for a required outlook space are as follows:

(a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and

(b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and

(c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.

(3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.

(4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

(5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.

(6) Outlook spaces may be within the site, over a public street, or other public open space.

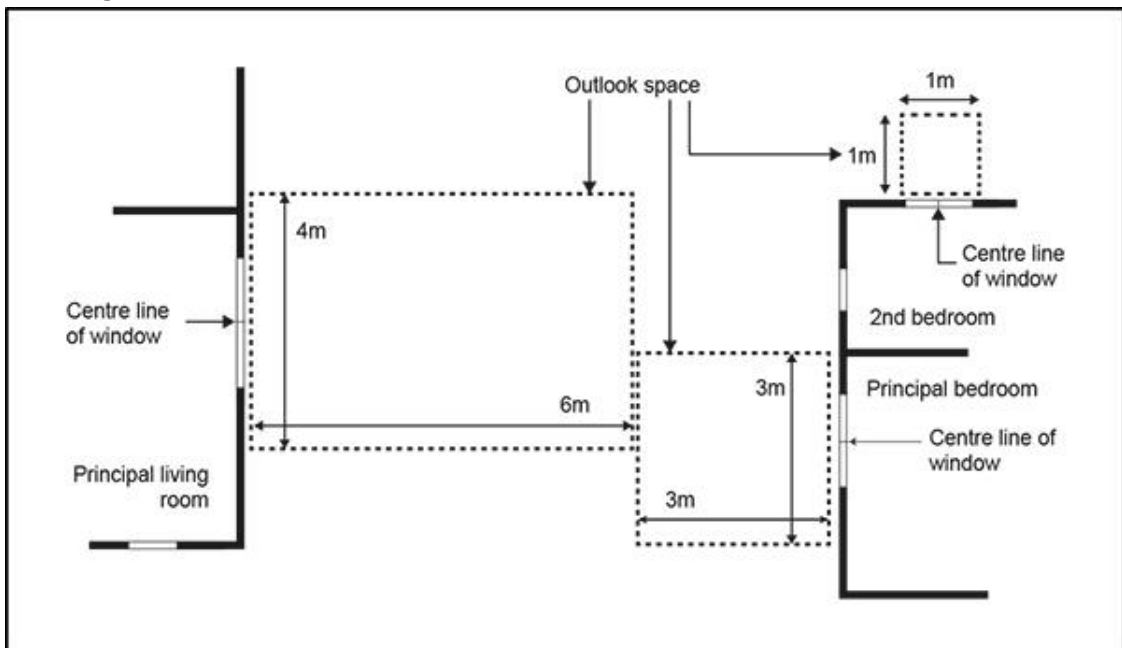
(7) Outlook spaces required from different rooms within the same building may overlap.

(8) Outlook spaces may overlap where they are on the same wall plane.

(9) Outlook spaces must:

- (a) be clear and unobstructed by buildings;
- (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H6.6.13(6) above; and
- (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H6.6.13.1 Required outlook space



H6.6.14. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook control, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space, particularly at upper building levels.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

- a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H6.6.14.2 Required setbacks for daylight below.

Refer to Table H6.6.14.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H6.6.14.1 Required setbacks for daylight and Figure H6.6.14.2 Required setbacks for daylight below.

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H6.6.14(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standard H6.6.14(1), (2) and (3) do not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H6.6.14.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m
7.0m	14.0m	7.0m
7.5m	15.0m	7.5m
8.0m	16.0m	8.0m
8.5m	17.0m	8.5m
9.0m	18.0m	9.0m
9.5m	19.0m	9.5m
10.0m	20.0m	10.0m
10.5m	21.0m	10.5m
11.0m	22.0m	11.0m

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
11.25m	22.5m	11.25m

Figure H6.6.14.1 Required setbacks for daylight

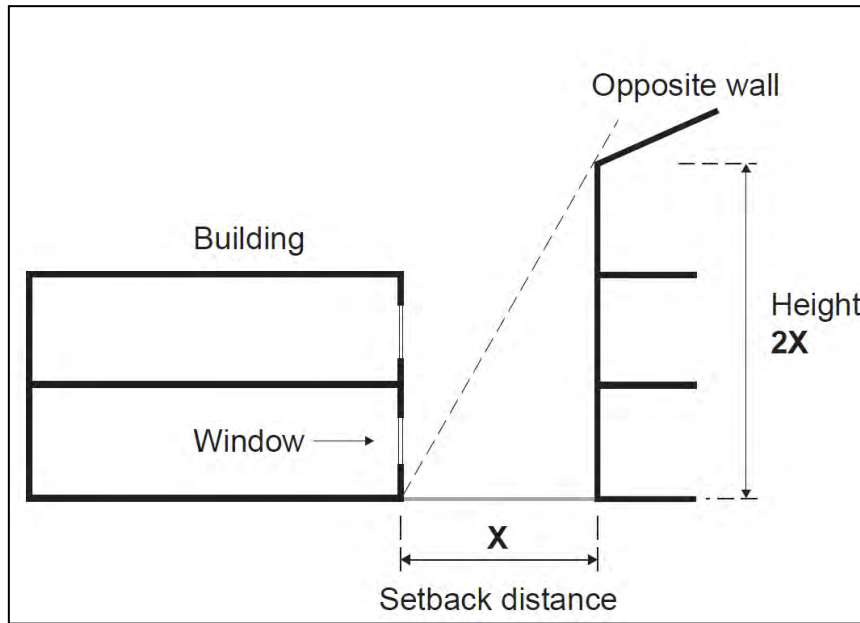
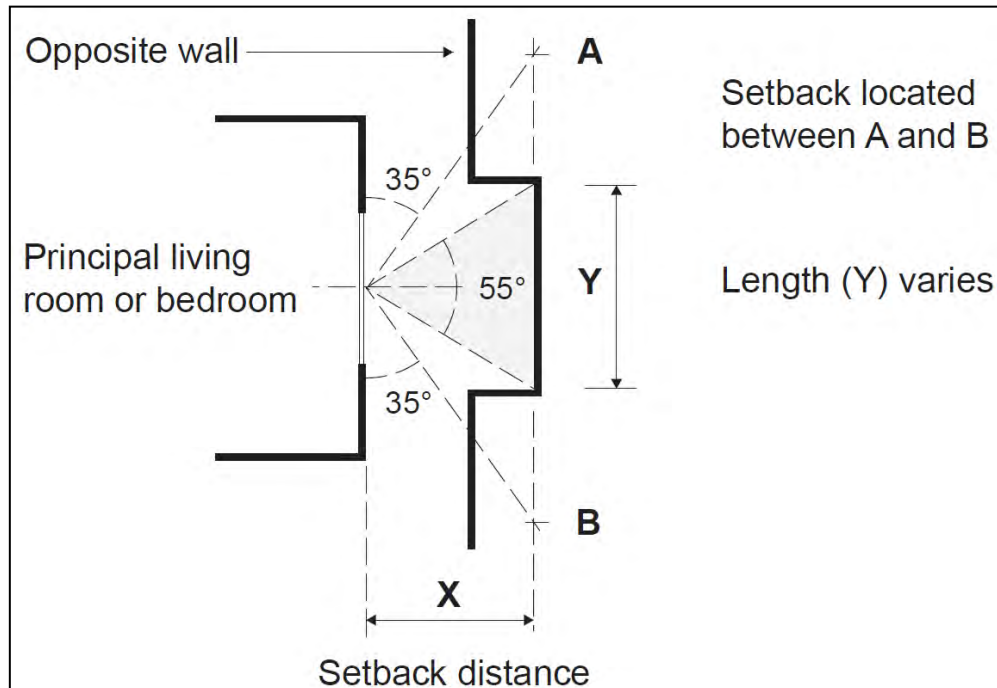


Figure H6.6.14.2 Required setbacks for daylight

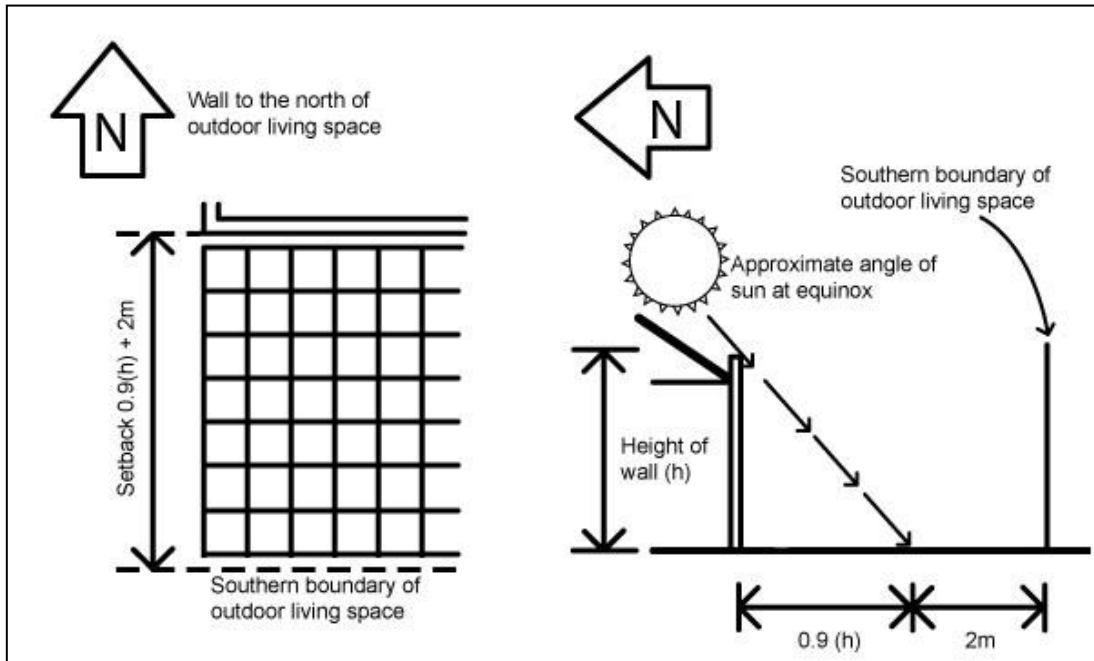


H6.6.15. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is directly accessible from the principal living room, dining room or kitchen and is separated from vehicle access and manoeuvring areas.

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
 - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is directly accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is directly accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m² for a studio and 50m² for a dwelling with one or more bedrooms.
- (3) Where outdoor living space required by Standard H6.6.15(1) or Standard H6.6.15(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least 2m + 0.9(h), where (h) is the height of the wall or building as shown in the Figure H6.6.15.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Figure H6.6.15.1 Location of outdoor living space



H6.6.16. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a Front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place;
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

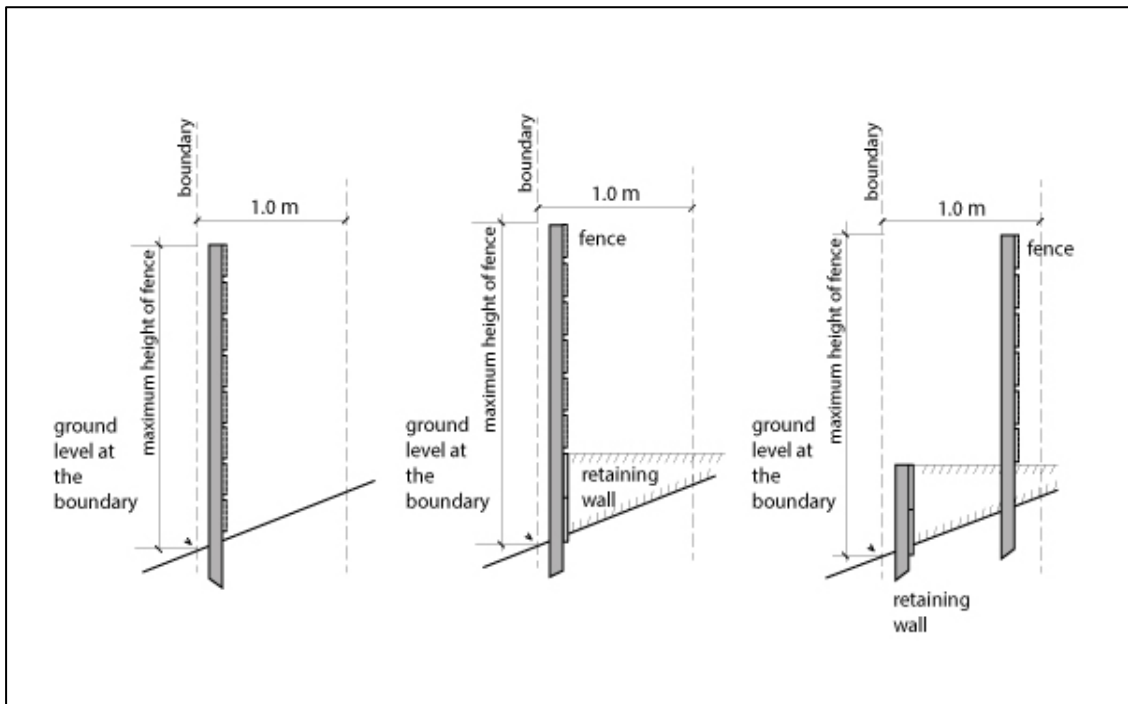
(1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

- (i) 1.4m in height, or
- (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
- (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.6.6.16.1 Measurement of fence height



H6.6.17. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H6.6.18. Rainwater tanks

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

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - (b) in a 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) Clause b) shall not apply to a rear service lane where the dwellings have frontage to a public street.
- (3) Rainwater tanks located within a required outlook space area must be no higher than 1m.

(4) Rainwater tanks located within the required minimum 20m² outdoor living space with minimum dimensions of 4m must be installed wholly underground.

(5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H6.7. Assessment – controlled activities

There are no controlled activities in this zone.

H6.8. Assessment – restricted discretionary activities

H6.8.1. 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) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; restaurants and cafes up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:

(a) infrastructure and servicing;

(b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:

(i) building intensity, scale, location, form and appearance;

(ii) traffic;

(iii) location and design of parking and access; and

(iv) noise, lighting and hours of operation.

(2) for dwellings:

(a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following:

(i) building intensity, scale, location, form and appearance;

(ii) traffic; and

(iii) location and design of parking and access.

(b) all of the following standards:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space;
- (vii) Standard H6.6.16 Front, side and rear fences and walls; and
- (viii) Standard H6.6.17 Minimum dwelling size

(c) Infrastructure and servicing

(3) for integrated residential development:

(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) location and design of parking and access; and
- (iv) noise, lighting and hours of operation.

(b) all of the following standards:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space;
- (vii) Standard H6.6.16 Front, side and rear fences and walls; and
- (viii) Standard H6.6.17 Minimum dwelling size

(c) Infrastructure and servicing.

(4) for buildings that do not comply with Standard H6.6.5 Building height; Standard H6.6.6 Height in relation to boundary; Standard H6.6.7 Alternative height in relation to boundary; Standard H6.6.8 Height in relation to boundary adjoining lower density zones; Standard H6.6.9 Yards; Standard H6.6.10 Maximum impervious areas; Standard H6.6.11 Building coverage; Standard H6.6.12 Landscaped area; Standard H6.6.13 Outlook space; Standard H6.6.14 Daylight; Standard H6.6.15 Outdoor living space; Standard H6.6.16

Front, side and rear fences and walls; Standard H6.6.17 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the urban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.
- (5) For new buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary:
- (a) Visual dominance effects;
 - (b) Attractiveness and safety of the street; and
 - (c) Overlooking and privacy.

H6.8.2. Assessment criteria

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

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; restaurants and cafes up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:
- (a) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

(b) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(c) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(d) location and design of parking and access:

- (i) whether adequate parking and access is provided or required.

(e) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries; and
- screening or other design features; and
- controlling the hours of operation and operational measures.

(2) for dwellings:

- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H6.6.10 Maximum impervious areas;
- (ii) Standard H6.6.11 Building coverage;
- (iii) Standard H6.6.12 Landscaped area;
- (iv) Standard H6.6.13 Outlook space;
- (v) Standard H6.6.14 Daylight;
- (vi) Standard H6.6.15 Outdoor living space; and
- (vii) Standard H6.6.16 Front, side and rear fences and walls; and
- (viii) Standard H6.6.17 Minimum dwelling size

- (b) refer to Policy H6.3(1);

- (c) refer to Policy H6.3(2);

- (d) refer to Policy H6.3(3);
- (e) refer to Policy H6.3(4);
- (f) refer to Policy H6.3(5);
- (g) refer to Policy H6.3(6);
- (h) refer to Policy H6.3(7); and
- (i) refer to Policy H6.3(8).
- (j) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (k) the extent to which the necessary storage and waste collection and recycling facilities is provided in locations conveniently accessible and screened from streets and public open spaces.
- (l) traffic:
 - (i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network.
 - (ii) H6.8.2 (2)(l)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone.
- (3) for integrated residential development:
 - (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:
 - (i) Standard H6.6.10 Maximum impervious areas;
 - (ii) Standard H6.6.11 Building coverage;
 - (iii) Standard H6.6.12 Landscaped area;
 - (iv) Standard H6.6.13 Outlook space;
 - (v) Standard H6.6.14 Daylight;
 - (vi) Standard H6.6.15 Outdoor living space;
 - (vii) Standard H6.6.16 Front, side and rear fences and walls; and
 - (viii) Standard H6.6.17 Minimum dwelling size (excluding retirement villages).

- (b) refer to Policy H6.3(1);
- (c) refer to Policy H6.3(2);
- (d) refer to Policy H6.3(3);
- (e) refer to Policy H6.3(4);
- (f) refer to Policy H6.3(5);
- (g) refer to Policy H6.3(6);
- (h) refer to Policy H6.3(7);
- (i) refer to Policy H6.3(8); and
- (j) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.
- (k) traffic:
 - (i) the extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network.
 - (ii) H6.8.2 (3)(k)(i) is not considered where the development is located adjacent to a Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone.

- (4) For new buildings and additions to buildings which do not comply with H6.6.6 Height in relation to boundary but comply with H6.6.7 Alternative height in relation to boundary:

Visual dominance

- (a) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:
 - (i) the planned urban built character of the zone;
 - (ii) the location, orientation and design of development; and
 - (iii) the physical characteristics of the site and the neighbouring site.

Attractiveness and safety of the street

- (b) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by:
 - (i) providing doors, windows and balconies facing the street;

- (ii) optimising front yard landscaping;
- (iii) providing safe pedestrian access to buildings from the street; and
- (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (c) The extent to which direct overlooking of a neighbour’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(5) for building height:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4); and
- (d) refer to Policy H6.3(5).

(6) for height in relation to boundary infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4);
- (d) refer to Policy H6.3(5); and
- (e) refer to Policy H6.3(6).

(7) for alternative height in relation to boundary infringements:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(3);
- (d) refer to Policy H6.3(4);
- (e) refer to Policy H6.3(5); and
- (f) refer to Policy H6.3(6).

(8) for height in relation to boundary adjoining lower density zones:

- (a) refer to Policy H6.3(1);
- (b) refer to Policy H6.3(2);
- (c) refer to Policy H6.3(4);

(d) refer to Policy H6.3(5); and

(e) refer to Policy H6.3(6).

(9) for yards:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4); and

(d) refer to Policy H6.3(5).

(10) for maximum impervious areas:

(a) refer to Policy H6.3(8).

(11) for building coverage:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4);

(d) refer to Policy H6.3(5); and

(e) refer to Policy H6.3(6).

(12) for landscaped area:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4); and

(d) refer to Policy H6.3(5).

(13) for outlook space:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(4);

(d) refer to Policy H6.3(5); and

(e) refer to Policy H6.3(6).

(14) for daylight:

(a) refer to Policy H6.3(2);

(b) refer to Policy H6.3(4);

(c) refer to Policy H6.3(5); and

(d) refer to Policy H6.3(6).

(15) for outdoor living space:

(a) refer to Policy H6.3(1);

(b) refer to Policy H6.3(2);

(c) refer to Policy H6.3(5);

(d) refer to Policy H6.3(6); and

(e) refer to Policy H6.3(7).

(16) For front, side and rear fences and walls:

(a) refer to Policy H6.3(2);

(b) refer to Policy H6.3(3);

(c) refer to Policy H6.3(5); and

(d) refer to Policy H6.3(6).

(17) For minimum dwelling size:

(a) Policy H6.3(6)

H6.9. Special information requirements

There are no special information requirements in this zone.

H19. Rural zones

H19.1 Background

There are five rural zones covered in H19. Rural zones:

- Rural – Rural Production Zone;
- Rural – Mixed Rural Zone;
- Rural – Rural Coastal Zone;
- Rural – Rural Conservation Zone; and
- Rural – Countryside Living Zone.

These zones, and their provisions, provide the main framework for the management of subdivision, use and development in the rural areas.

Section H19.2 contains general provisions applicable to all rural zones. These general provisions are then followed by objectives and policies relevant to the individual zones (section H19.3 to H19.5.12). The general and zone-specific provisions provide the management framework for subdivision use and development in the rural areas and need to be considered together, along with the Auckland-wide objectives and policies for rural subdivision.

Within the Rural – Rural Coastal Zone there are a number of identified coastal areas that, in addition to the general objectives and policies of that zone, have additional area specific objectives and policies.

These areas are:

- Te Arai-Pakiri coastal area;
- Whangateau-Waiwera coastal area;
- Kaipara South Head and Harbour coastal area;
- Muriwai-Te Henga coastal area;
- Tasman coastal area;
- Manukau Harbour coastal area; and
- Tāmaki-Firth coastal area.

H19.2 Objectives and policies – all rural zones

The following objectives and policies apply to all rural zones.

H19.2.1. Objectives – general rural

- (1) Rural areas are where people work, live and recreate and where a range of activities and services are enabled to support these functions.
- (2) Rural production activities are provided for throughout the rural area while containing adverse environmental effects on site.

- (3) Elite soil is protected, and prime soil is managed, for potential rural production.
- (4) Rural lifestyle development avoids fragmentation of productive land.

H19.2.2. Policies – general rural

- (1) Enable activities based on use of the land resource and recognise them as a primary function of rural areas.
- (2) Require rural production activities to contain and manage their adverse environmental effects on-site to the fullest extent practicable.
- (3) Enable rural production activities on elite and prime soil and avoid land-use activities and development not based on, or related to, rural production from locating on elite soil and avoid where practicable such activities and development from locating on prime soil.
- (4) Enable and maintain the productive potential of land that is not elite or prime soil but which has productive potential for rural production purposes, and avoid its use for other activities including rural lifestyle living except where these are provided for or enabled by Policy H19.2.2(5).
- (5) Enable a range of rural production activities and a limited range of other activities in rural areas by:
 - (a) separating potentially incompatible activities such as rural production and rural lifestyle living into different zones;
 - (b) avoiding or restricting rural subdivision for activities not associated with rural production in areas other than those subdivision provided for in [E39 Subdivision – Rural](#);
 - (c) managing the effects of activities in rural areas so that;
 - (i) essential infrastructure can be funded, coordinated and provided in a timely, integrated, efficient and appropriate manner; and
 - (ii) reverse sensitivity effects do not constrain rural production activities.
 - (d) acknowledging that, in some circumstances, the effective operation, maintenance, upgrading and development of infrastructure may place constraints on productive land and other rural activities; or
 - (e) providing for tourism and activities related to the rural environment.
- (6) Recognise that a range of buildings and structures accessory to farming and forestry, and other operational structures for rural production activities are an integral part of rural character and amenity values.
- (7) Enable intensive farming in the Rural – Rural Production Zone, Rural – Mixed Rural Zone and Rural – Rural Coastal Zone only where it is carried out in accordance with good industry practice.

H19.2.3. Objectives – rural character, amenity and biodiversity values

- (1) The character, amenity values and biodiversity values of rural areas are maintained or enhanced while accommodating the localised character of different parts of these areas and the dynamic nature of rural production activities.
- (2) Areas of significant indigenous biodiversity are protected and enhanced.

H19.2.4. Policies – rural character, amenity and biodiversity values

- (1) Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics:
 - (a) a predominantly working rural environment;
 - (b) fewer buildings of an urban scale, nature and design, other than residential buildings and buildings accessory to farming; and
 - (c) a general absence of infrastructure which is of an urban type and scale.
- (2) Recognise the following are typical features of the Rural – Rural Production Zone, Rural – Mixed Rural Zone and Rural – Rural Coastal Zone and will generally not give rise to issues of reverse sensitivity in these zones:
 - (a) the presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops, plantation forests and farm forests;
 - (b) noise, odour, dust, traffic and visual effects associated with use of the land for farming, horticulture, forestry, mineral extraction and cleanfills;
 - (c) the presence of existing mineral extraction activities on sites zoned as Special Purpose – Quarry Zone;
 - (d) accessory buildings dot the landscape, particularly where farming activities are the dominant activity; and
 - (e) activities which provide for the relationship of Mana Whenua to their ancestral land and taonga.
- (3) Enable opportunities to protect existing Significant Ecological Areas or provide opportunities to enhance or restore areas to areas meeting criteria of Significant Ecological Areas.

PC 20 (See modifications)

H19.2.5. Objectives – rural industries, rural commercial services and non-residential activities

- (1) Rural production activities are supported by appropriate rural industries and services.
- (2) The character, intensity and scale of rural industries and services are in keeping with the character of the relevant rural zone.

- (3) The rural economy and the well-being of people and local communities are maintained or enhanced by social, cultural and economic non-residential activities, while the area's rural character and amenity is maintained or enhanced.
- (4) Industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones.
- (5) The rehabilitation of quarries is assisted by cleanfills and managed fills.

H19.2.6. Policies – rural industries, rural commercial services and non-residential activities

- (1) Enable rural industries and rural commercial services only where they have a direct connection with the resources, amenities, characteristics and communities of rural areas.
- (2) Manage rural industries, rural commercial services and other non-residential activities to:
 - (a) avoid creating reverse sensitivity effects;
 - (b) contain and manage adverse effects on-site; and
 - (c) avoid, remedy or mitigate adverse effects on traffic movement and the road network.
- (3) Enable cleanfills and managed fills where they can assist the rehabilitation of quarries.
- (4) Restrict cleanfills and managed fills in the Rural – Rural Conservation Zone and Rural – Countryside Living Zone. Where cleanfills are established in other rural zones:
 - (a) they should not adversely affect or inhibit the use of surrounding land for productive purposes or for carrying out any permitted, restricted discretionary or discretionary activity; and
 - (b) their completed state should be in keeping with the appearance, form and location of existing rural character and amenity values.

H19.3 Rural – Rural Production Zone

H19.3.1. Zone description

The purpose of the Rural – Rural Production Zone is to provide for the use and development of land for rural production activities and rural industries and services, while maintaining rural character and amenity values.

The zone's physical, climatic and production characteristics vary across the region, including rolling to steep hill country and flat to rolling lowlands with highly productive soils close to the metropolitan area.

In the north, the zone is characterised by:

- Auckland's highest number of remaining large rural properties;
- Low-intensity settlement, significant natural areas and natural resources; and
- an environment less modified by humans than other zones in the north.

In the south, the zone is characterised by:

- intensively subdivided land tenure pattern, particularly on lowland areas;
- the largest horticultural production area in Auckland, centred on the highly productive soils of the Franklin lowlands;
- mixed primary production including pastoral farming and forestry relating to topography, land tenure pattern and water availability on the west and east coasts; and
- the Hunua Ranges providing the backdrop to production land in the east.

The following objectives and policies apply to the Rural – Rural Production Zone.

H19.3.2. Objectives

- (1) A range of rural production, rural industries, and rural commercial activities take place in the zone.
- (2) The productive capability of the land is maintained and protected from inappropriate subdivision, use and development.

H19.3.3. Policies

- (1) Provide for a range of existing and new rural production, rural industry and rural commercial activities and recognise their role in determining the zone's rural character and amenity values.
- (2) Provide for forestry activities including:
 - (a) planting and management of new and existing forests in recognition of their production values, land stability and carbon sequestration functions, and multiple use for active recreation;
 - (b) woodlots and farm-scale forestry; and
 - (c) planting of indigenous species and amenity exotic species for long-term production purposes and the eventual harvesting of these species.
- (3) Enable the establishment of new greenhouses and the expansion of existing greenhouses in specific locations where there are advantages for operational efficiencies, transport accessibility and the provision of energy such as natural gas supplies and services, and manage the amenity expectations of other activities in these areas.
- (4) Provide for intensive farming, while managing the adverse effects and require compliance with good industry practice.
- (5) Require intensive farming of new species, including terrestrial, freshwater and marine species not currently farmed in the Rural – Rural Production Zone to:

- (a) be designed and operated to prevent the escape of any species of animal or plant that could have an adverse effect on the natural environment; and
- (b) not include any mustelid species.

H19.4 Rural – Mixed Rural Zone

H19.4.1. Zone description

The purpose of the Rural – Mixed Rural Zone is to provide for rural production, generally on smaller rural sites and non-residential activities of a scale compatible with smaller site sizes.

These areas often have a history of horticulture, viticulture, intensive farming and equine-related activities. These activities have in turn supported the establishment of produce sales or retail services such as cafés, restaurants, tourist and visitor-related facilities.

Sites in this zone provide flexibility to accommodate a range of rural production activities and associated non-residential activities while still ensuring good amenity levels for residents who use their land for rural lifestyle purposes.

The following objectives and policies apply to the Rural – Mixed Rural Zone.

H19.4.2. Objectives

- (1) The existing subdivision pattern is used by a range of rural production activities and non-residential activities that support them.
- (2) The continuation of rural production and associated non-residential activities in the zone is not adversely affected by inappropriate rural lifestyle activity.
- (3) Rural character and amenity values of the zone are maintained while anticipating a mix of rural production, non-residential and rural lifestyle activities.

H19.4.3. Policies

- (1) Enable rural production, rural industries and rural commercial services that are compatible with the existing subdivision pattern and recognise that these activities are significant elements of, and primary contributors to, rural character and amenity values.
- (2) Manage reverse sensitivity effects by:
 - (a) limiting the size, scale and type of non-rural production activities;
 - (b) retaining the larger site sizes within this zone;
 - (c) limiting further subdivision for new rural lifestyle sites; and
 - (d) acknowledging a level of amenity that reflects the presence of:
 - (i) rural production and processing activities that generate rural odours, noise from stock and the use of machinery, and the movement of commercial vehicles on the local road network; and

- (ii) non-residential activities which may generate noise, light and traffic levels greater than those normally found in areas set aside for rural lifestyle activities.

H19.5 Rural – Rural Coastal Zone

H19.5.1. Zone description

The purpose of the Rural – Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland's harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone also provides opportunities to access the coastal marine area and support marine-related activities.

The zone is more extensive than the coastal environment line identified by using the New Zealand Coastal Policy Statement criteria. It recognises the significance of the coast to the character and identity of Auckland and its role as a favoured place to live and work and for recreational and leisure activities. The coastal environment, and in particular the coastal edge and margins of lakes and rivers, is important to Mana Whenua.

Much, but not all of the zone and the adjacent coastal marine area is covered by Outstand Natural Character, High Natural Character, Outstanding Natural Landscape and Significant Ecological Areas overlays.

Parts of this zone are under significant development pressure for coastal town and village settlement, further rural lifestyle opportunities, recreational, tourism and visitor activities.

The objectives and policies set out in H19.5.2 and H19.5.3 apply to the entire Rural – Rural Coastal Zone. The objectives and policies set out in sections H19.5.4. – H19.5.10. apply to specific coastal areas:

- Rural Coastal Zone – Te Arai-Pākiri coastal area;
- Rural Coastal Zone – Whangateau-Waiwera coastal area;
- Rural Coastal Zone – Kaipara South Head and Harbour coastal area;
- Rural Coastal Zone – Muriwai-Te Henga coastal area;
- Rural Coastal Zone – Tasman coastal area;
- Rural Coastal Zone – Manukau Harbour coastal area; and
- Rural Coastal Zone – Tāmaki-Firth coastal area.

H19.5.2. Objectives

- (1) Rural production activities are enabled while managing adverse effects on rural character and amenity values, landscape, biodiversity values and Mana Whenua cultural heritage values.

- (2) The development and operation of activities that provide recreational and local non-residential services are enabled where they maintain and enhance the zone's rural and coastal character, amenity values, landscape and biodiversity values.
- (3) Buildings are of a scale and intensity that do not detract from the zone's rural and coastal character and amenity values.
- (4) Rural lifestyle subdivision is limited across the zone.
- (5) The significant relationship between land, freshwater bodies and the coastal marine area and their contribution to Auckland's rural and coastal character is maintained and enhanced.
- (6) Recognise differences in coastal character in different parts of the zone and manage activities and development to maintain and enhance local coastal character.

H19.5.3. Policies

- (1) Manage activities and development to maintain the distinctive rural and coastal character of the zone which include:
 - (a) farming and forestry with a low density of buildings and other significant structures;
 - (b) rural character and amenity values, biodiversity values, values based on particular physical and natural features such as beaches, ridgelines, estuaries, harbours, indigenous vegetation, wetlands, or similar features;
 - (c) physical and visual links between land, freshwater lakes and the coastal marine area; or
 - (d) traditional cultural relationships of Mana Whenua with the coastal environment.
- (2) Enable the continuation of rural production activities and the construction of accessory buildings and structures for farming purposes.
- (3) Provide for the continued operation of forestry including harvesting and replanting in existing forest areas.
- (4) Discourage rural production activities that have significant adverse effects resulting from:
 - (a) large buildings;
 - (b) significant earthworks or changes to natural landforms;
 - (c) adverse effects that cannot be contained or managed within the boundary of the site;
 - (d) significant numbers of daily vehicle movements, particularly on scenic and tourist routes; or

- (e) significant impacts on biodiversity values and rural character and amenity values.
- (5) Maintain the rural and coastal character and amenity values in the coastal environment by controlling the number, location, size and visual impact of dwellings and other non-residential buildings and their curtilage and accessways.
- (6) Require the location and design of buildings and other significant structures to:
 - (a) avoid locating on the top of ridgelines so their profile does not protrude above the natural line of the ridge;
 - (b) minimise building platforms and accessways and earthworks associated with these; and
 - (c) avoid locating buildings and other significant structures in coastal yards and riparian margins, except for fences and structures with operational need for such a location.
- (7) Recognise the importance of major roads in the zone that:
 - (a) provide access to coastal settlements, public open space and the coast;
 - (b) function as major transport routes for rural produce;
 - (c) are major scenic and tourist routes;
 - (d) are preferred locations for recreation, tourism, visitor facilities and services and the sale of produce and crafts; or
 - (e) act as gateways to Auckland.
- (8) Enable the development of appropriate activities, while ensuring that the transport function of the road and its scenic values are not compromised.

H19.5.4. Rural – Rural Coastal Zone Te Arai-Pākiri coastal area

H19.5.4.1. Area Description

This area includes the coastal land between Te Arai Point and J Greenwood Road to the south of Pākiri village. Te Arai and Pākiri beaches are the only lengthy, exposed, high-energy beaches on mainland Auckland's east coast. In contrast to other areas on this coastline, it has a distinctly remote and wild rural character.

The area is characterised by hill country in the south and west which gives way to rolling rural land, sand dunes and flat pastoral land in the north and east. The sand dunes along with historically planted exotic forests form a natural interface between the beach and the pastoral land further afield. The areas of indigenous and exotic forest on the hills lying to the west of the Pākiri coastal area form a physical and visual backdrop to the area. There are significant areas of indigenous vegetation and wildlife habitat in the area, containing a number of important native species.

The Te Arai-Pākiri coastal area is characterised by an existing rural lifestyle and beach settlement to the south of Mangawhai Forest, focussed on the Pākiri River area. Pākiri Regional Park is located to the south of the river. There are limited public road access points to the beaches. At Te Arai Point, located towards the northern end of the coastline, there is a public reserve, regional park, scenic lookout and a golf course.

H19.5.4.2. Objectives

- (1) Low levels of built development in the Te Arai-Pākiri coastal area are maintained to retain its coastal character and the scenic and recreational values of Pākiri Beach and Te Arai Beach.
- (2) Development of Māori land is provided for in a way that retains the dominance of natural elements and scenic values over any built development.

H19.5.4.3. Policies

- (1) Avoid beachfront residential and rural lifestyle development to retain the undeveloped character of the beaches.
- (2) Manage the type and intensity of development along existing public roads and other access ways to the beaches to protect their low-key development character.
- (3) Manage built development so that the size, location and density of buildings do not dominate over natural elements and the area retains a rural and coastal character rather than a built one.
- (4) Minimise the visual and landscape impacts of buildings in areas where there are important public views to and from Pākiri Beach, Te Arai Beach and the rural backdrop, including:
 - (a) views to and from the beach at the Pākiri River mouth;
 - (b) views to and along Pākiri Beach and the southern coastal hills from Pākiri Regional Park; and
 - (c) views to and from the beach at Te Arāi Point.
- (5) Avoid activities and development that adversely affect the natural character, water quality and recreational use of the catchment of the Cape Rodney to Ōkakarī Point/Goat Island Marine Reserve, particularly on the coastal hills fronting the reserve.
- (6) Provide for the ongoing operation of the Mangawhai Forest and its multiple purposes for timber production and sand dune stabilisation, and for its landscape and open space values as a backdrop to Pākiri Beach.
- (7) Enable the use of Māori land in the area for papakāinga and other associated purposes, but recognise the high natural values of the area by:
 - (a) concentrating built development in areas of lower visual prominence;

- (b) cluster development rather than expansion along the coastal edge;
- (c) maintaining existing vegetation and landform character as far as practicable; and
- (d) managing the scale of development to reflect papakāinga and marae needs, rather than more intensive forms of development.

H19.5.5. Rural – Rural Coastal Zone East Coast area Whangateau-Waiwera

H19.5.5.1. Area Description

This extends from Rodney Road (Pākiri Hill) south as far as the northern bank of Waiwera River. Its inland boundary generally follows State Highway 1 from Waiwera to Warkworth, before extending northeast to the east of Matakana Road and along Leigh Road.

The area is characterised by an indented and variable coastline with steep headlands, small coves, sheltered beaches and harbours, and extensive sandy beaches. A sequence of five major estuaries are along the eastern coast area – Whangateau, Matakana, Mahurangi, Pūhoi and Waiwera. These estuarine environments provide fish nursery areas that contribute to the overall productivity of the Hauraki Gulf.

Between Mahurangi and Waiwera the land is characterised by steep to rolling rural land with extensive areas of indigenous vegetation and partially bush-clad slopes. There are few areas of flat land, the largest areas being at Omaha Beach and Omaha flats.

Much of the coastal edge is identified as an Outstanding Natural Character or High Natural Character overlay with further expanses of land being Outstanding Natural Landscape and Significant Ecological areas.

Five regional parks at Tāwharanui, Scandretts, Mahurangi East, Mahurangi West and Wenderholm provide public access and recreational opportunities, as well as being significant ecological areas.

H19.5.5.2. Objectives

- (1) The open, high-quality natural character, coastal landscape and natural environmental values are retained.
- (2) Recreational, marine transport, tourism and home occupation activities are supported where they are consistent the coastal landscape character and natural environmental values of the area.
- (3) Use and development is integrated with growth in identified rural and coastal towns and settlements.
- (4) The high natural values of the east coast estuaries are maintained.

H19.5.5.3. Policies

- (1) Require buildings, including dwellings, greenhouses and buildings for intensive farming and their curtilage and access to be located sensitively in

the landscape with particular consideration to their size, location, scale and density, ability to sit into the landscape.

- (2) Avoid locating dwellings and other significant buildings on ridgelines and the construction of visually prominent accessways up or across visually significant slopes.
- (3) Recognise and support the high recreational values of the area, particularly accessibility to, and use of, the coastal marine area by enabling:
 - (a) the continued use of Sandspit as a transport terminal to Kawau Island; and
 - (b) the efficient operation of existing public boat launching facilities and the establishment of new public facilities in appropriate locations.
- (4) Avoid activities and development of a type, scale or location that adversely affects the public use and enjoyment of regional parks and other public open space for:
 - (a) active and passive recreation, both on land and in the adjoining coastal marine area;
 - (b) appreciation of open space, scenic and natural landscape values;
 - (c) centres for biodiversity management and enhancement; or
 - (d) farmland management.
- (5) Concentrate larger scale tourist facilities, including tourist accommodation, in rural and coastal towns.
- (6) Manage activities that have the potential to generate sediment into the estuarine environments to ensure the high natural values of these environments are protected and maintained.

H19.5.6. Rural – Rural Coastal Zone West Coast Coastal area (Kaipara South Head and harbour)

H19.5.6.1. Area description

This area includes significant areas of Kaipara South Head, the Ōkahukura (Tāpora) Peninsula and the eastern coastal margins of the Kaipara Harbour. The area is characterised by a predominance of rural production activity, particularly pastoral farming activities and forestry and its significance to Māori. Long, high-energy beaches backed by sand dunes are located along the coast, terminating in the significant high dune landforms and Papakanui spit at South Kaipara Head.

Flat coastal alluvial plains are a special landscape feature in the Kaipara Harbour catchment. These are backed by a convoluted coastline with rolling hills. This harbour is highly tidal with extensive areas of exposed intertidal flats and defined low tidal channels and occasional mangrove communities. The South Head area

is recognised as having wind resources with potential to be used as a source of renewable energy.

Significant bird habitats are present along the coastal margins and in the harbour, particularly around the sand islands at Tāpora. Tāpora, Wharehine and Port Albert are sensitive to development due to the elevated nature of many of the surrounding roads, and due to the rolling and often open nature of the land which also connects to the low lying alluvial plains.

Development has increased in particular along the west coast of the Kaipara Harbour and along South Head. A pattern of typically large properties and low-density settlement provides a rural and semi-remote character.

Woodhill Forest along the western margins of South Kaipara peninsula provides recreation, sand stabilisation and landscape functions.

There are areas of Outstanding Natural Character, High Natural Character and Outstanding Natural Landscape which may be at risk of degradation due to development pressure. South Head and the coast of the Kaipara Harbour are areas recognised as being under pressure for development. Control over the built environment in these areas is considered prudent to ensure that the character and rural/coastal landscape and environmental and amenity values are retained.

H19.5.6.2. Objectives

- (1) The special and distinctive coastal and rural character of the West Coast area is retained.
- (2) Land-based activities and development are managed to protect the area's Outstanding and High Natural Character and landscape values and its ecological, recreation and amenity values.
- (3) The relationship between the land, the Tasman Coast and the Kaipara Harbour is recognised and maintained.
- (4) Significant Māori associations with the Kaipara Harbour area recognised and provided for.

H19.5.6.3. Policies

- (1) Enable rural production activities, particularly pastoral farming and forestry, for their economic and social role as well as in retaining a remote rural and coastal character.
- (2) Maintain a low-intensity built environment, where buildings are for rural production purposes rather than for rural lifestyle.
- (3) Require buildings for intensive farming to be sited to minimise visual impacts on natural character and landscape values.
- (4) Retain a range of land holding sizes, particularly those larger land holdings used for pastoral farming activities.

- (5) Improve public access to the Kaipara Harbour, including boat launching facilities where this does not adversely affect important habitat areas, such as the Tāpora sand islands.
- (6) Require subdivision and land-use activities to enhance and protect the distinctive special character and sensitive environments of the policy area.

H19.5.7. Rural – Rural Coastal Zone Muriwai-Te Henga coastal area

H19.5.7.1. Area description

This area consists of a rugged coastal strip between Muriwai and Bethells Beach/Te Henga and the area inland to the edge of the hill country west of Waitākere township. It has largely uninhabited steep, rugged indented coastal cliffs along the West Coast with small beaches amid high rocky headlands. Rolling to steep hills extend inland from the coast. There is significant indigenous vegetation. This area is characterised by the predominance of natural qualities that is largely unmodified by the built environment, significant roads or other landscape modifications.

Rural lifestyle development to the south of Muriwai settlement is focused on Ōaia and Constable Roads but set back from the coastal edge.

Part of this area is included in the Waitākere Ranges Heritage Area Overlay.

H19.5.7.2. Objectives

- (1) The natural character and coastal and non-urban character of the Muriwai-Bethells Beach coastal area is protected and retained.
- (2) Activities are managed to maintain the values of the adjoining Open Space Zone.

H19.5.7.3. Policies

- (1) Manage built development so that its size, location and density do not dominate natural elements and the area retains a rural and coastal character rather than a built one.
- (2) Avoid siting dwellings and accessory buildings overlooking public walkways or locations such as headlands or ridgelines where they would be highly visible from an Open Space Zone.
- (3) Avoid built development requiring significant clearance of regenerating and established indigenous vegetation.

H19.5.8. Rural – Rural Coastal Zone Tasman Coast area (Āwhitu Peninsula)

H19.5.8.1. Area description

This area comprises the western margins of the Āwhitu Peninsula. It extends from the Manukau Harbour south to the boundary with the Waikato District.

The Peninsula is largely defined by a sequence of massive dunes that rise to a central spine generally 120-190m above sea level. These enclose a series of

deep valleys and dune lakes that are exposed to the Tasman Sea. There are two dune lakes - Pēhiākura and Pokorua.

The area as a whole is one of high natural character and outstanding natural landscapes. Steep hill country gives the area a wild, scenic and remote landscape character. Pastoral land comprises large farm holdings with pockets of indigenous vegetation and forestry. Settlement is typically sparse – characterised by farm houses and accessory buildings and located adjacent to existing roads. A long history of Māori settlement has left a legacy of places and sites of significance to local iwi and strong cultural associations with the peninsula as a whole.

The potential for this area to support renewable wind energy generation facilities is acknowledged.

H19.5.8.2. Objectives

- (1) The high natural values, including natural character and landscapes are protected from inappropriate subdivision, use and development while providing for rural activities.
- (2) Natural coastal processes are recognised and managed by avoiding activities that would create or exacerbate coastal erosion and sand blowouts along the Tasman coastline.

H19.5.8.3. Policies

- (1) Provide for limited subdivision, use and development to ensure natural character and landscape values are maintained and enhanced.
- (2) Avoid land modification and development along sandy coastal margins and seaward faces of the coastal escarpments or ridgelines.
- (3) Encourage protection of stands of indigenous bush and restoration and enhancement planting of indigenous trees, shrubs and other plants along the coastal escarpments and ridgelines.
- (4) Recognise the wild, scenic, and remote values of the Tasman Coast.

H19.5.9. Rural – Rural Coastal Zone Manukau Harbour coastal area

H19.5.9.1. Area description

This area encompasses the harbour fringe from Wattle Bay at the harbour entrance to the Whangamaire Stream arm of the Pāhurehure Inlet west of Hingaia.

This coastal margin is physically diverse with a wide variety of environments including beaches, headlands, cliffs and estuaries. It is characterised by low-lying rural flatlands, low terraces and rolling topography deeply indented by the Waiuku and Taihiki rivers and various estuarine creeks and inlets.

The Waiuku River is associated with low coastal cliffs and rural land sloping down to a mangrove-lined estuary.

There are larger holdings on the eastern Āwhitu coastline than along the southern Manukau coast, with a predominance of pastoral farming activities. Overall in this location there is a relative absence of dwellings in proximity to much of the coastline. The character of the area is based on agricultural land uses and absence of built development rather than the presence of indigenous vegetation. The area also has important cultural significance.

The coastal area forms part of the wider Franklin lowlands with highly productive soils, pastoral and horticultural land uses and an intensive pattern of land subdivision into small rural sites.

H19.5.9.2. Objectives

- (1) The rural and coastal character and visual amenity values are maintained.
- (2) Activities in the area are managed to protect the ecological values of the Manukau Harbour, particularly identified wader bird habits and the visual and landscape interconnections between land and sea.
- (3) Identified special character areas as set out in Policy H19.5.9.3(3) are protected from inappropriate subdivision, use and development.
- (4) The quality and quantity of coastal and riparian vegetation in the coastal area are improved.

H19.5.9.3. Policies

- (1) Recognise the significance of the coastal margin setback in maintaining the natural character of the coastal edge and contributing to the visual amenity values, as well as providing a natural buffer to coastal erosion and flooding.
- (2) Require dwellings and other significant built development to locate outside the coastal margin setback.
- (3) Recognise the following areas which are identified as being of special character in the Rural – Rural Coastal Zone Manukau Harbour coastal area:
 - (a) Clarks Beach to Seagrove and Ellets Beach;
 - (b) Pollok Spit;
 - (c) Āwhitu Regional Park and Environs;
 - (d) Waipipi Creek Roosts;
 - (e) The Western Needles Promontory;
 - (f) Kelly's Landing Headland;
 - (g) Dickey's Landing Headland;
 - (h) Kauri Road Headland;
 - (i) Andrew Pye Road Headland;

- (j) Mako Point Headland; and
 - (k) headland between Wattle Bay and Ōrua Bay.
- (4) Protect the special character areas listed in Policy H19.5.9.3(3) by:
- (a) controlling the location, scale and density of built development;
 - (b) having vegetation cover and production land uses that are appropriate to the area having regard to its use by wader birds; and
 - (c) restricting access in identified wader bird areas.
- (5) Avoid activities and development of a type or scale or location that adversely affects the public use and enjoyment of the Āwhitu Regional Park for:
- (a) active and passive recreation, both on land and in the adjoining coastal marine area;
 - (b) appreciation of open space, scenic and natural landscape values; and
 - (c) farmland management.
- (6) Require enhancement of the coastal edge and riparian margins as part of any development for rural lifestyle purposes or non-residential activities.

H19.5.10. Rural – Rural Coastal Zone Tāmaki Firth coastal area

H19.5.10.1. Area description

This area encompasses rural coastal land from Maraetai south-east to the regional boundary south of Matingarahi on the Firth of Thames.

It is a mixture of flat land around the lower reaches of the Wairoa River and at Kawakawa Bay, Ōrere Point and Waimangu Point, separated by rolling to steep hill country. This coastal area is predominantly pastoral land but backs onto steep forest-covered hill country in the north and the Hunua Ranges in the south. Pastoral farming is predominant, interspersed with local areas of indigenous vegetation.

The coastline is characterised by a rocky shoreline of small coves and headlands, cliffs, wider sandy beaches, prominent headlands, shallow beaches, separated by rolling land, which gives way to shallow gravel beaches in the south. The southern part of this coastal area acts as the entry to coastal Firth of Thames and provides a significant bird habitat and many natural features.

H19.5.10.2. Objectives

- (1) The rural and coastal character and amenity values are maintained.
- (2) The scenic values associated with the Pōhutukawa Coast coastal environment are maintained.

H19.5.10.3. Policies

- (1) Enable rural production activities for their economic and social contribution and for their role in retaining the rural and coastal character of this area.
- (2) Avoid locating dwellings and other significant buildings on prominent headlands and ridgelines and the construction of visually prominent accessways up or across visually significant slopes.
- (3) Manage the location, type and scale of non-rural production activities along the Pōhutukawa Coast Highway to ensure that the rural character and scenic values are maintained.
- (4) Avoid activities and development of a type or scale or location that adversely affect public use and enjoyment of regional parks and other public open space, unless those effects arise from the provision of facilities for:
 - (a) active and passive recreation, both on land and in the adjoining coastal marine area;
 - (b) appreciation of open space, scenic and natural landscape values;
 - (c) centres for biodiversity management and enhancement; or
 - (d) farmland management.
- (5) Recognise and support the high recreational values of the area, particularly accessibility to and use of the coastal marine area by enabling the efficient operation of existing public boat launching facilities and the establishment of new public facilities in appropriate locations.

H19.6 Rural – Rural Conservation Zone

H19.6.1. Zone description

This zone comprises biophysically distinctive areas in rural Auckland. The zone has important natural values requiring maintenance and protection. They are largely in private ownership and are used for a range of purposes including residential, low-impact recreational activities, conservation and open space.

Most areas have significant indigenous vegetation cover, are important wildlife habitats or contain important natural features such as dune lakes. Most have been identified as Significant Ecological Areas, Outstanding Landscapes, Outstanding Natural Character and High Natural Character overlays in the Plan.

The purpose of this zone is to adopt a conservative approach to new subdivision, use and development so that the natural values of the zone are maintained and protected while enabling established rural and residential activities to continue.

H19.6.2. Objectives

- (1) The natural character, landscape, and distinctive environmental values of the zone are recognised and protected.
- (2) The zone's values are maintained and where appropriate enhanced.

PC 20 (See modifications)

PC 20 (See modifications)

PC 20 (See modifications)

- (3) Existing rural and residential activities are provided for but further development in the zone is limited to that which maintains and where appropriate enhances the values of the zone.
- (4) Buildings and structures are unobtrusive within the natural landscape.

H19.6.3. Policies

- (1) Protect the natural character and landscape from significant change or modification, particularly visually intrusive buildings, structures and roads.
- (2) Manage adverse effects of buildings and structures by:
 - (a) requiring buildings and structures to be of a design, form, scale, density and location that is in keeping with the landscape; and
 - (b) avoiding buildings and structures on ridgelines.

PC 20 (See modifications)

- (3) Enable the continued use of established rural and residential activities and provide for new activities only where adverse effects are avoided or mitigated.
- (4) Maintain and enhance water quality and quantity by:
 - (a) avoiding new primary production activities or the expansion of existing activities where they will accelerate water abstraction from lakes;
 - (b) avoiding intensive farming, cleanfills, and rural industries and services that generate contaminant discharges to land or water and increase existing levels of diffuse nutrient input into lakes;
 - (c) minimising land disturbances, landform modification and the removal of indigenous vegetation; or
 - (d) avoiding the introduction of exotic species which may undermine the ecological integrity of native terrestrial or aquatic habitats.
- (5) Protect, maintain and enhance habitats, high-value natural areas and unique features present within the zone through controls on earthworks, vegetation removal, grazing, wetland modification and limitations on activities and subdivision.
- (6) Recognise the high ecological value of the dune lakes and their habitats by avoiding activities that disturb wildlife during breeding or nesting seasons.

H19.7 Rural – Countryside Living Zone

H19.7.1. Zone description

This zone provides for rural lifestyle living in identified areas of rural land which are generally closer to urban Auckland or rural and coastal towns. There is a diversity of topography, land quality and landscape character within the zone which results in a diversity of site sizes. The zone is the receiver area for transferable rural site subdivision from other zones.

PC 20 (See modifications)

This zone incorporates a range of rural lifestyle developments, characterised as low-density residential development on rural land. These rural lifestyle sites include scattered rural residential sites, farmlets and horticultural sites, residential bush sites and papakāinga.

Some parts of the zone reflect historical subdivision patterns, while other areas were established on rural land that did not have significant rural production values, and was often associated with steep topography and poor soils. Bush lots enabled the protection of indigenous vegetation cover as part of the subdivision process.

H19.7.2. Objectives

- (1) Land is used for rural lifestyle living as well as small-scale rural production.
- (2) The rural character, amenity values, water quality, ecological quality, historic heritage values and the efficient provision of infrastructure is maintained and enhanced in subdivision design and development.
- (3) Development in the zone does not compromise the ability of adjacent zones to be effectively and efficiently used for appropriate activities.
- (4) The type and nature of land-use activities provided for are restricted to those appropriate for the typically smaller site sizes.
- (5) Subdivision, use and development is compatible with infrastructure and any existing infrastructure is protected from reverse sensitivity effects.

H19.7.3. Policies

- (1) Locate and design subdivision and development to maintain and enhance rural character and amenity values and avoid an urban form and character by:
 - (a) designing subdivision and development (including accessways, services, utilities and building platforms) to be in keeping with the topography and characteristics of the land;
 - (b) minimising earthworks and vegetation clearance for accessways, utilities and building platforms;
 - (c) avoiding locating accessways, services, utilities and building platforms where they will result in adverse effects on water quality, wetlands, riparian margins, historic heritage sites or scheduled sites and places of value or significance to Mana Whenua. Where avoidance is not possible,

mitigation measures must be proposed so that any adverse effects are minor;

- (d) identifying opportunities for environmental enhancement of existing areas of native vegetation, wetland areas, riparian margins or the coastal edge;
 - (e) encourage landscape planting that reinforces local vegetation patterns;
and
 - (f) identifying and where appropriate, requiring, the provision of walkway, cycleway and bridle path networks.
- (2) Prevent subdivision, use and development from compromising the safe and efficient operation of existing mineral extraction activities, rural production activities, existing infrastructure or industry in adjacent zones.
 - (3) Avoid or mitigate adverse effects in relation to reverse sensitivity and rural character and amenity by restricting the range of land-use activities in the zone.
 - (4) Discourage activities that will result in adverse effects such as noise, dust, traffic volumes, odour, visual effects and effects on health, safety and cultural values and significantly reduce the rural character and amenity values of the zone.
 - (5) Acknowledge that the rural character and amenity values associated with this zone reflect its predominant use for rural lifestyle living rather than for rural production activities.

H19.8 Activity table

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.

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

If any activity listed in rules (including standards) H19.8.1 to H19.10.16 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;

- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

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 H19.8.1 to H19.13, 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.

Table H19.8.1 Activity Table – use and development [rp/dp]

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
Use						
	[insert text]					
Rural						
(A1)	Farming	P	P	P	P	P
(A2)	Post-harvest facilities	NC	NC	RD	RD	RD
(A3)	Rural airstrips	P	P	P	P	P
(A4)	Greenhouses	RD	RD	P	P	P
(A5)	Intensive farming	NC	NC	P	P	P
(A6)	Intensive poultry farming that complies with Standard H19.10.1(3)	NC	NC	P	P	P
(A7)	Intensive poultry farming that does not comply with Standard H19.10.1(3)	NC	NC	D	D	D

PC 20 (See modifications)

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A8)	Free-range poultry farming that complies with Standard H19.10.6(1)	P	RD	P	P	P
(A9)	Free-range poultry farming that does not comply with Standard H19.10.6(1)	D	D	D	D	D
(A10)	Mustelid farming	Pr	Pr	Pr	Pr	Pr
(A11)	Disposal of non-residential waste or composting that complies with Standard H19.10.1(1) and (2)	P	P	P	P	P
(A12)	Disposal of non-residential waste or composting that does not comply with Standard H19.10.1(1) and (2)	D	D	D	D	D
(A13)	Forestry	P	D	P	P	P
(A14)	Forestry that does not comply with Standard H19.10.7.	D	D	D	D	D
(A15)	Conservation planting	P	P	P	P	P
(A16)	Rural commercial services	D	D	RD	RD	RD
(A17)	Animal breeding or boarding that complies with Standard H19.10.8.	D	NC	P	P	P
(A18)	Animal breeding or boarding that does not comply with Standard H19.10.8.	D	NC	D	D	D
(A19)	Produce sales	P	P	P	P	P
(A20)	Produce sales that do not comply with Standard H19.10.9.	D	D	D	D	D
(A21)	Rural industries	NC	NC	RD	RD	RD
(A22)	On-site primary produce manufacturing	D	D	P	P	P

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A23)	Equestrian centres	NC	D	RD	RD	RD
(A24)	Quarries – farm or forestry	P	P	P	P	P
(A25)	Quarries – farm or forestry that does not comply with Standard H19.10.15.	D	D	D	D	D
Accommodation						
(A26)	Dwellings	Refer to Activity Table H19.8.2.				
(A27)	Minor dwellings	RD	RD	RD	RD	RD
(A28)	Minor dwellings that do not comply with Standard H19.10.11.	NC	NC	NC	NC	NC
(A29)	Workers' accommodation	NC	NC	RD	RD	RD
(A30)	Workers' accommodation that does not comply with Standard H19.10.12.	NC	NC	NC	NC	NC
(A31)	Home occupations	P	P	P	P	P
(A32)	Home occupations that do not comply with Standard H19.10.13.	NC	NC	NC	NC	NC
(A33)	Camping grounds	RD	NC	RD	RD	RD
(A34)	Visitor accommodation	NC	D	D	RD	D
Commerce						
(A35)	Restaurants and cafes accessory to farming carried out on the same site	NC	NC	RD	RD	RD
(A36)	Restaurants and cafes not otherwise provided for	NC	NC	NC	D	D
(A37)	Garden centres	NC	D	D	RD	D
(A38)	Markets	NC	D	D	P	P
(A39)	Markets that do not comply with Standard H19.10.14.	NC	D	D	D	D

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A40)	Storage and lock-up facilities	NC	NC	NC	D	D
(A41)	Show homes	D	D	D	D	D
(A42)	Veterinary clinics	NC	RD	RD	RD	RD
(A43)	Rural tourist and visitor activities	D	D	D	D	D
Community						
(A44)	Care centres for up to 10 people	P	P	P	P	P
(A45)	Care centres for more than 10 people	NC	RD	RD	RD	RD
(A46)	Community facilities	NC	D	D	D	D
(A47)	Healthcare facilities	NC	D	D	D	D
(A48)	Education facilities	NC	D	D	D	D
(A49)	Information facilities	P	P	P	P	P
(A50)	Artworks	P	P	P	P	P
(A51)	Informal recreation	P	P	P	P	P
(A52)	Organised sport and recreation	NC	D	RD	RD	RD
(A53)	Emergency services	RD	RD	RD	RD	RD
(A54)	Clubrooms	RD	RD	RD	RD	RD
Mana Whenua						
(A55)	Urupā	D	D	D	D	D
(A56)	Marae	D	D	D	D	D
(A57)	Customary use	P	P	P	P	P
Development						
(A58)	Demolition of buildings	P	P	P	P	P
(A59)	Additions and alterations to existing buildings	P	P	P	P	P
(A59A)	Rainwater tank	P	P	P	P	P
Mineral activities						
(A60)	Mineral extraction activities	NC	NC	NC	D	D
(A61)	Mineral prospecting	P	P	P	P	P

H19 Rural zones

		Rural Conservation Zone	Countryside Living Zone	Rural Coastal Zone	Mixed Rural Zone	Rural Production Zone
(A62)	Mineral prospecting that does not comply with Standard H19.10.16.	D	D	D	D	D
(A63)	Mineral exploration	P	P	P	P	P
(A64)	Mineral exploration that does not comply with Standard H19.10.16.	D	D	D	D	D
Cleanfill, managed fill and landfill						
(A65)	Cleanfill	NC	NC	D	D	D
(A66)	Managed fill	NC	NC	D	D	D
(A67)	Landfill	NC	NC	NC	NC	NC
Subdivision						
(A68)	The subdivision of a minor dwelling from the site on which the principal dwelling is located	Pr	Pr	Pr	Pr	Pr
(A69)	The subdivision of workers' accommodation from the site on which the principal dwelling is located	Pr	Pr	Pr	Pr	Pr
Coastal						
(A70)	Navigational aids	P	P	P	P	P
(A71)	Boat launching facilities	D	D	D	D	D

Table H19.8.2 Activity table – number of dwellings and activity status in rural zones

Activity	Activity Status				
	Mixed Rural Zone and Rural Production Zone	Rural Conservation Zone and Countryside Living Zone	Rural Coastal Zone: Te Arai-Pakiri, East Coast area – Whangateau-Waiwera, West Coast area- Kaipara South Head and harbour, Muriwai-Te Henga coastal areas	Rural Coastal Zone: Tasman Coast area – Awhitu Peninsula, Manukau Harbour, and Tamaki-Firth coastal areas	
(A72)	One dwelling per site	P	P	RD	P

H19 Rural zones

(A73)	Two dwellings per site where the site is equal to or greater than 40ha and is less than 100ha	P	D	D	D
(A74)	Two dwellings per site where the site is less than 40ha	NC	NC	NC	NC
(A75)	Three dwellings per site where the site is equal to or greater than 100ha	P	D	D	D
(A76)	More than three dwellings per site where the site is equal to or greater than 100ha	D	D	D	D
(A77)	Three or more dwellings per site where the site is less than 100ha	NC	NC	NC	NC
(A78)	Dwellings not otherwise provided for, or any dwelling that does not comply with Standard H19.10.10	NC	NC	NC	NC

H19.9 Notification

- (1) Activities listed in Tables H19.8.1 and H19.8.2 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H19.10 Standards

- (1) All activities listed in tables H19.8.1 and H19.8.2 must comply with standards in H19.10.1.
- (2) In addition, all activities in tables H19.8.1 and H19.8.2 must comply with the relevant applicable standards in H19.10.2. to H19.10.16.
- (3) Notwithstanding the above Rainwater tanks must comply with rainwater tank standard H19.10.17.

H19.10.1. General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Countryside Living Zone, Future Urban Zone and any residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Pens or areas used for intensive farming (excluding poultry hatcheries), or any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be at located least:
 - (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
 - (b) 100m from any boundary of the site on which the activity is located.

H19.10.2. Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with rural landscape, character and amenity.

- (1) Dwellings and buildings accessory to dwellings – buildings must not exceed a height of 9m.
- (2) Other buildings – buildings must not exceed a height of 15m.

H19.10.3. Minimum yards setback requirement

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties;
- opportunities for reverse sensitivity effects to arise; and
- to ensure buildings are adequately setback from streams and the coastal edge to maintain water quality and provide protection from natural hazards.

- (1) Buildings and accessory buildings must comply with the minimum yard setback requirement as set out in Table H19.10.3.1.

Table H19.10.3.1 Minimum yards setback requirement

Yard	Minimum depth in each zone				
	Rural Conservation	Countryside Living	Rural Coastal	Mixed Rural	Rural Production
Front yard	10m	10m	10m	10m	10m
Front yard of sites adjoining arterial roads as shown on the planning map (unless otherwise specified)	20m	20m	20m	20m	20m
Side or rear yard for buildings other than dwellings and their accessory buildings (unless otherwise specified)	12m	12m	12m	12m	12m
Side or rear yard for dwellings and their accessory buildings within a Quarry Buffer Area Overlay	20m	20m	20m	20m	20m
Side or rear yard of the site for dwellings and their accessory buildings (unless otherwise specified)	12m	12m	12m	12m	12m
Riparian yard	20m from the edge of permanent and intermittent streams				
Lake yard	30m				
Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard	50m	40m	50m	50m	50m

H19.10.4. Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties, and
- opportunities for reverse sensitivity effects to arise.

(1) Buildings for the primary purpose of housing animals must be located at least 12m from any site boundary.

H19.10.5. Size of buildings – intensive farming, intensive poultry farming, animal breeding or boarding, produce sales, and on-site primary produce manufacturing

(1) Buildings required for or accessory to the following activities must not exceed the following gross floor area:

(a) intensive farming, intensive poultry farming, animal breeding or boarding, produce sales: 200m²; or

(b) on-site primary produce manufacturing: 500m².

H19.10.6. Free-range poultry farming

- (1) Coops and associated hard stand areas for free-range poultry farming must be set back at least 20m from the nearest site boundary.

H19.10.7. Forestry

The following standards apply to forestry:

- (1) Forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already afforested;
- (2) Forestry must be carried out at least 5m from the bank of permanent stream, river, lake, wetland or coastal edge;
- (3) Forestry must be carried out at least 5m from an area identified in the Significant Ecological Areas Overlay; and,
- (4) Portable sawmills must be located on a site for no more than six months in any 12 month period. Where a portable sawmill has been located on a site for longer than six months in any 12 month period, the use of portable sawmills on the site will be considered as a rural industry and is subject to the activity status of the relevant zone.

H19.10.8. Animal breeding or boarding

The following standards apply to animal breeding or boarding:

- (1) Animal breeding or boarding must operate on a site with a minimum size of 2,000m² in the Rural – Rural Conservation Zone, Rural – Rural Production Zone, Rural – Mixed Rural Zone and Rural – Rural Coastal Zone;
- (2) No more than 20 cats may be bred or boarded at any one time;
- (3) No dogs may be bred or boarded at any time;
- (4) No more than 25 domestic pets, other than cats or dogs, may be bred or boarded at any one time; and,
- (5) Buildings or areas used for animal breeding or boarding must not be located less than 20m from the boundary of an adjoining site in a different ownership.

H19.10.9. Produce sales

The following standards apply to produce sales:

- (1) Produce sales must not be carried out on any part of the road reserve and the site must not have its vehicle access from a State Highway or motorway;
- (2) The area set aside on the site for displaying and produce sales must not exceed:

- (a) 30m² per site where the site is not located in the Rural – Countryside Living Zone; or
- (b) 15m² per site in the Rural – Countryside Living Zone;
- (3) The type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts made on the site;
- (4) Produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale; and,
- (5) The area set aside for produce sale (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m² of the site area.

H19.10.10. Dwellings

- (1) The site of the proposed dwelling must not be located on a closed road or road severance allotment.

H19.10.11. Minor dwelling

The following standards apply to minor dwellings:

- (1) There must be no more than one minor dwelling per site;
- (2) The building must comply with the relevant yards setback requirement and height standards for buildings in the zone as set out in standards H19.10.2 and H19.10.3;
- (3) The proposed minor dwelling must be located on a site greater than 1ha;
- (4) The proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging; and,
- (5) The minor dwelling must share the same driveway access as the principal dwelling.

H19.10.12. Workers' accommodation

The following standards apply to workers' accommodation

- (1) Workers' accommodation must comply with all of the following:
 - (a) no more than one workers' accommodation building per site;
 - (b) comply with all the relevant yards setback requirement, and height standards for buildings in the applicable zone as set out in standards H19.10.2 and H19.10.3;

- (c) be located on a site equal to or greater than 5ha and less than 40ha;
- (d) have a floor area equal to or less than 120m² excluding decks and garaging. The floor area may include a dormitory or equivalent;
- (e) only have a single kitchen facility; and
- (f) may accommodate a number of seasonal workers.

H19.10.13. Home occupations

The following standards apply to home occupations:

- (1) At least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (2) No more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (3) Except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm daily;
- (4) Vehicle movements to and from the home occupation activity must not exceed 20 per day;
- (5) Heavy vehicle trips must not exceed two per week;
- (6) No more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) Storage for rubbish and recycling must be provided on site and screened from public view;
- (9) Materials or goods manufactured, serviced or repaired as part of the home occupation activity must be stored within a building on the same site; and,
- (10) Goods sold from the home occupation site must comply with the Standard H19.10.9 Produce sales.

H19.10.14. Markets

- (1) Markets must comply with all of the following:
 - (a) must not operate on a site of less than 1ha;
 - (b) must not be located on a rear site;
 - (c) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts; and
 - (d) must operate between 7am and 7pm daily.

H19.10.15. Quarries - farm or forestry

- (1) Quarries - farm or forestry must not be located closer than:
 - (a) 50m from the edge of a lake, river or stream;
 - (b) 50m from the edge of or a wetland larger than 1,000m²;
 - (c) 100m either side of a foredune; or
 - (d) 100m landward of the coastal marine area.

H19.10.16. Mineral prospecting and mineral exploration

- (1) Mineral prospecting and mineral exploration must comply with all of the following:
 - (a) must not involve blasting; and,
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H19.10.17. Rainwater tanks

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1 m in height or wholly below ground level;
 - (b) in a 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.
- (4) Rainwater tanks located in the Rural Coastal zone must be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H19.11 Assessment – controlled activities

H19.11.1. Matters of Control

There are no controlled activities in this section.

H19.11.2. Assessment Criteria

There are no controlled activities in this section.

H19.12 Assessment – restricted discretionary activities

H19.12.1. Matters of discretion

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

- (1) all restricted discretionary activities and their buildings (including accessory buildings):
 - (a) effects on rural character and amenity values of the neighbourhood;
 - (b) effects of noise on the amenity values of the neighbourhood;
 - (c) effects of traffic volume on the safety of and convenience of other road users;
 - (d) effects of stormwater management;
 - (e) effects on land containing elite soil or prime soil for rural production activities; and
 - (f) effects on areas identified in the Outstanding Natural Landscapes, Outstanding Natural Character and High Natural Character Areas overlays.
- (2) one dwelling per site and accessory buildings in the Rural Coastal Zone – Te Arai-Pakiri, Whangateau to Waiwera, Kaipara South Head and harbour to Muriwai-Te Henga coastal areas:
 - (a) matters for all restricted discretionary activities;
 - (b) the effects of the site layout and building design on the rural coastal character of the area and the amenity values of surrounding properties; and,
 - (c) the effects of the development including any landform modification on the landscape values of the neighbourhood the effect on areas identified in the Outstanding Natural Landscapes, Outstanding Natural Character and High Natural Character areas overlays.
- (3) minor dwellings:
 - (a) matters for all restricted discretionary activities;
 - (b) effects of building siting and access on landscape, rural character and amenity values;
 - (c) the cumulative effects of additional development on the site;
 - (d) the adequacy of access to the dwelling; and
 - (e) proximity to the principal dwelling on the site.
- (4) workers' accommodation:

H19 Rural zones

- (a) matters for all restricted discretionary activities;
 - (b) the effects of building siting, and access on landscape and rural character;
and
 - (c) the cumulative effects of additional development on the site.
- (5) infringement of Standard H19.10.2 Building height:
- (a) the effects on rural character; and
 - (b) impacts on dwellings on adjoining sites.
- (6) infringement of Standard H19.10.4 Buildings housing animals – minimum separation distance:
- (a) the effects on rural character;
 - (b) impacts on dwellings on adjoining sites; and
 - (c) natural hazards.

H19.12.2. Assessment criteria

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

- (1) all restricted discretionary activity and their accessory buildings:
 - (a) whether the design and location of the buildings, and site landscaping, avoid, remedy, or mitigate the adverse visual effects of the buildings and related site works on rural and rural coastal character and amenity values including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character areas. The following are relevant:
 - (i) building bulk;
 - (ii) glare or reflections off the exterior cladding;
 - (iii) landform modification needed for building platforms;
 - (iv) screening from neighbouring sites;
 - (v) views of the buildings from any public road or open space used for recreation, including any beach, coastal marine area, coastline, or regional park; and
 - (vi) related signage.
 - (b) whether noise from fans, ventilators, heaters, or other machines, or from on-site activities can be adequately mitigated;

- (c) whether the design and location of the buildings, and the associated traffic avoid, remedy or mitigate adverse effects on the road network or traffic safety;
 - (d) whether the control, treatment, storage, or disposal of stormwater can be adequately managed;
 - (e) if the site contains elite soils whether the proposed buildings, structures, or site development prevent or compromise its availability or use for activities that directly rely on it;
 - (f) if the site contains prime soils, whether the proposed buildings, structures, or site development can be relocated so as not prevent or compromise its availability or use for activities that directly rely on it; and
 - (g) for fire stations, the extent to which functional requirements and the benefits that having the emergency services in the location are to be taken into account.
- (2) one dwelling per site and its accessory buildings in the Rural Coastal Zone – Te Arai-Pakiri, Whangateau to Waiwera, Kaipara South Head and harbour to Muriwai-Te Heunga coastal areas:
- (a) whether all buildings are sited and designed so they do not visually intrude on any significant ridgeline or skyline or adversely affect landscape values when viewed from any road or other public land including any beach, the sea or regional park;
 - (b) whether building finishes including colours and materials complement the rural and rural coastal character of the surrounding environment. This criterion would be satisfied if the exterior finish of the building or structure has a reflectance value of, or less than, 30 per cent as defined within the BS5252 standard colour palette;
 - (c) whether the siting of buildings and accessory buildings contribute to the rural and rural coastal character of the surrounding environment by responding to natural landforms, landscape features, including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character overlays;
 - (d) whether the development requires extensive landform modification; and
 - (e) whether existing trees and bush that make a significant contribution to the visual and environmental qualities of the site are retained to the fullest extent practicable.
- (3) minor dwellings and their accessory buildings:
- (a) whether the design and location of the buildings, access and site works avoid, remedy, or mitigate the adverse visual effects on rural and rural

coastal character and amenity values including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character overlays including:

- (i) building bulk;
- (ii) glare or reflections off the exterior cladding;
- (iii) landform modification needed for building platforms;
- (iv) screening from neighbouring sites; and
- (v) the cumulative effects of built development on the site.

(b) whether the minor dwelling is in close proximity to the principal dwelling so that the inhabitants remain close to one another and the buildings are not dispersed over a rural site.

(4) workers' accommodation:

(a) whether the design and location of the buildings, access and site works avoid, remedy, or mitigate the adverse visual effects on rural and rural coastal character and amenity values including where the proposal is within or adjacent to any Outstanding Natural Landscape, Outstanding Natural Character and High Natural Character overlays including:

- (i) building bulk;
- (ii) glare or reflections off the exterior cladding;
- (iii) landform modification needed for building platforms;
- (iv) screening from neighbouring sites; and
- (v) the cumulative effects of built development on the site.

(b) whether the applicant can demonstrate that a separate dwelling is required on the site for the purpose of accommodating workers engaged on the site or in the surrounding rural area and that it would be impracticable to provide the accommodation as a permitted buildings such as a sleep-out, existing minor dwelling or an extension to an existing dwelling on the site.

(5) infringement of Standard H19.10.2 Building height:

- (a) whether the proposed height and scale of the building adversely affect the rural character of a site;
- (b) whether the proposed height and location of buildings adversely affect the visual character of adjacent sites; and
- (c) whether the proposed height and scale of the building adversely affect amenity values of neighbouring sites by reducing privacy or sunlight access.

- (6) infringement of Standard H19.10.4 Buildings housing animals – minimum separation distance:
- (a) whether the proposed height and scale of the building adversely affects the rural character of a site;
 - (b) whether the proposed height and location of buildings adversely affects the visual character of adjacent sites;
 - (c) whether the proposed height and scale of the building adversely affect amenity values of neighbouring sites by reducing privacy or sunlight access; and
 - (d) whether the proposed building exacerbates or creates a natural hazard or nuisance for neighbouring properties.

H19.13 Special information requirements

There are no special information requirements in this section.

H20. Rural – Waitākere Foothills Zone

H20.1 Zone description

The Rural – Waitākere Foothills Zone covers the area between the developed, urban part of Auckland and westward to the bush-covered part of the Waitākere Ranges. It includes the mixed rural and natural landscape of the eastern foothills catchments of Ōrātia, Opānuku, Swanson South and the upper Kumeu streams, excluding the relatively contiguous bush cover of the upper catchments and ridges. It forms a visual buffer between metropolitan Auckland and the bush-clad core of the heritage area. Activities include a mixture of vineyards, orchards, dwellings and pasture. Limited settlement is allowed where it does not cause adverse effects on the heritage features. Opportunity exists for the development of a walkway linking Titirangi to the Swanson Railway station and for the restoration of streams within the foothills.

H20.2 Objectives

- (1) Activities, development, and subdivision in this zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in [D12.2](#).
- (2) Land is used and developed to achieve the objectives of the Rural – Countryside Living Zone unless otherwise specified in objectives H20.2(1), (3) and (4).
- (3) The Rural – Waitākere Foothills Zone retains a rural character with low-density settlement and few urban-scale activities.
- (4) The Rural – Waitākere Foothills Zone provides a rural and visual buffer between urban Auckland and the forested ranges and coasts.

H20.3 Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in [D12.3](#).
- (2) Provide for use and development which supports the policies of the Rural – Countryside Living Zone unless otherwise specified in policies H20.3(3) to (11).
- (3) Provide for buildings and activities that:
 - (a) avoid, remedy or mitigate adverse effects on views to the Waitākere Ranges, the rural foothills and the western skyline of Auckland;
 - (b) are compatible with the amenity values, rural character and the natural landscape;
 - (c) retain a rural buffer between the bush-clad and urban parts of the city;
 - (d) avoid, remedy or mitigate effects on ecosystems, including native vegetation and habitats of native fauna;

- (e) do not lead or contribute to urban expansion and/or the fragmentation of rural character; and
 - (f) contribute to and enhance the ongoing productive use of rural land, and the restoration of degraded terrestrial and aquatic ecosystems.
- (4) Provide for a diverse range of rural activities that have a clear connection with the resources, communities or the natural or rural character and amenity values of the Waitākere Ranges Heritage Area.
- (5) Limit retail activities outside of the Ōrātia Village to home occupations, nurseries, garden centres, food and beverages, visitor accommodation and agricultural and horticultural produce.
- (6) Enable rural activities that have a clear connection with the community and its resources or maintain connections with the foothills' productive past, including retaining and maintaining farming, orchards, vineyards and shelterbelts, and designing landscape elements of new activities to reflect the Waitākere Ranges Heritage Area's history and pattern of development.
- (7) Maintain a clear contrast between the urban parts of the city and the foothills through design and location of subdivision and development.
- (8) Provide for limited subdivision and/or development where this:
- (a) protects and enhances streams, lakes, watercourses, and wetlands and their margins;
 - (b) restores low-quality areas of vegetation or provides for revegetation of bare areas along waterway margins; or
 - (c) minimises vegetation clearance by locating buildings and development in areas of lower ecological value on the site.
- (9) Require subdivision design to:
- (a) incorporate on-site native vegetation planting;
 - (b) retain or link significant vegetation and fauna habitat areas; and
 - (c) avoid adversely affecting the visual, historic, cultural, or spiritual significance of heritage features.
- (10) Provide for legal and physical protection of native vegetation to ensure these areas are protected in perpetuity, including, where necessary requiring fencing to achieve permanent stock exclusion.
- (11) Provide for the establishment of the indicative foothills walkway and connections from it to existing walkways.

H20.4 Activity table

Table H20.4.1 specifies the activity status of land use activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991.

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

If any activity listed in rules (including standards) H20.4.1 to H20.6.17 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPf”) then the NESPf applies and prevails.

However, the NESPf allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPf in relation to any of the above, the most restrictive rule will prevail.

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

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 H20.4.1 to H20.9, 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.

Table H20.4.1 Activity Table

Activity		Activity status
(A1)	Activities not provided for	NC
Development		
(A2)	Demolition of buildings	P

H20 Rural – Waitākere Foothills Zone

(A3)	Buildings not complying with Standard H20.6.2 Building height	D
(A4)	Building coverage that does not comply with Standard H20.6.4.(1) and which is less than or equal to 25 per cent of net site area	RD
(A5)	Building coverage that exceeds 25 per cent of net site area	NC
(A6)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A6A)	Rainwater tank	P
Use		
Rural		
(A7)	Farming	P
(A8)	Farm visit for up to 30 visitors	P
(A9)	Rural airstrips	D
(A10)	Greenhouses with a building coverage not exceeding 25 per cent of the net site area	RD
(A11)	Greenhouses with a building coverage exceeding 25 per cent of the net site area	NC
(A12)	Intensive farming not exceeding 200m ² in gross floor area	D
(A13)	Intensive poultry farming exceeding 200m ² in gross floor area	NC
(A14) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H20.6.1.(1) and (2)	P
(A15) [rp/dp]	Disposal of non-residential waste or composting that does not comply with Standard H20.6.1.(1) and (2)	D
(A16)	Free-range poultry farming complying with Standard H20.6.6(1)	RD
(A17)	Free-range poultry farming not complying with Standard H20.6.6(1)	D
(A18)	Mustelid farming	Pr
(A19)	Forestry complying with Standard H20.6.7(1) to (5)	P
(A20)	Forestry not complying with Standard H20.6.7(1) to (5)	D
(A21)	Conservation planting	P

H20 Rural – Waitākere Foothills Zone

(A22)	Rural commercial services	D
(A23)	Animal breeding or boarding	NC
(A24)	Produce sales complying with Standard H20.6.8	P
(A25)	Produce sales not complying with Standard H20.6.8	D
(A26)	Rural industries	NC
(A27)	On-site primary produce manufacturing not exceeding 200m ² in gross floor area	RD
(A28)	On-site primary produce manufacturing exceeding 200m ² in gross floor area	D
(A29)	On-site primary produce manufacturing not complying with Standard H20.6.15(1)	NC
(A30)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A31)	Post-harvest facilities not complying with Standard H20.6.14(1) and (2)	D
(A32)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A33)	Equestrian centres	D
(A34)	Quarries - farm or forestry	NC
Accommodation		
(A35)	One dwelling per site	P
(A36)	Any dwelling not complying with Standard H20.6.9	NC
(A37)	Minor dwellings	P
(A38)	Any minor dwelling not complying with Standard H20.6.10(1) to (6)	NC
(A39)	Workers' accommodation	NC
(A40)	Home occupations	P
(A41)	Home occupations not complying with Standard H20.6.11	NC
(A42)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A43)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A44)	Camping grounds	NC
Commerce		
(A45)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 200m ²	RD
(A46)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 200m ²	D
(A47)	Restaurants and cafes not complying with Standard H20.6.16	D
(A48)	Garden centres	D

H20 Rural – Waitākere Foothills Zone

(A49)	Markets	RD
(A50)	Markets not complying with Standard H20.6.12(1)(a) to (e)	D
(A51)	Storage and lock-up facilities	D
(A52)	Show homes	NC
(A53)	Veterinary clinics	D
(A54)	Filming	P
(A55)	Rural tourist and visitor activities	D
Community		
(A56)	Care centres	D
(A57)	Community facilities	D
(A58)	Healthcare facilities	D
(A59)	Education facilities	D
(A60)	Information facilities	D
(A61)	Outdoor recreational activities for up to 20 people	RD
(A62)	Outdoor recreational activities not complying with Standard H20.6.17	D
(A63)	Informal recreation and leisure	P
(A64)	Organised sport and recreation	D
(A65)	Clubrooms	RD
Mana Whenua		
(A66)	Urupā	D
(A67)	Marae	D
(A68)	Customary use	P
Mineral activities		
(A69)	Mineral extraction activities	NC
(A70)	Mineral prospecting	P
(A71)	Mineral exploration	P
(A72)	Mineral prospecting and mineral exploration not complying with Standard H20.6.13	D
Cleanfill, managed fill and landfill		
(A73)	Cleanfill	NC
(A74)	Managed fill	NC
(A75)	Landfill	NC

H20.5 Notification

- (1) Any application for resource consent for an activity listed in Table H20.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H20.6 Standards

All permitted and restricted discretionary activities listed in Table H20.4.1 Activity table must comply with standards in H20.6.1. In addition these activities must comply with the applicable standards in H20.6.2 to H20.6.17 where relevant.

H20.6.1. General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone and Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Pens or areas used for intensive farming (excluding poultry hatcheries), or any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be at located at least:
 - (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
 - (b) 100m from any boundary of the site on which the activity is located.

H20.6.2. Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with rural landscape, character and amenity.

- (1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed a height of 8m.
- (2) Other accessory buildings must not exceed a height of 15m.

H20.6.3. Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the rural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise

- the effects on streams to maintain water quality and provide protection from natural hazards.

(1) [deleted]

(2) [deleted]

(3) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H20.6.3.1 Minimum Yard Setback Requirements below.

Table H20.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards for sites with a net site area of less than 4000m ²	3m
Front, side and rear yards for sites with a net site area greater than 4000m ²	10m
Riparian yard	20m from the edge of permanent and intermittent streams

H20.6.4. Building coverage

- (1) The maximum building coverage is one per cent of the net site area or 300m², whichever is greater.
- (2) Activities that do not comply with Standard H20.6.4(1) are a restricted discretionary activity provided that the total building coverage on the site does not exceed 25 per cent of the net site area.
- (3) Building coverage that exceeds 25 per cent of net site area is a non-complying activity.

H20.6.5. Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties, and
- opportunity for reverse sensitivity effects to arise.

(1) Buildings for the primary purpose of housing animals with a gross floor area greater than 25m² must be located at least 50m from any boundary of the site.

H20.6.6. Free-range poultry farming

- (1) Coops and associated hard stand areas must be set back at least 50m from the nearest site boundary.

H20.6.7. Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already forested;
- (3) forestry must be carried out at least 5m from the bank of a permanent stream, river, lake, wetland or coastal edge;
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Areas Overlay; and
- (5) portable sawmills must be located on a site for no more than six months in any 12 month period. Where a portable sawmill has been located on a site for longer than six months in any 12-month period, the use of portable sawmill on the site will be considered as a rural industry being a non-complying activity in the Rural – Waitākere Foothills Zone.

H20.6.8. Produce sales

The following standards apply to produce sales:

- (1) produce sales must not be carried out on any part of the road reserve and the activity must not have its vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) The type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H20.6.9. Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H20.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must:
 - (a) not be located:
 - (i) in a riparian yard unless less than 1m in height or wholly below ground level;
 - (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
 - (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H20.6.10. Minor dwellings

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;

- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (5) the minor dwelling must share the same driveway access as the principal dwelling; and
- (6) the building must comply with the relevant requirement for yards and maximum height for buildings as set out in Standards H20.6.2 and H20.6.3 and the standards for dwellings set out in Standard H20.6.9(2)-(6).

H20.6.11. Home occupations

The following standards apply to home occupations:

- (1) no more than five persons are engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) Heavy vehicle trips must not exceed two per week.
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H20.6.8 for produce sales; and
- (11) a home occupation involving homestays is limited to the accommodation of a maximum of 10 people on the site at any one time. This includes the people who reside on the site.

H20.6.12. Markets

- (1) Markets must comply with all of the following:
 - (a) must operate on a site greater than 2ha;
 - (b) must not be located on a rear site;
 - (c) must operate between 7am and 7pm daily;
 - (d) must not occur more than two days every week; and
 - (e) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts goods.

H20.6.13. Mineral prospecting and mineral exploration

- (1) Mineral prospecting and mineral exploration must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H20.6.14. Post-harvest facilities

The following standards apply to post-harvest facilities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H20.6.15. On-site primary produce manufacturing

- (1) The activity must be located on a site with a net site area exceeding 2ha.

H20.6.16. Restaurants and cafes

The following standards apply to restaurants and cafes:

- (1) the activity does not incorporate drive-through sales; and
- (2) the activity must occur on a site with a net site area greater than 2ha.

H20.6.17. Outdoor recreation activities

- (1) The activity may involve buildings or structures ancillary to the activity and must not have a gross floor area greater than 30m².
- (2) The activity must not involve motorsport or guns.

H20.7 Assessment – controlled activities

There are no controlled activities in this zone.

H20.8 Assessment – restricted discretionary activities

H20.8.1. Matters of discretion

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

- (1) All restricted discretionary activities:
 - (a) rural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19](#). Rural zones under [H19.12.1](#) Matters of discretion.
- (2) Infringement of the minimum yard setback requirement:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) Infringement of the building coverage:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H20.8.2. Assessment criteria

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

- (1) For all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity are compatible with amenity values, neighbourhood character, and the natural landscape and do not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects rural character;
 - (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
 - (d) whether the activity would result in adverse effects on water quality, native vegetation and fauna habitat;

PC 71 ([see Modifications](#))

- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a loss of rural character and amenity values;
 - (f) the extent to which the activity provides adequate parking and safe driveway access and sight lines;
 - (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
 - (h) the assessment criteria in [H19.12.2](#) Rural zones – assessment criteria for restricted discretionary activities.
- (2) Infringement of minimum yard setback requirement:
- (a) The extent to which buildings are located:
 - (i) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (ii) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (iii) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.
- (3) Infringement of building coverage standard:
- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H20.9 Special information requirements

There are no special information requirements in this zone.

H21. Rural – Waitākere Ranges Zone

H21.1. Zone description

The Rural – Waitākere Ranges Zone comprises most of the privately owned land around the periphery of the public open space and the regional park within the Waitakere Ranges Heritage Area. This typically contains small holdings and residential properties and has a natural character dominated by bush-clad land. It contains heritage features such as areas of contiguous native bush, coastal areas, significant landforms and geological sites and significant and other terrestrial and aquatic ecosystems.

In the centre of the zone is the Scenic Drive ridge and the forested upper reaches of the Ōrātia and Ōpānuku streams' catchments, the western and southern edges of which are bounded by large continuous areas of primary and regenerating indigenous rainforest, the Waitākere Ranges Regional Park and the public water supply catchments. The eastern edge is bounded by the orchards and farms of Ōrātia and Ōpānuku/Henderson Valley.

The zone provides limited opportunity for further growth and development. It recognises the local, regional and national significance of the area and aims to prevent subdivision, use and development from having adverse effects on the heritage features of the Waitakere Ranges Heritage Area. Existing and future land use and development is managed to maintain and protect heritage features. Activities provided for in the zone enable and support the social, economic, cultural and environmental well-being of the people that live and work in the zone and in its distinct communities, while protecting, restoring and enhancing the heritage features of the zone.

H21.2. Objectives

- (1) Activities, development, and subdivision in the Rural – Waitākere Ranges Zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in Section [D12.2](#).
- (2) Activities, development, and subdivision achieve the objectives of the Rural – Rural Conservation Zone unless otherwise provided for in Objectives H21.2(1) and (3).
- (3) The forested character and natural landscape qualities of the Rural – Waitākere Ranges Zone are maintained and enhanced.

H21.3. Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in Section [D12.3](#).
- (2) Provide for subdivision, use and development which supports the policies of the Rural – Rural Conservation Zone unless otherwise provided for in Policy H21.3(3).

(3) Design subdivision, activities and development to:

- (a) protect significant and outstanding native vegetation and fauna habitat, and where possible avoid clearance of, or damage to, this resource;
- (b) minimise adverse effects arising from placement of structures, roads and other infrastructure, on the overall resilience, biodiversity and integrity of ecosystems;
- (c) minimise adverse effects during the course of establishing the subdivision, activities and development including those arising from surveying; and
- (d) recognise the natural values of native vegetation and fauna habitat areas and the linkages between these areas.

H21.4. Activity table

Table H21.4.1 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.

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

If any activity listed in rules (including standards) H21.4.1 to H21.6.14 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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

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

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 H21.4.1 to H21.9, 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.

Table H21.4.1 Activity table

Activity		Activity status
(A1)	Activities not otherwise provided for	NC
Development		
(A2)	Demolition of buildings	P
(A3)	Buildings having a height exceeding the maximum specified in Standard H21.6.2.	D
(A4)	A building that does not comply with Standard H21.6.3(1) that has front, side and rear yards of not less than 3m	RD
(A5)	A building that does not comply with Standard H21.6.3(1) with front, side or rear yards of less than 3m	D
(A6)	A building that does not comply with Standard H21.6.4(1) and (2) where the building coverage does not exceed 15 per cent.	RD
(A7)	A building that does not comply with Standard H21.6.3(1) and (2) where the building coverage exceeds 15 per cent.	NC
(A8)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A8A)	Rainwater tank	P
Use		
Rural		
(A9)	Farming	P
(A10)	Farm visit for up to 20 visitors	P
(A11)	Post-harvest facilities	D
(A12)	Rural airstrips	D
(A13)	Greenhouses with a building coverage not exceeding 25 per cent of net site area	RD

H21 Rural – Waitākere Ranges Zone

(A14)	Greenhouses with a building coverage exceeding 25 per cent of net site area	NC
(A15) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H21.6.1.(1) and (2)	P
(A16) [rp/dp]	Disposal of non-residential waste or composting not complying with Standard H21.6.1.(1) and (2)	D
(A17) [rp/dp]	Effluent disposal systems complying with Standard H21.6.1.(3)	P
(A18) [rp/dp]	Effluent disposal systems not complying with Standard H21.6.1.(3)	D
(A19)	Intensive farming	NC
(A20)	Intensive poultry farming	NC
(A21)	Free-range poultry farming	P
(A22)	Free-range poultry farming not complying with Standard H21.6.6	D
(A23)	Mustelid farming	Pr
(A24)	Forestry	P
(A25)	Forestry not complying with Standard H21.6.7	D
(A26)	Conservation planting	P
(A27)	Rural commercial services	NC
(A28)	Animal breeding or boarding	D
(A29)	Produce sales	P
(A30)	Produce sales not complying with Standard H21.6.8	D
(A31)	Rural industries	NC
(A32)	On-site primary produce manufacturing	NC
(A33)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A34)	Post-harvest facilities not complying with Standard H21.6.13	D
(A35)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A36)	Equestrian centres	D
(A37)	Quarries - farm or forestry	NC
Accommodation		
(A38)	One dwelling per site	P
(A39)	Dwelling not complying with Standard H21.6.9	NC
(A40)	Minor dwellings	P
(A41)	Minor dwellings that does not comply with Standard H21.6.10	NC
(A42)	Subdivision of the minor dwelling from the site on which the principal dwelling is located	Pr

H21 Rural – Waitākere Ranges Zone

(A43)	Workers' accommodation	NC
(A44)	Home occupation	P
(A45)	Home occupation not complying with Standard H21.16.11	NC
(A46)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A47)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A48)	Camping grounds	NC
Commerce		
(A49)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 300m ²	D
(A50)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 300m ²	NC
(A51)	Garden centres	NC
(A52)	Markets	NC
(A53)	Storage and lock-up facilities	D
(A54)	Show homes	NC
(A55)	Veterinary clinics	D
(A56)	Rural tourist and visitor activities	D
Community		
(A57)	Care centres	D
(A58)	Community facilities	D
(A59)	Healthcare facilities	D
(A60)	Education facilities	NC
(A61)	Information facilities	D
(A62)	Artworks	P
(A63)	Outdoor recreational activities for up to 20 people	RD
(A64)	Informal recreation and leisure	P
(A65)	Organised sport and recreation	NC
(A66)	Emergency services	RD
(A67)	Clubrooms	RD
Coastal		
(A68)	Navigational aids	P
(A69)	Structures for boat launching activities	D
Mana Whenua		
(A70)	Urupa	D
(A71)	Marae	D
(A72)	Customary use	P

Mineral activities		
(A73)	Mineral extraction activities	NC
(A74)	Mineral prospecting	P
(A75)	Mineral prospecting that does not comply with standard H21.6.12	D
(A76)	Mineral exploration	NC
Cleanfill, managed fill and landfill		
(A77)	Cleanfill	NC
(A78)	Managed fill	NC
(A79)	Landfill	NC

H21.5. Notification

- (1) Any application for resource consent for an activity listed in Table H21.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H21.6. Standards

All permitted and restricted discretionary activities listed in Table H21.4.1 Activity table must comply with Standard H21.6.1. In addition these activities must comply with standards in H21.6.2 to H21.6.14 where relevant.

H21.6.1 General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Ranges Zone, Rural – Waitākere Foothills Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be located at least:

- (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
- (b) 100m from any boundary of the site on which the activity is located.

H21.6.2 Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with the natural landscape, natural character and amenity values of the zone.

- (1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed 8m in height.
- (2) Other accessory buildings must not exceed a height of 15m.

H21.6.3 Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the natural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunities for reverse sensitivity effects to arise.
- the effects on streams, lakes and the coastal edge to maintain water quality and provide protection from natural hazards.

(1) *[deleted]*

(2) *[deleted]*

(3) A building that does not comply with Standard H21.6.3(1) is a restricted discretionary activity provided that it has front, side and rear yards of a depth of not less than 3m.

(4) A building with front, side and rear yards of a depth less than 3m is a discretionary activity.

(5) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H21.6.3.1 Minimum Yard Setback Requirements below.

Table H21.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards	10m
Front, side and rear yards for sites located within Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in D12 Waitākere Ranges Heritage Area Overlay	3m
Riparian yard	20m from edge of permanent and intermittent streams

Lake yard	30m
Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard	50m

H21.6.4 Building coverage

- (1) The maximum building coverage within the Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in [D12 Waitākere Ranges Heritage Area Overlay](#) must not exceed ten per cent of net site area or 300m² whichever is the lesser.
- (2) The maximum building coverage outside the Overlay Subdivision Plan 7a-7g – Bush Living (Ranges) identified in the [D12 Waitākere Ranges Heritage Area Overlay](#) must not exceed 15 per cent of net site area or 300m² whichever is the lesser.
- (3) A building that does not comply with Standard H21.6.4(1) and (2) is a restricted discretionary activity provided the building coverage does not exceed 15 per cent.
- (4) A building that does not comply with Standard H21.6.4(1) and (2) and where the building coverage exceeds 15 per cent is a non-complying activity.

H21.6.5 Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the natural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise.

- (1) Buildings for the primary purpose of housing animals greater than 25m² gross floor area must be located at least 50m from any boundary of the site.

H21.6.6 Free-range poultry farming

- (1) Coops and associated hard stand areas for free-range poultry farming must be set back at least 50m from the nearest site boundary.

H21.6.7 Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or

the adjoining site is an area identified in the Significant Ecological Area Overlay or the adjoining site is already afforested;

- (3) forestry must be carried out at least 5m from the bank of any permanent stream, river, lake, wetland or coastal edge; and
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Area Overlay.

H21.6.8 Produce sales

The following standards apply to produce sales:

- (1) produce sales must not have their vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) the type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H21.6.9 Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H21.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must:
 - (a) not be located:

- (i) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
- (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly 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) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
- (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H21.6.10 Minor dwelling

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;
- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) standard H21.6.10(3) does not apply to unstained timber and natural materials;
- (5) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (6) the minor dwelling must share the same driveway access as the principal dwelling; and
- (7) the building must comply with the relevant standards H21.6.2, H21.6.3, H21.6.4 and H21.6.9 (4) to (6).

H21.6.11 Home occupations

The following standards apply to home occupations:

- (1) no more than five persons may be engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) heavy vehicle trips must not exceed two per week;
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part of the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H21.6.8 for produce sales; and
- (11) home occupations involving homestays are limited to a maximum of 10 people. This includes the people who reside on the site.

H21.6.12 Mineral prospecting

- (1) Mineral prospecting must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H21.6.13 Post-harvest facilities

The following standards apply to post-harvest activities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H21.6.14 Outdoor recreation activities

The following standards apply to outdoor recreation activities:

- (1) the activity may involve buildings or structures ancillary to the activity and must not be greater than 30m²; and

(2) the activity must not involve motorsport and gun clubs.

H21.7. Assessment – controlled activities

There are no controlled activities in this zone.

H21.8. Assessment – restricted discretionary activities

H21.8.1 Matters of discretion

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

- (1) all restricted discretionary activities:
 - (a) natural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of indigenous vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19. Rural Zones](#) under [H19.12.1 Matters of discretion](#).
- (2) infringement of yard standard:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) infringement of building coverage standard:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H21.8.2 Assessment criteria

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

- (1) all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity is compatible with amenity values, natural character, and the natural landscape and does not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects natural character;

- (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
- (d) whether the activity results in adverse effects on water quality, native vegetation and fauna habitat;
- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a reduction of natural character and amenity;
- (f) the extent to which the activity provides adequate parking and safe driveway access and sight lines and limits the length of driveways;
- (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
- (h) the assessment criteria in [H19.12.2 Rural zones](#).

PC 71 ([see Modifications](#))

(2) infringement of yard standard:

- (a) the extent to which buildings are located:
 - (iii) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (iv) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (v) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.

(3) infringement of building coverage standard:

- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) the extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H21.9. Special information requirements

There are no special information requirements in this zone.

H27. Special Purpose – Māori Purpose Zone

H27.1. Zone description

The purpose of the Special Purpose – Māori Purpose Zone is to provide for the social and cultural needs of Mana Whenua and mataawaka and to promote the establishment of marae and papakāinga with supporting economic development to ensure thriving and self-sustaining Māori communities.

The Māori Purpose Zone is different from the Auckland-wide Treaty Settlement Land and Māori Land provisions in that it provides for a higher density and greater range of activities.

Those sites zoned as Special Purpose – Māori Purpose Zone are those which have existing or proposed marae development or other Māori cultural institutions, such as marae, and papakāinga-style development to be established in specific areas of Auckland, on general or Māori land.

The zone provides for development to reflect unique Mana Whenua and mataawaka identities and values. The zone acknowledges the importance of marae and papakāinga as focal points for wider community development and provides for a range of social and cultural activities. Supporting economic development is vital for the long-term sustainability of marae and papakāinga, and the well-being of the communities they support. The zone recognises the need to incorporate mātauranga and tikanga Māori into the design of the built environment and open space.

Precincts allow more detailed planning to be undertaken and give greater certainty with respect to environmental outcomes. In the Special Purpose – Māori Purpose Zone, precincts are used to provide for site-specific activities and development. Precincts are also used to reflect specific land uses agreed for land acquired through Treaty settlement.

H27.2. Objectives

- (1) Recognise the continued occupation by Māori of the Auckland area over many centuries and the holistic nature of traditional Māori village settlement.
- (2) The unique social and cultural needs of Auckland's Māori communities are met in both rural and urban settings including in coastal areas and outside the Rural Urban Boundary.
- (3) Areas are sustainably developed and used in accordance with mātauranga and tikanga Māori.
- (4) The quality of the local environment, including the amenity values of adjoining properties, the natural environment and local landscape values, is protected.
- (5) Opportunities to establish supporting economic activities of an appropriate scale are provided.

- (6) Quality living environments for whanau, hapū and all other future residents are provided.

H27.3. Policies

- (1) Enable development on land zoned for Māori purposes across Auckland, including in coastal areas and outside the Rural Urban Boundary.
- (2) Where appropriate, precincts to provide for:
 - (a) site specific development constraints or opportunities;
 - (b) Treaty settlement outcomes;
 - (c) the unique relationships Mana Whenua have with the whenua (land); and
 - (d) comprehensive development proposals.
- (3) Enable a range of activities including dwellings for papakāinga, marae and associated facilities, customary use, and cultural and commercial activities on land zoned for Māori purposes.
- (4) Mitigate any adverse effects on adjoining properties associated with activities within the Special Purpose - Māori Purpose Zone in relation to:
 - (a) access to sunlight and daylight;
 - (b) privacy;
 - (c) the acoustic environment; and
 - (d) traffic and parking.
- (5) Consider alternative approaches to site access or infrastructure provision in rural or coastal areas where the development of a site is constrained by access or the availability of reticulated infrastructure.
- (6) Enable the occupation, use and development of sites in areas where there are natural and physical resources that have been scheduled in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character, by considering:
 - (a) the need to enable development, occupation and use of land in the Māori Purpose Zone in accordance with mātauranga and tikanga to support the social, cultural and economic well-being of Mana Whenua;
 - (b) alternative approaches to or locations for development that avoid adverse effects on the characteristics and qualities that contribute to the values for which the area was scheduled; and

- (c) that there may be no or limited alternative locations for whanau, hapū or iwi to occupy, manage and use their ancestral lands.
- (7) Manage the effects of development, including character, intensity and range of activities, having regard to the capacity of the site to:
- (a) accommodate the development, based on an assessment of physical constraints;
 - (b) be sustainably serviced, utilising reticulated or alternative forms of infrastructure; and
 - (c) avoid, remedy and mitigate any adverse effects on adjoining sites while recognising the purpose of the Special Purpose – Māori Purpose Zone is to facilitate activities that may be of a character, scale, intensity or range that is not provided for in the surrounding area.
- (8) Enable the integration of mātauranga and tikanga in design and layout of development within the Special Purpose – Māori Purpose Zone.
- (9) Require the built form and layout of medium density residential development (four or more dwellings on a site) to:
- (a) complement the character and amenity of surrounding sites; and
 - (b) incorporate appropriate mātauranga and tikanga.

H27.4. Activity table

Table H27.4.1 Activity table specifies the activity status of land use and development activities in the Special Purpose - Māori Purpose Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H27.4.1 Activity table

Activity		Activity status
(A1)	Activities not provided for	NC
Residential		
(A2)	Home occupations	P
(A3)	Visitor accommodation	D
(A4)	Up to three dwellings per site	P
(A5)	Four or more dwellings per site	RD
Community		
(A6)	Care centres up to 250m ² gross floor area per site	P
(A7)	Care centres greater than 250m ² gross floor area per site	RD
(A8)	Community facilities up to 250m ² gross floor area per site	P

H27 Special Purpose – Māori Purpose Zone

(A9)	Community facilities greater than 250m ² gross floor area per site	RD
(A10)	Education facilities up to 250m ² gross floor area per site	P
(A11)	Education facilities greater than 250m ² gross floor area per site	RD
(A12)	Healthcare facilities up to 250m ² gross floor area per site	P
(A13)	Healthcare facilities greater than 250m ² gross floor area per site	RD
(A14)	Māori cultural activities	P
(A15)	Marae	P
(A16)	Organised sport and recreation	RD
(A17)	Urupā	P
Commerce		
(A18)	Commercial services	D
(A19)	Markets	P
(A20)	Produce stalls	P
(A21)	Offices	D
(A22)	Retail up to 100m ² gross floor area per site	P
(A23)	Retail greater than 100m ² gross floor area per site	RD
Development		
(A24)	New structures or buildings associated with Māori cultural activities	P
(A25)	Alterations and additions to buildings	P
(A26)	Demolition of buildings	P
(A27)	Integrated Māori development	D
(A28)	New buildings	The same activity status and standards as applies to the land use activity that the new building or addition to the building is designed to accommodate
(A28A)	Rainwater Tank	P
Rural		
(A29)	Farming	D

H27.5. Notification

- (1) Any application for resource consent for an activity listed in Table H27.4.1 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\(4\)](#).

H27.6. Standards

All activities listed as a permitted activity, controlled activity or restricted discretionary activity in Table H27.4.1 Activity table must comply with the following standards.

H27.6.1. Urupā

- (1) Urupā must meet the yard setback required by Standard H27.6.4 below, except the side and rear yard setback must be 10m from the side or rear boundary.

H27.6.2. Building height

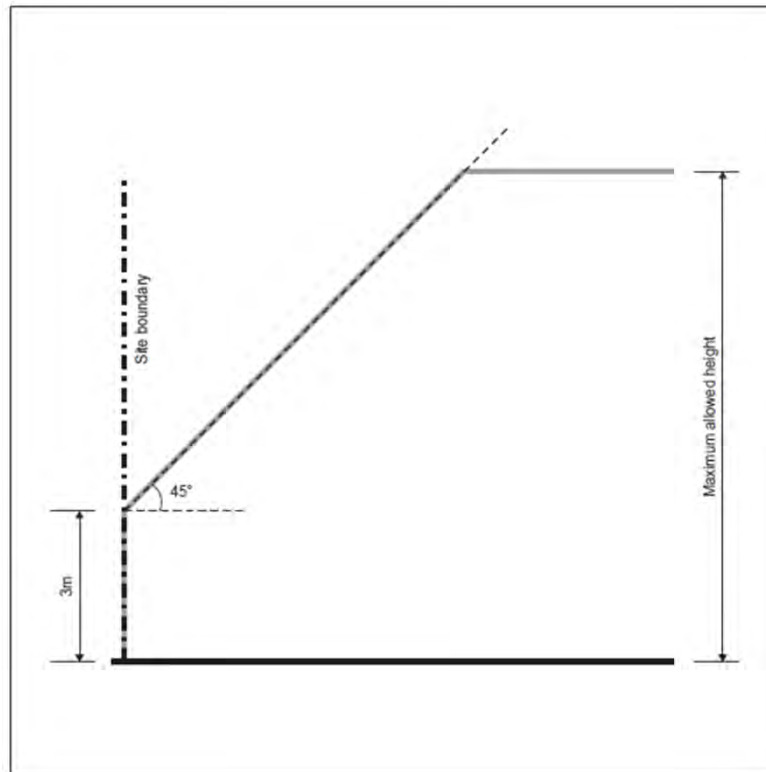
- (1) Marae (including wharenui and wharekai) and structures or buildings associated with Māori cultural activities (including but not limited to waharoa, pekerangi/taiapa, whare waka) must not exceed 10m in height.
- (2) Pou haki are excluded from Standard H27.6.2(1) if they:
- (a) do not exceed an additional one third of the permitted activity height for the site; and
 - (b) are not more than 300mm in diameter.
- (3) All other buildings must not exceed 8m in height.

H27.6.3. Height in relation to boundary

Purpose: manage the bulk and scale of buildings at boundaries to limit overshadowing to neighbouring properties sites and provide space between buildings.

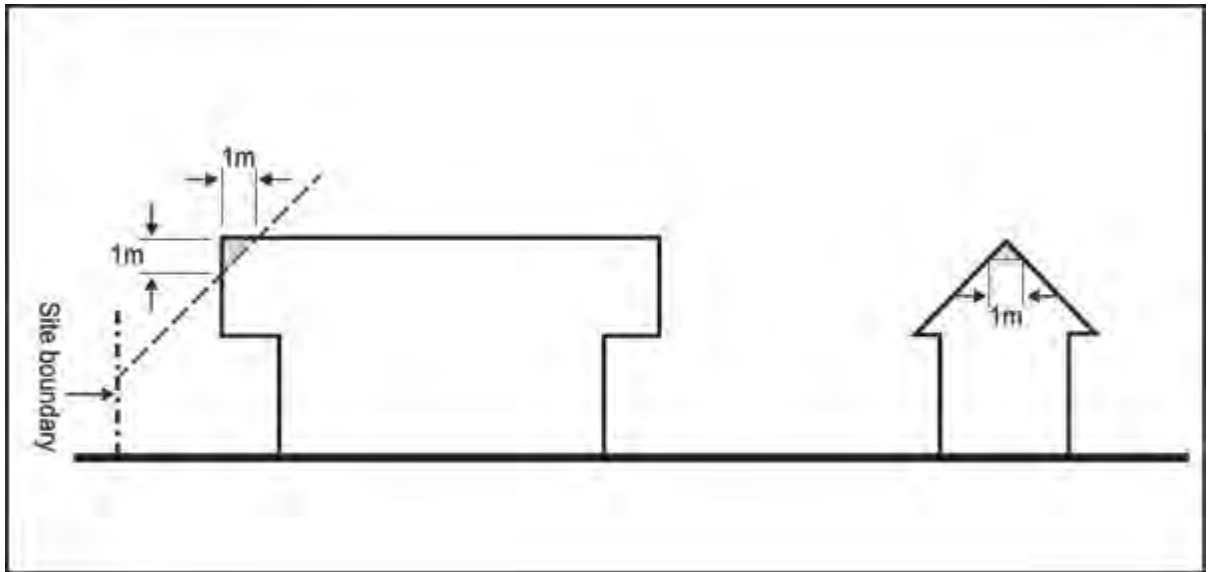
- (1) Buildings must not exceed a height of 3m measured vertically above ground level at side and rear boundaries. Thereafter buildings must be set back 1m for every additional metre in height (45 degrees) up to the maximum building height as shown in Figure H27.6.3.1 Height in relation to boundary.

Figure H27.6.3.1 Height in relation to boundary



- (2) Standard H27.6.3(1) does not apply to a boundary adjoining:
- (a) a 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 – Light Industry Zone and Business – Heavy Industry Zone;
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sport and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone exceeding 2000m².
- (3) Standard H27.6.3(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, pedestrian access way, or access site, the standard applies at the other side of that right of way, pedestrian access way or access site.
- (5) A gable end or dormer may project beyond the recession plane where it is:
- (a) No greater than 1m in height and width measured parallel to the nearest adjacent boundary; and
 - (b) No greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.

Figure H27.6.3.2 Height in relation to boundary exceptions



(6) No more than two gable end or dormer projections are allowed for every 6m length of site boundary.

H27.6.4. Yards

Purpose: maintain the spacious and landscaped qualities of the streetscape and ensure dwellings are adequately set back from lakes, streams and coastal edges to maintain water quality and provide protection from natural hazards.

- (1) A building or parts of the building must be set back from the relevant boundary by the minimum depth listed in Table H27.6.4.1 Yards.

Table H27.6.4.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

H27.6.5. Building coverage

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

H27.6.6. Maximum impervious area

- (1) The maximum impervious area must not exceed 60 per cent of site area.

H27.6.7. Accessory buildings

- (1) Accessory buildings must not exceed 80m² gross floor area and must not exceed 4m in height.

H27.6.8. Outdoor living space

- (1) A dwelling at ground level must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
- (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling; and

- (d) is free of buildings, parking spaces, servicing and manoeuvring areas.
- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling.

H27.6.9. Rainwater tanks

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

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height or wholly below ground level;
 - (b) in a 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) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H27.7. Assessment – controlled activities

There are no controlled activities in this section.

H27.8. Assessment – restricted discretionary activities

H27.8.1. Matters of discretion

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

- (1) for care centres greater than 250m² gross floor area per site; community facilities greater than 250m² gross floor area per site; education facilities greater than 250m² gross floor area per site; and healthcare facilities greater than 250m² gross floor area per site:

- (a) the effect on the surrounding area from all of the following:
 - (i) intensity and scale;
 - (ii) traffic and access; and
 - (iii) noise, lighting and hours of operation; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (2) for four or more dwellings on a site:
- (a) the effect on the surrounding area from all of the following:
 - (i) intensity and scale;
 - (ii) traffic and access;
 - (iii) building design and external appearance;
 - (iv) topography, site orientation and earthworks;
 - (v) design of landscaping; and
 - (vi) internal layout and on-site amenities for dwellings; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (3) for retail greater than 100m² gross floor area per site:
- (a) the effect on the surrounding area from all of the following:
 - (i) intensity and scale;
 - (ii) traffic and access; and
 - (iii) noise, lighting and hours of operation; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (4) for organised sport and recreation:
- (a) the effect on the surrounding area from all of the following:
 - (i) traffic and access;
 - (ii) noise, lighting and hours of operation; and
 - (b) the extent to which mātauranga and tikanga are integrated into the activity.
- (5) for building height, height in relation to boundary and building coverage:
- (a) the effect of additional building scale on neighbouring sites, streets and public open spaces including:

- (i) sunlight;
 - (ii) access;
 - (iii) dominance; and
 - (iv) visual amenity; and
- (b) the impact on the planned future form and character of the area or zone.
- (6) for yards:
- (a) the effects on streetscape amenity and safety.

H27.8.2. Assessment criteria

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

- (1) for care centres greater than 250m² gross floor area per site; community facilities greater than 250m² gross floor area per site; education facilities greater than 250m² gross floor area per site; and healthcare facilities greater than 250m² gross floor area per site:
 - (a) intensity and scale:
 - (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.
 - (b) traffic and access:
 - (i) whether the effects of parking and traffic are compatible with the character and amenity of the surrounding neighbourhood;
 - (ii) for care centres, whether the site is of an adequate size and road frontage to provide sufficient space for safe pick-up and drop-off areas.
 - (c) noise, lighting and hours of operation:
 - (i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering:
 - the location of noisy activities such as outdoor play areas;
 - screening or other design features; and
 - the proposed hours of operation.
 - (d) integration of mātauranga and tikanga into the activity:
 - (i) the extent to which the development integrates mātauranga and tikanga into the design of the built environment and open space by considering:

- the expression of Māori values and the type of development proposed;
- the relationship between buildings (marae ātea, wharenuī, wharekai, and waharoa) and accessways;
- the use of materials and landscaping which reflect the natural features of the surrounding environment; and
- the recognition of local history and whakapapa through design.

(2) for four or more dwellings on a site:

(a) intensity and scale:

- (i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.

(b) building design and external appearance:

- (i) the extent to which buildings and structures associated with Māori cultural activities and the incorporation of Māori design features contribute positively to the public realm.

(c) topography, site orientation and earthworks:

- (i) whether the topography, size and proportions of the site are suitable to accommodate the housing type proposed;
- (ii) the extent to which building platforms, outdoor living spaces, car parking areas and driveways are designed and located to respond to the natural landform and site orientation;
- (iii) whether earthworks can be incorporated as a positive feature by:
 - integrating retaining as part of the building design; and
 - stepping and landscaping earthworks.

(d) integration of mātauranga and tikanga into the activity:

- (i) the extent to which the development integrates mātauranga and tikanga into the design of the built environment and open space by considering;
- (ii) the expression of Māori values and the type of development proposed;
- (iii) the relationship between buildings (marae ātea, wharenuī, wharekai, and waharoa) and accessways;
- (iv) the use of materials and landscaping which reflect the natural features of the surrounding environment; and

(v) the demonstration of awareness of local history and whakapapa through design.

(3) for retail greater than 100m² gross floor area per site:

(a) intensity and scale:

(i) whether the intensity and scale of the activity and the size and location of buildings are compatible with the character and amenity of the surrounding neighbourhood.

(b) traffic and access:

(i) whether the effects of parking and traffic are compatible with the character and amenity of the surrounding neighbourhood.

(c) noise, lighting and hours of operation:

(i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering the proposed hours of operation.

(d) integration of mātauranga and tikanga into the activity;

(i) the extent to which the development integrates mātauranga and tikanga into the design by considering:

- the expression of Māori values and the type of development proposed; and
- the recognition of local history and whakapapa through design.

(4) for organised sport and recreation:

(a) noise, lighting and hours of operation:

(i) whether noise and lighting from the activity will adversely affect the amenity of the surrounding residential properties by considering:

- the location of noisy activities such as outdoor play areas;
- screening or other design features; and
- the proposed hours of operation.

(b) integration of mātauranga and tikanga into the activity:

(i) the extent to which the development integrates mātauranga and tikanga into the activity by considering the expression of Māori values and the type of development proposed.

(5) for building height, height in relation to boundary and building coverage:

(a) the extent to which additional building scale effects neighbouring sites, streets and public open spaces by considering:

H27 Special Purpose – Māori Purpose Zone

- (i) avoidance of unreasonable shading, over-shadowing or reduced access to sunlight on neighbouring dwellings and their outdoor living spaces; and
 - (b) whether the additional building scale is consistent with the planned future form and character of the area.
- (6) for yards:
- (a) the extent to which yard infringement effects streetscape amenity and safety.

H27.9. Special information requirements

There are no special information requirements in this section.

I420. Māngere 1 Precinct

I420.1. Precinct description

The purpose of the Māngere 1 Precinct is to provide for the SPCA Auckland Animal Village at 50 Westney Road, Māngere. The SPCA was established on 1978 and is a regionally significant resource providing animal welfare and associated services for Auckland. The facility occupies approximately 40 per cent of the 4 hectare site and includes administration buildings, an animal hospital, dog and cat adoption facilities, kennels, and a significant amount of land for grazing. The precinct is made up of two sub-precincts A and B, which delineate the areas within which certain types of activities should take place.

The SPCA is located at the interface of land zoned Residential - Mixed Housing Suburban Zone and Business – Light Industry Zone. Adjacent activities on residential zoned land include a school immediately to the north, and a row of established houses occupying the land to the east, and west on the opposite side of Westney Road.

When first established, the SPCA activity was relatively isolated from other activities, but gradual development of vacant land adjacent to the village has created reverse sensitivity effects. It is therefore important to provide certainty about the range of activities that can occur in the precinct. The Māngere 1 Precinct plan stipulates how the site will be developed and used.

The zoning of land within this precinct is Residential - Mixed Housing Suburban Zone.

I420.2. Objectives

- (1) Animal welfare activities are enabled within the Māngere 1: Precinct plan.
- (2) Adverse effects associated with the animal welfare activities within the Māngere 1 Precinct are recognised and managed.

The objectives for this precinct replace the zone objectives.

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

I420.3. Policies

- (1) Require current and future animal welfare activities to align with the Māngere 1: Precinct plan.
- (2) Protect the amenity of adjoining residential and education land uses through appropriate built form, scale and location and the implementation of best practice noise management.
- (3) Recognise the significance of the animal welfare facility by avoiding competing land uses within the site.

The policies for this precinct replace the zone policies.

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

I420.4. Activity table

The provisions in the zone do not apply in this precinct, unless otherwise specified below. The provisions in any relevant Auckland-wide and overlay provisions apply in this precinct unless otherwise specified below.

Table I420.4.1 Activity table specifies the activity status of land use and development activities in the Māngere 1 Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I420.4.1 Activity table

Activity		Activity status	
		Sub-precinct A	Sub-precinct B
Rural			
(A1)	Animal breeding or boarding	P	P
(A2)	Farming	P	P
Commerce			
(A3)	Restaurants and cafes	P	D
(A4)	Restaurants and cafes that do not comply with standard I420.6.2	NC	NC
(A5)	Clubroom	P	D
(A6)	Offices	P	D
(A7)	Retail sales	P	P
(A8)	Veterinary clinics	P	D
(A9)	Animal welfare (includes keeping of animals, animal adoption services, education and training of people about animal welfare)	P	P
(A10)	Animal welfare that does not comply with activity I420.4.1(A9) above	D	D
(A11)	Educational facilities	P	P
(A12)	Tertiary education facilities	P	P
(A13)	Workers' accommodation	P	D
(A14)	Workers' accommodation that does not comply with Standard I420.6.1	NC	NC
Development			
(A15*)	New buildings and additions to existing buildings *“for the purposes of the precinct, a rainwater tank shall be considered a building”	P	D
(A16)	Alterations to buildings	P	P
(A17)	Any activity that complies with Standard I420.6.6 Earthworks	P	P

I420.5. Notification

- (1) Any application for resource consent for an activity listed in Table 0.1 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\(4\)](#).

I420.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct in addition to the following standards.

All activities listed as permitted activities in Table 0.1 Activity table must comply with the following permitted activity standards:

I420.6.1. Worker’s accommodation

- (1) No more than one workers' accommodation unit must be located within sub-precinct A of the Māngere 1: Precinct plan.

I420.6.2. Restaurants and cafes

- (1) No more than one restaurant or cafe must be located within sub-precinct B of the Māngere 1: Precinct plan.

I420.6.3. Noise

- (1) Noise levels arising from activities established on a site after 1 October 2003 measured at or within the boundary of any other site must not exceed the following limits:

Table I420.6.3.1 Noise limits

Activity	Average maximum level		Maximum
	dBL _{Aeq}		dBL _{AFmax}
	Monday to Sunday 7am-8pm	All other times	10pm-7am
Within Residential zones	55	45	75
Within Industrial zones	65	65	90

I420.6.4. Yards

- (1) Yards must comply with Table I420.6.4.1 Yards below:

Table I420.6.4.1 Yards

Yard	Dimension
Front	10m
Northern	5m
Southern	None
Rear	30m

I420.6.5. Landscape treatment

- (1) The minimum landscaped area must not exceed 35 per cent of the net site area.
- (2) Where any boundary adjoins a residential zone at least 50 per cent of the yard required in Standard I420.6.4 Yards above must be landscaped by plantings of specimen trees and shrubs.

I420.6.6. Earthworks

- (1) Earthworks associated with the construction/extension of a perimeter bund westward along the boundary with the adjoining residential site (Lot 1 DP 1149852) must not exceed 100m in length.

I420.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I420.8. Assessment – restricted discretionary activities

I420.8.1. Matters of discretion

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

- (1) For yards, landscape treatment and earthworks:
 - (a) effects on amenity values of neighbouring residential areas;
 - (b) effects of site layout, landscaping and planting;
 - (c) effects of noise; and
 - (d) effects of design and external appearance.

I420.8.2. Assessment criteria

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

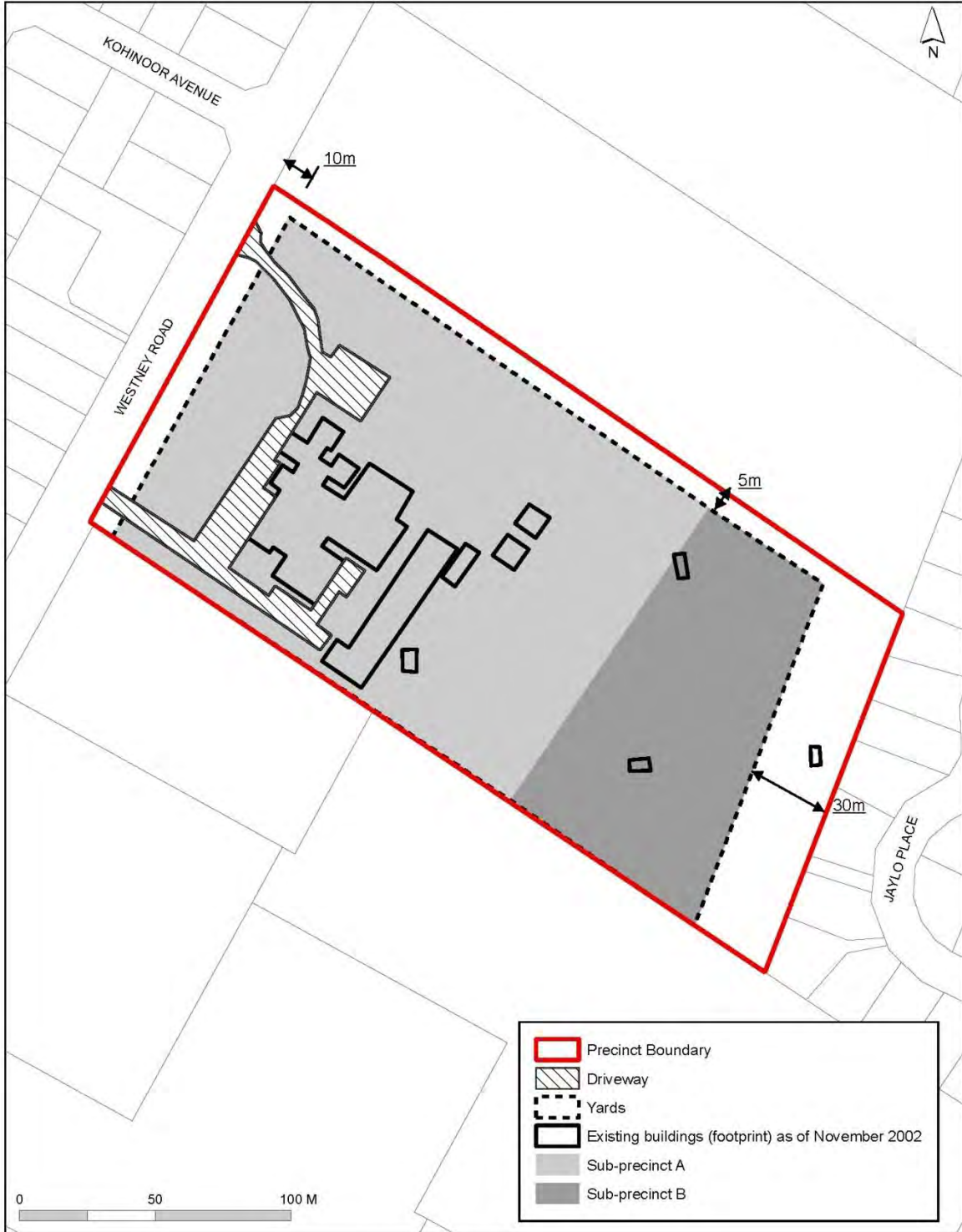
- (1) For amenity values of neighbouring residential areas:
 - (a) the extent to which the amenity values of neighbouring residential areas is maintained, particularly with regard to noise, traffic and other potential nuisances.
- (2) For site layout, landscaping and planting:
 - (a) whether the siting of the buildings and other structures, including car parking areas and vehicle access points, maintain a good relationship between those structures and other structures on the site and on adjoining sites.
- (3) For noise:
 - (a) whether the best practicable measures are put into place to minimise the effects of noise emanating from activities on the site.
- (4) For design and external appearance:
 - (a) whether buildings and other structures are designed to avoid unrelieved mass and bulk and maintain the amenity values of neighbouring residential areas.

I420.9. Special information requirements

There are no special information requirements in this precinct.

I420.10. Precinct plans

I420.10.1. Māngere 1: Precinct plan



I519. Long Bay Precinct

I519.1. Precinct description

The Long Bay Precinct is located at the northern end of the East Coast Bays on the North Shore. The precinct covers approximately 360 ha of land and is held in multiple ownership. It incorporates the following significant natural and physical resources:

- The outstanding landscapes and natural character of the coastline north of Vaughan Stream;
- The high ecological and amenity values of the Vaughan Stream catchment and coastal receiving waters of the Long Bay-Okura Marine Reserve;
- The Long Bay Regional Park, a regionally important area of high recreational and landscape value;
- An area of national heritage value on the Awaruku headland; and
- A number of native vegetation areas of ecological value.

The purpose of the precinct is to develop a new community on greenfield land in accordance with a land use strategy shown on Precinct Plan 1. The strategy uses an integrated, sustainable low impact approach that protects and enhances the high ecological and amenity value of its receiving environment. Long Bay is divided into two main development areas:

- The upper valley consisting of moderate to steep topography closely oriented to the Vaughan Stream corridor, important tributary waterways and areas of native vegetation where low-density development can occur in association with revegetation.
- The lower valley which covers the more open landscapes associated with the wider valley area where more intensive urban development is enabled.

Resource consents for sub-precincts have been used to provide for co-ordinated development and infrastructure in the lower valley.

The Vaughan Stream catchment is divided into Stream Protection Areas A & B (shown on Precinct Plans 1, 3 and 4 based on the ecological values of stream tributaries, their sensitivity to the adverse effects of development and their contribution to the sustainability of the Vaughan Stream.

The features shown on Precinct Plans 3 and 4 are protected and managed through specific provisions relating to:

- Piripiri Point Protection Area;
- Park Interface Protection Area;
- Vegetation – Conservation Areas;
- Vegetation– Restoration Areas;
- Ecology / Stormwater Management Areas;

- Landscape Enhancement Areas; and
- Stream Interface Management Areas.

In addition to these areas, ridgeline protection and riparian margins are shown on Precinct Plan 4 which include the following features:

- Ridgeline height control and spot heights
- Park interface viewpoints and visibility line “z-z”
- Streams.

Specific standards relate to these matters. The zoning of land within this precinct is set out in Table I519.1.1 Long Bay Sub-precinct descriptions and zoning.

Table I519.1.1 Long Bay Sub-precinct descriptions and zoning

Long Bay Sub-precinct	Description	Zone
A	Large lot residential	H1 Residential - Large Lot Zone
B	Rural residential	H1 Residential - Large Lot Zone
C	Piripiri Point protection area	H1 Residential - Large Lot Zone
D	Suburban neighbourhood – east of Ashley Avenue (Stream Protection A Area)	H3 Residential - Single House Zone
E	Suburban neighbourhood – north of Vaughans Stream (Stream Protection A and B Area)	H3 Residential - Single House Zone
F	Suburban neighbourhood – south of Vaughans Stream	H3 Residential - Single House Zone
G	Mixed neighbourhood – north of Vaughans Stream	H4 Residential - Mixed Housing Suburban Zone
H	Urban neighbourhood	H5 Residential - Mixed Housing Urban Zone
I	Urban village	H6 Residential -Terrace Housing and Apartment Buildings Zone
J	Village centre	H11 Business - Local Centre Zone
K	Village centre – Vaughans Stream interface	H11 Business - Local Centre Zone
L	Two house site	H7 Open Space – Conservation Zone

Parts of Sub-precinct B mainly around the stream systems are identified as within D9 Significant Ecological Areas Overlay

Parts of Sub-precincts C and E are identified as within [D10 Outstanding Natural Landscapes Overlay](#) and within [D11 High Natural Character Overlay](#)

Parts of Sub-precinct L are within [D17 Historic Heritage Overlay](#)

I519.2. Objectives [rp/dp]

General

- (1) A new community is created in an integrated and sustainable way that protects and enhances the natural environment.
- (2) The nationally significant heritage values and associated landscape character of the Awaruku headland and seaward end of the Awaruku Ridge are protected and enhanced.
- (3) The outstanding landscapes and natural character of the coastal environment bounded by Homestead Spur, Grannys Ridge and Piripiri Point Ridge areas within the North Vaughans area, as seen from within the Long Bay Regional Park and Piripiri Reserve are protected from land use development and subdivision.
- (4) The recreational amenities, landscape values and ecological systems of Long Bay Regional Park are protected and enhanced.
- (5) The water quality, level and flows, habitat values and fauna of the Vaughan Stream and its tributaries and waterways are protected and enhanced, and the adverse effects of sediment discharges to the stream, Long Bay Beach and the Long Bay Ōkura Marine Reserve and wider Hauraki Gulf are minimised to limit effects on their ecological, amenity and recreational values.
- (6) The water quality, habitat values and fauna of the Awaruku Stream are improved and the adverse effects of sediment discharges on Long Bay Beach and the Long Bay Ōkura Marine Reserve are reduced.
- (7) Native vegetation remnants and habitats are protected from subdivision, use and development and native bush areas are enhanced and connected over time to form linked ecological areas.

Sub-precincts A and B

- (8) Large lot development is undertaken in the upper valley and is rural residential in character with bush areas enhanced and connected over time.
- (9) Large lot residential development in Sub-precinct A is provided for in the limited areas where slope and landform do not preclude buildings while protecting and enhancing natural vegetation.
- (10) Rural residential development in Sub-precinct B is provided for while protecting and enhancing the special landscape and environmental values of the steeper areas of the catchment.

Sub-precinct C

- (11) The outstanding natural landscape values of Piripiri Point and the amenity values of the Long Bay Regional Park and Piripiri Reserve are protected.

Sub-precincts D, E and F

(12) Single houses are provided in the North Vaughans, Awaruku and Glenvar areas with some higher intensity integrated housing fronting main roads and reserves in the Awaruku area.

Sub-precinct G

(13) A mixture of stand-alone houses on smaller lots and attached housing types are provided in the North Vaughans area, generally to the south and west of the northern Beach Road extension.

Sub-precinct H

(14) A mixture of two and three storey stand alone and terrace type housing is provided on the northern slopes of the Awaruku ridge and the lower North Vaughans slopes.

Sub-precinct I

(15) Terraced housing and apartment buildings are provided in close proximity to the village centre and open space areas located in the Vaughan's Stream corridor.

Sub-precincts J and K

(16) A quality, compact village centre is developed in Sub-precinct J as a focal point for the local community.

(17) The village centre is integrated with the natural character and amenity of the Vaughan Stream corridor in Sub-precinct K.

Sub-precinct L

(18) The landscape and amenity values of the adjacent Regional Park and coastal environment are protected.

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

I519.3. Policies [rp/dp]

Stormwater Management

- (1) Apply a low impact, treatment train approach including:
 - (a) limitations on landform modification and impervious cover;
 - (b) on-site stormwater mitigation measures for development, roads and accessways and retention of streams and waterways; and
 - (c) provision of catchment-wide facilities like wetlands.

- (2) Require stormwater treatment devices, utilising the best practicable option, within the road reserve and accessways to mitigate the effects of the majority of stormwater generated by the road or accessway including:
 - (a) reducing carriageway widths and limiting impervious areas;
 - (b) incorporation of bio-retention where grades are less than 5%;
 - (c) check dams and flow control methods for grades of 5 to 8%; and
 - (d) off-line treatment for grades greater than 8%.
- (3) Require the riparian margins of the Vaughan and Awaruku Streams (identified on Precinct Plan 4) to be kept free of development and earthworks and to be made stock proof and replanted with suitable native vegetation at the time of subdivision.
- (4) Limit development in the 100 year flood plain to infrastructure that cannot be located elsewhere.
- (5) Require stormwater retention and treatment facilities to be designed to retain the ecological values in and along the Vaughan and Awaruku Streams. These areas should be landscaped to add additional habitat (e.g. wetlands).
- (6) Within the Stream Protection A area:
 - (a) require all streams, waterways and their riparian margins to be retained in their natural state;
 - (b) require existing stormwater overland flow paths to be identified and protected from site works, subdivision and/or development;
 - (c) require imperviousness to be limited to no more than 15 per cent in Sub-precincts A and B and 50 per cent in Sub-precinct D and that part of Sub-precinct E in the Stream Protection A area, with sites sizes to be at least 600m² in Sub-precinct D area;
 - (d) require development to incorporate on-site stormwater mitigation measures to mitigate adverse water quality and quantity effects from the run off from the following areas of impervious surfaces:
 - (i) Sub-precinct A and B, 100 per cent of impervious surfaces;
 - (ii) Sub-precinct E (Stream 1C catchment), 100 per cent of impervious surfaces; and
 - (iii) Sub-precinct D and all other stream catchments, 80 per cent of impervious surfaces;
 - (e) manage the quality of discharged stormwater by removing, on-site, a minimum of 75 per cent of total suspended solids on a long term average

basis from the percentage of impervious areas listed in Standards I519.3(6)(d)(i) and I519.3(6)(d)(ii) above; and

- (f) require no off-site wetlands or ponds to be created in the Stream Protection A Area except for the treatment of road run off from the steeper sections of Glenvar Ridge Road, where grades are greater than 8 per cent.

(7) Within the Stream Protection B Area:

- (a) require the main channels of the Vaughan and Awaruku Streams to be retained in their current state. Allow secondary waterways to be modified (Stream 1B) or removed (except Stream 2);
- (b) require overland flow paths to be identified and protected, post development;
- (c) provide a range of housing types relative to site sizes and impervious cover; and
- (d) require development to be designed so that stormwater run-off is mitigated before it enters the Vaughan and Awaruku Streams.

Protection and management areas

- (8) Require areas of existing native vegetation to be set aside at the time of subdivision, made stock proof, weeds and pests eradicated and afforded long term protection by appropriate legal mechanisms. Vegetation removal should be limited to the eradication of plant pests and weeds.
- (9) Require subdivision and development to contribute to extending the areas of native bush, helping to develop ecological corridors linking the lower valley with the existing bush areas in the upper valley and to restore and enhance degraded landscapes.
- (10) Require subdivision and development to protect the landscapes and natural character of the Regional Park, north of Vaughan Stream, through application of the Piripiri Point Protection Area and the Park Interface Protection Area.

Sediment and earthworks

- (11) Require the control of sedimentation on the receiving environment by limiting the area of land exposed at any one time (30 hectares total of bulk and small scale earthworks) across the whole of the precinct, and enhanced sediment control measures.
- (12) Require allocation of the 30 hectare limit to be on the basis that the proportion of likely total earthworks within each sub-precinct will be as follows:
 - (a) small scale earthworks are expected to amount to no more than two hectares in total across the whole precinct area to be exposed at any one time;

- (b) no more than seven hectares of land may be exposed at any one time in Sub-precincts A and B with no ability to exceed this limit; and
- (c) up to 21 hectares may be exposed at any one time in Sub-precincts D to K with this extended to 28 hectares where the seven hectare allocation for Sub-precinct A and B has not been taken up in an earthworks season.
- (13) Limit the volume and footprint of earthworks within the Stream Protection A area to avoid changes to landforms, waterways and changes in hydraulic response resulting from compaction of soils during earthworks.
- (14) Require small scale site works to avoid adverse effects on waterways and their margins and areas of ecological value by the preparation of individual site management plans.
- (15) Require all earthwork/geotechnical devices generally to be kept clear of the Vegetation – Conservation areas and riparian margins.
- (16) Require a Lizard Conservation Management Plan for the relocation of lizards prior to any larger scale earthworks in the Stream Protection A area.

Upper Valley (Sub-precincts A and B, and that part of Sub-precinct E in the Stream Protection A area)

- (17) Prohibit earthworks and structures (except those associated with revegetation and fencing) in the Landscape Protection Area between the catchments of Streams 1C and 1D up to the steeper land above the headwaters of Stream 1D and set this land aside for revegetation at the time of subdivision.
- (18) Require re-vegetation on subdivision and development of the land to the north of the escarpment covered by the Landscape Enhancement Area on the northern side of Vaughan Stream.
- (19) Enable development of sites in the Ecology/Stormwater Management Area provided sites are located outside of riparian margins, do not result in clustering of development and are subject to replanting requirements.
- (20) Require the extension of existing areas of native bush in the Ecology/Stormwater Management Area on subdivision and development to create over time ecological corridors.
- (21) Require on site wastewater disposal systems as an interim solution, for development that proceeds ahead of the trunk wastewater network and require any such development to connect to the trunk wastewater network once it becomes available.
- (22) Prevent minor dwellings in Sub-precincts A, B and D.

Lower Valley (Sub-precincts D to K)

- (23) Require proposed roads to be in accordance with the roads shown on Precinct Plans 1, 3 and 4, and allow for variations in alignment (up to 20m of the centre line of the alignment shown on the precinct plans), based on final earth working and site layout.
- (24) Enable minor dwellings in the following locations:
 - (a) sites greater than 1000m² in the Sub-precincts E and F; and
 - (b) within the Sub-precincts G, H and I, minor residential units should be incorporated into garages that overlook rear access lanes.
- (25) Require a 10m building setback to be provided on the 370m section of Vaughans Road shown on Precinct Plan 3.
- (26) Require a riparian margin and Ecology/Stormwater Management Area to be maintained on Stream 1B or any re-alignment of it.
- (27) Require a Stream Interface Management Area to apply to both sides of the lower reaches of the Vaughan Stream outside of the floodplain, with development to provide for public access and informal surveillance of the stream.
- (28) Retain a largely open character in the land on the southern side of the Vaughan Stream corridor, within the Stream Interface Management Area covering Sub-precincts H and K. Require buildings and development to occupy no more than 40 per cent of the Glenvar Ridge Road frontage of the Stream Interface Management Area within Sub-precinct H and manage the design and layout of development in Sub-precinct K.
- (29) Provide a high quality built edge to the northern side of the Vaughan Stream corridor that supports a safe and attractive open space area within the Stream Interface Management Area, by requiring;
 - (a) a shared pedestrian and vehicle lane to front the majority of the stream corridor, at least to the extent of the Sub-precinct I frontage, west of Vaughans Road extension;
 - (b) development to be designed to address and overlook the lane and in turn the stream corridor; and
 - (c) the shared lane to have a carriageway design that slows traffic speeds and mixes pedestrian and cycle use.
- (30) Require the riparian margins shown on Precinct Plan 4 to be planted in native vegetation according to an approved planting plan, apart from proposed walkways, trails and recreational areas.
- (31) Ensure when site works, subdivision or development occur within the Vaughan Stream Corridor, the landowner is responsible for planting the land from the edge

of the Vaughan Stream to the top of the bank and at least 5m beyond on either side and that particular care is taken with the ecological and landscape design of the interface with the Long Bay Regional Park.

- (32) Require the whole of the riparian margin as shown on Precinct Plan 4, on land zoned Open Space – Informal Recreation to be vested in Council at no cost.
- (33) Recognise that vesting of the riparian margin required by Policy I519.3(32) is for stormwater management purposes, including wetlands and perimeter planting and is to be managed for ecological and where practicable, recreational purposes.
- (34) Avoid where practicable service station development in all sub-precincts due to adverse effects on amenity.

Sub-precincts A and B

- (35) Require a minimum subdivision size of two hectares and enable smaller site sizes where existing areas of native vegetation are protected from development and minimal land modification will occur.
- (36) Require development to contribute to revegetation and the extension and linking of existing bush areas for stormwater mitigation, ecological and landscape enhancement purposes.
- (37) Require full (100 per cent) on-site mitigation of stormwater.
- (38) Require esplanade reserves and strips for the section of Vaughan Stream where provided for by the Resource Management Act 1991 and the Unitary Plan.

Sub-precinct A

- (39) Enable the subdivision and development of land of gentle to moderate slope and adjacent to existing roads and accessways to form larger suburban lots.
- (40) Require development to consist of single dwellings that avoid a continuous band of housing along Vaughans Road and which are separated from other development, rather than clustered.
- (41) Enable site sizes down to a minimum of 2,500m², provided that:
 - (a) development sets aside and protects areas of native bush from further development keeping it free from stock, weeds and pests; and
 - (b) earthworks to create building sites and accessways will not disturb more than an average of 2,000m² per site in any subdivision.

Sub-precinct B

- (42) Confine development (including accessways) to existing cleared areas, and where building sites and driveways can be constructed in a way that does not require substantial earthworks or modification of the landform.

- (43) Permit a minimum site size of 5,000m²; provided that native vegetation areas are protected and the presence of accessways and stable building platforms mean that only limited earthworks are required (generally less than an average of 2,000m² per site).
- (44) Recognise in some cases, larger minimum site sizes will be needed to ensure a stable building platform can be provided.

Sub-precincts D, E and F

- (45) Provide for two storey, standalone housing to ensure that a suburban character is retained, except for small areas of more intensive housing and for sites of 1,000m² or more where a minor dwelling may be provided in Sub-precincts E and F.
- (46) Enable a limited range of more intensive housing in these sub-precincts provided that:
 - (a) such housing is located along proposed (main) roads or fronts reserves (public or private) of at least 2000m² in area; and
 - (b) the number of dwellings to be provided does not exceed 20 per cent of the total number of dwellings within the relevant sub-precinct.
- (47) Require building heights and land contouring in the northern and eastern sections of Sub-precincts E and G to be set so that no buildings or structures will be visible:
 - (a) to the east of the northern Beach Road extension (as shown on Precinct Plan 1), from the Long Bay Regional Park, when viewed from the Grannys Bay catchment, and from Piripiri Reserve; and
 - (b) to the north of northern Beach Road extension (as shown on Precinct Plan 1) when viewed from the northern part of the Grannys Bay catchment, and from Piripiri Reserve.
- (48) Require the finished ground level of earthworks across the gully located between the Beach Road extension and Homestead Spur, below the 39.7m contour line (as shown on the Precinct Plans), to be below the crest of the Spur to ensure the Long Bay Regional Park is buffered from the visual and landscape effects of housing.
- (49) Avoid modification of the existing contours of the crest of Homestead Spur below the 39.7m contour line.
- (50) Require the Park Interface Protection Area shown on the Precinct Plans 1 and 4 to be provided at the time of subdivision or earthworks.
- (51) Require within the Park Interface Protection Area:

- (a) the existing ridgeline, augmented where necessary and contoured in a natural form, to be in accordance with the Ridgeline Height Control shown on Precinct Plan 4 unless it can be demonstrated that a different ridgeline design meets the requirements of Policies 3 and 4 above;
 - (b) avoid buildings, structures, earthworks or development on the crest, and the eastern and northern side of the Ridgeline Height Control shown on Precinct Plan 4, except for rural type, post and wire fences and re-vegetation, pastoral farming and earthworks to maintain the integrity of the ridgeline;
 - (c) avoid where practicable buildings other than accessory buildings on the southern and western side of the Ridgeline Height Control shown on Precinct Plan 4;
 - (d) any accessory buildings, structures and development on the southern and western side of the Ridgeline Height Control shown on Precinct Plan 4 are not to be visible when viewed from the Long Bay Regional Park within the Grannys Bay catchment and from Piripiri Reserve;
 - (e) all associated earthworks are to retain the structural integrity of the ridgeline; and
 - (f) a consistent and sustainable approach to the design, planting and on-going management of this Park Interface Protection Area must be put in place at the time of subdivision.
- (52) Enable a limited amount of single house development in the North Vaughans area in the catchment of Stream 1C.
- (53) Require single house development in Sub-precinct E in the catchment of Stream 1C be confined to within 120m (as measured along Vaughans Road frontage) of the boundary between the Stream Protection A and B Areas and to the north of the Stream 1C Ecology/Stormwater Management Area as shown in Precinct Plan 1.

Sub-precinct D

- (54) Require single house development on larger sections in the Glenvar area and avoid more intensive housing to reflect the location of this area in Stream Protection A area.
- (55) Require esplanade reserves and strips along Stream 3, where provided for by the Resource Management Act 1991 and the Unitary Plan.

Sub-precinct G

- (56) Enable a mix of single and two storey detached and attached dwellings on smaller sections.

- (57) Apply the Mixed Housing Suburban Zone standards, except for those associated with building height, yards, coverage and impervious areas and fencing which are to be compatible with the adjacent Sub-precinct E.

Sub-precinct H

- (58) Provide for terraced housing and low rise apartments up to three storeys in height and some single houses on small sites with an average density of housing across the sub-precinct of approximately one unit per 250m².
- (59) Provide a landmark building at the south eastern edge of Sub-precinct H on the north western corner of southern Beach Road extension and the proposed road connecting Beach Road extension to Ashley Avenue, in proximity to Long Bay College.
- (60) Enable the landmark building referred to in Policy I519.3(60) above to be up to four storeys in height and have a local retail function addressing the street.
- (61) Require the landmark building referred to in Policy I519.3(60) above to be designed to provide a high quality and distinctive entrance statement to this more intensive section of the urban area.
- (62) Provide for a mix of housing on the boundary of the [H7 Open Space – Conservation Zone](#). Gaps are to be created between groups of attached housing to provide for views into and across the [H7 Open Space - Conservation Zone](#) and building heights controlled to maintain the amenity and landscape values of the public open space.
- (63) Fencing and retaining walls along the edge of Sub-precincts F or H and the [H7 Open Space - Conservation Zone](#) should be designed to provide a consistent treatment that is sympathetic to the values of the land zoned open space.

Sub-precinct I

- (64) Allow for terraced housing and apartment buildings development up to four storeys in height recognising that the average density of development across the sub-precinct is expected to be more than one unit per 100m².

Sub-precincts J and K

- (65) Enable development up to four storeys in height that forms a continuous frontage to all streets and plazas within Sub-precinct J.
- (66) Limit large floorplate retail activities to one store in excess of 500m² gross floor area within Sub-precinct J, to ensure that the centre develops as a mixed use centre.
- (67) Allow apartments and small scale workplaces to locate in Sub-precinct J so that a mixed use focal point for the community is created. Residential development is to be above ground on the main street frontages.

- (68) Require development in Sub-precinct K to consist of one to two storey development set within an open landscape that integrates with the natural character and open space values of the adjoining Vaughan Stream corridor.

Sub-precinct C (Piripiri Point Protection Area)

- (69) Require the Piripiri Point land to remain in one title, unless subdivision is required for public road access or reserve purposes.
- (70) Require buildings to be located in the nominated building site (that is outside the sub-precinct, as shown on Precinct Plan 1) with development in this site subject to the provisions of the relevant zone.
- (71) Limit activities to grazing, pastoral farming and indigenous re-vegetation.
- (72) Prevent intensive rural activities that involve structures (such as shade houses, glass houses, piggeries, poultry sheds, packing sheds, kennels and the like), forestry and any commercial activities (such as camping grounds and outdoor recreation).
- (73) Prevent buildings or structures of any sort (including tennis courts, helipads, swimming pools, and the like) from being located within the sub-precinct and require accessory buildings for pastoral activities and structures associated with domestic activities to be located outside of this sub-precinct.
- (74) Limit fencing and accessways to normal farm type post and wire fences and unpaved tracks.

Sub-precinct L (two house site)

- (75) Limit further development to the maintenance and repair of the existing buildings. No further building may occur.
- (76) Enable continued use of the buildings as residential units, in addition to community or recreational activities.
- (77) Avoid any subdivision, except for the provision of access.

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

I519.4. Activity table

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

For the purposes of this precinct rainwater tanks are not exempt from the definition of 'building' in Chapter J.4.1; and the rainwater tank standards of the underlying Single House zone (H3.6.13); Large Lot zone (H1.6.8); Mixed Housing Suburban zone (H4.6.16) and Mixed Housing Urban zone (H5.6.17) do not apply.

Table I519.4.1 specifies the activity status of land use and development activities in Sub-precincts A, B and D to I (other than in specified locations and in relation to subdivision and earthworks) pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991.

Table I519.4.1: Activity table for Sub-precincts A, B, D, E, F, G, H and I

Activity		Sub-precincts A and B	Sub-precincts D, E, F	Sub-precinct G	Sub-precinct H	Sub-precinct I
Use						
General						
(A1)	Activities in the Ecology/Stormwater Management and Landscape Enhancement Areas	D	D	NA	NA	NA
Development						
(A2)	Impervious surfaces in the Stream Protection A area	C	C	NA	NA	NA
(A3)	Alterations to buildings	P	P	P	P	P
(A4)	Demolition or removal of an existing building	P	P	P	P	P
(A5)	Dwellings not exceeding one per site, on sites greater than 600m ² in the Stream Protection A area	C	C	NA	NA	NA
(A6)	Dwellings not exceeding one per site, on sites greater than 450m ² in the Stream Protection B area	NA	P	P	C	NA
(A7)	Dwellings in Sub-precinct F at a density of more than 1 unit per 450m ² of site area (integrated housing developments) within the Stream Protection B area	NA	RD	NA	NA	NA
(A8)	Dwellings in Sub-	NA	NA	P	C	C

I519 Long Bay Precinct

	precincts G to I not exceeding a density of 1 unit per 300m ² of site area					
(A9)	Dwellings in Sub-precincts G to I exceeding a density of 1 unit per 300m ² of site area	NA	NA	RD	RD	RD
(A10)	Minor dwellings in Sub-precincts E and F on sites greater than 1000m ² , in the Stream Protection B Area, and in Sub-precincts G, H and I where they are located above a garage accessed from a rear lane	NA	P	P	P	P
(A11)	Accessory buildings in the Stream Protection A area not exceeding a total of 50m ² gross floor area per site	RD	C	NA	NA	NA
(A12)	Accessory buildings in the Stream Protection B area not exceeding a total of 50m ² GFA per site in Sub-precincts E and F, except for for Integrated housing developments	NA	P	NA	NA	NA
(A13)	Accessory buildings in Sub-precinct F on sites approved for Integrated housing development, and in Sub-precincts G to I in the Stream Protection B area and not exceeding a total of 25m ² gross floor area per site	NA	C	C	C	C
(A14)	Additions or alterations to an existing building in	C	C	NA	NA	NA

I519 Long Bay Precinct

	the Stream Protection A area which increase the impervious area coverage or roof area					
(A15)	Additions to an existing building in the Stream Protection B area which increase the impervious area coverage except for integrated housing developments in Sub-precinct F	NA	P	RD	RD	RD
(A16)	Additions to an existing building in the Stream Protection B area which increases the impervious area coverage for integrated housing developments in the Sub-precinct F	NA	RD	NA	NA	NA
(A17)	New buildings and additions to existing buildings accommodating activities that are not defined as dwellings.	The activity status of the development is the same as the intended land use activity to be housed within the building				
(A18)	All other development activities	NC	NC	NC	NC	NC

Table I519.4.2 specifies the activity status of land use and development activities in Sub-precincts A and B, F and H (within 30m of Open Space – Conservation Zone land), and Sub-precinct I pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.2: Activity table for Sub-precincts A and B, F and H (within 30m of the Open Space – Conservation Zone), and Sub-precinct I

Activity		Sub-precincts A and B	Sub-precincts F and H within 30m of the Open Space Conservation Zone	Sub-precinct I
Accommodation				
(A19)	Retirement villages	NC	NC	RD
(A20)	Supported residential care and boarding houses accommodating up to 10 people per site inclusive of staff and residents	C	P	P
(A21)	Supported residential care and Boarding Houses not provided for above	NC	NC	RD
(A22)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	C	D	P
(A23)	Visitor accommodation not provided for	NC	NC	D
Commercial				
(A24)	Dairies and cafes up to 100m ² gross floor area	NC	NC	RD
(A25)	Offices not exceeding 100m ² gross floor area at ground floor level in Sub-precinct I	NA	NA	P
(A26)	Service stations	NC	NC	NC
(A27)	Commercial breeding/boarding of animals	D	NC	NC
(A28)	Home occupations	P	P	P
Community				

I519 Long Bay Precinct

Activity		Sub-precincts A and B	Sub-precincts F and H within 30m of the Open Space Conservation Zone	Sub-precinct I
(A29)	Care centres accommodating up to 10 people per site excluding staff	D	D	P Note 1
(A30)	Care centres not provided for	NC	NC	RD Note 1
(A31)	Community facilities	NC	NC	RD Note 1
(A32)	Education facilities	NC	NC	D
(A33)	Healthcare facilities up to 200m ² gross floor area	NC	NC	RD Note 1
(A34)	Healthcare facilities greater than 200m ² gross floor area	NC	NC	RD Note 1

Note 1: Ground floor only

Table I519.4.3 specifies the activity status of additional land use and development activities in Sub-precincts A and B pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.3: Activity table for Sub-precincts A and B

	Activity	Sub-precincts A and B
(A35)	Pastoral farming	P
(A36)	Horticulture	P
(A37)	Glasshouses up to 50m ² per site	P
(A38)	Glasshouses greater than 50m ² per site	D
(A39)	Sale of produce grown on the property	P
(A40)	Riding trails and horse jumping courses for non commercial purposes	P

Table I519.4.4 specifies the activity status of land use and development activities in Sub-precincts J and K pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.4 Activity table for Sub-precincts J and K

	Sub-precinct	Activities	Activity status
(A41)	J	Residential development on the ground floor of any development that fronts the proposed roads shown on Precinct Plan 1	NC
(A42)	J	Service stations	NC
(A43)	K	Walkways and playgrounds	P
(A44)	K	All new buildings and all alterations and additions that change the gross floor area of a building	D
(A45)	K	Alterations and additions that change the external appearance, but not the gross floor area of a building	D
(A46)	K	Cafes, restaurants, community meeting spaces, galleries, event and display areas (except for religious organisations), provided that the maximum gross floor space for any one activity must not exceed 100m ²	P
(A47)	K	All other activities	NC

Table I519.4.5 specifies the activity status of land use and development activities in the areas identified pursuant to section 9(3) of the Resource Management Act 1991.

Table I519.4.5 Activity table for activities in identified areas

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation	Sub-precincts A and B within land identified as Vegetation – Restoration	All sub-precincts: Riparian Margins	Sub-precinct L	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
(A48)	Farm type fencing (post and wire)	P	P	P	P	P	P

I519 Long Bay Precinct

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation	Sub-precincts A and B within land identified as Vegetation – Restoration	All sub-precincts: Riparian Margins	Sub-precinct L	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
(A49)	Non-paved farm type accessways	NC	NC	D	D	P	Pr
(A50)	Roads and bridges	NC	NA	D	NC	P Note 2	Pr
(A51)	Footpaths, tracks and trails, provided they are 5m from the top of the bank of a stream	D	P	P	D	P	D Note 3
(A52)	Pastoral farming	NC	NC	NC	P Note 4	P	NC
(A53)	Buildings, shelters, sheds and other ancillary structures	NC	NC	NC	NC	Pr Note 5	Pr
(A54)	The external maintenance and repair (but not extensions or additions) to existing buildings	NA	NA	NA	P	NA	NA
(A55)	Education and interpretive activities for the public within existing buildings (including alterations)	NA	NA	NC	D	NA	NA

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation	Sub-precincts A and B within land identified as Vegetation – Restoration	All sub-precincts: Riparian Margins	Sub-precinct L	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
	and additions to these buildings)						
(A56)	All other activities	NC	NC	NC	Pr	Pr	Pr

Note 2: Provided they are for public roads

Note 3: Provided for purposes of public access

Note 4: Excluding cattle, horses and pigs

Note 5: All buildings should be located outside of the sub-precinct, within the building site identified on Precinct Plan 1 and 3.

Subdivision

Table I519.4.6 specifies the activity status of subdivision activities pursuant to section 11 of the Resource Management Act 1991.

A blank in Table I519.4.6 means that the provisions of the overlays, zone or Auckland-wide apply.

Table I519.4.6 Activity table for subdivision

	Activity	Sub-precincts A and B	Sub-precincts D to K	Sub-precinct C: Piripiri Point Protection Area	Sub-precinct L
(A57)	Subdivision to effect a boundary adjustment	P	P		NC
(A58)	Subdivision to provide for a network utility	P	P		NC
(A59)	Subdivision in the Stream Protection B Area	NA	RD	NA	NC
(A60)	Single site subdivision including the amalgamation of	NA	NA	C	NA

	Activity	Sub-precincts A and B	Sub-precincts D to K	Sub-precinct C: Piripiri Point Protection Area	Sub-precinct L
	the relevant part of Lot 26 DP 66117 to incorporate the existing dwelling site and curtilage (as shown as the nominated building platform on Precinct Plan 1) into Sub-precinct C: Piripiri Point Protection Area				
(A61)	Subdivision in Sub-precinct C: Piripiri Point Protection Area for public road or reserve purposes only	NA	NA	D	NA
(A62)	Subdivision in Sub-precincts A and B, and in Sub-precinct D and E within the Stream Protection A Area.	RD	RD	NA	NA
(A63)	Any other subdivision	NC	NC	Pr	NC

Land disturbance

Tables I519.4.7 and I519.4.8 specifies the activity status of land use activities pursuant to section 9(2) and 9(3) of the Resource Management Act 1991. In instances where the precinct activity status conflicts with the provisions of [E11 Land Disturbance – Regional](#), [E12 Land Disturbance - District](#) or [E26 Infrastructure](#), the precinct provisions prevail.

Table I519.4.7 Activity table for land disturbance

	General land disturbance	Activity status
(A64)	Earthworks which expose no more than 500m ² surface area of bare earth except where listed in Table I519.4.8	P
(A65)	Earthworks for the maintenance, repair, renewal and minor infrastructure upgrade of network utilities (above and below ground)	P
(A66)	Earthworks for the provision of above ground network utilities located in a formed road reserve	P
(A67)	Earthworks for the maintenance, repair, renewal and minor infrastructure upgrade of roading and road network activities	P

I519 Long Bay Precinct

	located in a formed road reserve	
(A68)	Earthworks in Sub-precincts A, B and C which are not a permitted activity provided that the total land area that will be exposed at any one time under all live consents does not exceed 7 hectares Note 6	RD
(A69)	Earthworks in Sub-precinct D and E (within the Stream Protection A Area) which are not a permitted activity, provided that the total land area that will be exposed at any one time under all live consents does not exceed 21 hectares. Note 6	RD
(A70)	Earthworks in Sub-precincts E to K within the Stream Protection B Area which are not a permitted activity, provided that the total land area across Sub-precincts D to K that will be exposed at any one time under all live consents does not exceed 21ha Note 6	RD
(A71)	Earthworks in Sub-precincts E to K in the Stream Protection B Area which are not a permitted activity where the total land area that will be exposed at any one time under all live consents is more than 21ha (and no more than 28ha in Sub-precincts A to K) Note 6	D
(A72)	Earthworks in Sub-precincts A, B and C which are not a permitted activity and where the total land area that will be exposed at any one time under all live consents in Sub-precincts A, B and C exceeds 7ha. Note 6	NC
(A73)	Earthworks in Sub-precincts A to K which are not a permitted activity where the total land area that will be exposed at any one time under all live consents in Sub-precincts A to K exceeds 28ha. Note 6	Pr

Note 6: Live consents include the consent application under consideration and the area and timing of earthworks exposed by giving effect to any approved consents.

Table I519.4.8 Activity table for land disturbance in specific locations

	Specific location land disturbance	Activity status
	Sub-precinct H	
(A74)	Retaining walls on the western boundary of the H7 Open Space – Conservation Zone which have the effect of raising the ground level less than 1m high	D
	Sub-precinct C: Piripiri Point Protection Area	

I519 Long Bay Precinct

(A75)	Earthworks ancillary to a permitted activity	P
(A76)	Earthworks to create a ridgeline in accordance with the Ridgeline Height Control and Spot Heights as shown on Precinct Plan 4	RD
(A77)	Earthworks to create the ridgeline not in accordance with the Ridgeline Height Control and Spot Heights shown on Precinct Plan 4	D
(A78)	Earthworks for public roading or reserve purposes	D
(A79)	All other earthworks	NC
Sub-precinct E within Park Interface Protection Area		
(A80)	Earthworks to create the ridgeline in accordance with Ridgeline Height Control and Spots Heights as shown on Precinct Plan 4	RD
(A81)	Earthworks to create the ridgeline not in accordance with the Ridgeline Height Control and Spot Heights shown on Precinct Plan 4	D
(A82)	Earthworks to the north and east of the Ridgeline Height Control Line once the ridge is formed for revegetation and fencing purposes	P
(A83)	Other earthworks to the north and east of the Ridgeline Height Control Line once the ridge is formed	NC
(A84)	Earthworks once the Piripiri Point/Grannys Bay Ridge is recontoured which lower the height of the constructed ridgeline	Pr
(A85)	Earthworks which expose up to 25m ² of bare earth to the west and south of the Ridgeline Height Control Line once the ridge is formed	P
(A86)	Earthworks which expose 25m ² or more of bare earth to the west and south of the Ridgeline Height Control Line once the ridge is formed	D
(A87)	Retaining walls to the west and south of the Ridgeline Height Control Line once the ridge is formed which have the effect of raising the ground level by up to 1.5m above the natural ground level (measured by the vertical distance from the top to the bottom of the wall).	P
(A88)	Retaining walls to the west and south of the Ridgeline Height Control Line once the ridge is formed which have the effect of raising the ground level by greater than 1.5m above the natural ground level (measured by the vertical distance from the top to the bottom of the wall).	D
(A89)	All other earthworks	NC
Sub-precincts A and B within Vegetation - Conservation, Vegetation - Restoration, Landscape Enhancement and Ecology / Stormwater Management Areas		
(A90)	Earthworks within Vegetation Conservation areas for the purposes of installing surface laid wastewater disposal fields and tracks for public recreation	D

I519 Long Bay Precinct

(A91)	Earthworks within Vegetation Restoration areas directly associated with revegetation, fencing and walking tracks	P
(A92)	Earthworks within Landscape Enhancement Areas that expose up to 25m ² surface area of bare earth	P
(A93)	Earthworks within Landscape Enhancement Areas that expose more than 25m ² surface area of bare earth	RD
(A94)	Earthworks within Ecology/Stormwater Management Areas directly associated with revegetation	P
(A95)	Other earthworks within Vegetation Restoration, Landscape Enhancement and Ecology/Stormwater Management Areas	D
(A96)	All other earthworks in Vegetation Conservation areas	NC
All sub-precincts: Within Riparian Margins		
(A97)	Earthworks for tracks that provide for public access to and along a public reserve more than 5m from the top of the bank of a stream, and site works directly associated with revegetation	P
(A98)	Earthworks associated with stream bank rehabilitation and revegetation of waterways	P
(A99)	Earthworks for the purposes of installing or maintaining infrastructure (including accessways, roads and road network activities)	RD
(A100)	All other earthworks	NC

Table I519.4.9 specifies the activity status of vegetation management land use activities pursuant to section 9(2) of the Resource Management Act 1991.

Table I519.4.9 Activity table for vegetation management

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation Areas	Sub-precincts A and B within land identified as Vegetation – Restoration Areas	All sub-precincts: Riparian Margins	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
(A101)	Alteration or removal of	NC	NC	D	D	NC

	Activity	Sub-precincts A and B within land identified as Vegetation – Conservation Areas	Sub-precincts A and B within land identified as Vegetation – Restoration Areas	All sub-precincts: Riparian Margins	Sub-precinct C: Piripiri Point Protection	Sub-precinct E: land within the Park Interface Protection on the crest, North and East of the Ridgeline Height Control Line
	any native vegetation					

Table I519.4.10 specifies the activity status of stream diversions, water takes, disturbance and reclamation activities pursuant to sections 13 and 14 of the Resource Management Act 1991

Table I519.4.10 Activity table for lakes, rivers, streams and wetland management

	Streams	Activity status
(A102)	The diversion, disturbance, piping or reclamation of streams (including intermittent streams) in Sub-precincts E to K, except for the main channel of the Vaughan and Awaruku Streams and Stream 2	P
(A103)	The diversion, disturbance, piping or reclamation of the main channel of the Vaughan and Awaruku Streams and Stream 2 within the Long Bay Precinct.	NC
(A104)	The diversion, disturbance, piping or reclamation of streams (including intermittent streams) within the Stream Protection A Area shown on Precinct Plan 4.	NC

I519.5. Notification

- (1) An application for resource consent for a controlled activity listed in Tables I519.4.1 to I519.4.10 Activity tables 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(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Tables I519.4.1 to I519.4.10 Activity tables and which is not listed in I519.5(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\(4\)](#).

I519.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct, unless otherwise specified by the following standards.

All permitted, controlled and restricted discretionary activities listed in Tables I519.4.1 to I519.4.10 must comply with the following activity standards.

I519.6.1. Minor dwellings in Sub-precincts G to I

- (1) Minor dwellings in Sub-precincts G, H and I must meet all of the following:
- (a) not exceed a net internal floor area of 65m²;
 - (b) be located above a garage that is accessed from a rear lane; and
 - (c) be orientated so that living/dining/kitchen area overlooks the rear lane.
- (2) the dwelling does not need to have its own outdoor living area or service court.

I519.6.2. Building height

- (1) Buildings must not exceed the maximum heights specified in Table I519.6.2.1:

Table I519.6.2.1: Maximum building height

Sub-precinct	Maximum height
A and B	8m
D and F	8m
G (South and West of Beach Road extension)	8m
H when more than 30m from land zoned Open Space – Conservation	11m provided that 50 per cent of a building's roof in elevation measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more
Long Bay H within 30m of land zoned Open Space - Conservation	10.5m
I	14m

I519 Long Bay Precinct

J	14m
K	8m

(2) Sub-precinct E and G (North and East of Beach Road extension)

(a) the maximum building height is 8m provided that:

- (i) no part of any building (or other structure) built to the East of the northern Beach Road extension and the line marked 'z-z' extending northwards as shown on Precinct Plan 4 is to be visible, when viewed from any of the Park Interface Viewpoints shown on Precinct Plan 4;
- (ii) no part of any building (or other structure) built to the North of the northern Beach Road extension and west of the line marked 'z-z' as shown on Precinct Plan 4 is to be visible when viewed from the Park Interface Viewpoints 2 and 3 shown on Precinct Plan 4;
- (iii) in determining the visibility of buildings (or other structures) under (i) and (ii) above, allowance must be made for a 0.5m tolerance factor. That is, the height at which a building (or structure) would become visible must be 0.5m below the measured height; and
- (iv) compliance with the terms of any consent notice attached to the relevant certificate of title for the building site which sets out the ground level from which building (or other structure) height must be measured and the maximum building (or other structure) height above this level must be deemed to comply with this standard. If no relevant consent notice exists, or an alternative building (or other structure) height is proposed, then sufficient information will need to be provided to demonstrate compliance with the standard (such as an analysis of cross sections from the relevant viewpoints in accordance with Standard I519.6.21(4).

(3) Development that does not comply with Table I519.6.2.1 above is a restricted discretionary activity where located within Sub-precinct H and involving an additional storey (up to a total height of 14m) for one landmark building within that sub-precinct.

(4) Development located within Sub-precincts E and G North and East of the Northern Beach Road extension, as shown on Precinct Plan 1 that does not comply with Standard I519.6.2(2) above is a prohibited activity.

(5) All other development that does not comply with Table I519.6.2.1 above is a discretionary activity.

I519.6.3. Yards

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table I519.6.3.1.

Table I519.6.3.1: Building yard

Yard	Sub-precincts A and B	Sub-precincts D, E and F	Sub-precinct G	Sub-precinct H	Sub-precinct I
Front yard	7.5m	5m Note 7	5m	2m	2m
Side yard	6m	1.2m	1.2m	0m	0m
Rear yard	6m	3m Note 8	3m	3m yard to be provided on boundary with land zoned Open Space - Conservation, otherwise 0m.	0m

Note 7: Except where the Vaughans Road setback applies under Standard I519.6.6.

Note 8: Except that in Sub-precinct E for sites containing the Park Interface Protection Area, there must be no development built to the north and east of the Ridgeline Height Control Line shown on Precinct Plan 4.

- (2) Integrated housing developments in Sub-precinct F must comply with the following side yards:
- (a) for 1,500m² sites for multi-unit developments, a 2m yard requirement must apply to the exterior boundaries. No yard requirement applies to interior boundaries;
 - (b) for 300m² sites for town house developments, one side yard is to be 2m, for the other side yard, a building may be built up to the boundary where this boundary adjoins another 300m² integrated housing development site; and
 - (c) for 400m² and 600m² sites for duplexes and triplexes, a 2m yard requirement must apply to exterior boundaries. For internal boundaries, a building may be built up to the boundary where it involves dwellings established concurrently on the site and joined at a common wall at the boundary.
- (3) For Sub-precinct G, yards do not apply to those parts of a site boundary that share a wall with an existing or proposed building on an adjoining site.
- (4) Rain tanks may be situated within any side and rear yard provided that they do not exceed 2.5m in diameter and are no more than 1.8m in height.

- (5) Rain tanks may be situated within any required front yard provided they are at least 1.5m from the front boundary and are located below finished ground level.
- (6) In Sub-precinct J, no front, side or rear yards apply and in Sub-precinct K a 2m yard must apply to all boundaries with the Open Space – Informal Recreation Zone.
- (7) Development that does not comply with the front yard Standards I519.6.3(1) and I519.6.3(2) above is a restricted discretionary activity where located:
 - (a) within Sub-precincts D, E, F and G where:
 - (i) the sites do not front the southern Beach Road extension (except for that portion of road opposite Sub-precinct H) and the northern Beach Road, Ashley Avenue and Glenvar Road extensions as shown on the Precinct Plan 1; and
 - (ii) the front yard is reduced up to 1.5m, provided that not more than 30 per cent of the area which lies between 1.5m and 5m back from the front boundary of the site is covered by buildings.
 - (b) within Sub-precinct I, on sites that adjoin proposed roads, provided that any part of a building at ground level that is located within the front yard is not be used for residential purposes (including garages).
- (8) Development that does not comply with the rear yard standards in Standard I519.6.3(1) above is a restricted discretionary activity where located within Sub-precincts D, E, F and G and the length of that part of the building infringing the rear yard is no greater than 10m.
- (9) Garages (including minor dwellings) that do comply with Standard I519.6.3(1) above are restricted discretionary activities where both of the following apply:
 - (a) they are located within a rear yard:
 - (i) on Sub-precinct F sites approved for integrated housing developments; or
 - (ii) on Sub-precincts G, H or I sites where vehicle access is provided by a common rear lane rather than direct from the street.
 - (b) they are designed and located to maintain the amenity of adjacent site and occupying no more than 70 per cent of the frontage of the rear yard (such garages may include a minor household unit designed to overlook the rear vehicle access lane).
- (10) All other development that does not comply with Standards I519.6.3(1) and I519.6.3(2) is a discretionary activity.

I519.6.4. Building coverage

(1) The maximum building coverage must not exceed the maximum net site coverage set out in Table I519.6.4.1.

Table I519.6.4.1: Maximum net site coverage

Sub-precinct	Maximum net site coverage
A and B	10 per cent
D, E and F	35 per cent excluding land to the north and east of the Ridgeline Line Height Control Line within the Park Interface Protection Area.
Integrated housing development sites within Sub-precinct F	40 per cent Note 9
G	35 per cent
H	50 per cent
I	80 per cent
J	100 per cent
K	30 per cent

Note 9: For sites with rear vehicle access via a private lane shown on an approved subdivision plan, building coverage may be assessed on the basis of the sites proportionate share of the accessway.

(2) Development that does not comply with Standard I519.6.4(1) above is a discretionary activity, except for building coverage in Sub-precincts G and H which may be increased by 5% where the additional coverage has been approved as part of a land use consent granted in respect of a development of a site in excess of 1,500m² that is located more than 30m from land zoned Open Space-Conservation.

I519.6.5. Height in relation to boundary

(1) Development must comply with the height in relation to boundary standards as set out in Table I519.6.5.1:

Table I519.6.5.1: Height in relation to boundary standards

Sub-precinct	Height in relation to boundary standard
F	<p>The standards from the zone must apply, except as follows for integrated housing developments in Sub-precinct F:</p> <ul style="list-style-type: none"> For sites over 1,500m² in area, the underlying zone standards must apply to the exterior boundaries, except the road boundary. For internal boundaries, no height in relation to boundary rule applies; For 300m² sites for town houses, buildings must not project beyond a 45 degree recession plane measured from a point

I519 Long Bay Precinct

	<p>2.5m vertically above ground level along side and rear boundaries. Where a side boundary abuts another 300m² integrated housing site, for that side boundary, buildings must not project beyond a 68 degree recession plane measured from a point 3m vertically above ground level; or</p> <ul style="list-style-type: none"> For sites 400m² and 600m² sites identified for duplexes and triplexes respectively, buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along exterior side and rear boundaries..
G	The zone standards apply, except that no height in relation to boundary standard applies to those parts of a site boundary that share a wall with an existing or proposed building on an adjoining site.
H	<p>The zone standards apply along any boundary with Sub-precinct A to F, or an open space zone.</p> <p>For sites that adjoin other sites in Sub-precincts G to I, buildings must not project beyond a 68 degree recession plane measured from a point 3m vertically above ground level, except that this does not apply to:</p> <ul style="list-style-type: none"> The internal boundaries of sites 1,500m² or greater; The boundary between adjoining dwellings established concurrently on adjoining sites and joined at a common wall on the boundary; and Front boundaries.
I	Standards from the zone must apply around the perimeter of the sub-precinct, except for the front boundary, where no height in relation to boundary standard applies, or sites that adjoin the Sub-precinct J and K.
J and K	No standard applies

- (2) Development that does not comply with Standard I519.6.5(1) above is a restricted discretionary activity where located in Sub-precincts F to I.
- (3) Within Sub-precinct F, on sites approved for integrated housing and in Sub-precincts G, H and I, garages are not required to comply with Standard I519.6.5(1) above where:
- (a) They are part of a comprehensively designed development;
 - (b) vehicle access is provided by a rear lane rather than direct from the street; and
 - (c) in Sub-precincts G, H and I, where garages that are designed to overlook the rear vehicle access lane incorporate a minor dwellings unit.
- (4) All other development that does not comply with Standard I519.6.5(1) above is a discretionary activity.

I519.6.6. Vaughans Road setback

- (1) All buildings on sites subject to the Vaughans Road Set Back shown on Precinct Plan 3 must be set back a minimum of 10m from the common boundary with the road reserve.
- (2) All development that does not comply with Standard I519.6.6(1) above is a restricted discretionary activity.

I519.6.7. Activities in Sub-precinct E in the Park Interface Protection Area South and West of the Ridgeline Height Control Line

- (1) Buildings, except for accessory buildings must not be located in the Park Interface Protection Area to the south and west of the Ridgeline Height Control Line shown on Precinct Plan 4.
- (2) Accessory buildings and structures located in the Park Interface Protection Area to the south and west of the Ridgeline Height Control Line shown on Precinct Plan 4 are discretionary activities, provided that the maximum height of any buildings and structures are 2m below the lowest point of the Ridgeline Height Control line on that property.
- (3) Any building or structure that does not comply with Standard I519.6.7(1) above and is not a discretionary activity under Standard I519.6.7(2) above is a prohibited activity.

I519.6.8. On-site stormwater management

- (1) Maximum impervious area
 - (a) Development must comply with the maximum impervious areas set out in Table I519.6.8.1 below, provided that the provisions set out below related to the mitigation, on-site, of stormwater generated from these impervious areas can be complied with in terms of both water quality and quantity:

Table I519.6.8.1: Maximum impervious area

Sub-precinct	Stream Protection A Area	Stream Protection B Area
A and B	500m ² or 15 per cent of the site (whichever is greater)	NA
D, E, F and G	50 per cent (to a maximum of 500m ²)	50 per cent (to a maximum of 500m ²) Note 10
H	NA	70 per cent
I	NA	90 per cent
J	NA	100 per cent
K	NA	50 per cent

Note 10: The calculation of impervious area must exclude all land to the north and east of the Ridgeline Height Control Line within the Park Interface Protection Area. Within this sub-precinct, no impervious surfaces are allowed.

(2) On-site stormwater mitigation

(a) Rain tanks:

- (i) all development must use rain tanks to store and reuse stormwater generated from roof areas;
- (ii) rain tanks and associated plumbing must be designed to ensure that water from roof areas will be used as a non-potable source of water for toilets, washing machines and irrigation;
- (iii) in the Stream Protection A Area rain tanks must be for both attenuating peak flows and for reuse of stormwater (dual purpose);
- (iv) in the Stream Protection A Area, the size of the rain tank must be determined by reference to the roof area of buildings and the nature and extent of other on-site stormwater management techniques to be used;
- (v) in the Stream Protection B Area, rain tanks need only be designed for the reuse of rainwater as a non-potable source of water in the dwelling; and
- (vi) in the Stream Protection B Area the minimum rain tank size must be 3,000l per dwelling or commercial unit, or at least 3,000l per 150m² of roof area where there is more than one unit within a building.

(b) Other on-site mitigation - Stream Protection A area:

- (i) in Sub-precincts A and B, 100 per cent of the total constructed impervious area on the site is required to be fully mitigated by on-site stormwater management techniques, including the use of the rain tanks, revegetation and other on-site techniques such as pervious paving and bio retention;
- (ii) in all cases, in Sub-precincts A and B a mix of techniques must be used;
- (iii) in Sub-precinct D all stormwater runoff from not less than 80 per cent of the total constructed impervious areas on sites and from 100 per cent of impervious areas in Sub-precinct E in the catchment of Stream 1C, is required to be fully mitigated by on-site stormwater management techniques;
- (iv) in Sub-precincts D and E storm water management techniques must include the use of rain tanks required, revegetation as well as other on-site techniques such as pervious paving and bio retention; and

(v) the amount of revegetation must take into account any revegetation established at the time of subdivision for the purposes of stormwater mitigation.

(c) Other on-site mitigation - Stream Protection B area:

(vi) in Sub-precincts E to K in the Stream Protection B areas, no additional stormwater mitigation measures to the rain tanks required above are required for the management of the stormwater generated from impervious areas specified in Table I519.6.8.1 above.

(d) Design of on-site mitigation:

(i) the best practicable option must be applied in the choice of stormwater management techniques to be used, except for stormwater wetlands which cannot be used in the Stream Protection A area;

(ii) all proposed on-site stormwater management techniques must be subject to the approval of Council;

(iii) all stormwater management devices must be installed as soon as possible after site construction is complete;

(iv) stormwater and surface runoff from development must be discharged into the primary stormwater system and not to the street;

(v) impervious surfaces, including driveways, must incorporate techniques to intercept and/or divert stormwater runoff to a sump designed to trap silt and floatable debris and where practical discharge to a bio retention device in the road reserve where adequate capacity is available. In other cases the sump must discharge to the primary stormwater system in accordance with Standard I519.6.8(2)(a) above;

(vi) in the Stream Protection A areas, a mix of on-site techniques must be used and rain tanks must not be the sole form of mitigation;

(vii) where the site is identified in Precinct Plan 4 as containing riparian margins and Ecology/Stormwater Management areas on Precinct Plan 4, priority must be given to planting in these areas when designing site stormwater measures and a planting plan must be provided;

(viii) a Council approved covenant under s.108 of the Resource Management Act 1991 or a consent notice under s. 221 of the Resource Management Act 1991 must be registered against the title of every site required to undertake on site stormwater mitigation; and

(ix) the effect of the covenant/consent notice referred to in Standard I519.6.8(2)(d)(viii) above must be to ensure the efficient future functioning and ongoing maintenance of the on-site stormwater management system.

- (3) Development of up to 70 per cent impervious area within Stream Protection B Area is a restricted discretionary activity where located in Sub-precincts E, F and G provided that:
- (a) any stormwater runoff from any additional area of impervious surface above 50 per cent of the site is fully mitigated by on-site stormwater management techniques, so that the stormwater run-off from the site is equal to the amount of stormwater generated if 50% of the site was covered in buildings and impervious areas;
 - (b) a Council approved covenant under s. 108 of the Resource Management Act 1991 or a consent notice under s. 221 of the Resource Management Act 1991 is registered against the title of every site required to undertake on site stormwater mitigation; and
 - (c) the effect of the covenant/consent notice required by clause Standard I519.6.8(3)(b) above must be to ensure the efficient future functioning and on-going maintenance of the on-site stormwater management system.
- (4) Any development that does not comply with the on-site stormwater management standards specified above is a non-complying activity.

I519.6.9. Fences, boundary and retaining walls

- (1) In the Long Bay Precinct, except for: Sub-precincts C, J and K; those parts of Sub-precinct E in the Park Interface Protection Area; the boundary between Sub-precinct H and [H7 Open Space - Conservation zone](#), the following standards apply:
- (a) for sites that adjoin open space, or are within a Stream Interface Management Area, any boundary fences or walls within a yard fronting a reserve or open space area must be limited to a maximum height of 1.2m, unless at least 50 per cent of the fence is visually permeable, in which case a 1.8m high fence may be erected; and
 - (b) for sites that immediately adjoin land for cycle and pedestrian routes, a boundary fence or wall may be constructed to a maximum height of 1.2m on the common boundary, unless at least 50 per cent of the fence is visually permeable, in which case a 1.8m high fence may be erected.
- (2) In the following areas: Sub-precincts C, J, K and L; those parts of Sub-precinct E in the Park Interface Protection Area; the boundary between Sub-precinct H and Open Space-Conservation Zone, the following standards apply:
- (a) in Sub-precinct J, K and L there must be no front fences;
 - (b) along Sub-precinct H's boundary with the Open Space-Conservation Zone, all boundaries in Sub-precinct C (Piripiri Point Protection Area), those parts of Sub-precinct E in the Park Interface Protection Area north

and east of the Ridgeline Height Control Line and on the crest of the ridge, fencing must be limited to farm type, post and wire construction;

(c) in Sub-precinct E in the Park Interface Protection Area south and west of the Ridgeline Height Control Line, the zone standards apply, provided that the height of any fence does not exceed the Ridgeline Height Control Line; and

(d) access points from private sites into the [H7 Open Space – Informal Recreation Zone](#), the Regional Park and [H7 Open Space-Conservation Zone](#) must be located on the shared boundary between private lots.

(3) Development that does not comply with Standard I519.6.9(1) is a restricted discretionary activity.

(4) Development that does not comply with Standard I519.6.9(2) above is a discretionary activity.

I519.6.10. Earthworks - general

(1) Development that does not comply with Standards I519.6.12 and I519.6.15 is a non-complying activity

(2) All other development that does not comply with the standards in Standard I519.6.10 is a discretionary activity.

(3) A site management plan must be prepared for all earthworks in the Long Bay Precinct irrespective of whether they are classified as a permitted, controlled, discretionary or non-complying activity except for:

(a) earthworks for the installation of fences;

(b) utility connections;

(c) effluent disposal fields;

(d) swimming pools;

(e) garden amenities;

(f) gardening; and

(g) planting of any vegetation.

(4) All erosion and sediment control measures must be in place prior to any earthworks or subdivision activities being undertaken.

(5) Where earthworks are undertaken adjacent to any Vegetation Conservation, Vegetation Restoration Area or Riparian Margin identified on Precinct Plans 4 or 5; land zoned Open Space-Conservation Zone and the Long Bay Regional Park, a protective fence must be constructed at the edge of these areas and remain in situ for the duration of the works.

- (6) After all construction is complete (including hard landscaping) in Sub-precincts A and B; Sub-precinct D within the Stream Protection A area; reserves and open space and all riparian margins, soil which has been compacted as a result of earthworks and vehicle movements must be reconditioned to a minimum depth of 400mm.
- (7) For development that is within the catchment of Stream 1C, all subsurface drains must direct groundwater to existing seepage areas prior to discharge to watercourses and there must be no direct discharge from subsurface drains to watercourses.

I519.6.11. Earthworks greater than 500m² surface area of bare earth (30 hectare limit)

- (1) Allocations for earthworks within all sub-precincts must be on the basis of first-come-first-served respectively.
- (2) No earthworks (cut/fill) greater than 2,500m² in area must be undertaken outside the period 1 October to 30 April, unless an extension to that earthworks season is granted in writing by an authorised council officer. (The application may be granted or refused at the discretion of the authorised council officer having regard, without limitation, to seasonal conditions at the time of the application).
- (3) All exposed sites greater than 2,500m² in area must be stabilised prior to 30 April (or the end of the earthworks season if an extension past 30 April has been granted).
- (4) Prior to 1 July of the forthcoming earthworks season, no single landowner in Sub-precincts D to K can apply for site works consent for greater than 21 hectares of exposed surface area of bare earth at any one time.
- (5) If, by 1 August of that same year, earthwork consents for that earthworks season have not been received for all of the 7ha in the Sub-precincts A, B or C, then application may be made to reallocate any unallocated amount to Sub-precincts D to K.
- (6) Earthworks areas are considered to be exposed or 'open' from the first day earthwork activities begin (the first day earthwork machines move any earth, including topsoil), until the day the site has been 'closed off' and the entire earth worked area is stabilised against any potential sediment being discharged into the receiving environment.
- (7) 'Closed off' (stabilised) means that a site has been topsoiled and seeded or hydroseeded with grass, or mulched with straw or bark and grass seed.
- (8) In the Long Bay Precinct, 100 per cent ground coverage must be achieved so that no bare ground is visible before the site is deemed to be 'closed off'.
- (9) Earthwork consents must be limited to one earthworks season and must contain a monthly staging plan that states the amount of land to be opened and closed for earthworks for each month.

- (10) Monthly reporting of the area exposed and closed off in that month and any preceding months, and the expected exposed area in the remainder of the earthworks season, must be provided to the Council.
- (11) Extensions of a consented earthworking schedule to accommodate seasonal conditions may be made in accordance with I519.6.11(2) above, provided that the aggregate area exposed by all live consents does not exceed the limits set out in Activity Table I519.4.7 General land disturbance.
- (12) Extensions of a consented earthworks schedule into the following earthworks season may be granted in writing by an authorised council officer, having regard to the area of earthworks proposed for that year as contained in all live consents for the relevant sub-precincts.
- (13) Sediment and erosion control ponds and decanting earth bunds are to be installed prior to the earthworks and must be sized as follows:
 - (a) 300m³ volume per hectare of contributing catchments (3 per cent volume); and
 - (b) 30 per cent permanent water storage and 70 per cent temporary storage.
- (14) All sediment and erosion control ponds must be flocculated in order to achieve greater efficiencies in retaining fine-grained sediment.
- (15) Chemical treatment (flocculation) must be applied as follows:
 - (a) automatic rainfall activated treatment of all sediment retention ponds for contributing catchments greater than 3,000m² and decanting earth bunds with contributing catchments between 250m² – 3,000m² in area;
 - (b) batch application where testing of detention ponds after every rainfall event that has caused run off, indicates clarity of less than 50mm (measured vertically from the water surface); and
 - (c) manual batch application of decanting earth bunds serving contributing catchments less than 250m² in area (2 hours settlement period prior to discharge).
- (16) A lizard conservation management plan must be prepared prior to any site works over 500m² being undertaken in the Stream Protection A area and must include the information requirements set out in I519.9.3.

I519.6.12. Earthworks in Sub-precincts C, E and G (North and East of Beach Road extension)

- (1) In addition to Standards I519.6.10 and I519.6.11 above (except for earthworks for geotechnical remediation, stabilisation or preparatory site works):
 - (a) earthworks must achieve and maintain a ridgeline in Sub-precincts C and E that, in association with contouring of land to the south and west of the ridgeline, ensures that no buildings or structures constructed in accordance with Standard I519.6.2(2) will be visible:

- (i) to the east of the northern Beach Road extension, and the line marked “z-z” extending northwards as shown on Precinct Plan 4 when viewed from any of the Park Interface viewpoints shown on Precinct Plan 4;
 - (ii) to the north of northern Beach Road extension and west of the line marked “z-z” as shown on Precinct Plan 4 when viewed from the Park Interface Viewpoints 2 and 3 shown on Precinct Plan 4; and
 - (iii) An analysis must be provided of cross sections in accordance with Standard I519.6.21(4);
- (b) finished ground level of land below the 39.7m contour line, east of the northern Beach Road extension shown on Precinct Plan 3 must be 6m below the crest of the Homestead Spur section of the Ridgeline Height Control line; and
- (c) the existing contours of the crest of Homestead Spur below and south of the 39.7m contour line must not be reduced.

I519.6.13. Land disturbance in Sub-precincts F and H

- (1) In addition to Standards I519.6.10 and I519.6.11 above, where applications for earthworks are proposed adjacent to land zoned Open Space - Conservation:
- (a) all earthworks must be kept wholly outside the [H7 Open Space - Conservation zone](#).

I519.6.14. Land disturbance - Vegetation and Conservation Restoration Areas

- (1) In addition to Standards I519.6.10 and I519.6.11 above, where earthworks are proposed on sites that contain land identified as Vegetation – Conservation Area or Vegetation– Restoration Area, the application must provide for protective fencing of these areas.

I519.6.15. Land disturbance in Sub-precinct C

- (1) Where earthworks are proposed in Sub-precinct C, Standard I519.6.12 must also apply.

I519.6.16A. Subdivision

- (1) Any subdivision that does not comply with the standards for proposed roads, stormwater management and riparian margins in Standards I519.6.16 to I519.6.18, the standards specific to Sub-precinct A and B in Standard I519.6.19 and I519.6.20(6) in Sub-precincts D, E and F is a non-complying activity.
- (2) Any subdivision that does not comply with the standards in Standard I519.6.21 below relating to ridgeline protection in the Park Interface Protection Area of Sub-precinct E and Sub-precinct C: Piripiri Point Protection Area is a prohibited activity.

- (3) All other subdivisions are a discretionary activity.

I519.6.16. Subdivision - Proposed Roads

- (1) The proposed roads shown in Precinct Plans 1, 3 and 4 must be provided in accordance with the alignments shown and the staging of subdivision.
- (2) All proposed roads (other than Glenvar Ridge Road) must be provided with a separate shoulder cycle lane in each direction.
- (3) On-street parking (other than Glenvar Ridge Road) must be provided on both sides of the road in order to satisfy the on-street parking requirements.
- (4) The proposed roads must provide the road widths shown in Precinct Plan 4.
- (5) Proposals to alter the alignment of a Proposed Road by more than 20m either side of the centre line of a road at any point along its length are non-complying activities.
- (6) Moving the alignment of a Proposed Road less than 20m either side of the centre line of the road to take into account finished earthworks will not be considered to be an alteration of its alignment.

I519.6.17. Subdivision – stormwater management

- (1) Subdivision proposals must demonstrate that the sites to be created can reasonably accommodate development that will be able to comply with the on-site stormwater management standards in Standard I519.6.8 above including the actions to be taken to ensure the on-going retention and maintenance of on-site mitigation areas and facilities (that include covenants and/or consent notices under s 221 of the Resource Management Act 1991).
- (2) At the time of subdivision, planting to fully mitigate the effects of stormwater from accessways must be established.
- (3) Planting to fully mitigate the effects of stormwater from accessways must be located in any riparian margins and Ecology/Stormwater Management Areas, identified on Precinct Plans 3 and 4 within the existing boundaries of the sites, as a priority, before other areas are planted.
- (4) Planting to fully mitigate the effects of stormwater from accessways must be established before the issue by Council of a certificate of compliance under s 224(c) of the Resource Management Act 1991.
- (5) Existing overland flow paths in Sub-precincts A, B and C and post development overland flow paths in Sub-precincts D to K must be identified and protected, taking into account the need to provide connectivity with overland flow paths above and below the site.
- (6) For all residential sub-precincts (except Sub-precincts A and B), Standard I519.6.8 above may be achieved by a combination of individual and communally owned on-site measures.
- (7) Where stormwater devices are proposed to serve more than one unit and communally-owned measures are to be partly relied upon, then:
 - (a) bio-retention, rain tanks and other localised detention and treatment devices designed to serve a number of sites under the one unit-title (e.g. multi-unit apartment building) must be retained in private ownership and must be managed by an appropriate management structure (e.g. body corporate); and
 - (b) the use of proposed reserves for soakage areas will only be accepted where these are to vest as local purpose drainage reserves and will not be deducted from development contributions for parks and reserves.

I519.6.18. Subdivision – riparian margins

- (1) Any subdivision application to create sites containing land identified as Riparian Margin must comply with the following:
 - (a) all land must be surveyed to define the width of the riparian margin of the stream/s on the site;
 - (b) details of the existing vegetation and ground cover within the margin must be provided to identify the scale and extent of additional planting required

to ensure bank stability and an enhanced aquatic habitat of the stream within the margin;

- (c) all riparian margins must be planted in native vegetation to the full width of the margin identified on the Precinct Plan 4;
- (d) a planting plan for the riparian margin must be in accordance with I519.9.2 below, and approved by Council;
- (e) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
- (f) a weed and pest management strategy for the riparian margin must be submitted to and approved by Council and then implemented in full;
- (g) all land must be fenced to a stockproof standard, unless otherwise approved by Council;
- (h) all earthworks, building platforms and infrastructure must be located wholly outside of any land identified as riparian margin except:
 - (i) for the purposes of installing and maintaining infrastructure;
 - (ii) for the purposes of rehabilitation and enhancement of the stream bank and margin; and
 - (iii) for the provision of tracks and trails for public access to and along a public reserve that is located more than 5m from the top of the bank of the stream within the margin;
- (i) where the riparian margin is not to be taken or provided as an esplanade reserve or strip, an agreement to covenant in perpetuity the area of riparian margin must be entered into before the issue by the Council of a certificate pursuant to s224(c) of the Resource Management Act 1991; and
- (j) covenants referred to in Standard I519.6.18(i) above must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) that the fencing of riparian margins on both the original site and on the newly created sites is maintained to a stockproof standard;
 - (ii) that the margin remains undisturbed from any earthworks or structures;
 - (iii) that restoration planting occurs in the areas identified on the plan of subdivision in accordance with the approved planting plan;
 - (iv) that weeds and pests are controlled; and
 - (v) that any revegetation of the margin is protected.

- (k) alternatively to Standard I519.6.18(j), a consent notice under s221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

I519.6.19. Subdivision – Sub-precincts A and B

- (1) The minimum net site area is 2ha.
- (2) Notwithstanding Standard I519.6.19(1) above, the Council may permit subdivision into sites of less than 2ha where the proposed subdivision proposes to protect all land on the existing site identified as Vegetation - Conservation Area and Vegetation– Restoration Area, in which case the minimum site areas must be as listed in Table I519.6.19.1 Alternative minimum net site sizes.

Table I519.6.19.1: Alternative minimum net site sizes

Sub-precinct	Minimum net site size
A	2,500m ²
B	5,000m ²

- (3) The Standards in I519.6.19(2) apply provided that:
- (a) the minimum area must not include any land identified as Vegetation - Conservation and Vegetation – Restoration Areas;
- (b) for sites that contain land identified as Landscape Enhancement Area, accessways and any building platforms must be kept outside this area;
- (c) the total surface area of earthworks associated with subdivision must not exceed an average of 2,000m² per site to be created (this area may exclude areas of trench excavation that remain open for no more than 3 days to provide for counterfort or subsoil drains and stormwater or wastewater pipes); and
- (d) the gradient of the accessway must not exceed 1:8.

Vegetation – conservation areas

- (4) Any subdivision application to create sites containing land identified as Vegetation – Conservation Area must comply with the following:
- (a) the land must be surveyed to define the boundary of existing vegetation;
- (b) the land must be fenced to a stockproof standard, unless otherwise approved by the Council;
- (c) all site works, building platforms and infrastructure, except for surface laid wastewater disposal fields and tracks for public access purposes, must be

located wholly outside any land identified as Vegetation – Conservation Area;

- (d) a weed and pest management strategy must be submitted to and approved by Council and then implemented in full;
- (e) an agreement to covenant in perpetuity the area in Vegetation - Conservation must be entered into before the issue by the Council of a certificate pursuant to s224(c) of the Resource Management Act 1991;
- (f) covenants referred to in I519.6.19(4)(e) above must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) that the fencing of the Vegetation–Conservation area on both the original site and on the newly created sites is maintained to a stockproof standard;
 - (ii) that these areas remain undisturbed from any earthworks or structures;
 - (iii) that all existing trees and any re-vegetation of the area are protected; and
 - (iv) that weeds and pests are controlled.
- (g) alternatively, to Standard I519.6.19(4)(e) a consent notice under s. 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

Vegetation restoration areas

- (5) Any subdivision application to create sites containing land identified as Vegetation – Restoration Area must comply with the following:
 - (a) all land must be fenced to a stockproof standard, unless otherwise approved by Council;
 - (b) all site works building platforms and infrastructure must be located wholly outside of any land identified as Vegetation – Restoration;
 - (c) all land identified as Vegetation - Restoration must be planted for restoration purposes in accordance with an approved planting plan;
 - (d) a weed and pest management strategy must be submitted to and approved by Council and then implemented in full;
 - (e) the planting plan must be in accordance with the planting plan in I519.9.2, and must be approved by Council;
 - (f) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;

- (g) an agreement to covenant in perpetuity the area in Vegetation–Restoration Area must be entered into before the issue by Council of a certificate pursuant to s. 224(c) of the Resource Management Act 1991;
- (h) covenants referred to in Standard I519.6.19(5)(g) above must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) that the fencing of the Vegetation-Restoration area on both the original site and on the newly created sites is maintained to a stockproof standard;
 - (ii) that these areas remain undisturbed from any earthworks or structures;
 - (iii) that restoration planting occurs in the areas identified on the plan of subdivision and in accordance with the approved planting plan;
 - (iv) that weeds and pests are controlled; and
 - (v) that all existing trees and any re vegetation of the area is protected.
- (i) alternatively to Standard I519.6.19(5)(g) a consent notice under s. 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

Ecology/ stormwater management areas

- (6) For any subdivision of sites containing land in an Ecology/Stormwater management area and where development is proposed within the management area, the following must apply:
 - (a) no less than 50 per cent of the Ecology/Stormwater Management Area within any new site must be planted for revegetation purposes in accordance with an approved planting plan;
 - (b) the planted area referred to in Standard I519.6.19(6)(a) above may include areas revegetated for the purposes of on-site stormwater mitigation;
 - (c) in the Ecology/Stormwater Management Area identified at the head of Stream 1C, the whole of this area must be planted for revegetation purposes in accordance with an approved planting plan;
 - (d) the planted area referred to in Standard I519.6.19(6)(a) above must be located within the Ecology/Stormwater Management area or be contiguous with land identified as Vegetation - Conservation or riparian margin on the precinct plans;
 - (e) the planting plan must be in accordance with I519.9.2 below, and must be approved by Council;

- (f) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
- (g) all building platforms, accessways and services must be located wholly outside of riparian margins and any land identified for revegetation;
- (h) in the case of the headwaters of Stream 1C, all development and earthworks must be kept wholly outside the Ecology/Stormwater Management area;
- (i) an agreement to covenant in perpetuity the revegetation area required above must be entered into before the issue by Council of a certificate of compliance pursuant to s224(c) of the Resource Management Act 1991;
- (j) covenants must be registered against the titles of the revegetation sites and any sites related to the revegetated sites to be created through the subdivision and require that:
 - (i) the revegetation area is planted in accordance with an approved planting plan;
 - (ii) fencing is maintained to a stockproof standard ;
 - (iii) the area remains undisturbed; and
 - (iv) weeds and pests are controlled.
- (k) alternatively to Standard I519.6.19(6)(i) a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

Landscape enhancement areas

- (7) Any subdivision application to create sites containing land within the Landscape Enhancement Area must comply with the following:
 - (a) all the Landscape Enhancement Area contained within the boundaries of the sites to be created must be revegetated in accordance with a planting plan;
 - (b) the replanting referred to in Standard I519.6.19(7)(a) above may include planting required for riparian margins or on site stormwater management;
 - (c) the planting plan must be in accordance with I519.9.2 below and must be approved by Council;
 - (d) planting must be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
 - (e) a weed and pest management strategy must be submitted to and approved by Council. Weed and pest management must be undertaken in accordance with the approved strategy;

- (f) an agreement to covenant in perpetuity the Landscape Enhancement Area must be entered into before the issue by Council of a certificate pursuant to s.224 (c) of the Resource Management Act 1991;
- (g) covenants referred to in Standard I519.6.19(7)(f) must be registered against the titles of all affected sites to be created through the subdivision and require:
 - (i) fencing on both the original site and newly created sites is maintained to a stockproof standard, and remains undisturbed from any earthworks or structures;
 - (ii) that planting occurs in the areas identified on the plan of subdivision and in accordance with the approved planting and maintenance plan; and
 - (iii) weeds and pests are controlled and that any revegetation of the area must be protected.
- (h) alternatively to Standard I519.6.19(7)(f), a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.

I519.6.20. Subdivision – Sub-precincts D, E and F

- (1) Subdivision for stand-alone dwellings must comply with the site area requirements in Table I519.6.20.1 Site area requirements.

Table I519.6.20.1: Site area requirements

	Minimum net site area	Minimum average net site area within any sub-precinct
Stream protection A area	600m ²	NA
Stream protection B area	450m ²	500m ²

- (2) The Council may permit the subdivision of integrated residential developments in Sub-precinct F into sites of less than 450m² where all of the following applies:
 - (a) the integrated residential development is located fronting proposed roads or fronts a neighbourhood reserve of at least 2,000m² in area;
 - (b) the site is not a rear site;
 - (c) vehicle access can be provided by a rear access lane or a joint driveway; and
 - (d) the site is not located within the Stream Protection A Area.

- (3) Where the requirements of Standard I519.6.20(2) above are met, sites must comply with the minimum net site areas in Table I519.6.20.2:

Table I519.6.20.2: Minimum net site area of subdivision of integrated residential developments

House typology	Minimum net site area
Single townhouse (with zero lot line except where abuts a lot of 450m ² or greater)	300m ²
Duplex (Two units side by side sharing a common wall)	400m ²
Triplex (Three units side by side sharing a common wall between each unit)	600m ²
Multi-units	1,500m ² or greater

- (4) Subdivision of integrated residential developments to create individual sites for dwellings may only occur once land use consent has been granted in respect of a development. In such cases, the number, size and location of all sites must be in accordance with the land use consent granted in respect of the development.
- (5) For stand-alone dwellings on sites of 450m² or greater, no more than 10 per cent of sites created per subdivision can be rear sites.
- (6) Within protection and management areas:
- (a) the proposed subdivision must provide, in accordance with Standards I519.6.19(5) and I519.6.19(7) for that area of land identified in the clauses as required to be set aside from development; and
 - (b) sites may incorporate land identified as, Vegetation–Conservation Area and Ecology/Stormwater Management Area in Precinct Plan 4 where the provisions of Standards I519.6.19(4) and I519.6.19(6) above are met. In such cases at least 400m² of the site must be clear of these areas.

I519.6.21. Subdivision – Sub-precincts C and E

- (1) At least 400m² of any site must be clear of land identified as Park Interface Protection Area as shown on Precinct Plan 3.
- (2) Prior to any s224(c) certificate being issued for sites within the sub-precinct except for a balance site, the following requirements apply:
- (a) a ridgeline with natural form must be constructed meeting the requirements of Standard I519.6.12 above;

- (b) the northern and eastern faces of the ridgeline must be vegetated in accordance with a planting and maintenance plan approved by the Council, which must be consistent with planting in the adjoining land within the Long Bay Regional Park;
- (c) the planting is to be maintained for a period of not less than 2 years and any plants that fail to thrive during that time must be replaced;
- (d) a stockproof fence must be provided along the boundaries with the Long Bay Regional Park;
- (e) any fencing on the side boundaries of each site must be in accordance with Standard I519.6.9 above;
- (f) details of the ownership mechanisms and obligations for the ongoing protection and management of the Park Interface Protection Area must be provided and approved by the council;
- (g) a covenant must be registered against the titles of the sites to be created through subdivision that have land within the Park Interface Protection Area. The covenant must define the boundary of the Park Interface Protection Area and the Ridgeline Height Control Line, being the physical location of the crest of the ridgeline as formed, and require that:
 - (i) the ridgeline may not be reduced in height;
 - (ii) planting and maintenance occurs in the areas identified on the plan of subdivision and in accordance with the approved planting and maintenance plan;
 - (iii) pest and weeds are controlled in the planted area;
 - (iv) the maximum height of buildings or structures within the Protection Area, south or west of the Ridgeline Height Control Line are to be 2m below the lowest point of the ridgeline;
 - (v) no buildings, structures, site works, development or infrastructure is permitted on the crest or to the north or east of the Ridgeline Height Control Line, except for permitted fencing and revegetation; and
 - (vi) fencing on the boundary of the Long Bay Regional Park is maintained to a stock proof standard.
- (h) alternatively to Standard I519.6.21(g) a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant;
- (i) a single site subdivision with one title must be created for the whole of sub-precinct C: Piripiri Point Protection Area and this must include an area of land of approximately 1.17ha, incorporating the nominated building platform shown on Precinct Plan 1 to be subdivided from Lot 26 DP 66117;

- (j) details must be provided to and approved by Council of the ownership mechanism and obligations for the on-going protection and management of the Sub-precinct C: Piripiri Point Protection Area;
 - (k) a covenant in perpetuity must be registered against the title of the lot to be created through subdivision and the covenant must require that:
 - (i) buildings, structures, above ground infrastructure and access ways to these buildings be confined to the nominated building platform shown on Precinct Plan 1;
 - (ii) activities in Sub-precinct C: Piripiri Point Protection Area are limited to grazing and other pastoral uses, indigenous revegetation and a public road to the Piripiri Reserve;
 - (iii) fencing will be limited to farm type, post and wire fences;
 - (iv) no further subdivision will occur, except for the purposes of a public road to the Piripiri Reserve or to create a public reserve;
 - (v) the Ridgeline Height Control Line be defined, being the physical location of the crest of the ridgeline as formed, and that the ridgeline may not be reduced in height; and
 - (vi) a ridgeline with natural form meeting the requirements of Standard I519.6.12(1) above or as set out in any other resource consents that have been authorised or subdivision consent for the land in the North Vaughans Area must be constructed in conjunction with the ridgeline within sub-precinct E and appropriately maintained.
 - (l) alternatively to Standard I519.6.21(2)(k), a consent notice under s.221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure the same outcomes as the covenant.
- (3) For all sites created north and east of the Northern Beach Road extension as shown in Precinct Plan 1, a consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the titles setting out
- (a) the natural ground level from which maximum building height must be measured; and
 - (b) the maximum height buildings may be built to without infringing Standards I519.6.2(2)(a)(i) and I519.6.2(2)(a)(ii).
- (4) An analysis must be provided of cross section from each of the three viewpoints shown on Precinct Plan 4 to confirm that any buildings located in the area specified in Standard I519.6.21(3) above will not be visible from these points. The analysis must include:
- (a) the cross sections must assume that no vegetation or trees are in place; and

- (b) where no buildings exist in the areas identified in Standard I519.6.21(3), then the cross sections must assume a building height that can comply with building height Standard I519.6.2(2)(a).

I519.6.22. Additional Subdivision Standards – Sub-precinct C

- (1) There must be no subdivision, except for the provision of a public road or reserve and to effect the amalgamation of the building site required by Standard I519.6.21.
- (2) The design and layout of the public access road to the Piripiri Reserve should avoid an overly built appearance and retain the open character of the area. The length of the road should be planted with open planting on the eastern side of the road to allow for views to the Long Bay Regional Park and the Hauraki Gulf. The road carriageway should be sealed but there should be no kerb and channelling. Provision should be made for grassed/vegetated drainage swales either side of the road and generous provision for pedestrian access.

I519.6.23. Subdivision – Sub-precincts G to K and Open Space – Informal Recreation Zone land

- (1) Esplanade Reserves must be reduced to the area covered by the Open Space – Informal Recreation Zone where:
 - (a) all land in the Open Space – Informal Recreation Zone is vested in Council; and
 - (b) on completion of earthworks, subdivision or development the landowner must plant riparian margin within the Vaughan Stream Corridor in native vegetation according to an approved planting plan. This includes planting from the edge of the Vaughan Stream to the top of the bank and no less than 5m beyond the top of the bank on either side.

I519.7. Assessment – controlled activities

I519.7.1. Matters of control

I519.7.1.1. Land use and development

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

- (1) Stormwater management; and
- (2) Wastewater management.

I519.7.1.2. Subdivision

The Council will reserve its control to the following matter when assessing a controlled activity resource consent application, in addition to the matters

specified for the relevant controlled activities in the overlay, zone or Auckland-wide provisions:

- (1) The effects of subdivision on the Piripiri Point Protection Area.

I519.7.2. Assessment criteria

I519.7.2.1. Land use and development

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

- (1) Stormwater Management - General:
 - (a) the extent to which the natural drainage patterns of the site are retained;
 - (b) whether direct piping of stormwater discharges to streams has been avoided;
 - (c) whether modifications to natural waterways have been avoided in the Stream Protection A area, and that stream flows, including base flows are not adversely affected;
 - (d) whether stormwater works on steep or unstable slopes have been avoided;
 - (e) whether runoff from the site is to be discharged into the primary stormwater system and not to the street;
 - (f) whether runoff from residential driveways and parking areas enters the primary stormwater system via a sump to trap silt and floatable debris;
 - (g) whether bio-retention has been used in preference to proprietary stormwater treatment systems;
 - (h) the extent of perviousness of paving, green roofs, uncovered slatted wooden decks and swimming pools can be taken into account in determining appropriate mitigation methods; and
 - (i) the extent of imperviousness of areas earthworked and compacted when considering stormwater runoff.
- (2) Stormwater management – in Stream Protection A Areas:
 - (a) whether water reuse is undertaken with 'dual purpose' rainwater tanks. These tanks and their associated plumbing should be designed for stormwater peak flow attenuation and rainwater reuse by the dwelling;

- (b) whether one or more of the following methods to mitigate stormwater generated by other hard surfaces such as driveways, paths, patios and decks is used:
 - (i) revegetation;
 - (ii) bioretention including rain gardens;
 - (iii) stormwater planters;
 - (iv) tree pits; and
 - (v) pervious paving and other similar devices;
- (c) whether planting within the Ecology/Stormwater Area, in particular any riparian areas should be prioritised over other parts of the site;
- (d) whether appropriate ongoing maintenance and management systems have been arranged;
- (e) whether on-site wastewater disposal systems, used as an interim solution on sites in Sub-precincts A and B should be advanced secondary treatment systems with ultraviolet disinfection and surface dripper irrigation land disposal;
- (f) whether on-site wastewater disposal systems should be designed to enable connection to the public wastewater system once it becomes available;
- (g) whether a covenant capable of registration under the Land Transfer Act 1952 and approved by Council should be registered against the title of every site with an on-site wastewater treatment system. This would be to ensure the efficient future functioning and ongoing maintenance of the system and to require the property owner to enter into a programmed maintenance contract to Council's satisfaction.

I519.7.2.2. Subdivision

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

- (1) whether the design of the subdivision provides for a single site to include the house site identified on Precinct Plan 1, unless separate sites are needed to provide for public road access to Piripiri Reserve;
- (2) whether the subdivision avoids other house sites being substituted for the nominated house site;

- (3) whether the subdivision provides for the protection in perpetuity of the entire sub-precinct by way of a covenant or similar mechanism, as approved by Council;
- (4) whether all buildings and structures are kept wholly outside the sub-precinct;
- (5) whether all above ground infrastructure including electricity, water supply, stormwater and wastewater disposal areas to service the building platform are be kept outside the sub-precinct;
- (6) whether the design and layout of the access road to the Piripiri Reserve avoids an overly built appearance and retains the open character of the area;
- (7) the extent to which the length of the access road to the Piripiri Reserve is planted with open planting on the eastern side of the road to allow for views to the Long Bay Regional Park and the Hauraki Gulf;
- (8) Whether the access road carriageway is sealed but also has no kerb and channelling and provision has been made for grassed/vegetated drainage swales on either side of the road and generous provision is made for pedestrian access;
- (9) The extent to which the subdivision provides for the ongoing management and maintenance of land within the sub-precinct by methods approved by Council; and
- (10) Whether the ridgeline has been contoured so that any development (including structures and buildings) to the south and west of the Ridgeline Height Control Line and north and east of the Vaughans Road extension shown on Precinct Plan 4 is not visible from the Grannys Bay catchment within the Long Bay Regional Park and Piripiri Reserve when viewed from the Park Interface viewpoints 2 and 3 shown on Precinct Plan 4.

I519.8. Assessment – restricted discretionary activities

I519.8.1. Matters of discretion

I519.8.1.1. Land use and development

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application in Tables I519.4.1 to I519.4.2, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) effects associated with neighbourhood integration;
- (2) effects on the streetscape and neighbourhood character;.
- (3) effects of the building design and appearance;

- (4) landscaping effects;
- (5) effects of stormwater management;
- (6) effects of wastewater disposal; and
- (7) visual effects on the Vaughan Stream corridor, the Long Bay Regional Park and the Vaughans Road ridgeline.
- (8) in relation to Sub-precinct H, in addition to the above, effects associated with the design of development north of the Awaruku ridgeline in relation to views into and across land zoned Open Space - Conservation.
- (9) For accommodation, commercial and community activities in Sub-precinct H, and within 30m of the [H7 Open Space – Conservation Zone](#), in addition to the above, the effects of the activity on the heritage, landscape and amenity values of the Open Space - Conservation Zone.

I519.8.1.2. Land disturbance

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application for earthworks in Tables I519.4.7 and I519.4.8, in addition to the matters specified for the relevant restricted discretionary activities in the overlay and the Auckland-wide provisions:

- (1) effects arising from the design of the ridgeline within the Park Interface and Piripiri Point Protection Areas;.
- (2) effects arising from the finished profile of the earthworks as they relate to the Protection and Management Areas;
- (3) effects of site management techniques, including staging;
- (4) the effects of the proposed timing, size and extent of earthworks; and
- (5) the effects arising from the amount and location of cut and fill.

I519.8.1.3. Specific standard infringements

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

- Reduction in Rain Tank Size in a Stream Protection B Area
- Buildings within the Vaughan Road Setback
- Landmark Building in Sub-Precinct H
- Front Yards for Sub-Precincts D to I

- (1) effects associated with neighbourhood integration;

- (2) effects on the streetscape and neighbourhood character;
- (3) effects of the building design and appearance;
- (4) effects associated with the outdoor living space;
- (5) privacy effects;
- (6) landscaping effects;
- (7) effects associated with site facilities and storage areas;
- (8) effects of stormwater management; and
- (9) visual effects on the Vaughan Stream corridor, the Long Bay Regional Park and the Vaughans Road ridgeline.

I519.8.1.4. Subdivision

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

- (1) Sub-precincts A and B:
 - (a) effects arising from the extent of landform changes;
 - (b) effects associated with the location and design of roads and accessways;
 - (c) effects of wastewater systems; and
 - (d) effects of on-site management of stormwater.
- (2) Sub-precincts D to K:
 - (a) consistency with any other resource consents that have been approved;
 - (b) effects associated with the overall urban form and layout of design;
 - (c) effects arising from the design of proposed and secondary roads including stormwater treatment;
 - (d) effects associated with the design of the ridgeline, finished ground contours and street lighting in the North Vaughans area;
 - (e) effects on cycle and pedestrian routes;
 - (f) effects of proposed reserves;
 - (g) effects associated with the site sizes and dimensions;

- (h) effects of the design of rear lanes and accessways;
- (i) effects of landscape concepts for proposed reserves, public and other areas;
- (j) effects associated with any planting plans for Protection and Management Areas and any lizard conservation management plan;
- (k) effects of stormwater management; and
- (l) for Sub-precinct H, in addition to the above, the effects of subdivision design, earthworks, retaining wall treatments and fencing on the interface with the H7 Open Space – Conservation Zone.

I519.8.2. Assessment criteria

I519.8.2.1. Land use and development

The Council will consider the relevant assessment criteria below for restricted discretionary activities and the assessment criteria for controlled activities relating to stormwater management and wastewater disposal in I519.7.2.1 above, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, zone or Auckland-wide provisions:

- (1) whether the development helps to provide a well-connected public movement network, taking into account the following:
 - (a) whether the development provides for the proposed roads shown on Precinct Plan 1, and the secondary roads and pedestrian and cycle routes shown on any other resource consents granted in respect of the precinct or sub-precinct;
 - (b) whether development fronts reserves and public open space areas on adjacent sites;
 - (c) whether the layout of the development allows for the majority of dwellings to front public streets; and
 - (d) whether the use of cul-de-sacs and internalised accessways is minimised;
- (2) whether to the north of the Awaruku Ridgeline, where development in Sub-precinct H is proposed opposite the termination of a public road that is orientated towards (perpendicular to) the [H7 Open Space – Conservation Zone](#), the layout of the buildings provide for a view shaft from such a road to continue through into the Regional Park where practicable and where grades allow;
- (3) whether landscaping within the relevant part of private sites in Sub-precinct H is kept low and sympathetic with the landscape character of the

H7 Open Space – Conservation Zone. Yards are to be maintained unencumbered by accessory structures that would block a view shaft;

- (4) the extent to which fences, garages and the sides and rear of buildings do not dominate the views obtained from future open spaces, the Vaughans Corridor and the Long Bay Regional Park;
- (5) whether the architectural qualities of the dwelling are of a high standard and achieve an appropriate degree of integration with neighbouring dwellings (existing or proposed) and variety through variation in building form and materials, relative to neighbouring dwellings (existing or proposed);
- (6) whether adequate separation is provided between dwellings within the same street block, with at least 12m between the backs of development for those parts of the development that are above the ground floor; and
- (7) the extent to which landscaping enhances the overall appearance of the dwelling and provides an attractive living environment for its residents.

Development in Sub-precinct F at a density of greater than 450m² per site

In addition to the criteria listed from I519.8.2.1(1) to I1.8.2.1(7), the following criteria apply:

- (8) whether the number of dwellings to be provided for exceed 20 per cent of the likely total number of dwellings within Sub-precinct F.

Development in Sub-precinct J

In addition to the criteria listed from I519.8.2.1(1) to I1.8.2.1(7), the following criteria apply:

- (9) the extent to which buildings are built to the street edge along the Beach Road and Glenvar Road extensions, with car parking located underground or to the rear of the building;
- (10) whether the buildings incorporate ground floor uses that activate the street edge and provide weather cover over the adjacent footpath;
- (11) Whether the buildings display high quality urban design that contributes to a vibrant, safe and attractive town centre;
- (12) Whether:
 - (a) the development orientates itself to the street, with doors, windows and balconies opening out to the street;
 - (b) the ground floor of buildings are distinguishable from upper floors by way of increased stud height, greater extent of glazing / openings and quality of finish;

- (c) the facades of buildings are modulated and proportioned to present an interesting, fine grained and visually rich picture to the street; and
- (d) roof lines are varied, with plant and machinery hidden where possible and corners accentuated.

Development in Sub-precinct K

In addition to the criteria listed from I519.8.2.1(1) to I519.8.2.1(7), the following criteria apply:

- (13) whether the development is of a very high quality in terms of design, materials and finish;
- (14) the extent to which development includes pathways, plazas, outdoor seating areas and landscaping integrated with the adjacent Vaughan corridor;
- (15) whether buildings incorporate large areas of openings, glazing and transparent material to ensure a high degree of visual integration between the town centre to the south, and the Vaughan corridor to the north; and
- (16) whether on-site car parking is avoided.

Development in the Stream Interface Management Area

In addition to the criteria already listed, the follow criteria will apply:

- (17) whether the location, scale and intensity of development contributes to the open nature of the area and provides public access to, and views across the Vaughan Stream;
- (18) whether a consistent edge treatment between the Sub-precincts H and K and land zoned Open Space – Informal Recreation is provided through either landscaped earth batter slopes or low (less than 1 metre high) retaining walls, or a combination of both, together with visually permeable fencing. Retaining wall treatments should be consistent to avoid a clash of different styles and materials along the public interface; and
- (19) the extent to which landscaping and planting in the Stream Interface Management Area retains the open character of the area and provide for public amenity.

Development in Sub-precincts A and B within Ecology/Stormwater Management Areas

The follow criteria apply to development in these areas:

- (20) whether development, including access and building sites, does not result in the removal of any native vegetation;
- (21) whether housing is generally located at least 50m apart from neighbouring houses;

(22) the extent to which development only occurs where there is no loss of riparian vegetation, waterways are not adversely affected and the ecological values of the area are not compromised, unless the development is related to necessary infrastructure. Any adverse effect of infrastructure is to be off-set by way of revegetation; and

(23) whether the development of riding trails and horse jumping courses will result in the removal of any native vegetation and whether the existing and future ecological and landscape values of the management area will not be compromised.

Accommodation, commercial and community activities

(24) Whether any activity adjacent to land zoned Open Space – Conservation responds to the heritage, landscape and amenity values of the open space area and whether large building masses are avoided.

Additional impervious areas and building coverage in the Stream Protection B Area

(25) The assessment criteria for controlled activities relating to stormwater management in I519.7.2.1 apply.

I519.8.2.2. Land disturbance

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

(1) Sediment management for sites which expose more than 500m²:

(a) whether the mitigation of the effects of earthworks includes a combination of the following measures, so as to minimise sediment runoff and discharge:

(i) stabilised construction entranceways;

(ii) silt fences;

(iii) clean water diversion drains;

(iv) surface flow interception measures (contour drains and bunds);

(v) sediment retention ponds (floating outlet);

(vi) decanting earth bunds (floating or fixed outlet);

(vii) progressive stabilisation of earth-worked areas with grass, straw or hay mulch following topsoil spreading as soon as final contours are established and/or when the exposed area will not be worked on for four weeks or more;

(viii) additional contingency interception measures comprising:
additional down slope earth bunds, super silt fencing and
stormwater wetlands (pre-commissioning) as may be appropriate;

(ix) the following essential elements of sediment retention pond
design:

- a larger volume is beneficial as retention time is increased
- a floating decant discharge system that discharges water
from the surface of the pond
- a discharge rate of 3 litres per second per hectare of
catchment draining to the pond
- a forebay pond
- a wide level spreader at the inlet;

(b) whether once earthworks have been completed in the Stream
Protection A Area and where parks and open spaces are created in
the Stream Protection B Area, reconditioning of surface soils occurs in
areas that will not be subject to subsequent secondary earthworks to
ensure that these areas retain the ability to absorb rainfall. In general
the minimum depth of reconditioning should be 400mm; and

(c) whether earthworks alters or disturbs an overland flow path only where
a satisfactory alternative flow path is available.

(2) Earthworks Sub-precincts C and E:

(a) the extent to which the eastern and northern slopes of the ridgeline
achieve and retain a natural transition in its landform profile with that
of the adjacent landform in the Long Bay Regional Park and or Piripiri
Point Ridge;

(b) whether the profile of the earth works to the south and west of the
ridgeline aligns with the required contouring of land within Sub-
precinct E; and

(c) whether the design and location of any earth works for public access
purposes in Sub-precinct C does not adversely affect the landform or
landscape of the area.

(3) Riparian margins:

(a) whether works are located outside of the riparian margin where
feasible;

- (b) where works are necessary to install infrastructure or for the rehabilitation of stream banks, whether the works minimise disturbance of existing vegetation; and
 - (c) where vegetation clearance is required, whether enhancement planting off-sets the effects of this and achieve a net increase in vegetation cover.
- (4) Landscape enhancement area:
- (a) whether earthworks on sites which contain land identified as Landscape Enhancement Area provide landscape enhancement planting in the enhancement area in accordance with an approved planting plan;
 - (b) whether planting is maintained for a period of not less than two years and any plants that fail to thrive during that time are replaced;
 - (c) whether planting is undertaken in the planting season immediately following the completion of site works to the satisfaction of the Council; and
 - (d) whether any earthworks result in changes to the profile of the escarpment and whether works to create stable building platforms are limited to the area of the site outside the Landscape Enhancement Area.
- (5) Earthworks in excess of 500m² of surface area of bare earth in Stream Protection B Area:
- (a) whether the earthworks plan is consistent with any resource consents granted in respect of the precinct or sub-precinct;
 - (b) whether appropriate mitigation methods are installed; and
 - (c) whether the earthworks profile within Sub-precinct E, in association with the ridgeline shown on Precinct Plan 4, ensures that development can comply with the standards under Standard I519.6.12.
- (6) Sub-precincts A and B:
- (a) whether earthwork are limited in area to avoid adverse effects from compaction, siltation or sediment runoff; and
 - (b) whether earthwork designs maintain landforms and minimise the volume and area of cut and fill with consideration given to the use of structural methods to ensure each lot has within it a building platform that does not require substantial earthworking to provide a stable house site and the construction of access to the platform.

(7) Sub-precincts D and E in Stream Protection A Area:

- (a) the extent to which major modification of the landform, including changes to ground water flows and the base flows of streams, is minimised;
- (b) whether cut and fill areas are carefully selected and designed to avoid major changes to landforms and to minimise adverse effects on streams and waterways and areas of native vegetation, including minimising ground level differences between riparian margins, vegetation conservation and restoration areas and sites and streets; and
- (c) within the catchment of Stream 1C, whether groundwater flows post-development mimic pre-development groundwater conditions.

I519.8.2.3. Specific standard infringements

The Council will consider the relevant assessment criteria below for restricted discretionary activities which infringe the following standards, in addition to the matters set out in the assessment criteria for stormwater management in I519.7.2.1 above:

(1) Reduction in Rain Tank Size in a Stream Protection B Area:

- (a) whether in the Stream Protection B Area, development that involves rain tanks of less than 3,000L per unit must utilise other on-site stormwater techniques so that no additional stormwater to that generated from permitted development occurs.

(2) Buildings within the Vaughan Road Setback:

- (a) whether the site has exceptional topographical or geotechnical constraints that require a building to be constructed within the setback;
- (b) whether the proposal is for small-scale development such as accessory buildings, garages, swimming pools, decks and terraces, or where a dwelling is proposed, whether it is no more than one storey high;
- (c) whether the proposed reduction in yard has no more than a minor effect on the rural character of the ridgeline when viewed from the Long Bay Regional Park and from the Okura coastline; and
- (d) whether possible existing native trees and vegetation have been retained.

(3) Landmark Building in Sub-Precinct H:

- (a) whether the building is of a high architectural design standard; and

- (b) whether the building positively acknowledges and reflects its location at the entrance to the more intensive areas of the precinct and its location on a prominent corner site.

(4) Front Yards for Sub-Precincts D to I:

- (a) in Sub-precinct D to H, whether the combined effect of the height, width and extent of building projection towards the street boundary on the visual amenity of the streetscape and neighbouring properties is adverse;
- (b) in Sub-precinct D to H, whether no car ports and garages will be established in the front yard;
- (c) in Sub-precinct I at ground level, whether the building contains non-residential activities that open to the street (that is, with doors, windows and display glazing fronting the street) and which help to activate the street environment; and
- (d) in Sub-precinct I, whether the building is designed to present a high quality, attractive frontage to the street.

I519.8.2.4. Subdivision

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

- (1) For subdivision matters set out in I519.8.1.4 above”
 - (a) Whether the design and layout of building platforms and accessways maintain existing landforms and minimise earthworks that result in changes to the landscape character of the zone and whether larger than minimum sites are required.
 - (b) whether vehicle access (public roads and private accessways) is located as close as practical to a formed legal road or served by an existing formed vehicle access, or should be shared between sites where feasible;
 - (c) whether access avoids Vegetation - Conservation Areas and riparian margins identified on Precinct Plans 3 and 4;
 - (d) whether access has been designed to follow the existing landform and cause minimal land disturbance;
 - (e) whether access has been designed in such a way that it incorporates low impact stormwater mitigation techniques such as bio-retention and dual strip driveways;

- (f) whether the design of the access does not accentuate stormwater runoff, erosion or increase the potential for land instability;
 - (g) whether the gradient of the accessway does not exceed 1:8;
 - (h) whether there is no direct discharge of stormwater to the street;
 - (i) whether the design and layout of the subdivision ensures that the site is capable of achieving full stormwater mitigation on site in accordance with the on-site stormwater management rules;
 - (j) whether the design and layout of subdivision in Sub-precincts A and B ensures that each site is capable of on-site disposal of wastewater as an interim solution until such time as it is possible to connect to the public wastewater network;
 - (k) whether required planting is appropriately spaced to ensure rapid shade cover to protect against ongoing weed problems and provide an enhanced habitat along streams and riparian margins;
 - (l) whether planting includes native trees and shrubs that attract native birds, lizards and insects and is appropriately linked to existing native plantings to create ecological corridors for fauna to move along; and
 - (m) whether planting has been sourced from the local area within the Tamaki Ecological District where possible.
- (2) For subdivision in the Stream Protection B Area that is a restricted discretionary activity, the following assessment criteria apply:
- (a) whether the proposed layout ensures that development and earthworks can achieve the outcomes required in the Park Interface Protection Area and Piripiri Point Protection Area, Vegetation Conservation Areas and riparian margins, where relevant;
 - (b) where proposed roads are not provided in accordance with the alignments and design standards specified in Precinct Plans 3 and 4, whether there are alternative alignments that better serve the area, while still ensuring that the proposed road provides the same function as that intended in the precinct;
 - (c) whether there is an integration of stormwater mitigation devices with the urban form and roading network to ensure that the stormwater devices add to the amenity and landscaping of the area, while the urban form provides the space for both on-site and off-site stormwater mitigation areas;
 - (d) whether the design of proposed roads achieves a high standard of amenity, in particular through the provision of appropriately designed

footpaths, cycleways, berms, median strips and size and spacing of street trees;

- (e) whether stormwater treatment devices, utilising the best practicable option, are provided to mitigate within the road reserve, the majority of stormwater generated by the road and whether the best practicable option proposed includes the following:
 - (i) bio-retention and pervious paving for shallow grades less than 5 per cent parallel to the roadway;
 - (ii) inclusion of check dams and other flow control methods with bio-retention for grades between 5 per cent and 8 per cent; and
 - (iii) off-line treatment for grades greater than 8 per cent;
- (f) whether roads are designed to provide a high degree of connectivity;
- (g) whether road layouts ensure that most, if not all, development has the ability to front a street (there should be limited use of rear sites in Sub-precincts D, E and F and no rear sites in Sub-precincts G to I) and provide for informal surveillance of roads to promote safety and personal security streets on adjoining land;
- (h) whether rear vehicle access lanes are privately owned and maintained;
- (i) whether the design and management of rear lanes and accessways considers the need for access by emergency vehicles, delivery and rubbish collection and whether they provide thoroughfare for pedestrians and cyclists;
- (j) whether shared street designs may be an appropriate form of public road design where traffic volumes and speeds allow for the safe mixing of traffic with pedestrians and cyclists in a specifically designed street environment. Whether the design provides functional, low maintenance spaces within the street reserve. The shared spaces should still provide for access by emergency vehicles and service vehicles;
- (k) whether site sizes and dimensions are appropriate for the intended housing typology, ensure appropriate orientation of development in terms of fronting streets and ensuring privacy between dwellings, and are able to accommodate stormwater treatment devices (such as rain tanks);
- (l) whether roads and reserves provide for the main pedestrian and cycle connections through the area, with dedicated off-street links provided

where they would maintain and enhance connectivity where vehicle connections cannot be made;

- (m) whether cycle and pedestrian only routes are designed to comply with the following:
 - (i) they should be illuminated at night, where appropriate;
 - (ii) They should have a minimum width of 5m; and
 - (iii) They should be designed and landscaped to ensure that stormwater generated from paths can be mitigated;
- (n) whether 80 per cent of the homes in Sub-precincts D to I are within 400m of an existing or proposed neighbourhood park/reserve of at least 2,000m² in area;
- (o) whether proposed reserves help to create linkages with other reserves and natural features in the precinct area and provide a central valley link between the upper valley and the lower valley and the Long Bay Regional Park;
- (p) whether land which has a solely stormwater or landscape protection function is not vested as recreation reserve;
- (q) whether the design of pedestrian and cycle routes includes appropriate landscaping, fencing, pavements and lighting; and
- (r) whether the required planting plans for all Protection and Management Areas and any Lizard Conservation Management Plan provide sufficient detail to ensure that sustainable outcomes can be achieved.

Sub-Precinct E

In addition to the general criteria I519.8.2.4(1) and I519.8.2.4(2)(a) to (r) above, the following criteria apply to Sub-precinct E only:

- (a) whether street lighting of the northern Beach Road extension and streets east of northern Beach Road extension are designed so that this lighting has minimal visibility from the Grannys Bay catchment within the Long Bay Regional Park and Piripiri Reserve;
- (b) whether adjacent to Vaughans Road, there is no more than one street connection to Vaughans Road in addition to the northern Beach Road extension. Whether in this area, the use of joint accessways/lots to access rear lots from Vaughans Road are avoided, apart from individual driveway access for lots that front Vaughans Road;
- (c) whether within the catchment of Stream 1C, development provides for interconnectivity between the different land holdings such as walkways and cycleways;

- (d) whether the subdivision demonstrates how the design of the ridgeline in the Park Interface Area and Piripiri Point Protection Area and the profile of land to the west and south of the ridgeline will meet the standards in Standard I519.6.12. Whether this includes analysis of visibility of permitted development south and west of the ridgeline from the Park Interface Viewpoints shown on Precinct Plan 4;
- (e) whether subdivision provides for the protection and consistent management of the entire area of Park Interface Protection Area by way of a covenant in perpetuity or similar mechanism approved by the Council; and
- (f) whether the Council is fully satisfied that the finished ground contours and ridgeline comply with Standard I519.6.12 before any s.224(c) certificate for sites created in Sub-precinct E to the north and east of the Vaughans Road extension, as shown on Precinct Plan 4, can be issued.

Sub-precinct H

In addition to the general criteria I519.8.2.4(1) and I519.8.2.4(2)(a) to (r) above the following criteria apply to Sub-precinct H only:

- (a) whether subdivision design provides for views into and through land zoned Open Space - Conservation to the Hauraki Gulf;
- (b) whether the design of subdivisions and building platforms, roads, accessways, driveways, underground and surface infrastructure, stormwater mitigation techniques, landscaping, planting and fencing do not adversely affect the archaeological sites within land zoned Open Space – Conservation;
- (c) whether a consistent treatment of the boundary with land zoned Open Space - Conservation is achieved through the subdivision design using either landscaped earth batters or low (less than 1m high) retaining walls or a combination of both; and
- (d) whether retaining walls treatments are consistent to avoid a clash along the interface with land zoned Open Space – Conservation.

I519.9. Special information requirements

An application for a land use, development and subdivision activity must be accompanied by the following unless otherwise specified:

I519.9.1. Stormwater management

Stormwater management information must include the following:

- (1) the amount of stormwater to be generated from the future development on the sites to be created, taking into account existing and future stormwater flows

upstream and downstream of the site, where relevant. Relevant assumptions and calculations are to be provided;

- (2) how the design of the development (for example the layout of the lots sites, driveway locations, the design of roads and the protection of ecological features and stream riparian margins) takes into account stormwater related limitations and incorporates the principles of low impact design;
- (3) the range of techniques to be used to manage the adverse effects of the stormwater to be generated by the development and the extent to which these techniques can be accommodated on-site in accordance with Standard I519.6.8 above;
- (4) how sufficient space is to be provided for the required stormwater mitigation measures;
- (5) in areas where the groundwater levels need to be controlled to maintain stability, how proposed stormwater mitigation measures comprising sub-surface features are designed, in particular lined and drained, to avoid the adverse discharge of runoff to ground;
- (6) how development is to be managed to ensure that the integrity of any stormwater mitigation devices (such as bio-retention and pervious paving) will not be compromised during and after the subdivision, development, building and landscaping process; and
- (7) details of any covenants and/or consent notices under s 221 of the Resource Management Act 1991 necessary to ensure the on-going retention and maintenance of on-site mitigation areas and facilities.

I519.9.2. Planting Plan

A planting plan must include the following information:

- (1) identification of the area of land within the Protection or Management areas and riparian margin to be set aside for planting;
- (2) identification of stream banks, slope, soil type and existing or potential erosion;
- (3) details of areal extent of all existing and proposed development;
- (4) identification of all existing areas of native and exotic bush and vegetation;
- (5) details of soil quality and depth including any required soil reconditioning of compacted areas as the result of previous land uses and site works;
- (6) species types, source of plant material, maturity of planting and density of planting;
- (7) details of noxious weed, pest and animal control;
- (8) details of timing of planting and possible staging of planting;
- (9) details of maintenance programme to be implemented and a programme for replanting where the survival rate of planting is less than 90 per cent;

- (10) details of any fencing or alternative stock proof methods proposed;
- (11) proposed means of ownership and ongoing management; and
- (12) identification of areas of land on which archaeological sites are located, and details of appropriate planting, fencing and ongoing management of those areas.

I519.9.3. Lizard conservation plan

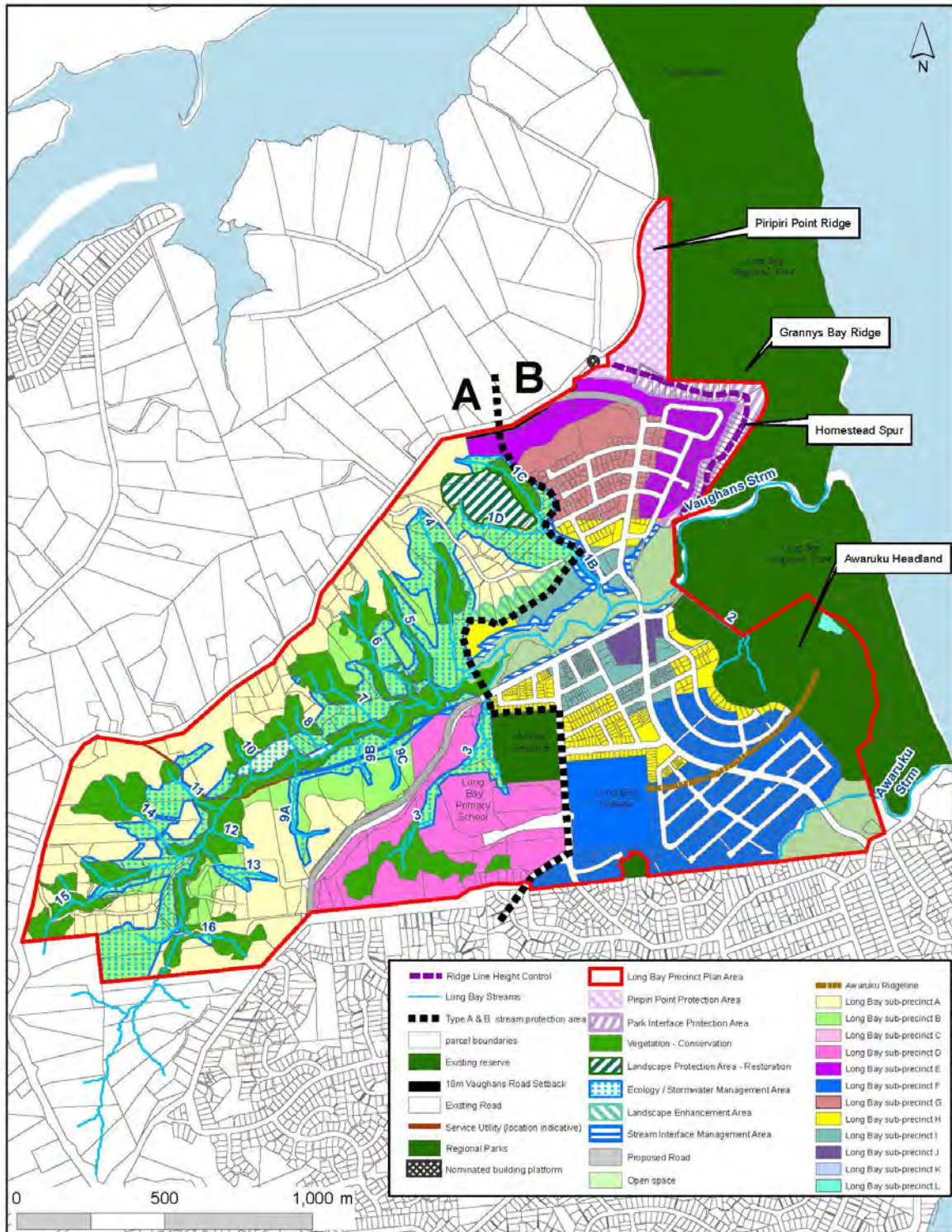
An application for earthworks over 500m² in the Stream Protection A Area must include the following information for the management of lizards prior to any earthworks taking place:

- (1) identification of sites containing indigenous lizard populations that may be threatened by proposed earthworks on a site;
- (2) identifying alternative suitable receptor sites for the relocation of indigenous lizards found, to be approved by a qualified herpetologist. Consideration can be given to receptor sites located within the Ecology/Stormwater Management Area where revegetation will occur for stormwater mitigation;
- (3) identifying suitable buffers for avoidance of earthworks and vegetation removal adjacent to the alternative receptor sites and suitable buffers adjoining any lizard habitat areas that will not be affected by the earthworks;
- (4) identifying appropriate methodology for the capture and relocation of lizards into the receptor sites. The methodology for the capture and relocation will be prepared by a suitably qualified and experienced herpetologist. The actual relocation operation will be carried out by a suitably qualified and experienced herpetologist. Survey, capture and relocation must commence prior to any vegetation removal and should be done between September to December and/or from March to April;
- (5) details for ongoing pest management within the receptor sites;
- (6) details of fencing or alternative stock proof methods proposed; and
- (7) proposed means of ongoing management.

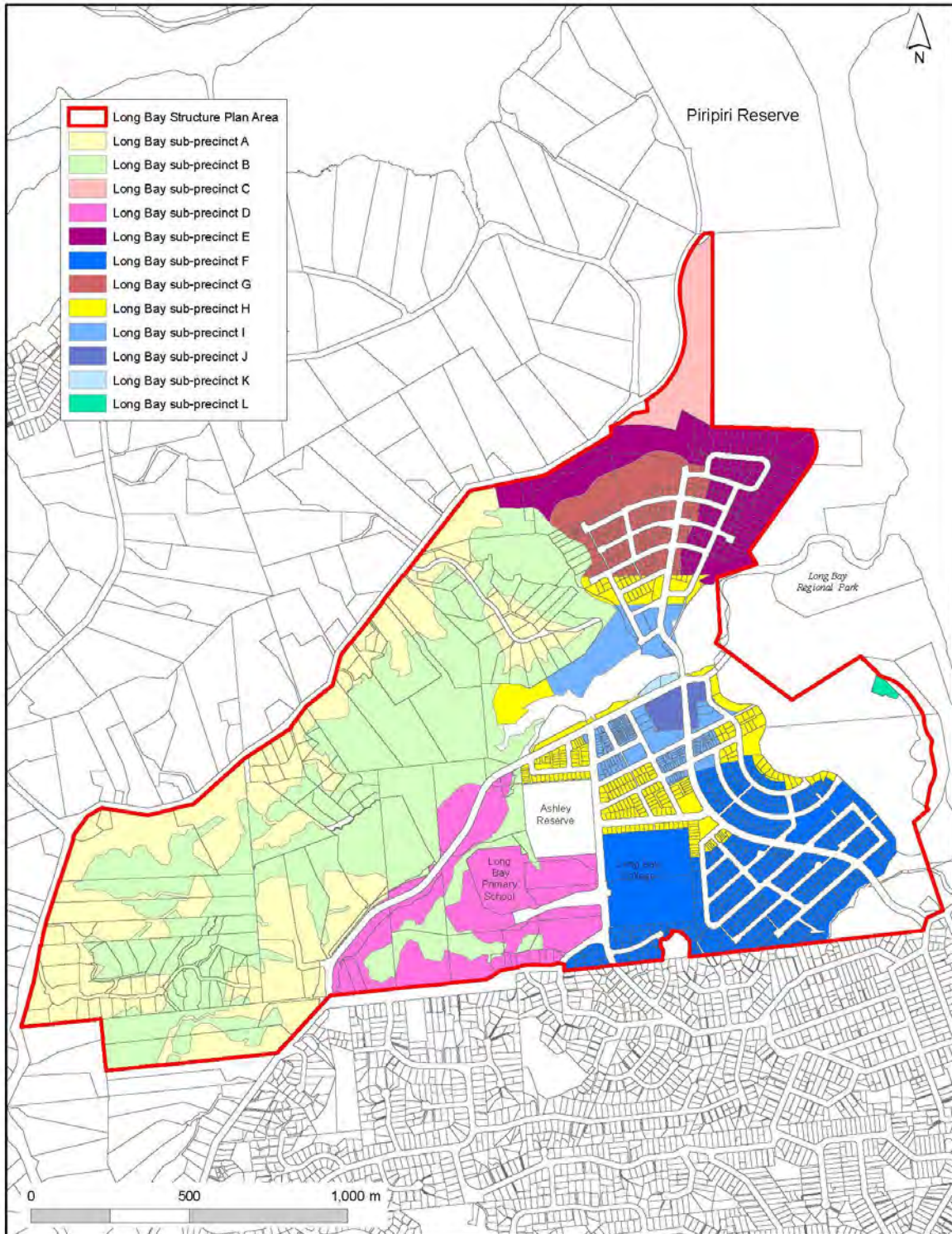
I519 Long Bay Precinct

I519.10. Precinct plans

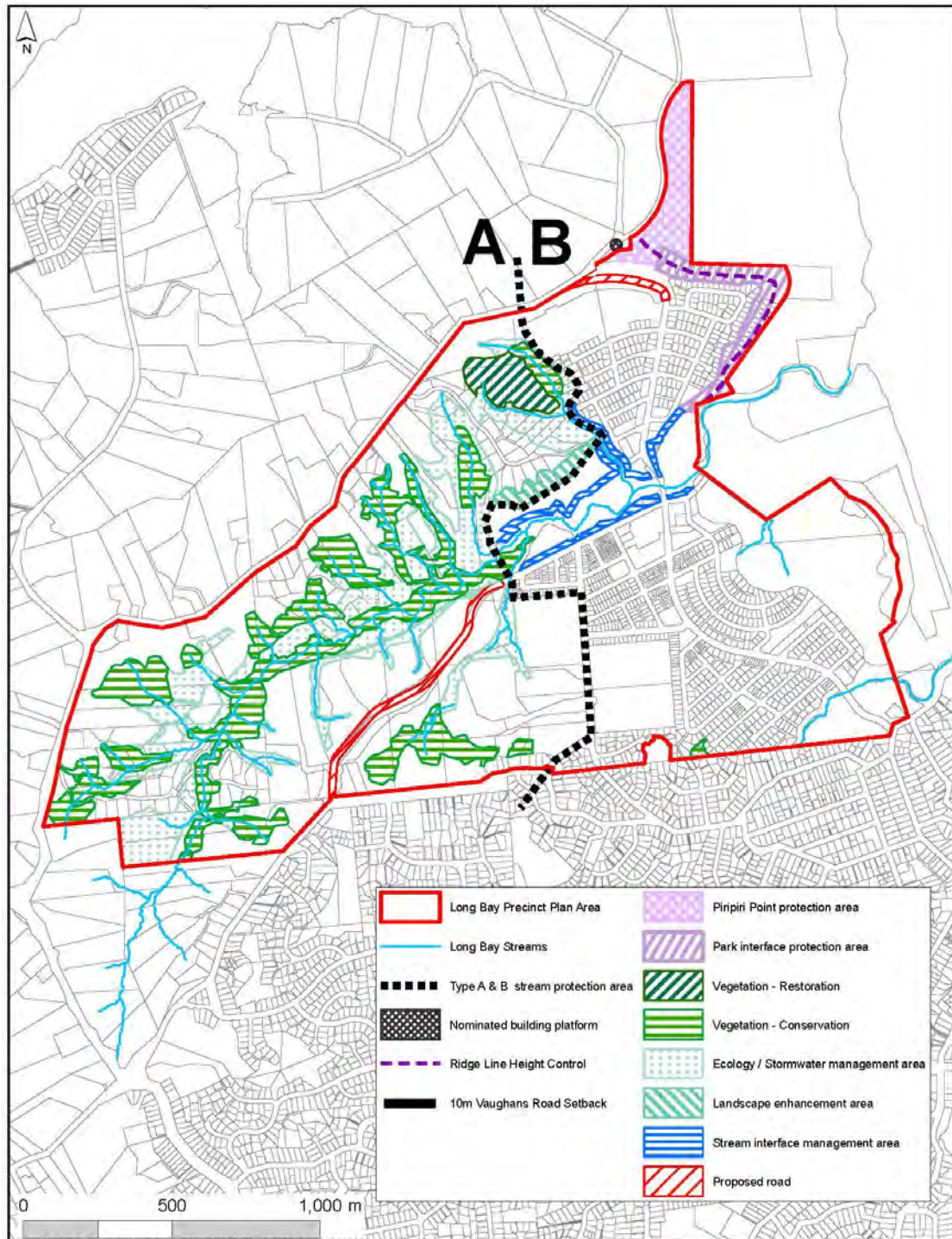
I519.10.1 Long Bay Precinct: Precinct plan 1 – Land use strategy



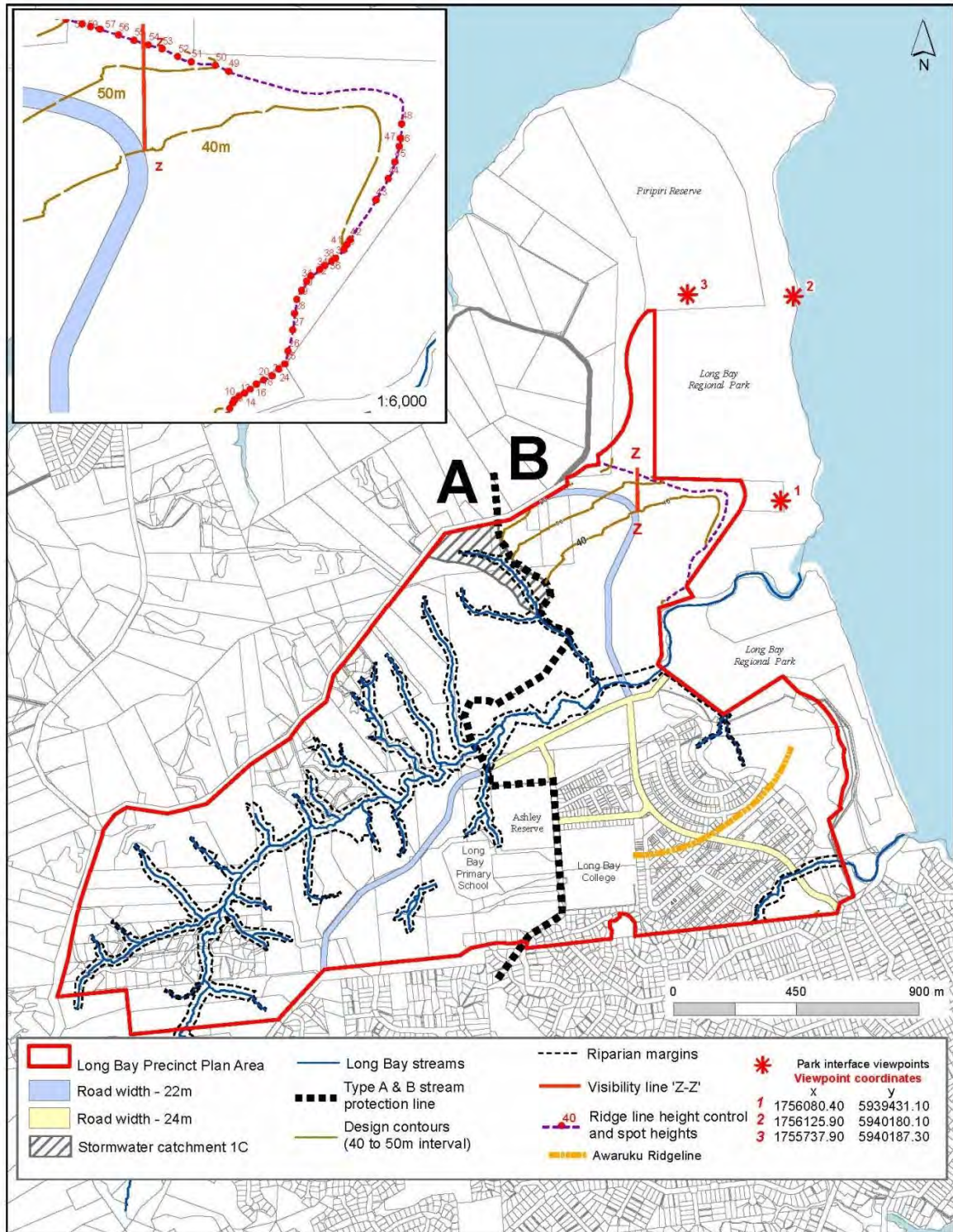
I519.10.2 Long Bay Precinct: Precinct plan 2 – Sub-precincts A to L



I519.10.3 Long Bay Precinct: Precinct plan 3 – Additional controls



I519.10.4 Long Bay Precinct: Precinct plan 4 – Additional controls



I528. Omaha South Precinct

I528.1. Precinct Description

This precinct applies to land south of Broadlands Drive, Omaha. The land is located in a sensitive coastal environment and the precinct provisions enable comprehensive residential and small scale commercial development to occur in a sustainable manner that is complimentary to the coastal location. This has and will be achieved through:

- (a) clearly defining a dune protection line and requiring all development to occur inland of the defined coastal hazard;
- (b) appropriate planting of foreshore areas and limiting access across the dunes to defined points with appropriately constructed access structures (paths/boardwalks);
- (c) enabling a range of residential subdivision development types (from cluster housing in the large lot development), with an upper limit on the proportion of each type that can occur, and an absolute limit of 600 household units specified for the entire precinct;
- (d) substantial areas of open space, including the kahikatea forest/wetland vested in the Crown as reserve, the recreation reserve vested in the Council (for the purpose of an additional nine golf holes), and the areas vested as neighbourhood reserves and pedestrian access. Some of the areas are located outside the precinct boundaries;
- (e) retaining control over the visual impact of development, to protect the broad landscape values of Omaha and to ensure compatibility between the variety and form of coastal residential development; and
- (f) limiting commercial development to the area identified for that purpose on the Precinct Plan.

The standards of the proposed precinct are designed to ensure that all potential adverse effects of residential development within Omaha South, such as those associated with stormwater generation, are dealt with in a manner that does not adversely affect the coastal environment of the kahikatea forest/wetland. This is achieved through a series of controls requiring on-site water storage for water supply and on-site soakage areas. There has also been an upgrade to the existing sewage treatment plant to provide for the additional sewage generated along with provision for the full development of Omaha North and Point Wells, and for disposal of the effluent in accordance with any consent obtained from the Auckland Council.

Omaha South precinct has six sub-precincts:

- Sub-precincts A – E provide for residential activities and allow for comprehensive development of large areas within the precinct; and
- Sub-precinct F provides for commercial activities.

The Omaha South: Precinct Plan 1 identifies these sub-precincts as well as neighbourhood reserve development areas and access reserve development areas that link the sub-precincts.

The zoning of land within this precinct is Residential – Single House Zone, Residential – Mixed Housing Suburban Zone, Business – Neighbourhood Centre Zone, Open Space – Informal Recreation Zone and Open Space – Conservation Zone.

I528.2. Objectives [rp/dp]

- (1) Coastal, residential and small scale local commercial development recognises the social, environmental and cultural values apparent in Omaha South.
- (2) The cultural values and the relationship of Mana Whenua with the Omaha Spit and its coastal environs are recognised, respected and protected.
- (3) The natural environment at Omaha South, particularly the coastline, Kahikatea forest/wetland and Omaha aquifer, is protected from potential adverse effects which could arise as a result of residential/commercial development.
- (4) Amenity values within neighbourhoods and residential areas in the Omaha South Precinct are maintained and enhanced.
- (5) The existing level of natural character associated with the coastal environment of Omaha South is preserved.
- (6) Development within the Omaha South Precinct does not generate new or worsen existing natural hazards.
- (7) Public access to and along the coastal edge of Little Omaha Bay is maintained in a manner that will not detract from the functioning of the coastal environment, the dune system, and the associated ecosystems.
- (8) The subdivision of land is appropriate for the development proposed and the nature of the land being subdivided.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above with the exception of the objectives of the [H3 Residential – Single House Zone](#), [H4 Residential – Mixed Housing Suburban Zone](#) and [H12 Business – Neighbourhood Centre Zone](#).

I528.3. Policies [rp/dp]

- (1) Require development to not destroy, alter or damage any site that has been identified, surveyed and recorded on residential or commercial titles as being of significance to Mana Whenua.
- (2) Require development complies with the agreed protocol with Mana Whenua.
- (3) Require development and subdivision to be designed to protect and enhance sites, historic resources, and taonga which have been identified as being significant.

- (4) Require development and subdivision to be designed to:
 - (a) protect and enhance the kahikatea forest/wetland; and
 - (b) protect and enhance the significant coastal landscapes and landforms within Omaha South; and
 - (c) not accelerate, worsen or generate any natural hazards; and
 - (d) protect the quantity and quality of water in the Omaha aquifer.
- (5) Require development and subdivision to be designed and constructed to ensure that all adverse effects on the items listed in 4(a)-(d) above and the remaining environmental values of local significance are avoided, remedied or mitigated.
- (6) Provide for stormwater collection, reticulation and discharge to maintain the volume of groundwater existing within Omaha South.
- (7) Avoid significant adverse environmental effects associated with the supply of water and the collection and discharge of stormwater on the Omaha aquifer.
- (8) Avoid contamination of the environment from sewage collection, treatment and discharge.
- (9) Encourage development and subdivision to contribute to the amenity of Omaha South by:
 - (a) incorporating identifiable neighbourhood edges and boundaries; and
 - (b) optimising access to community facilities, the coastal environment of Little Omaha Bay and public open space; and
 - (c) maintaining and enhancing identifiable linkages with the existing development in Omaha North.
- (10) Require buildings to be designed and sited to:
 - (a) prevent overshadowing of adjacent outdoor living areas and buildings; and
 - (b) maintain the level of visual and aural privacy currently experienced within adjacent properties.
- (11) Require all activities to be sited, designed and operated to avoid, remedy or mitigate adverse noise and/or lighting effects on the health of people and amenity values of the area.
- (12) Require commercial and residential subdivision and development to be designed, sited and arranged to minimise any adverse effects on the wider neighbourhood and residential areas; in particular, by achieving an overall compatibility in building scale and design.

- (13) Require the form and layout of residential and commercial areas to promote a safe and secure environment for residents and the public in general.
- (14) Require residential and commercial development to be designed and located in a manner that does not detract from the level of natural character experienced on the beach in Little Omaha Bay.
- (15) Manage development to not interfere with the functioning of the coastal processes of either Little Omaha Bay or the Whangateau Harbour in order to preserve the natural character of the coastal environment.
- (16) Require new development or subdivision to avoid locating in areas susceptible to natural hazards.
- (17) Require development and subdivision to maintain or enhance public access to the coastal marine area of Little Omaha Bay at predetermined localities.
- (18) Require where public access to be provided to the coastal edge of Little Omaha Bay, measures to be implemented to prevent the degradation of the dune environment, including the dynamic processes of the dune system and the associated flora and fauna.
- (19) Require Vehicular and pedestrian access from a formed legal road to be provided to all lots created for residential and commercial purposes.
- (20) Require environmentally appropriate infrastructure to be provided to all new lots created for residential and commercial purposes including sewage collection, treatment and disposal facilities; appropriate stormwater disposal by groundwater soakage except where a reticulated stormwater system is provided; electricity supply, and telecommunications facilities.
- (21) Require all lots created for residential and commercial purposes ~~should~~ to be of a size and shape which enables them to fulfil their intended function without generating adverse effects on the environment.
- (22) Require development the precinct to be consistent with the Omaha South: Precinct Plan 1.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above with the exception of the policies of the Residential – Single House Zone, Residential – Mixed Housing Suburban Zone and Business – Neighbourhood Centre Zone.

I528.4. Activity table [rp/dp]

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

The following activity tables do not apply to this precinct:

- [E38 Subdivision – Urban Table E38.4.2](#) Subdivisions in residential zones, [Table E38.4.3](#): Subdivisions in business zones, [Table E38.4.4](#): Subdivisions in the open space zones
- [H3 Residential – Single House Zone Table H3.4.1](#) Activity table
- [H4 Residential – Mixed Housing Suburban Zone Table H4.4.1](#) Activity table
- [H12 Business – Neighbourhood Centre Zone Table H12.4.1](#) Activity table

Table I528.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Omaha South Precinct pursuant to sections 9(2), 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in Table I528.4.1 Activity table below means that the provisions of the overlays, zone or Auckland-wide apply.

The four residential Development and Subdivision Types listed in Table I528.4.1 Activity table are described as follows:

- (a) Type A (Large Lot) residential development/subdivision means a type of residential development/subdivision which is characterised by large fee simple lots (of at least 1,100m² in area) that may accommodate two storey residential buildings.
- (b) Type B (Medium Lot) residential development/subdivision means a type of residential development/subdivision which is characterised by 600 - 1,100m² fee simple lots that may accommodate two storey residential buildings.
- (c) Type C (Small Lot) residential development/subdivision means a type of residential development/subdivision which is characterised by smaller fee simple lots (of at least 450m² in area that may accommodate two storey residential buildings.
- (d) Type D (Cluster Housing) residential development/subdivision means a type of residential development/subdivision which is characterised by intensive unit titles occurring within fee simple parent titles no smaller than 1,800m² in area. The area and facilities falling outside of the unit titles area, but within the parent title are to be “common area” owned and administered by a body corporate. Two storey buildings are envisaged within the majority of Omaha South, with provisions for buildings up to three storeys in height only anticipated in sub-precinct E. Buildings may accommodate up to six household units. One household unit per 300m² of the parent title is allowed.

Table I528.4.1 Activity table

Activity		Activity status						
		Open Space	Sub-precinct					
		Informal Recreation and Conservation Zones	A	B	C	D	E	F
(A1)	Any use, development or subdivision not listed in Table I528.4.1 Activity table	NC	NC	NC	NC	NC	NC	NC
Use								
Residential								
(A2)	Type A (large lot) residential/subdivision	NC	RD	RD	RD	RD	RD	RD
(A3)	Type B (medium lot) residential/subdivision	NC	RD	RD	RD	RD	RD	RD
(A4)	Type C (small lot) residential/subdivision	NC	RD	RD	D	D	D	RD
(A5)	Type D (cluster housing) residential/subdivision	NC	RD	RD	RD	RD	RD	RD
(A6)	Dwellings, including additions and alterations, complying with I528.4.1 and I528.6.1 to I528.6.7	NC	P	P	P	P	P	RD
(A7)	Visitor accommodation instead of, or in conjunction with Type D residential development / subdivision	NC	RD	RD	RD	RD	RD	RD
Commerce								
(A8)	Offices	NC	RD	NC	NC	NC	NC	RD
(A9)	Restaurants	NC	RD	NC	NC	NC	NC	RD
(A10)	Retail	NC	RD	NC	NC	NC	NC	RD

I528 Omaha South Precinct

(A11)	Buildings and structures ancillary to the commerce land uses	RD	RD	RD	RD	RD	RD	RD
Community								
(A12)	Amenity, observation and viewing areas	RD	RD	RD	RD	RD	RD	RD
(A13)	Car parks	RD	RD	RD	RD	RD	RD	RD
(A14)	Outdoor recreation and entertainment facilities	RD	RD	RD	RD	RD	RD	RD
(A15)	Passive recreation	RD	RD	RD	RD	RD	RD	RD
(A16)	Public toilets / changing facilities	RD	RD	RD	RD	RD	RD	RD
(A17)	Reserves	RD	RD	RD	RD	RD	RD	RD
(A18)	Surf lifesaving towers	RD	D	D	D	D	D	D
(A19)	Walkways and beach walks	RD	RD	RD	RD	RD	RD	RD
Development								
(A20)	Land disturbance activities that comply with Standard I528.6.5	P	P	P	P	P	P	P
(A21)	Land disturbance activities that do not comply with Standard I528.6.5							
(A22)	Managed wetlands for stormwater detention and treatment purposes	RD	RD	RD	RD	RD	RD	RD
(A23)	Stormwater detention ponds	RD	RD	RD	RD	RD	RD	RD
Subdivision								
(A24)	Subdivision for the creation of commercial lots (including unit title subdivision)	NC	RD	RD	RD	RD	RD	RD
(A25)	Subdivision (fee	RD	RD	RD	RD	RD	RD	RD

	simple) for the creation of public reserves							
--	---	--	--	--	--	--	--	--

I528.5. Notification

- (1) Any application for resource consent for an activity listed in Table I528.4.1 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\(4\)](#).

I528.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct, except that the standards below replace the standards of [E38 Subdivision – Urban](#), [H3 Residential – Single House Zone](#), [H5 Residential – Mixed Housing Suburban Zone](#) and [H12 Business – Neighbourhood Centre Zone](#).

All activities listed in Table I528.4.1 must comply with the following permitted activity standards.

I528.6.1. Maximum yield

- (1) The total number of dwellings in the precinct must not exceed 600.

I528.6.2. Mix of dwellings

- (1) The mix of dwellings must not exceed the limits prescribed in Table I528.6.2.1 Maximum residential yield by development and subdivision type.

Table I528.6.2.1 Maximum residential yield by development and subdivision type

Residential development/subdivision type	Maximum percentage of dwellings
Type A (large lot)	60%
Type B (medium lot)	50%
Type C (small lot)	40%
Type D (cluster housing)	50%

- (2) The mix of dwellings constructed in each sub-precinct within Omaha South must not exceed the percentages prescribed in the Table I528.6.2.2 Mix of dwellings below:

Table I528.6.2.2 Mix of dwellings

Residential Development / Subdivision Type	Maximum percentage of household units in each Sub-precinct				
	A	B	C	D	E
Type A (Large Lot)	25%	50%	50%	50%	25%
Type B (Medium Lot)	25%	75%	75%	75%	50%
Type C (Small Lot)	75%	25%	0%	0%	0%
Type D (Cluster Housing)	50%	25%	25%	25%	75%

- (3) Residential or commercial subdivision and/or development must not be undertaken to the east (or seaward) of the dune protection area line defined on Omaha South: Precinct Plan 1.

I528.6.3. Archaeological sites

- (1) The recorded archaeological sites must not be disturbed, modified, altered or destroyed by development.
- (2) The recorded archaeological sites must be subject to protective covenants which attach to the Certificate of Title within which they are to be located. The covenants must prevent disturbance, modification, alteration or destruction of the archaeological sites. They must also require that all sites are appropriately demarcated (by way of vegetative planting and/or fences).

I528.6.4. Beach amenity protection line

- (1) Where public pedestrian access to Little Omaha Bay is to be provided across the fore dune, the points of access must be clearly defined upon any land use consent application lodged, and boardwalks or similar approved pathways must be constructed to provide the required access.

I528.6.5. Land disturbance

- (1) Land disturbance must be limited to those directly associated with:
- (a) the construction, maintenance and upgrading of public and network utilities and reserves, provided that, in the access reserve between sub-precincts D and E, the earthworks shall not result in any more than minor modification of the sand ridges present on the reserve;
 - (b) the construction of buildings or structures allowed as restricted discretionary or discretionary activities in Table I528.4.1 Activity table;
 - (c) the provision of vehicular access, parking and loading spaces to buildings, structures or activities allowed as restricted discretionary or discretionary activities in Table I528.4.1 Activity table; or
 - (d) excavation/construction of stormwater detention ponds and/or managed wetlands.

- (2) Any land disturbance conducted within the area that extends from the dune protection area line to a parallel line drawn 75 metres inland (or westward) of the dune protection area line as defined by the Omaha South: Precinct Plan 1 must:
 - (a) not extract sediment from within that area;
 - (b) not cover greater than 20m² (when added cumulatively) of any one site, at any one time.
- (3) Where land disturbance is conducted within the area that extends from the dune protection area line to a parallel line drawn 75 metres inland (or westward) of the dune protection area line as defined by the Omaha South: Precinct Plan 1, ground cover appropriate to the coastal environment shall be planted to reinstate the disturbed/modified area. The ground cover shall be planted in the planting season immediately following the completion of the land disturbance. The ground shall be protected from wind erosion in the intervening period between the land disturbance ceasing and the planting of the ground.

I528.6.6. Potable Water Supply

- (1) All potable water must be supplied using on site tanks. For the purposes of this rule, site tanks (rainwater tanks) shall be considered as buildings.
- (2) Where on site tanks are used to supply potable water, the following minimum storage capacities must be supplied:
 - (a) every retail, office or restaurant activity must have storage capacity equal to or exceeding 56.8m³ (or 12,500 gallons);
 - (b) where visitor accommodation is proposed, 68.16m³ (or 15,000 gallons) of storage must be provided for every building forming part of the complex which provides overnight accommodation;
 - (c) every dwelling must have storage capacity equal to or greater than:
 - (i) 22.72m³ (or 5,000 gallons) where the individual dwelling roof catchment does not exceed 100m²;
 - (ii) 45.44m³ (or 10,000 gallons) where the dwelling individual roof catchment is between 100m² and 200m²;
 - (iii) 68.16m³ (or 15,000 gallons) where the dwelling individual roof catchment exceeds 200m².

I528.6.7. Stormwater Disposal

- (1) On site soakage areas equal to or exceeding the following requirements must be provided where dwellings-are to be developed:
 - (a) an on-site soakage area of 21m² per dwelling must be provided in Type B subdivision/development;

(b) an on-site soakage area of 17m² per dwelling must be provided in Type C subdivision/development;

(c) an on-site soakage area of 10m² per dwelling must be provided in Type D subdivision/development;

This standard does not apply to dwellings in Sub-precinct E and those in the southern third (measured along the main access road frontage) of Sub-precinct D.

I528.6.8. Height

(1) Buildings or structures located within a lot which is crossed by, or to the east of the beach amenity protection line defined on the Omaha South: Precinct plan 1, must not exceed six metres in height.

(2) Buildings and structures located to the west of the beach amenity protection line must not exceed the height limits prescribed in Table I528.6.8.1 Maximum heights.

Table I528.6.8.1 Maximum Heights

Use	Maximum height except in Sub-precinct E	Maximum height in Sub-precinct E	Maximum height of the finished second floor level in Sub-precinct E
Type A	7.5m	7.5m	NA
Type B	7.5m	7.5m	NA
Type C	7.5m	7.5m	NA
Type D	7.5m	12m	7m
Buildings and structures accessory to Residential Uses	7m	5m	NA
Visitor Accommodation	7.5m	12m	7m
Retail	7.5m	7.5m	NA
Offices	7.5m	7.5m	NA
Restaurants	7.5m	7.5m	NA
Buildings and structures accessory to Commerce Uses	6m	6m	NA

I528.6.9. Yards

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table I528.6.9.1 Yards below.

(2) All yards must remain unobstructed by buildings except as provided for in Standard I528.6.9 (3)(a) and (b) below.

(3) The following can be built in any yard for Type A to Type D development:

PC 71 (see [Modifications](#))

- (a) decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.3 metres provided they do not prevent vehicular access to a required parking space; and
- (b) fascia, gutters, downpipes, eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sunblinds provided they do not encroach into the yard by more than 0.3 metres.

Table I528.6.9.1 Yards

Use	Front yard	Side yard	Rear yard
Type A	5m	5m	10m
Type B	7.5m	2m	7.5m
Type C	2.5m	1.5m	5m
Type D	7.5m	7.5m	7.5m
Buildings and structures accessory to Residential Use	5m	1.5m	1.5m
Visitor Accommodation	7.5m	7.5m	7.5m
Retail	Nil except where the site adjoins a residential sub-precinct where the yard must be 1m	Nil	5m
Offices		Nil except where the site adjoins a residential sub-precinct where the yard must be 1m	5m
Restaurants		Nil except where the site adjoins a residential sub-precinct where yard must be 5m	5m
Buildings and structures accessory to Commerce Use	1m	1m	5m

I528.6.10. Building coverage

- (1) The maximum building coverage for each site must not exceed the limits in Table I528.6.10.1 Building coverage. This includes accessory buildings on the site.

Table I528.6.10.1 Building coverage

Use	Maximum coverage
Type A	33%
Type B	30%
Type C	40%
Type D	40%
Visitor Accommodation	40%
Retail	70%

Offices	70%
Restaurants	70%

- (2) Buildings and structures accessory to Types A to D residential development/subdivision must have a gross floor area no greater than 60m².

I528.6.11. Floor Area Ratio

- (1) The maximum floor area ratio for each building must not exceed the limits in Table I528.6.11.1 Floor area ratio.

Table I528.6.11.1 Floor area ratio

Use	Maximum floor area ratio
Type A	1:0.37
Type B	1:0.40
Type C	1:0.50
Type D	1:0.45
Visitor Accommodation	1:0.5
Retail	1:1
Offices	1:1
Restaurants	1:1

I528.6.12. Building separation

- (1) All buildings in Type D (cluster housing) residential development/subdivision must be separated by a minimum of 5 metres from other buildings on the same site.
- (2) All visitor accommodation buildings must be separated by a minimum of 5 metres from other buildings on the same site.

I528.6.13. Outdoor living space and service areas

- (1) All ground floor dwellings in Type D (cluster housing) residential development/subdivision must have an outdoor living court greater than 20m² with minimum dimensions of 4 metres by 5 metres.
- (2) All ground floor dwellings in Type D (cluster housing) residential development/subdivision must have a service area greater than 15m² with minimum dimensions of 5 metres by 2 metres.
- (3) All first floor dwellings in Type D (cluster housing) residential development/subdivision must contain a balcony greater than 6m² with minimum dimensions of 3 metres by 2 metres.

I528.6.14. Maximum dwellings per building

- (1) Each building may contain a maximum number of dwellings as set out in Table I528.6.14.1 Maximum dwellings per building

Table I528.6.14.1 Maximum dwellings per building

Use	Maximum dwellings per building
Type A	1
Type B	1
Type C	1
Type D	6
Visitor accommodation	6

I528.6.15. Density

- (1) Each site may contain a maximum number of dwellings or activities as set out in Table I528.6.15.1 Maximum density

Table I528.6.15.1 Maximum density

Use	Maximum density per site
Type A	1
Type B	1
Type C	1
Type D	1 per 300m ² of fee simple parent title
Retail	1
Offices	1
Restaurants	1

I528.6.16. Separation from utilities

- (1) All Type A to Type D residential development/subdivision buildings must be set back a minimum of 1 metre from any underground private/public network utilities excluding household connections.

I528.6.17. Screening

- (1) For all visitor accommodation, retail, office and restaurant activities a 1.8 metre high solid fence must surround all service areas.

I528.6.18. Verandahs

- (1) For all retail, office and restaurant activities a verandah a 2.5 metre wide verandah, 3 metres above the footpath must be provided where the building has a continuous frontage to a formed legal road.

I528.6.19. Subdivision site area and frontage

- (1) The minimum site area and minimum frontage for fee simple subdivision must be as set out in the Table I528.6.19.1 Site area and frontage.

Table I528.6.19.1 Site area and frontage

Use	Minimum site area	Minimum frontage on front or corner sites
Type A	1100m ²	15m
Type B	600m ²	10m
Type C	450m ²	7.5m
Type D	1800m ²	20m
Visitor Accommodation	1800m ²	20m
Retail	400m ²	6m
Offices	400m ²	6m
Restaurants	400m ²	6m

I528.6.20. Subdivision shape factor

- (1) The minimum shape factor for fee simple subdivision must be as set out in the Table I528.6.20.1 Shape factor.

Table I528.6.20.1 Shape factor

Use	Minimum shape factor
Type A	15m by 15m square
Type B	15m by 15m square
Type C	10m by 10m square

I528.6.21. Recreation use height

- (1) Recreation buildings must not exceed the heights specified in Table I528.6.21.1 Maximum heights.

Table I528.6.21.1 Maximum Heights

	Public toilets and changing facilities	Walkways and beachwalks	Amenity, observation and viewing areas	Buildings and structures accessory to recreation activities	Surf Lifesaving towers
Maximum height	6m	1.2m	6m	4m	8m

I528.6.22. Recreation use gross floor area

- (1) Recreation buildings must not exceed the maximum gross floor area as specified in Table I528.6.22.1 Recreation use maximum gross floor area

Table I528.6.22.1 Recreation use maximum gross floor area

	Public toilets and changing facilities	Amenity, observation and viewing areas	Buildings and structures accessory to recreation activities	Surf Lifesaving towers
Maximum gross floor area	25m ²	25m ²	60m ²	15m ²

I528.6.23. Recreation use subdivision

- (1) The minimum site area for open space zoned land is as specified in Table I528.6.22.1 Recreation use subdivision standards

Table I528.6.23.1. Recreation use subdivision standards

Use	Minimum site area	Minimum frontage on front or corner sites
Access reserve development area	2000m ²	10m
Neighbourhood reserve development area	2000m ²	30m

I528.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I528.8. Assessment – restricted discretionary activities

I528.8.1. 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 applications requiring restricted discretionary activity consent:
- (a) The effect of any proposed land uses on:
 - (i) the continued existence, functioning and resilience of the natural processes within Little Omaha Bay;
 - (ii) the continued existence and growth of ecosystems, habitats and species both within the zoned area, and upon land immediately adjacent to the Omaha South precinct zone;
 - (iii) the groundwater aquifer and its role in supporting the continued survival of the kahikatea forest/wetland;
 - (iv) the level of visual amenity apparent within the vicinity of the sub-precinct being developed and/or subdivided;

- (v) existing recreational activities conducted within Omaha North and Little Omaha Bay;
 - (vi) the existing and proposed networks of infrastructure, including but not limited to, the roading, stormwater collection/reticulation and discharge, sewage reticulation/treatment and discharge, telecommunications and electricity supply networks; and
 - (vii) any existing natural hazards, particularly the manner in which they could effect existing development and landforms;
- (b) the design and location of buildings;
 - (c) the provision and design of all reserves and public open spaces provided for within the sub-precinct;
 - (d) the design, specification and method of construction of all infrastructure networks (which includes both public and network utilities);
 - (e) the capacity of the Omaha Sewage Treatment Plant and the effluent disposal system, and their ability to cater for the increased volumes of sewage generated by the development proposed;
 - (f) the number, location and design of all vehicle, car parking and loading facilities;
 - (g) the amount of earthworks undertaken on site, and the options employed in the disposal and placement of cut and fill;
 - (h) the measures required to remedy or mitigate any potential adverse environmental effects;
 - (i) the location of proposed buildings and the potential effect of known natural hazards of these buildings; and
 - (j) for subdivision consents only - the shape, size and finished contour of all new lots being created.

PC 71 ([see Modifications](#))

[new text to be inserted]

PC 71 ([see Modifications](#))

I528.8.2. Assessment criteria

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

- (1) all applications requiring restricted discretionary activity consent:
 - (a) whether the proposal is consistent with the precinct description;
 - (b) whether the proposal is consistent with the Omaha South: Precinct Plan 1;
 - (c) the extent to which the proposal is consistent with the Standards for the precinct and the Auckland-wide provisions in Chapter E;

- (d) whether the development and/or subdivision proposed will enable the objectives and policies for the precinct to be achieved;
- (e) whether access and servicing involve no more than minor earthworks and whether any adverse effects of providing access and servicing are remedied or mitigated;
- (f) whether land uses detract from the ability of the natural dune system to buffer Omaha South from events of coastal erosion;
- (g) whether buildings and structures adversely affect the natural quality or functioning of the coast (including the fore dune system);
- (h) whether proposed land uses and subdivisions adversely affect the groundwater aquifer;
- (i) whether all developments and subdivisions avoid natural and physical resources of cultural, ecological, landscape, natural character or visual significance. Where avoidance is not possible, any adverse environmental effects shall be minimised through the adoption and implementation of mitigation measures;
- (j) whether land uses will place an undue burden on public services to the extent that adverse environmental effects will result;
- (k) whether any proposed land uses and/or subdivisions include the provision of all services, infrastructure and utilities necessary to manage the environmental effects, or alternatively demonstrate how the necessary services, infrastructure and utilities are able to be provided in time to manage the environmental effects;
- (l) whether any proposed land uses and/or subdivision detrimentally affect the safe and efficient operation of any public road;
- (m) whether stormwater capture, treatment and disposal occur, where practicable, in a manner that sees the treated water discharged in close proximity to where it falls (the intention being to maintain the levels of the Omaha groundwater aquifer at their 1998 levels);
- (n) whether the technical investigation into, and the ongoing monitoring of the groundwater aquifer under Omaha South indicates that the proposed development is likely to have, or is having a significant adverse effect on it; and
- (o) where an application relates to a site where a sub-precinct consent has been granted, whether the subdivision or land use is generally consistent with the sub-precinct consent or has adverse effects upon the pattern of subdivision and development that has been approved.

I528.9. Special information requirements

There are no special information requirements in this precinct.

I528.10. Precinct plans

I528.10.1 Omaha South: Precinct plan 1



I550. Millwater South Precinct

I550.1. Precinct Description

The Millwater South precinct is located northwest of the original Silverdale town centre and applies to approximately 51 ha of land bounded by Wainui Road to the south and west, Manuel Road to the east and Grut Greens to the north. It is part of the wider Millwater residential area. It is characterised by a steep north east facing horseshoe shaped valley with views of Orewa and the coast from the higher areas.

The purpose of the precinct is to ensure that the development is carried out in an integrated way and that the urban form is consistent with the rest of the already developed Millwater area to the north. The precinct enables more intensive development than the underlying Single House zone and enables a mix of housing densities. The rules also apply a consistent approach to the development controls under which the rest of the Millwater area was developed.

The zoning of the land in the Millwater South precinct is Residential - Single House zone.

I550.2. Objectives

- (1) Subdivision and development are designed and implemented in a comprehensive, efficient and integrated manner.
- (2) Open space and land for community facilities are identified.
- (3) Significant views from public places are protected.
- (4) High standards of urban design are achieved including distinctive architectural styles, attractive landscaping and the use of colours and materials that will not dominate the landscape setting or compromise character of the streetscape or neighbourhood in which they are located.
- (5) A range of housing types, densities and site sizes are provided in the precinct.

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

I550.3. Policies

- (1) Enable flexibility to develop a range of housing sizes, types and densities throughout the precinct.
- (2) Encourage higher densities around public open space.
- (3) Require and protect sunlight access to proposed and existing private outdoor living spaces to ensure they receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (4) Require development of two or more dwellings to achieve the following outcomes:
 - (a) a high standard of architectural design;
 - (b) buildings that are well proportioned and articulated;

- (c) landscaping that will reduce the appearance of building bulk and mass;
 - (d) a high standard of amenity including provision for and protection of privacy and solar access to private outdoor living spaces.
- (5) Discourage subdivision that creates rear sites.
- (6) Require that buildings and structures in the Subject to Building Restrictions area in the Millwater South I550.10.1 Precinct plan 1 do not obscure significant view shafts when viewed from identified public places.

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

I550.4. Activity table

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

Table I550.4.1 Activity table, specifies the activity status of land use, development and subdivision activities in the Millwater South Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

Table I550.4.1 Millwater South Precinct

Activity		Activity status
Use		
Accommodation		
(A1)	Two dwellings on a site	P
(A2)	Three or more dwellings on a site	RD

I550.5. Notification

- (1) Any application for resource consent for an activity listed in Table I550.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

I550.6. Standards

The standards applicable to the zone, overlays and Auckland-wide apply in this precinct unless otherwise specified below.

All activities listed as permitted or restricted discretionary in Table I550.4.1 Activity table must comply with the following standards.

Development that does not comply with clauses I550.6.1 and I550.6.7 is a discretionary activity unless otherwise specified.

I550.6.1. Activities

(1) Densities are those allowed in the Residential - Single House zone except for the following:

(a) The number of dwellings on a site must not exceed the limits specified in Table I550.6.1.1 below:

Table I550.6.1.1

Density – site size per dwelling	Percentage of dwellings in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

(b) Where two dwellings are proposed on a site, each dwelling must front a street.

(c) Where two to four dwellings are proposed on a site, the site must be at least 15m wide:

- (i) at the site frontage; and
- (ii) for at least 80 per cent of the length of its side boundaries.

(d) Where five or more dwellings are proposed on a site, the site:

- (i) has a minimum net site area of 1200m²; and
- (ii) is at least 20m wide:
 - at the site frontage;
 - for at least 80 per cent of the length of its side boundaries.

I550.6.2. Height

(1) Buildings must not exceed a height of 9m.

I550.6.3. Side and Rear Yards

(1) Buildings must be set back:

- (a) 3m from one side yard;
- (b) 1m from any other side yard except where a wall is located on a boundary as provided for in clause [H3.6.8.2](#) in the Residential - Single House zone; and

- (c) 3m from rear yard, or for rear sites, 3m for one rear yard and 1m for any other rear yard.

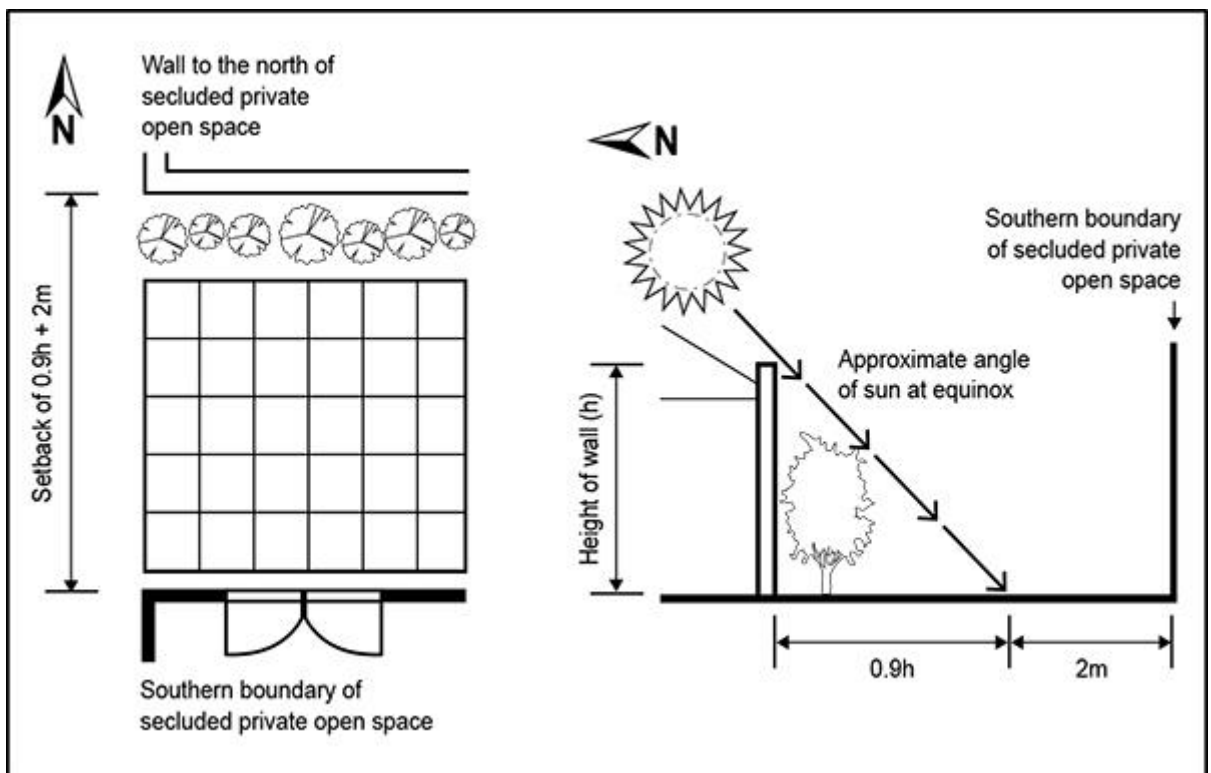
I550.6.4. Private outdoor living space

- (1) For sites less than 450m², the Residential - Mixed Housing Suburban zone standards apply.
- (2) In applying the Residential – Mixed Housing Suburban standard for outdoor living space, rainwater tanks shall be considered as ‘buildings’.

I550.6.5. Sunlight access to the private outdoor living space of proposed and existing dwellings

- (1) Private outdoor living space must be located to receive at least five hours of sunshine between 9am and 3pm on 22 March/September.
- (2) A wall, building or rainwater tank on a side or rear boundary allowed by clause [H3.6.8.2](#) in the Residential - Single House zone must not reduce sunlight to the private outdoor living space of another dwelling to less than five hours between 9am and 3pm on 22 March/September. The private outdoor living space of another dwelling is deemed to be any area behind the front facade of the dwelling that contains a square measuring at least 4.5m by 4.5m. If existing sunlight to the private outdoor living space of another dwelling is already less than required by this rule, the amount of sunlight must not be further reduced.
- (3) The southern boundary of any private outdoor living space must be set back from a wall on the north of the space at least $(2 + 0.9h)$ metres, where ‘h’ is the height of the wall (Refer Figure I550.6.5.1).

Figure I550.6.5.1: Sunlight access to private outdoor living space



I550.6.6. Additional controls for sites 450m² to 650m²

I550.6.6.1. Height in relation to boundary

- (1) No part of any building shall exceed a height equal to 3m plus the shortest horizontal distance between that part of the building and any site boundary, except a front boundary, and except that on side boundaries within 14m of the road frontage, the maximum height of a building shall not exceed a height equal to 5m plus the horizontal distance between that part of the building and the side boundary.
- (2) This rule shall not apply to:
 - (a) chimneys, radio and television aerials, domestic satellite dishes less than 1m in diameter;
 - (b) the apex of any roof or gable end not exceeding 1m² in area;
 - (c) dormers not exceeding 2m in width (not more than two per building facing the same boundary); and
 - (d) those parts of buildings that share a common wall on a site boundary.
- (3) Where a site boundary adjoins a site in the precinct with a site size of 650m² or greater that is not part of a multi-unit development then rule [H3.6.7.6 Residential - Single House height in relation to boundary](#) shall apply to that boundary.

I550.6.6.2. Yards

Table I550.6.6.2.1 Yards

Yard	Dimension
Front	3m
Side	One yard of 1m and one yard of 3m
Rear	See I550.6.6.3 below

Front Yards: The siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.

Notwithstanding the above, the following additional rules also apply:

- (1) Bay windows, steps, verandas, porches and balconies may protrude into the 3m maximum front yard but shall not be closer than 1.5m to the front boundary;

- (2) No fence, wall, or screen located within the front yard may exceed 0.8m in height; and
- (3) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary.

I550.6.6.3. Rear Yards/Open Space

- (1) The minimum rear yards dimensions must be as follows;
 - (a) For sites accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (b) For sites accessed from street frontages oriented between SW (225°) and SE (135°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site must be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.
 - (c) For sites accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW (225°) of the site:
 - (i) The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated dwelling.

I550.6.6.4. Building Frontages

- (1) The total area of all attached or detached garages doors or the open façade of a carport fronting the street shall not occupy more than 35 per cent of the building frontage which excludes:
 - (a) Any vertical faces that are located more than 3m to the rear of the garage door; and
 - (b) Any roof.

I550.6.7. Additional controls for two or more dwellings

- (1) The Residential - Mixed Housing Suburban zone standards, except for building height, apply where two or more dwellings are proposed on a site.

I550.6.8. View Protection

- (1) Buildings and structures (including a parapet, chimney, communication device, tank or building services component, ornamental tower or lift tower) on any land identified within the view shafts shown on Precinct Plan 1 must not exceed the height limits specified in the standards for the underlying zone.
- (2) Development that does not comply with clause I550.6.8(1) above is a non-complying activity.

I550.6.9. Subdivision

I550.6.9.1. General

- (1) The following subdivision controls apply.
- (2) Site sizes must comply with the net site area specified in Table I550.6.9.1.1 below:

Table I550.6.9.1.1 Minimum net site size

Site size per dwelling	Percentage of sites in development area
150m ² - 449.9m ²	25 – 35 per cent
450m ² - 649.9m ²	30 – 50 per cent
650m ² +	20 – 40 per cent

- (3) All residential sites must have:
 - (a) a minimum frontage and access of 6m; and
 - (b) a minimum 0.5m landscaped strip on each side of a carriageway within a jointly owned accessway or right of way.

I550.7. Assessment – controlled activities

There are no controlled activities in the precinct.

I550.8. Assessment – restricted discretionary activities

I550.8.1. Matters of discretion

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

matters specified for the relevant restricted discretionary land use activities in the overlay, Auckland-wide or zone provisions:

(1) Three or more dwellings on a site

Development generally in accordance with I550.10.1 Millwater South Precinct Plan 1:

- (a) the effect of the siting, scale, form, design, appearance of development and landscaping of buildings and development on the amenity and character of the area;
- (b) the effects of development on sunlight access to outdoor living space; and
- (c) the effects of development on views as identified by the view shafts in Precinct Plan 1.

I550.8.2. Assessment criteria

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

(1) Three or more dwellings on a site

- (a) The extent to which landscaping and planting enhances the amenity values and character of the streetscape and surrounding area and mitigates the visual effects of building and development.
- (b) The extent to which the location and height of any buildings or structures within the view shafts identified in Precinct Plan I550.10.1 obscure views to features or public places protected by the relevant view shaft.
- (c) The extent to which the construction, additions, alterations or the relocation of any buildings should be developed and landscaped to comply with policy I550.3(4).
- (d) The extent to which the bulk, shape and design of buildings:
 - (i) is consistent with the buildings in the neighbourhood;
 - (ii) adversely affects public enjoyment of public open space, including the street; and
 - (iii) adversely affects the provision of landscaping on the site, on neighbouring sites or on the street.
- (e) The extent to which the setback of a building from a side or rear boundary allows for the efficient use of the site while respecting the character of the neighbourhood and the amenity of adjacent sites.
- (f) The extent to which the location of buildings:
 - (i) results in significant shading effects;

- (ii) results in a significant reduction in visual and/or aural privacy;
 - (iii) results in significant adverse visual impacts;
 - (iv) adversely affects the safe and efficient operation, including maintenance, of any utility or network utility; and
 - (v) adversely affects practical access to the rear of the site.
- (g) The extent to which additional building coverage compromises the character of the streetscape and surrounding neighbourhood and whether any effects are off-set by additional landscaping.
- (h) The extent to which garage(s) dominate the street frontage.
- (i) The extent to which street frontages of dwellings provide potential for surveillance of the street.
- (j) The extent to which private outdoor living space is located on the north side of the dwelling , and if not, whether it is oriented to the side or rear of the dwelling to maximise solar access and avoid unreasonable overshadowing from a wall on its northern boundary. Consideration will also be given to:
- (i) whether the private outdoor living space receives adequate levels of sunlight;
 - (ii) the usability and amenity of the private outdoor living space based on the sunlight it will receive; and
 - (iii) whether the private outdoor living space is directly accessible to and part of the associated dwelling.
- (k) The extent to which the location of any wall on a boundary unreasonably overshadows any north facing windows or the private outdoor living space of any adjacent property.

I550.9. Special information requirements

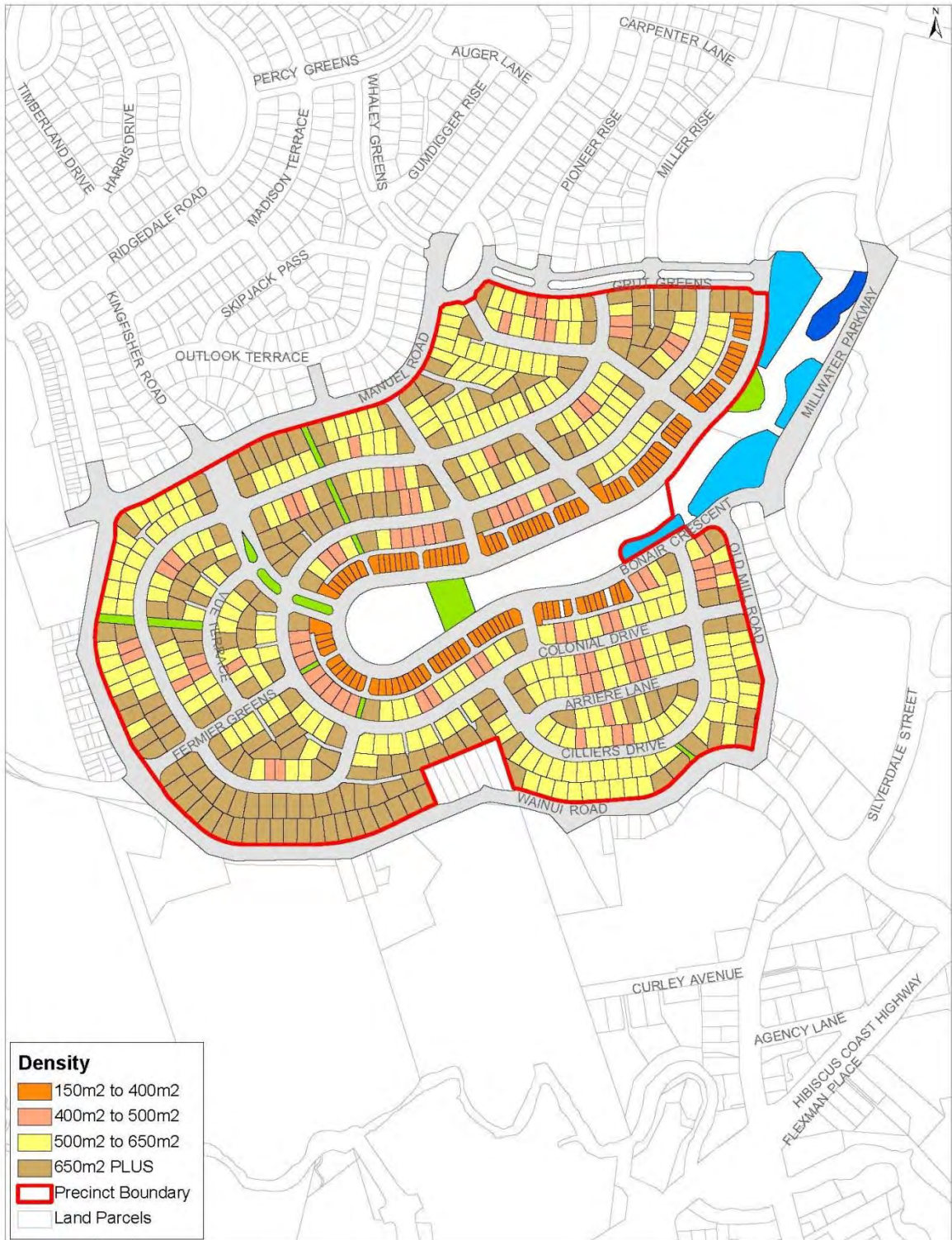
An application for the following activities must be accompanied by the following additional information to that required in the underlying zone required to address the matters for discretion.

Buildings, and alterations and additions to buildings, and subdivision must provide the following information:

- (1) Where three or more dwellings are proposed a design statement equivalent to that required for more than five dwellings in the Mixed Housing Suburban zone must be prepared in accordance with the Special Information requirements of the residential zones (refer to Chapter I clause 12).

I550.10. Precinct plans

I550.10.1. Precinct Plan 1: Millwater South Precinct



6.35 Drury 1

Precinct description

The precinct has an area of 167.67 ha and is bordered by Drury Creek in the north, southern motorway to the east SH22 (Karaka road) to the south and Jesmond road to the west. The site is gently rolling terrain, with coastal frontage to the upper estuary reach of Drury Creek. Two permanent watercourses run through the land, both originating within the site and flowing north towards the coastal edge. The Precinct Plan 1 area applies to the original 84.62 ha of the Precinct. The Precinct Plan 2 area applies to an extension of 83.05 ha.

It incorporates the provisions of the precinct plan and includes the development of a local centre with opportunities for intensive residential development.

Policy 14 allows for consideration of biodiversity offsets and ecological compensation for unavoidable impacts arising from development on natural resources, where this is directed to the Drury Creek Islands Recreation Reserve (DCIRR). The matters in Policy 14 can provide subsequent considerations to the provisions of E3, E1, E15 and Appendix 8 of the Auckland Unitary Plan, which address the circumstances in which residual adverse effects on natural resources that cannot be avoided, remedied or mitigated may be offset.

The transport provisions for Precinct Plan 2 recognise that Auckland Transport and the NZ Transport Agency have not yet completed planning the strategic transport network for the wider Drury area including the Future Urban zones to the west and south of the Drury 1 Precinct. The precinct provisions recognise and support future strategic transport connections which may be required to and through the precinct - in particular Jesmond Road and the new east-west road (Future Collector Road (New)).

The Jesmond Road / SH 22 intersection upgrade is required prior to development in Precinct Plan 2. Other transport infrastructure upgrades outside of the precinct have not been prescribed in the same manner. However the Precinct recognises the potential for adverse traffic effects at five identified intersections and the Norrie Road one way bridge. Those effects will be assessed at the time of subdivision applications and required upgrades or other mitigation determined at that time. Refer to planning maps for the location and extent of the precinct. The following underlying zones apply to the precinct:

- Residential - Mixed Housing Suburban
- Residential - Mixed Housing Urban
- Residential - Terrace Housing and Apartment Building
- Business - Local Centre

Objectives

The objectives are as listed in the relevant underlying zones and Auckland wide provisions, except as specified below:

1. An integrated, more intensive residential environment which has high levels of amenity, allows for a range of housing densities and typologies and incorporates opportunities for a local centre.
2. A well connected roading layout that supports a range of travel modes, provides a strong definition of public spaces, legible and safe urban road pattern and clear differentiation between the private and public realm.
3. Ecology is maintained and enhanced through riparian margin re-planting at the time of development, building set-backs and landscaping.
4. Buildings are developed in an intensive manner, reflecting an urban character and amenity with clear definition of public fronts where buildings are massed, and private back yards that are predominantly open (excluding rear lane accessed garaging).

5. Stormwater runoff is managed to enable the maintenance and enhancement of natural waterways and water quality.

6. Subdivision, land use and development in the precinct will not adversely impact on the safe and efficient operation of the National Grid.

7. To promote availability of affordable housing to first home buyers and/or Community Housing Providers.

Precinct Plan 2

8. Subdivision and development is coordinated with the delivery of infrastructure required to service the Precinct, connect it to the wider network and manage its effects, including transport, wastewater, stormwater and water services.

9. Infrastructure serving the Precinct is funded and implemented in an integrated and coordinated manner.

10. Subdivision and development occurs in way that does not compromise the ability to provide efficient and effective strategic transport connections to and through the precinct to serve future urban growth in the wider Drury area.

Policies

The policies are as listed in the relevant underlying zones and Auckland wide provisions except as specified below:

1. Enable and support an intensive urban form and character defined by:

- a. establishing a local centre within a walkable pedestrian focused environment and focus retail and commercial development in this centre
- b. providing a clear definition between public and private spaces, including roads and public open space.
- c. opportunities for convenient, comfortable and safe interaction at the public / private road boundary interface through the enablement of low-height, visually open porch structures extending into the front yard setback.
- d. an urban built form that encourages higher density, intensive and massing towards the road frontage and side boundaries of sites, with less development within the rear yards.
- e. provision of a medium density built form along the northern coastal edge of the precinct.
- f. a reliance on high quality and safe interconnected roads and public open spaces in preference to larger private outdoor spaces

2. Enable high density residential development (including smaller vacant sites and integrated residential developments), particularly in close proximity to the local centre, collector roads and public open spaces.

3. Maximise vehicular, cycling and pedestrian connectivity and permeability of the road network wherever possible.

4. Encourage roads to form urban blocks and to front public open spaces.

5. Require residential development within urban blocks to:

- a. conform to a perimeter block pattern of development where buildings are massed towards the road and provide front building façades to the road
- b. generally provide vacant site that have narrower frontages than their depth
- c. ensure there is sufficient space between the rear of opposing dwellings to provide privacy and back yards for outdoor living
- d. maintain reasonable solar access to rear yards
- e. avoid driveway crossings to shared paths and dedicated cycle lanes, utilising access from side roads, access lots or rear lanes
- f. generally avoid rear lots

6. Control road façade elements to ensure dwellings relate to the road, including presence of a front door, sufficient glazing, ability to establish verandas / porches, landscaping provision, fencing heights and the control of garage in proportion to the façade.

7. Enable the development of rear lanes, including opportunities for rear garaging and habitable areas above the garage, especially where lot or dwelling frontage widths are narrow.

8. Require on-site management, or for higher density development private communal management of stormwater runoff from impervious areas. Stormwater from roads should generally be managed within the road corridors.

9. Require native riparian planting along waterways.

10. Avoid adverse effects of subdivision, land use and development on the National Grid line by ensuring that:

- a. appropriate buffer distances for managing subdivision, land use and development are provided
- b. sensitive activities, buildings and most structures are excluded from establishing within 12m of the centreline of a National Grid transmission line and within 12m of a National Grid support structure; and
- c. subdivision, land use and development is managed around the National Grid line to ensure that future activities, buildings and development do not restrict the operation, maintenance, upgrading and development of the National Grid line.

11. Utilise the National Grid corridor for road or open space networks where practicable, provided that they are designed and located to avoid adverse effects on the operation, maintenance, upgrading and development of the National Grid lines.

12. For new residential developments containing 15 or more dwellings, or involving the creation of 15 or more vacant sites, require either:

- a. 10 percent of new dwellings to be relative affordable, with the purchase price to be set relative to the median house price in the Auckland region and sold to first home buyers and owned for at least three years; or
- b. 5 percent to be retained affordable, with the purchase price to be set relative to the median household income in Auckland region and sold to Community Housing providers or Housing New Zealand and owned for long term retention.

13. New residential developments containing 15 or more dwellings/sites provide for affordable housing that is distributed throughout the development.

14. Following assessment under the provisions of E1, E3, E15 and Appendix 8, where offsets or compensation are proposed to address residual adverse effects on natural resources that cannot be avoided, remedied or mitigated, consideration may be given to the local restoration opportunity and the multiple ecosystem benefits which could be achieved by directing the offsets or compensation to the Drury Creek Islands Recreation Reserve. Where any such offset or compensation is proposed, it should contain an assessment of the ecosystem values lost or degraded within the precinct and gained on the Drury Creek Islands Recreation Reserve.

Precinct Plan 2

15. Require subdivision and development to coordinate infrastructure design, funding and implementation.

16. Ensure subdivision and development is designed and implemented to meet the foreseeable transportation needs of residents within the Precinct by providing and upgrading infrastructure.

17. Manage the adverse traffic effects of subdivision and development on the following parts of the transport network:

- intersection of State Highway 22 and Jesmond Road
- intersection of Great South Road / Firth Street,

- intersection of Firth Street / Norrie Road,
- intersection of Great South Road / Norrie Road / Waihoehoe Road,
- intersection of Great South Road / Karaka Road (SH22),
- intersection of Victoria Street / SH22, and
- the Norrie Road One-Way Bridge.

18. Require subdivision to implement the collector roads and provide for the strategic transport connections by means of the Future Collector Road (New) and Collector Road (Possible Future Arterial Road) shown on Precinct Plan 2.

Precinct rules

The activities, controls and assessment criteria in the underlying Residential - Mixed Housing Suburban zone, Residential - Mixed Housing Urban zone, Residential - Terrace Housing and Apartment Buildings zone, Business - Local Centre zone, Auckland-wide rules and overlays apply in the precinct unless otherwise specified below. Refer to the Precinct Planning Map for the location and extent of the underlying zones.

1. Activity Table

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is specifically provided for by a rule in Activity Tables A1.1, 1.1, 1.2, and 1.3 below.

A1.1 All Zones

Table A1.1 Activity table: All zones

Activity		Activity status
(A1)	Residential activities that do not comply with any clause within Standard 2.2 Affordable Housing	D

1.1 Residential Zones

Table 1.1 Activity table: Residential zones

Activity		Activity status
Residential		
(A2)	Integrated Residential Developments	RD
(A2A)	Integrated Residential Developments that do not comply with Standard 6.3.1(d)	D
(A3)	Dwellings that do not comply with Standard 2.1 Density	D
(A4)	Activities that do not comply with Standard 4.12 or 5.12	D
Commerce		
(A5)	Show home	P
(A6)	Retail in the Terrace Housing and Apartment Buildings zone	NC
Infrastructure		
(A7)	Overhead electricity lines (a single circuit) up to and including 110kV. Within areas of the Road and Unformed Road this activity shall have the same status as the adjacent Residential zone	P
On-site stormwater management (dwellings and impervious areas excluding roads)		
(A8)	Impervious areas (excluding roads) of less than or equal to 50m ² within a site	P

(A9)	Impervious areas (excluding roads) greater than 50m ² within a site that meet hydrology mitigation requirements in the relevant precinct rules below	P
(A10)	Communal stormwater device(s) located within common land serving two or more dwellings that meet hydrology mitigation requirements in the relevant precinct rules below	C
(A11)	Impervious areas unable to comply with the activity controls	RD

1.2 Local Centre Zone

Table 1.2 Activity table: Local Centre Zone

Activity		Activity Status
On-site stormwater management (dwellings and impervious areas excluding roads)		
(A12)	Impervious areas (excluding roads) of less than or equal to 50m ² within a site	P
(A13)	Impervious areas (excluding roads) greater than 50m ² within a site that meet hydrology mitigation requirements in the relevant precinct rules below	P
(A14)	Impervious areas unable to comply with the activity controls	RD
(A15)	Communal stormwater device(s) located within common land serving two or more buildings that meet hydrology mitigation requirements in the relevant precinct rules below	C

1.3 Subdivision

Table 1.3 Activity table: Subdivision

Subdivision Activity		Activity Status
(A16)	Subdivision in accordance with the precinct plan	RD
(A17)	Subdivision not in accordance with the precinct plan	D
(A18)	Subdivision of sites in accordance with an approved land use consent or a concurrent subdivision and land-use consent	RD
(A19)	Subdivision not complying with Standards 6.1 – 6.6, or 6.8	D
(A20)	Subdivision creating a rear site or sites	NC
(A21)	Subdivision creating a cul-de-sac, except staged road construction as part of a staged subdivision or balance site	NC
(A22)	Subdivision not complying with Standard 6.3(1)(d)(ii) (but otherwise complying with Standards 6.1 – 6.6 or 6.8)	RD

2. Land use controls – residential zones

The relevant overlay, Auckland-wide and zone standards apply in the precinct, except as specified below.

2.1 Density

1. The number of dwellings on a site must not exceed the limits specified below in Table 2.1.1:

Table 2.1.1 Density

Zone	Density
Residential - Mixed Housing Suburban	Maximum allowable average density of 200m ² per dwelling where the requirements of rule 2.1.2 below are met
Residential - Mixed Housing Urban	No density limits apply where four or more dwellings are proposed and the requirements of rule 2.1.3 below are met
Residential - Terrace Housing and Apartment Buildings	No density limits apply

2. Within the Residential - Mixed Housing Suburban zone the site:

- a. has a minimum net parent site area of 1000m²
- b. is at least 20m wide at the frontage of the site.

3. Within the Residential - Mixed Housing Urban zone the site:

- a. has a minimum net parent site area of 1000m²
- b. is at least 20m wide at the frontage of the site.

4. *[deleted]*

2.2 Affordable Housing

Purpose: To ensure that the precinct contains affordable housing to help address Auckland's housing affordability needs.

A. General Controls

1. New residential developments containing 15 or more dwellings/vacant sites must provide for affordable dwellings/ vacant sites that are either (B) relative affordable or (C) retained affordable that will meet the requirements of clauses 2-8 below.

2. All resource consent applications requiring the provision of affordable dwellings/vacant sites must be accompanied by details of the location, number and percentage of relative and/or retained affordable dwellings/vacant sites.

3. Affordable dwellings/vacant sites must be spread throughout the development, with no more than six in any one cluster.

4. For staged developments, a proportionate number of affordable dwellings and/or vacant sites must be provided at each respective stage on a pro rata basis and spread throughout the development in accordance with clause 3 above.

5. For apartments, no more than one-third of the total number of identified affordable dwellings shall be located on a single building level/storey, unless the development is two levels, in which case no more than half of the identified affordable dwellings shall be located on a single building level.

6. If the calculation of the percentage of dwellings (and/or vacant sites) that must be affordable dwellings (and/or vacant sites) results in a fractional dwelling (or vacant site) of one-half or more, that fraction is counted as 1 dwelling (or vacant site), and any lesser fraction may be disregarded.

7. For avoidance of doubt, the land use rules do not apply to resource consent applications processed under the Housing Accords and Special Housing Areas Act 2013 (HASHAA) as the provisions specified within the relevant Order in Council amendment to that Act apply. The above provisions apply to consents that are not processed under HASHAA.

8. *[deleted]*

B. Relative Affordable

Number of Relative Affordable Dwellings or Sites

Purpose: To ensure that the precinct contains price relative affordable housing available to first home buyers to help address Auckland's housing affordability needs.

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 10 percent of the total number of dwellings/vacant sites must be relative affordable and meet the following criteria:

a. the price at which a dwelling may be sold does not exceed 75 percent of the Auckland region median house price (calculated as an average of three calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) that is published by the Real Estate Institute of New Zealand.

b. if the application is for a subdivision consent, the applicant must identify the sites of the subdivision allocated for the building of relative affordable dwellings and must specify the mechanism (consent notice for example) for ensuring that the combined value of the building and the land upon completion will meet that criterion or is a building associated with such a dwelling.

c. Dwellings must be sold to first home buyers who must reside in the dwelling and retain ownership for three years from the date of first transfer. Any dwellings built on vacant sites identified for affordable housing must be sold to first home buyers who must reside in the dwelling and retain ownership for three years from the date of transfer.

Eligibility for Relative Affordable Housing

Purpose: To ensure relative affordable housing is purchased by appropriate persons

1. Prior to the first transfer of affordable dwellings (including new dwellings that have never been occupied and are built on vacant sites that are identified for affordable dwellings), the consent holder must provide to council a statutory declaration that confirms the sale complies with the following eligibility requirements:

a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.

b. the consent holder has sold the dwelling (and any associated parking that is required by resource consent and storage) at a price which is not more than that defined by the 75 percent median price in accordance with clause 1(a) above.

c. the purchaser is a first home buyer and has never owned any other real property.

d. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in the name of any other person or entity.

2. Prior to the transfer of a vacant site identified for affordable dwellings, the purchaser must be made aware of the consent notice mechanism required to ensure any building built on the site is a dwelling that will meet the relative affordable criteria in 1 above or is a building associated with such a dwelling.

3. Prior to the transfer of a vacant site identified for an affordable dwelling to a purchaser that intends to develop, own and occupy the affordable dwelling themselves, the consent holder must provide to council a statutory declaration executed by the intended purchaser that confirms the sale complies with the following eligibility requirements:

a. the purchaser has a gross household income, as at the date of the statutory declaration, that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and purchase agreement.

b. any development of the site must be such that the combined value of the dwelling and the land upon completion, as confirmed by a valuation carried out by a registered valuer, must be no more than that defined by the 75 percent median price in accordance with clause 1(a) above.

c. the purchaser intends to own and occupy the affordable dwelling exclusively as their residence for no less than three years from the date of purchase.

d. the purchaser is a first home buyer and has never owned any other real property.

e. the purchaser is a natural person purchasing the affordable dwelling in their own name and not in

the name of any other person or entity.

4. A consent notice must be placed on the computer freehold register for the respective affordable dwellings/vacant sites requiring the above eligibility criteria be met for three years from the date of the transfer to the eligible purchaser.

5. *[deleted]*

C. Retained Affordable

Eligibility for Retained Affordable Housing

Purpose: To ensure that the precinct contains income related retained affordable housing to help address Auckland's housing affordability needs and to ensure retained housing is appropriately managed by Community Housing Providers to achieve ongoing provision and availability where required.

1. Purchasers in respect of retained affordable housing must be a registered community housing provider or Housing New Zealand Corporation.

2. *[deleted]*

Number of Retained Affordable Dwellings or Sites

1. For new residential developments containing 15 or more dwellings or involving the creation of 15 or more vacant sites, (or a mixture of both with the total cumulative number of dwellings and/or vacant sites being 15 or more), at least 5 percent of the total number of dwellings, or vacant sites, in any development must be retained affordable and meet the following criteria.

a. the price at which a dwelling may be sold would mean that the monthly mortgage payments for a household receiving the Auckland median household income (as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later) would not exceed 30 percent of the household's gross monthly income, based on the assumptions that:

i. the dwelling is purchased with a 10 percent deposit; and

ii. the balance of the purchase price is financed by a 30-year reducing loan, secured by a single mortgage over the property, at a mortgage interest rate equal to the most recent average two-year fixed rate. This interest rate used is that published most recently by the Reserve Bank of New Zealand, in relation to the date application for resource consent is made.

2. As part of the resource consent application evidence must be provided to demonstrate a community housing provider will purchase the dwellings/sites. Prior to the transfer of the retained affordable dwellings/sites a council approved statutory declaration must be returned by the consent holder to demonstrate the dwellings/sites are sold at the price point outlined in clause 1 above.

3. *[deleted]*

Where the following definitions apply:

Retained affordable

Housing that is:

a. built by a registered community housing provider or Housing New Zealand Corporation; or

b. sold to a registered community housing provider or Housing New Zealand Corporation; and

c. sold at a price defined by the Auckland median household income as published by Statistics New Zealand for the most recent June quarter before the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later.

Relative Affordable

Housing that is:

a. bought by first home buyers and remains in the same ownership for three years from the date of first transfer, where the purchaser has a gross household income that does not exceed 120 percent of the Auckland median household income as set at the date of signing the unconditional sale and

purchase agreement.

b. sold at a price that does not exceed 75 percent of the Auckland region median house price published by the Real Estate Institute of New Zealand and calculated as an average of three calendar months previous to the date the application for resource consent is approved or the date on which all appeals on the resource consent application are finally resolved, whichever is the later

Community Housing Provider

means a housing provider (other than Housing New Zealand Corporation) that has, as one of its objectives, the provision of one or both of the following types of housing:

- a. social rental housing;
- b. affordable rental housing
- c. rent to own (ie. as provided by New Zealand Housing Foundation)

Household Income

Household income shall include all taxable income as defined by the New Zealand Inland Revenue Department.

Show home

A house on a newly built subdivision which is furnished and decorated to be shown to prospective buyers.

3. Development Controls – All Zones

The following development controls apply to all activities (A8) – (A15) listed in Activity Tables 1.1 and 1.2 above.

3.1 On-site stormwater management (dwellings and onsite impervious areas, excludes roads)

Purpose: ensure appropriate stormwater retention and detention associated with site development.

1. Within catchments draining to streams all new impervious surfaces of 50m² and over must be designed to achieve the following:

Except as provided by c. the following (a. and b.) applies.

- a. provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area for which hydrology mitigation is required; and
- b. provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.

c. Where:

i. a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there are no areas on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and

ii. rainfall reuse is not available because:

- The quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden irrigation or toilet (flushing)); or
- There are no activities occurring on the site that can re-use the full 5mm retention volume of water;

the retention volume can be taken up by providing detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event over the impervious area for which hydrological mitigation is required (minus any designed retention volume that is achieved).

2. The stormwater device/s:

a. must be maintained by the site owner(s) in perpetuity. A consent notice will be registered on the certificate of title to that effect at time of subdivision.

b. if rainwater tanks are proposed to achieve the retention requirements above, the rainwater tank must be dual plumbed to non-potable uses such as toilet and washing machine in the dwelling.

3. Compliance shall be demonstrated to the council in conjunction with any application for building consent, or by way of certificate of compliance or at the time of subdivision.

4. Stormwater devices within the National Grid Yard must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001, including their ongoing operation and maintenance.

5. [deleted]

4. Development Controls – Residential Mixed Housing Suburban Zone

The following development controls apply to activities listed in Activity Table 1.1 of this precinct and Activity Table H4.4.1 of the Residential – Mixed Housing Suburban Zone instead of the development standards listed in Standard H4.6, with the exception of the following standards:

- a) H4.6.2 Home occupations
- b) H4.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings
- c) H4.6.16 Rainwater tanks

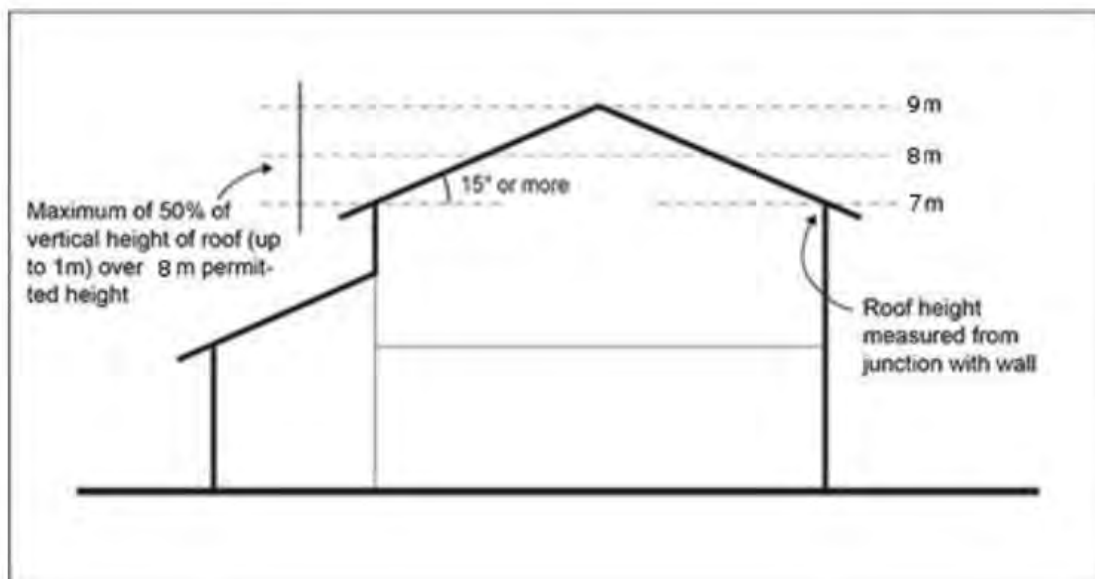
4.1 Building Height

Purpose: manage the height of buildings to:

- Achieved the planned built character of predominantly one and two storeys
- Provide some flexibility to enable variety in roof forms.

1. Buildings must not exceed 8m in height except that 50 percent of a building's roof elevation, measure vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more (as shown on figure 1 below).

Figure 1: Building height



4.2 Height in relation to boundary

Purpose: manage the bulk and scale of buildings and maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

1. The following height in relation to boundary controls apply:

a. for all lots, the height in relation to boundary control does not apply to the street boundary.

In the case of front lots (not being a corner lot or adjacent to a corner lot) a building height in relation to boundary of 5m and 45 degrees must apply on side boundaries adjoining other front lots, up to a maximum distance of 8m from the rear boundary.

A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the remaining part of any side boundary that is within 8m from the rear boundary and to all rear boundaries.

In the case of front lots which adjoin a corner lot the following apply:

On side boundaries that adjoin the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the whole length of the boundary including where that side boundary extends beyond the corner lot.

On side boundaries that adjoin the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45 degrees must apply up to a maximum distance of 8m from the rear boundary. Rule 1c above must apply to the remaining part of the side boundary that is within 8m from the rear boundary.

In relation to the shortest side boundary of a corner lot (including where that side boundary extends beyond the corner lot) all windows above the ground floor level facing the corner lot (or facing a lot adjoining the corner lot) must have a window sill level at least 1.6m above the floor level or be fitted with opaque glass

A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to any rear boundary.

In the case of corner lots the following apply:

- On the shortest side boundary of the corner lot, a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply
- On the longest side boundary of the corner lot, a building height in relation to boundary of 5m and 45 degrees must apply up to a maximum distance of 8m from the rear boundary. A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) must apply to the remaining part of the side boundary that is beyond 8 m from the rear boundary.
- All buildings within 6m of the shortest side boundary must be limited to a single storey and a 5m maximum height.

For all rear boundaries a height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) apply.

2. This control does not apply to a boundary adjoining sites within the public open space zones or vested reserves exceeding 2000m².

3. Where the boundary adjoins a rear lane (access lot) the control applies from the farthest boundary of the rear lane (access lot).

4. A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

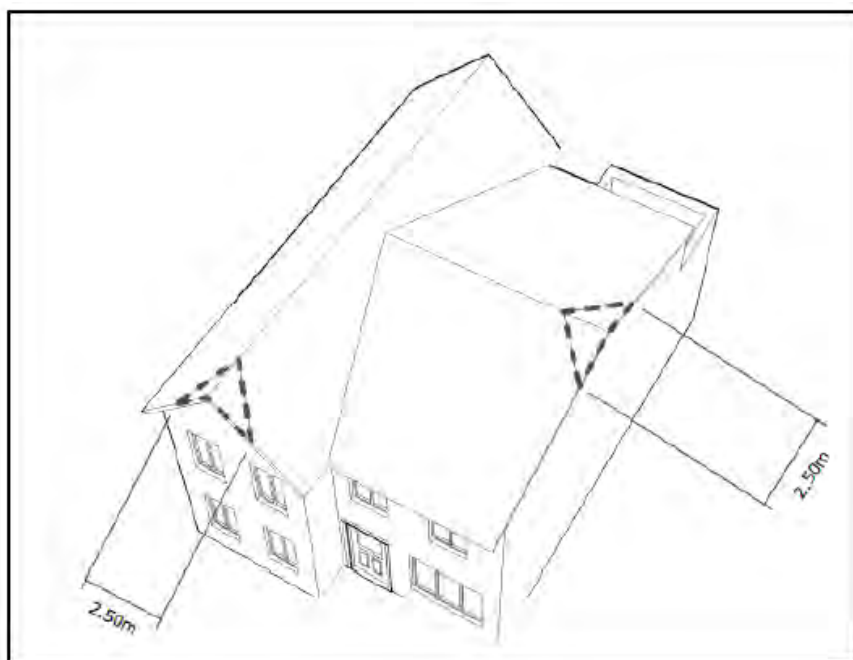
- a. no greater than 1.5m² in area and no greater than 1m in height
- b. no greater than 2.5m cumulatively in length measured along the edge of the roof.

No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

5. The height in relation to boundary rule does not apply to existing or proposed internal site boundaries within an application area.

6. The height in relation to boundary control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

Figure 2: exceptions for gable ends and dormers



4.3 Yards

Purpose:

- Maintain the built character of the streetscape and provide sufficient space for landscaping in the front yard
- Maintain a reasonable standard of residential amenity
- Ensure dwellings are adequately set back from streams and the coast
- Provide a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites

1. The minimum yards must be those in Table 4.3.1.

Table 4.3.1 Yards

Yard	Minimum depth
Front	4m
Side	1m
Rear	8m, except that a single storey building (or part of a building) up to a maximum height of 5m, is permitted within the rear yard provided that it is no closer than 3m from the rear boundary.
Riparian	10m from the edge of all permanent and intermittent streams
Coastal	10m

2. The rear yard in Table 4.3.1 does not apply to a building up to a height of 7m where the site adjoins a rear lane (access lot).

3. The side yard control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

4. A single storey unenclosed verandah / porch space attached to the building is exempt from the front yard setback provided it must not be located within 2m of the front boundary.

5. [deleted]

4.4 Outlook

Purpose: ensure a reasonable standard of amenity for dwellings and encourage building windows to face the road, rear yard and/or rear lane

1. Where the principal glazing from the principal living room or dining room of a dwelling does not face a road or a rear lane (access lot), an outlook space must be provided as follows:
 - a. a depth of 4m within the site measured at right angles to and horizontal from the window to which it applies
 - b. a width of 4m measured within the site from the centre point of the largest window on the building face to which it applies
 - c. the height of the outlook space is the same as the floor height, measures from floor to ceiling, of the building face to which the control applies.
 - d. be clear and unobstructed by buildings.

4.5 Impervious Area

Purpose: manage the amount of stormwater runoff generated by a development.

1. The maximum impervious area of the site area must be 70 percent.

4.6 Building Coverage

Purpose: manage the extent of buildings on the site to achieve the planned built character.

1. Maximum building coverage shall comply with Table 4.6.1 below:

Table 4.6.1 Maximum Building Coverage

Site Area or Activity	Maximum Building Coverage
Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent
Integrated Residential Developments	50 percent

4.7 Landscaping

Purpose:

- Provide for on-site amenity and an attractive streetscape character
- Improve stormwater absorption on-site.

1. The minimum landscaped area shall be 30 percent of the net site area.
2. At least 50 percent of the front yard must comprise landscaped area.

4.8 Outdoor Living

Purpose: provide dwellings with outdoor living space that is of a functional size and dimension and is accessible from the principal living room, dining room, kitchen and is separated from vehicle access and maneuvering areas.

1. A dwelling at ground floor level must have an outdoor living space that is at least 20m² that comprises ground floor space that:
 - a. has no dimension less than 4m and has a gradient not exceeding 1 in 20;
 - b. is directly accessible from the principal living room, kitchen or dining room;
 - c. is free of buildings, parking spaces, servicing and maneuvering areas;

2. Where an entire dwelling is located above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 5m² for studio and one bedroom dwellings and 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m.

4.9 Dwellings Fronting the Road

Purpose: ensure dwellings are orientated to provide for passive surveillance of the road and contribute to streetscape amenity.

1. The front façade of a dwelling on a site must contain:
 - a. glazing that is cumulatively at least 20 percent of the area of the front façade measured on the basis of a storey height of 2.4m per storey (excluding garage door).
 - b. a main entrance door that is visible from the road.

4.10 Fences

Purpose: enhance passive surveillance over the road and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

4.11 Garages

Purpose:

- Minimise the dominance of garages as viewed from the road
- Avoid parked cars over-hanging the footpath.

1. A garage door facing a road:
 - a. must be no greater than 50 percent of the width of the front façade of the dwelling to which the garage relates.
 - b. must not project forward of the front façade of a dwelling.
 - c. must be set back at least 5m from the site's frontage.
2. If the site is served by a rear lane (access lot) there must not be a garage on the site's road frontage.

4.12 Vehicle Access

Purpose: maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings

1. Sites fronting a road with a 3m shared footpath on the site's frontage must not have direct vehicle access to that road frontages.
2. Where the site is served by a rear lane (access lot) there must not be direct vehicle access from the road.
3. *[deleted]*

4.13 Minimum dwelling size

Purpose:

- Dwellings are functional and of a sufficient size to provide for the day-to-day needs of residents, based on the number of occupants the dwelling is designed to accommodate.
1. Dwellings must have a minimum net internal floor area as follows:
 - a. 30 m² for studio dwellings
 - b. 45 m² for one bedroom dwellings

5. Development Controls – Residential Mixed Housing Urban Zone

The following development controls apply to activities listed in Activity Table 1.1 of this precinct and Activity Table H5.4.1 of the Residential – Mixed Housing Urban Zone instead of the development standards listed in Standard H5.6, with the exception of the following standards:

- a) H5.6.2 Home occupations
- b) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.
- c) H5.6.17 Rainwater tanks

5.1 Building Height

Purpose: manage the height of buildings to:

- Be consistent with an urban residential character
- Maintain a reasonable standard of amenity for adjacent sites
- Support intensification of residential density and intensity
- Provide some flexibility to enable variety in roof forms

1. Buildings must not exceed 11.5m in height.

5.2 Height in relation to boundary

Purpose:

- Enable building height and intensity to be located in the front of the site to provide a built character and streetscape consistent with the planned urban environment and its density
- Manage height in the rear yard of the site to minimise adverse visual dominance, allow the establishment of spacious rear yards, solar access to rear yards, and reasonable outlook and privacy (subject to rear lane-accessed housing)
- Enable the passive surveillance of the rear lanes by providing for minor dwelling or habitable space above the garage

1. The following height in relation to boundary controls shall apply.

a. no height in relation to boundary control shall apply to the road boundary or a boundary with a rear lane (access lot).

b. no height in relation to boundary control shall apply to the side boundaries located outside the 8m rear yard.

c. A height in relation to boundary of 2.5m and either 45 degrees (for east or west boundaries), 55 degrees (for north boundaries), 35 degrees (for southern boundaries) shall apply to the side boundaries located within the 8m rear yard.

2. A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

a. no greater than 1.5m² in area and no greater than 1m in height

b. no greater than 2.5m cumulatively in length measured along the edge of the roof.

3. No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

4. The height in relation to boundary rule does not apply to existing or proposed internal site boundaries within an application area.

5. The height in relation to boundary control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

5.3 Yards

Purpose:

- Maintain the built character of the streetscape, enable more intensive development adjoining the road and interaction with the road, and provide reasonable transitional space for landscaping in the front yard
- Maintain a reasonable standard of residential amenity
- Ensure buildings are adequately set back from streams and the coastal edge to maintain water quality and provide protection from natural hazards
- Provide a reasonable standard of visual and acoustic privacy between different buildings, including their outdoor living space, on the same or adjacent sites
- Provide an additional setback along Jesmond Road

1. The minimum yards must be those in Table 5.3.1.

Table 5.3.1 Yards

Yard	Minimum depth
Front	2.5m, except that a 8.5m front yard applies to the length of Jesmond Road identified as "Collector Road (Possible Future Arterial Road) on Precinct Plan 2, subject to 6 below.
Side	1m One side yard can be reduced to 0m provided that legal provision is made for access for maintenance of the structure or it is a common / party wall.
Rear	8m, except that a single storey building (or part of a building) up to a maximum height of 5m, is permitted within the rear yard provided that it is no closer than 3m from the rear boundary.
Riparian	10m from the edge of all permanent and intermittent streams
Coastal	10m

2. The rear yard in Table 5.3.1 does not apply to a building up to a height of 7m where the site adjoins a rear lane (access lot).

3. The side yard control does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

4. A single storey unenclosed verandah / porch space attached to the building is exempt from the front yard setback provided it must not be located within 1m of the front boundary.

5. *[deleted]*

6. The 8.5m front yard required in Table 5.3.1 shall lapse two years after it becomes operative unless a plan change is notified prior to that date, seeking to have Jesmond Road classified as an Arterial Road under the Auckland Unitary Plan. If a plan change has not been notified, the 2.5m yard shall apply thereafter.

Note: Additional yard setbacks may be required to meet the requirements of Chapter D26 National Grid Corridor Overlay.

5.4 Outlook

Purpose: ensure a reasonable standard of amenity for dwellings and encourage building windows to face the road, rear yard and/or rear lane

1. Where the principal glazing from the principal living room or dining room of a dwelling does not face a road or a rear lane (access lot), an outlook space must be provided as follows:

- a. a depth of 4m within the site measured at right angles to and horizontal from the window to which it applies
- b. a width of 4m measured within the site from the centre point of the largest window on the building face to which it applies
- c. the height of the outlook space is the same as the floor height, measures from floor to ceiling, of the

building face to which the control applies.
d. be clear and unobstructed by buildings.

5.5 Impervious Area

Purpose: manage the amount of stormwater runoff generated by a development.

1. The maximum impervious area of the site area must be 70 percent.

5.6 Building Coverage

Purpose: manage the density of buildings on the site consistent with the urban residential character.

1. Maximum building coverage shall comply with Table 5.6.1 below:

Table 5.6.1 Maximum Building Coverage

Site Area or Activity	Maximum Building Coverage
Sites over 400 net site area	40 percent
Sites under 400 net site area	50 percent
Integrated Residential Developments	50 percent

5.7 Landscaping

Purpose:

- Provide for on-site amenity and an attractive streetscape character
- Improve stormwater absorption on-site.

1. The minimum landscaped area shall be 30 percent of the net site area.

2. At least 50 percent of the front yard must comprise landscaped area (excluding the area of an unenclosed verandah space from rule 4.3.4 above).

5.8 Outdoor Living

Purpose: provide dwellings with outdoor living space that is of a functional size and dimension and is accessible from the principal living room, dining room, kitchen and is separated from vehicle access and maneuvering areas.

1. A dwelling at ground floor level must have an outdoor living space that is at least 20m² that comprises ground floor space that:

- a. has no dimension less than 4m and has a finished gradient not exceeding 1 in 20;
- b. is directly accessible from the principal living room, kitchen or dining room;
- c. is free of buildings, parking spaces, servicing and maneuvering areas;

2. Where an entire dwelling is located above ground level, it must have an outdoor living space in the form of a balcony or roof terrace that is at least 5m² for studio and one bedroom dwelling and 8m² for two or more bedroom dwelling and has a minimum dimension of 1.8m.

5.9 Dwellings Fronting the Road

Purpose: ensure dwellings are orientated to provide for passive surveillance of the road and contribute to streetscape amenity.

1. The front façade of a dwelling on a site must contain:

- a. glazing that is cumulatively at least 20 percent of the area of the front façade measured on the basis of a storey height of 2.4m per storey (excluding garage door).
- b. a main entrance door that is visible from the road.

2. A habitable room fronting a rear lane (access lot) must have a façade that contains glazing that is cumulatively at least 20 percent of that storey's façade to the rear lane.

5.10 Fences

Purpose: enhance passive surveillance over the road and maintain the open character of front yards.

1. Fences in a front yard must not exceed 1.2m in height.

5.11 Garage

Purpose:

- Minimise the dominance of garages as viewed from the road
- Avoid parked cars over-hanging the footpath.

1. A garage door facing a road:

- a. must be no greater than 50 percent of the width of the front façade of the dwelling to which the garage relates.
- b. must not project forward of the front façade of a dwelling.
- c. must be set back at least 5m from the site's frontage.

2. If the site is served by a rear lane (access lot) there must not be a garage on the site's road frontage.

5.12 Vehicle Access

Purpose: maintain a safe road frontage and shared space footpath uninterrupted by vehicle crossings

1. Sites fronting a Future Collector road (New), Collector road (New), Collector road (Existing), Collector road (possible future arterial) and a Collector road – Protected Cycleway identified on precinct plan 1 or 2 or a road with a 3m shared footpath on the site's frontage must not have direct vehicle access to that road frontage.

2. Where the site is served by a rear lane (access lot) there must not be direct vehicle access from the road.

3. *[deleted]*

5.13 Minimum dwelling size

Purpose: Dwellings are functional and of a sufficient size to provide for the day-to-day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

1. Dwellings must have a minimum net internal floor area as follows:

- a. 30 m² for studio dwellings
- b. 45 m² for one bedroom dwellings

6. Subdivision Controls

Unless specified below, the standards applicable to the overlays, zones and Auckland-wide provisions apply to all activities listed in Activity Table 1.3.

The following standards do not apply to activities listed in Activity Table 1.3:

- (1) Chapter E38 Subdivision – Urban: E38.8.2.3 Vacant sites subdivisions involving parent sites of less than 1 hectare

6.1 Minimum Site Sizes for Vacant Sites – Residential Zones

1. Minimum vacant site sizes shall comply with Table 6.1.1 below:

Table 6.1.1 Minimum Site Sizes for Proposed Vacant Sites – Residential Zone

Site Width	Minimum Site Size
Minimum site size where the minimum front site width is 12.5m or greater	325m ²
Minimum site size where the minimum front site width is between 10m and 12.49m and Table 7 (Alternative Front Site) is complied with and the site's frontage is not to a road on the north-west to north-east boundary	260m ²

2. *[deleted]*

3. There are no minimum site sizes where subdivision is proposed as part of an integrated land use consent or to subdivide around an approved land use consent for a residential development.

4. *[deleted]*

6.2 Minimum Site Dimensions for Vacant Sites

1. Minimum site dimensions for vacant sites shall comply with Table 6.2.1 below:

Table 6.2.1 Minimum Site Dimensions for Proposed Vacant Sites – Residential zones

Site Type or Measurement	Dimension
Front site: Minimum Width in metres	12.5m
Alternative Front Site: Width in metres where a legal mechanism restricts the width of a garage and vehicle crossing for any subsequent building development to a single car width or where a rear lane provides legal access	10m to 12.49m
Front Site: Minimum Depth in meters	26m
Minimum Legal Width of Rear Lanes in meters	7m

2. There are no minimum site dimensions where subdivision is proposed as part of an integrated land use and subdivision consent or to subdivide an approved land use consent for a residential development.

3. *[deleted]*

4. *[deleted]*

6.3 Movement Network

1. All subdivision must comply with the following controls:

a. all new subdivisions, roads and lots shall comply with the following:

- i. maximum Block Length: 250m
- ii. maximum Block Perimeter: 750m

For clarity the measurements above may be curvilinear.

b. *[deleted]*

c. collector roads must be provided in accordance with the alignments in precinct plan 1 and 2.

d. roads must be constructed to the standards illustrated in Figures 3 to 11 below (with reference to precinct plan 1 and 2) or where not contained in the figures below, the relevant Auckland Wide rules shall apply. Except that:

- i where a road is located within the National Grid Corridor Overlay, the road will be constructed with a design specific to the accommodation of the Corridor. The design will be determined as part of the resource consent required by Chapter D26 National Grid Corridor Overlay.
- ii The future collector road (new) is required to be:
 - a. formed to a Local Road standard only as set out in Figure 11 – Road 1 Future Collector Road (New) – Interim Local Road formation.
 - b. Vested to enable the future construction of the Future Collector Road (New) as set out in Figure 10.

Note 1:

1. The alignment of the future collector road (new) as shown on Precinct Plan 2 is indicative and may vary by up to 20m. The exact alignment of the future collector road (new) will:

- Be determined through detailed design in conjunction with subdivision and /or land use consent applications;
- Provide for the length of the road to connect across property boundaries i.e. the road will be constructed up to the boundary of the adjoining property to allow it to be continued;
- Connect at its eastern end with the road in Precinct Plan 1; and
- Connect at its western end with Jesmond Road.

e. Prior to the occupation of any new dwelling or unit in the Precinct Plan 2 area, the intersection of SH22 and Jesmond Road must be upgraded with a double lane roundabout with approach lanes, or traffic signals (including approach lanes) where the posted speed limit supports their implementation to provide a safety and capacity solution, unless an interim traffic safety solution has been approved by the New Zealand Transport Agency as the requiring authority for State Highway 22. This rule:

- Also applies to integrated residential developments sought as a land use consent application; and
- Continues to apply to each application for subdivision or development within the Precinct Plan 2 area until such time as the intersection of State Highway 22 and Jesmond Road has been upgraded with a double lane roundabout or traffic signals.

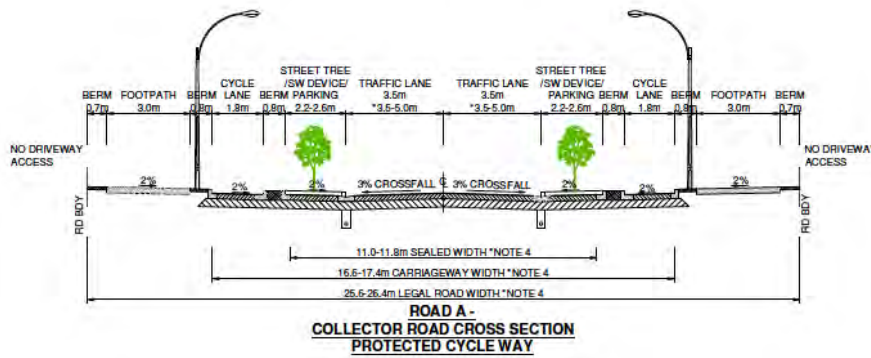
Note 1: If an interim traffic safety solution has been implemented at the SH22/Jesmond Road intersection under this rule, applicants are advised that they are required to consult with the New Zealand Transport Agency and Auckland Transport to determine whether this interim solution needs to be upgraded to a roundabout or traffic signals to address safety and capacity matters, prior to any further subdivision or development proceeding within the Precinct Plan 2 area.

f. Sites fronting the Collector Road (possible future arterial) shall provide for a 8.5m front yard setback along the boundary with the Collector Road (possible future arterial) at the time of subdivision. This rule shall lapse two years after it becomes operative unless a plan change is notified prior to that date, seeking to have Jesmond Road classified as an Arterial Road under the Auckland Unitary Plan.

2. *[deleted]*

Figures 3 to 11 Road Cross Sections

Figures 3 and 4



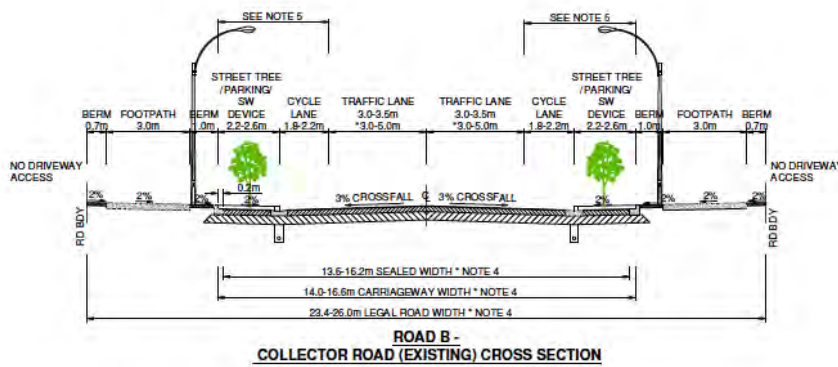
NOTES:

STORMWATER NOTE:

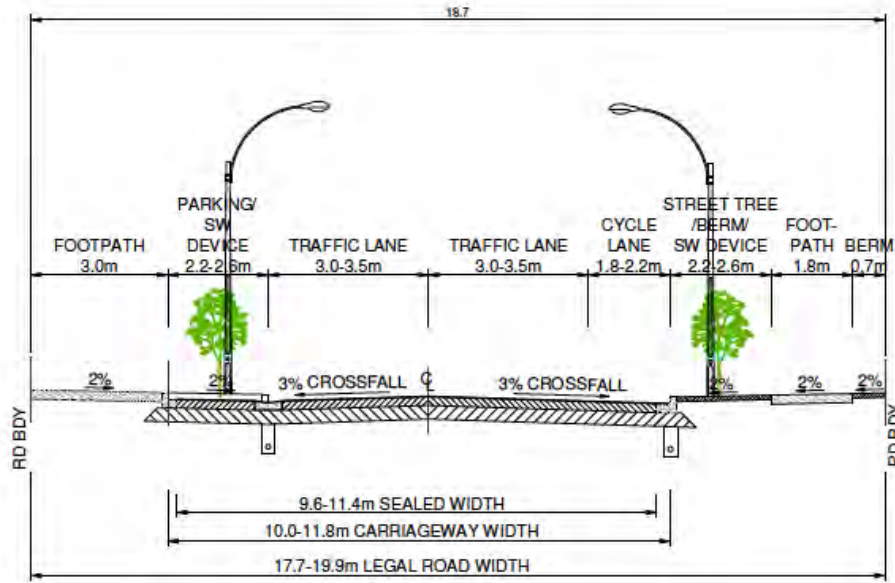
1. STORMWATER DEVICE WIDTH TO BE CONFIRMED SUBJECT TO WIDTH OF DEVICE USED.

COLLECTOR ROAD:

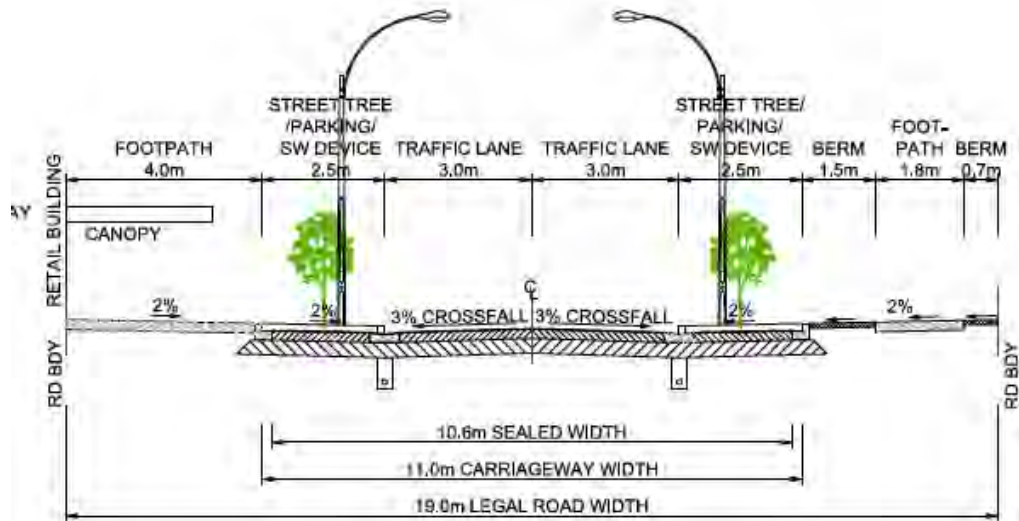
1. TRAFFIC LANE WIDTH 3.0m UNLESS PUBLIC TRANSPORT ROUTE.
2. CYCLE LANE WIDTH VARIES IN TREATMENT I.E. SEPARATED/ BUFFER DEPENDING ON TRAFFIC VOLUMES ON COLLECTOR ROAD.
3. TRAFFIC LANES TO INCREASE 3.0m FOR TRAFFIC RIGHT TURNING BAYS ON ROAD A AND B
4. ALL CARRIAGEWAY/LEGAL ROAD WIDTH TO INCREASE FOR TURNING BAYS TO MAINTAIN STANDARD PARKING/ SW DEVICE/ CYCLE LANES AND BERMS WIDTHS AS SHOWN
5. CYCLELANE AND PARKING BAYS CAN BE INTERCHANGEABLE



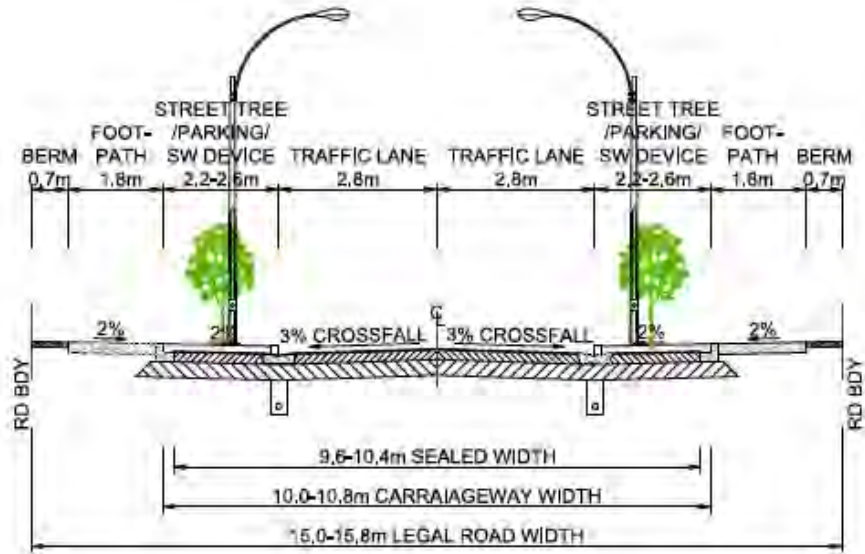
Figures 5 and 6



**ROAD C -
COLLECTOR ROAD (NEW) CROSS
SECTION**



**ROAD E -
LOCAL CENTRE ROAD
CROSS SECTION**



**ROAD F -
LOCAL ROAD (PARKING BOTH SIDES)
CROSS SECTION**



**ROAD H -
LOCAL ROAD (PARKING ONE SIDE)
CROSS SECTION**

Figure 9



Figure 10

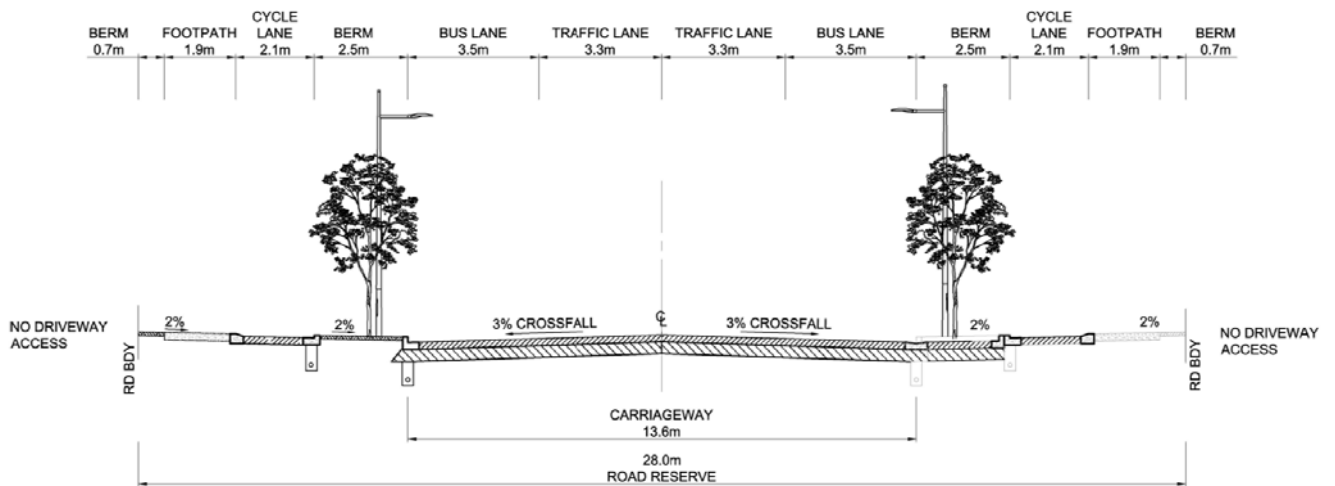
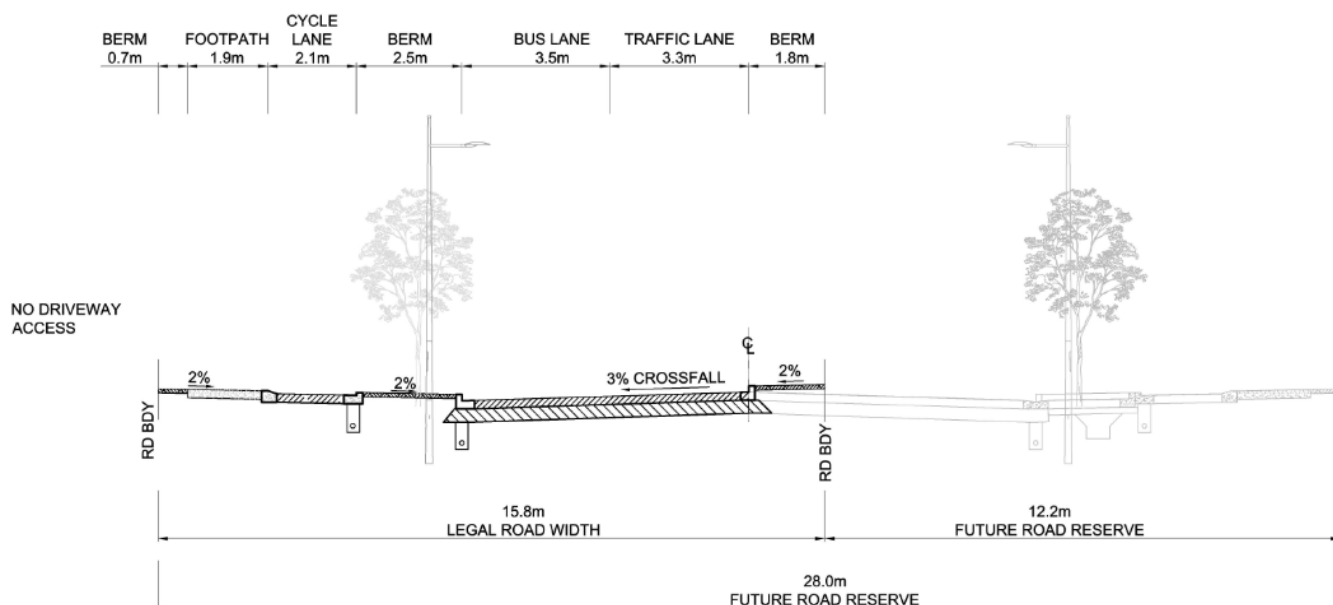


Figure 11



Road I Future Collector Road (New) – Interim Local Road formation

Notes:

1. stormwater device width to be confirmed subject to width of device used.

6.4 Park Edge Roads

1. Where subdivision adjoins an Open Space Zone or Future Esplanade Reserve on precinct plan 1 and 2 or a recreation reserve to vest then park edge roads must be provided.
2. *[deleted]*

6.5 Site Access

1. Where subdivision adjoins a Future Collector road (New), Collector Road (New), Collector Road (Existing), Collector Road (possible future arterial) or a Collector Road – Protected Cycleway identified on the Precinct Plan 1 and 2 or a road with a 3m shared footpath on the site’s frontage, rear lanes (access lot) or access from side roads must be provided so that no vehicle access occurs directly from the site’s frontage to the 3m shared footpath or the road frontage.

6.6 Riparian Margin

1. Riparian margins must be planted either side to a minimum width of 10m measured from the bank of the stream. This rule shall not apply to road crossings over streams.
2. Any planting required, will be implemented in accordance with a council approved landscape plan and must be use eco-sourced native vegetation, be consistent with local biodiversity and planted at a density of 10,000 plants per hectare.
3. *[deleted]*

6.7 Stormwater Management

1. Within catchments draining to streams, stormwater runoff from impervious surfaces within roads

(and future roads) of 50 m² and over must be directed to a stormwater device(s) designed and sized to achieve the following stormwater hydrology mitigation requirements:

Except as provided by c. the following (a. and b.) applies.

a. provide retention (volume reduction) of at least 5mm of runoff depth for the impervious area for which hydrology mitigation is required; and

b. provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event minus the 5mm retention volume or any greater retention volume that is achieved, over the impervious area for which hydrology mitigation is required.

c. where:

i. a suitably qualified person has confirmed that soil infiltration rates are less than 2mm/hr or there are no areas on the site of sufficient size to accommodate all required infiltration that is free of geotechnical limitations (including slope, setback from infrastructure, building structures or boundaries and water table depth); and

ii. rainfall reuse is not available because:

- The quality of the stormwater runoff is not suitable for on-site reuse (i.e. for non-potable water supply, garden irrigation or toilet (flushing)); or
- There are no activities occurring on the site that can re-use the full 5mm retention volume of water;

the retention volume can be taken up by providing detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 95th percentile, 24 hour rainfall event over the impervious area for which hydrological mitigation is required (minus any designed retention volume that is achieved).

2. Within catchments draining to the coast, stormwater runoff from impervious surfaces within roads (and future roads) must achieve water quality treatment to all impervious surfaces based on rain gardens (or the equivalent) with a surface area sized to 2 percent of the contributing catchment.

3. Stormwater devices within the National Grid Yard must be designed to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001, including their ongoing operation and maintenance.

4. *[deleted]*

6.8 Affordable Housing

1. Rule 2.2 shall apply to subdivision applications containing 15 or more vacant sites.

7. Assessment – Land Use Control Infringements

7.1 Matters of Discretion

In addition to the general matters set out in standard C1.9(3) and the specific matters set out for infringements in the relevant underlying zones and Auckland-wide rules, the council will restrict its discretion to the matters below for the relevant land use control infringement.

1. Stormwater Management

a. the council will restrict its discretion to

- i. the matters set out in E10.8.1(1) of the Stormwater management area - Flow 1 and Flow 2 chapter
- ii. whether the non-compliance occurs on sites/lots intended for affordable housing or higher density development.

2. Development Control Infringements

a. For development control infringements within the Residential – Mixed Housing Suburban Zone, the council will restrict its discretion to those matters listed in H4.8.1(4), and the following matters:

i. For infringements to 4.9 Dwellings fronting the road, 4.11 Garages and 4.12 Vehicle access, the any policy which is relevant to the standard; the purpose of the standard; and the effects of the infringement of the standard

ii. urban design outcomes and density enabled by infringements to building coverage

b. For development control infringements within the Residential – Mixed Housing Urban Zone, the council will restrict its discretion to those matters listed in H5.8.1(4), and the following matters:

i. For infringements to 5.9 Dwellings fronting the road, 5.11 Garages and 5.12 Vehicle access, the any policy which is relevant to the standard; the purpose of the standard; and the effects of the infringement of the standard

ii. urban design outcomes and density enabled by infringements to building coverage.

3. Integrated Residential Development

a. Within the Residential – Mixed Housing Suburban Zone, the council will restrict its discretion to those matters listed in H4.8.1(3)

b. Within the Residential – Mixed Housing Urban Zone, the council will restrict its discretion to those matters listed in H5.8.1(3)

7.2 Assessment Criteria

In addition to the specific assessment criteria for the infringement in the relevant underlying zones and Auckland-wide rules, the council will consider the relevant assessment criteria below for the development control infringement.

1. On-site stormwater management

a. the assessment criteria set out in E10.8.2(1) of the Stormwater management area – Flow 1 and Flow 2 chapter.

b. where the non-compliance occurs on sites/lots intended for affordable housing or higher density development applicants may demonstrate that runoff from the impervious surfaces can be accommodated within the public stormwater system/network.

2. Development control Infringements

a. For development control infringements within the Residential – Mixed Housing Suburban Zone, the council will consider the criteria listed in H4.8.2, and the following matters:

i. For infringements to 4.9 Dwellings fronting the road; and 4.11 Garages, refer to Policy 6 of this precinct

ii. For infringements to 4.12 Vehicle access, refer to Policy 5(e) of this precinct.

iii. urban design outcomes and density enabled by infringements to building coverage

b. For development control infringements within the Residential – Mixed Housing Urban Zone, the council will consider the criteria listed in H5.8.2, and the following matters:

i. For infringements to 5.9 Dwellings fronting the road; and 5.11 Garages, refer to Policy 6 of this precinct

ii. For infringements to 5.12 Vehicle access, refer to Policy 5(e) of this precinct.

iii. urban design outcomes and density enabled by infringements to building coverage

c. the extent that any infringement of building coverage enables quality urban design outcomes and higher density development.

3. Integrated Residential Development

a. Within the Residential – Mixed Housing Suburban Zone, the council will consider the criteria listed in H4.8.2(3)

b. Within the Residential – Mixed Housing Urban Zone, the council will consider the criteria listed in H5.8.2(3)

8. Assessment – Subdivision

8.1 Matters of Discretion

1. Subdivision

a. the council will restrict its discretion to those matters listed in E38.12.1 within Chapter E38 Subdivision – Urban, and the following matters:

i. Consistency with precinct plan 1 and 2

ii. stormwater management

iii. for subdivision within the National Grid Corridor Overlay, the matters listed in D26.8.1(1) and (1A) within Chapter D26 National Grid Corridor Overlay.

iv. transportation Management

v. effects of additional traffic on the intersections identified in Assessment Criteria 8.2(3)(a) and the Norrie Road one way bridge and mitigation proposals for those effects.

vi. effects associated with the intersection of Burberry Road and SH22 and mitigation for those effects, prior to forming a physical connection to Burberry Road.

vii. for subdivision not complying with Standard 6.3(1)(d)(ii) these additional matters apply:

- protection of the route for the future collector road (new)
- integration of the proposed subdivision with the future collector road (new)
- effects on the transport network.

8.2 Assessment Criteria

1. For development that is a restricted discretionary activity, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the zone and Auckland Wide Rules:

a. the structural elements of precinct plan 1 and 2 are incorporated into the subdivision design.

b. the approach to stormwater management for roads, lanes (access lots) and sites addresses the recommendations of the Stormwater Management Plans (May 2016) for sites located within Precinct Plan 1 or March 2018 for sites located within Precinct Plan 2 (including those relating to the catchments discharging to both the streams and estuary), and that the hydrology mitigation requirements outlined in the relevant rules can be met. Consent Notices may be required on the titles of all new sites to ensure compliance with the onsite stormwater management requirements contained in the rules of this Precinct and where recommended with the subdivision application to implement the Stormwater Management Plans (May 2016 for sites located within Precinct Plan 1 or March 2018 for sites located within Precinct Plan 2).

c. the design of low impact outfalls as lengths of manmade channels with a natural form (materials and planting) to dissipate energy and minimise erosion for outfalls to streams and the coast.

d. the assessment criteria listed in E38.12.2 within Chapter E38 Subdivision – Urban.

e. *[deleted]*

2. The implementation of relevant upgrades to the roading network

Development of up to 50 households should occur when the following transport requirements are met:

- Bremner road approach to the Ngakoroa Stream Bridge to a two lane urban road (as required by the consented development) including separated cycle lanes (including a shared path on one side of the Ngakoroa Stream Bridge)
- Footpaths to link the Drury 1 precinct to Drury Township, as per Drawing Reference A1,1013-Qd1EX022 by McKenzie and Co Consulting
- SH22/Victoria Street intersection – changes to the intersection refer diagram below



- Pedestrian Improvements at Norrie road/Great South road Intersection, as illustrated at Figure 5-4 of the ITA
- Pedestrian upgrade (one side only) of Bremner road motorway overbridge, including safety improvements to the footpath and handrail structures.
- Great South road/Firth street intersection priority changes to the intersection

- a. prior to the development of 100 cumulative dwellings being constructed across the Drury 1 precinct, the Firth street/Great South road intersection improvements, including markings and curve realignment as per Drawing 1, Revision A, dated 20 June should be implemented
- b. prior to the development of 400 cumulative dwellings being constructed across the Drury 1 precinct, a dedicated cycle facility should to be constructed across State Highway 1, alongside Bremner road.

3. Effects of additional traffic on the intersections identified in (a) below and the Norrie Road one way bridge and mitigation proposed for those effects

a. Whether the proposal avoids, remedies, or mitigates adverse traffic effects to maintain the safe and efficient operation of the transport network at the following locations:

- intersection of Great South Road / Firth Street,
- intersection of Firth Street / Norrie Road,
- intersection of Great South Road / Norrie Road / Waihoehoe Road,
- intersection of Great South Road / Karaka Road (SH22),
- intersection of Victoria Street / SH22 and
- the Norrie Road One-Way Bridge.

Assessment of these adverse effects and mitigation proposed will be based on the transport assessment required to be provided with any subdivision application as outlined in Special Information Requirement 2.

b. The extent to which the road network within Precinct Plan 2 integrates with and takes into account information and outcomes associated with NZTA projects, and Auckland Council's structure planning for Drury/Opapeke.

c. The extent to which there is evidence of consultation regarding the proposal with Auckland Transport and NZTA.

4. Effects associated with the intersection of Burberry Road and SH22 and mitigation for those effects, prior to forming a physical connection to Burberry Road.

a. The extent to which, prior to the forming of a physical connection to Burberry Road, upgrading work has been undertaken to the intersection of Burberry Road and SH22 to ensure there are safe and appropriate connections.

5. For subdivision not complying with Standard 6.3(1)(d)(ii) (which requires the future collector road (new) to be constructed to local road standard as set out in Figure 11 with additional land vested to enable upgrading to a final 28m formation as set out in Figure 10) these additional assessment criteria apply:

a. Whether the proposal protects the route for the future collector road (new) with the formation identified on Figure 10 - Future Collector Road (New) - Final 28m formation, and in the location identified on Precinct Plan 2. This includes:

- clearly identifying the land to be set aside for the future collector road (new) on any subdivision plan
- the mechanisms to be used, such as conditions (including requiring a covenant under s108(2)(d) of the RMA or a consent notice under s221 of the RMA) or written legal agreements, to ensure that the land will be available for the future collector road (new) and will be kept clear and unobstructed by buildings or structures. Such mechanisms may include a time limit whereby they lapse after an appropriate period if the land no longer needs to be kept available for the future collector road (new).

b. Whether the proposed subdivision layout is designed to provide for integration with the future collector road (new) once it is constructed. This includes:

- providing connections for pedestrians and cyclists to the future collector road (new)
- providing local road access to the future collector road (new) and to any interim local road constructed within the future collector road (new) corridor on adjacent sites.

c. Whether the proposed road network can efficiently and safely accommodate walking, cycling and vehicles (excluding buses). This includes:

- providing pedestrian and cycling connectivity with the surrounding network
- avoiding generating high volumes of traffic onto local roads
- demonstrating through traffic modelling and vehicle tracking that the intersections serving the subdivision will operate safely and efficiently.

Special Information requirement:

1. All subdivision consent applications for development within Precinct Plan 2, must include a traffic assessment undertaken by a suitably qualified and experienced traffic engineer that addresses whether the proposal complies with (a) and (b) below. The assessment must utilise traffic data no older than two years at the time that a subdivision resource consent application is lodged.

The baseline scenario for the assessment is the operation of the road network at the time, plus development enabled in Precinct Plan 1 and activities that have already been consented in Precinct Plan 2.

a. Road Intersection Performance

i. All-day: No individual traffic movement shall have a LOS worse than LOS E, or have a degree of saturation higher than 95%. If the baseline scenario is already at LOS F, then:

- degrees of saturation shall be no more than the baseline scenario; or
- delay shall not increase beyond the baseline scenario by more than 10%.

ii. The overall intersection LOS shall be no worse than LOS D

For the purposes of this standard, the relevant road intersections are:

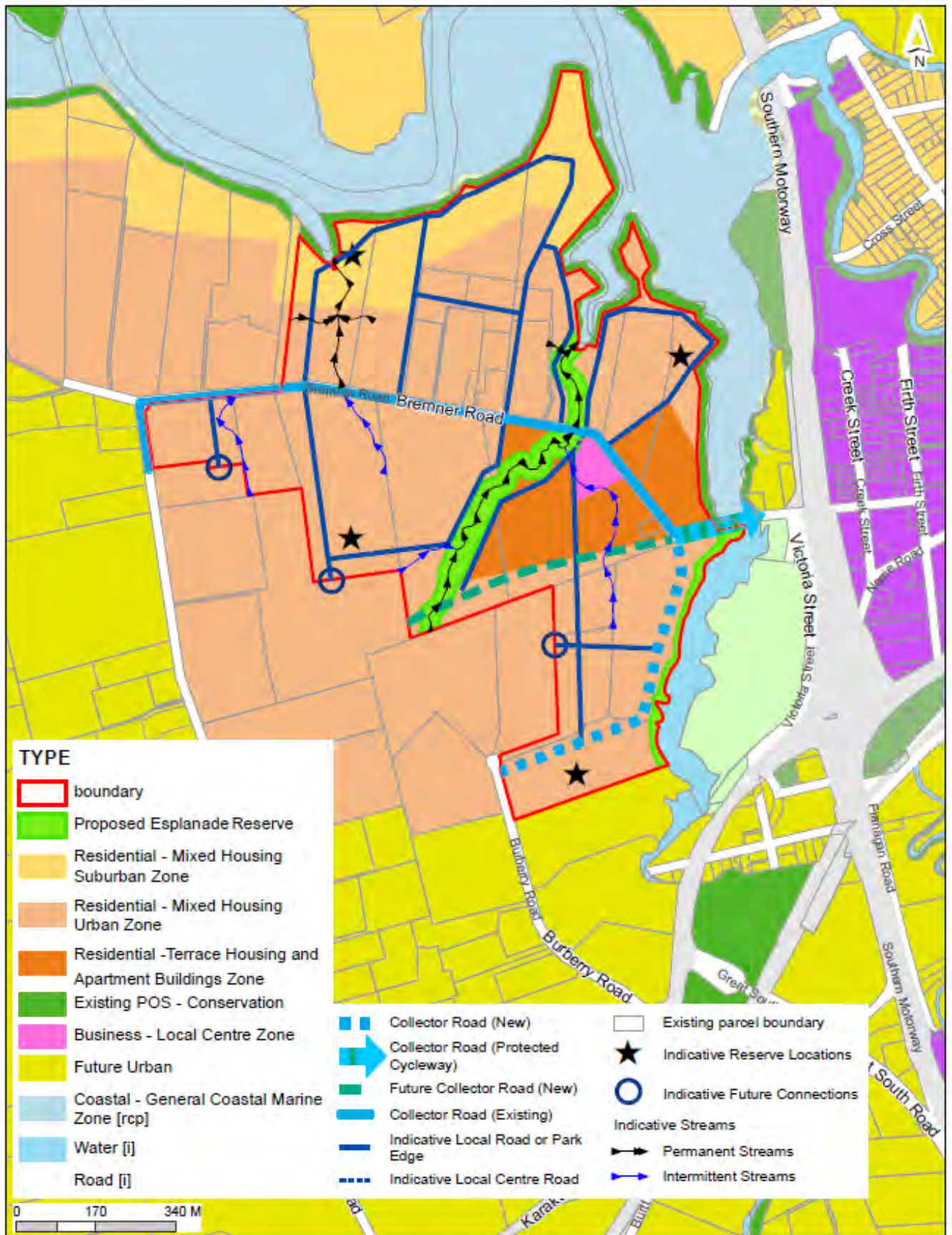
- Great South Road / Firth Street
- Firth Street / Norrie Road
- Great South Road / Norrie Road / Waihoehoe Road
- Great South Road / Karaka Road (SH22)
- Victoria Street / SH22

b. Norrie Road One-Way Bridge

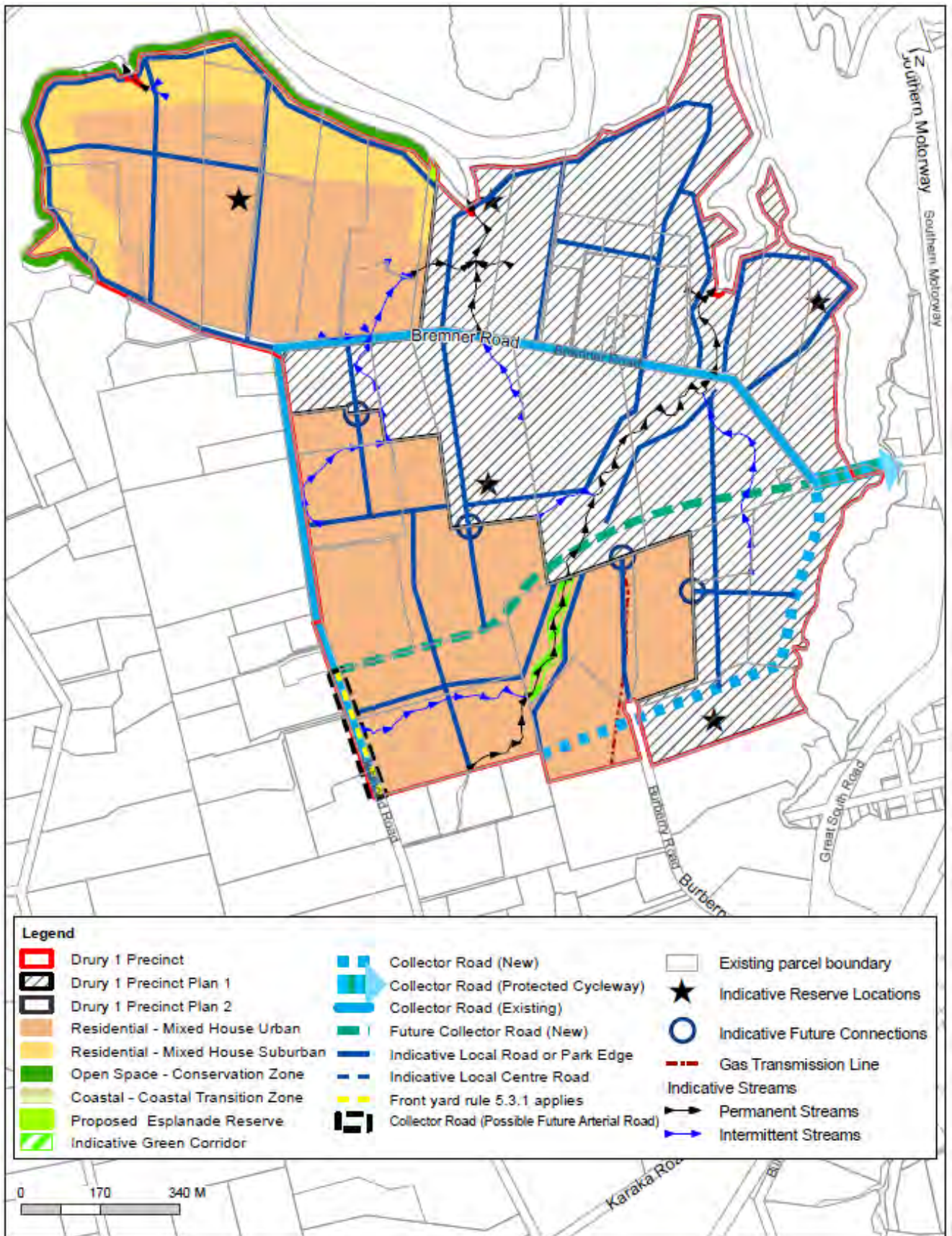
i. All-day: No individual traffic movement from upstream and downstream intersection shall have 85th percentile queues reaching or crossing the one-way bridge

- ii. Queues at the approaches to the one-way bridge shall not extend to and through the upstream intersection
- iii. Delays on the bridge shall not have LOS worse than LOS D.

9. PRECINCT PLAN 1



10. PRECINCT PLAN 2



Appendix 6.35.1 *[deleted]*

HGI

Part 14

Definitions

Contents	Page
14.1 Introduction	3
14.2 List of abbreviations used in the Plan	3
14.3 Definitions of terms used in the Plan.....	3
14.4 Definitions from the Resource Management Act 1991	28

Diagrams	Page
Figure 14.1 Entrance strip	11
Figure 14.2 Height	13
Figure 14.3 Yards.....	28

Annotations key

[DRx] indicates where the content is affected by decision report x


Underlined content to be inserted.


~~Struck through~~ content to be deleted.

where this annotation appears next to a figure, this indicates that the figure has been amended or deleted, or a new figure inserted.

[APx] indicates content is affected by Appeal x.

Plan modification annotations

 indicates where content is affected by proposed plan modification x. refer to plan modification folder or website for details.

 indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.

~~Struck through~~ content to be deleted.

14.1 Introduction

This part contains the following information:

- a list of abbreviations used in the Plan
- definitions of terms used in the Plan
- definitions from the RMA.

14.2 List of abbreviations used in the Plan

ARCAuckland Regional Council

AS/NZSJoint Australian and New Zealand Standard

DOCDepartment of Conservation

HGMPAHauraki Gulf Marine Park Act 2000

MHWSMean high water springs

NZSNew Zealand Standard

RMAResource Management Act 1991 and its amendments

14.3 Definitions of terms used in the Plan

Introduction

As well as the definitions below, there are additional specialist definitions in the following parts of the Plan:

- [part 6 - Financial contributions](#)
- [part 7 - Heritage](#)
- [part 9 - Hazardous facilities and contaminated land](#).

Definitions from the RMA are contained in [clause 14.4](#).

Definitions

Access lot	means a separate lot identified on a survey plan for the purpose of access. The lot may be jointly owned in shares by a number of users, or by a single owner. 'Access site' has a corresponding meaning.
Access strip	means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of the Act).
Accessory building	means either: <ol style="list-style-type: none"> 1. A building which is used in a way which is incidental to the use of another building or buildings on the site; or 2. A building which is used in a way which is incidental to a permitted activity on the site.
Accessway	means land providing vehicular access to a site or to a parking space. It includes any manoeuvring area associated with vehicle access.
Accommodation for care	means land or buildings used or designed to be used for residential accommodation by five or more people (exclusive of the manager and the manager's family) where live-in management, care and support are provided to the residents. This may include any of the following: <ul style="list-style-type: none"> • emergency housing, refuge centres, and halfway houses • accommodation for people who for mental or physical health reasons require management, care and support. It does not include healthcare services.
Accommodation for retired, elderly or disabled people	means a development which provides residential accommodation for retired, elderly or disabled people. The accommodation includes any of the following: <ol style="list-style-type: none"> 1. Shared accommodation, serviced apartments or small self contained dwellings (including bedsits). There may be some shared facilities such as kitchen and dining facilities, toilet and washing facilities. 2. A building or part of a building lawfully authorised and used as a rest home and providing accommodation and full-time care. Meals, nursing and other medical care may be provided. 3. A retirement village providing accommodation, recreation, welfare and medical facilities. Any serviced apartments or dwellings must comply with one of the following: <ul style="list-style-type: none"> • Be part of a development undertaken by a registered charity, society, or public body. • Be held together under one title. • Be held in unit titles under the Unit Titles Act 1972 and encumbered by an appropriate legal instrument which ensures that the use of the dwelling is confined to retired, elderly or disabled people.
Adjacent	means being near or close but not necessarily contiguous.
Ahi kaa	has the same meaning as 'mana whenua' (as in the RMA).
Airstrip	means land used for the take off and landing of aircraft used for commercial purposes. It does not include a helipad.
Allotment	has the same meaning as in the RMA.
Amenity values	has the same meaning as in the RMA.

Ancillary activities	<p>means an activity which meets all of the following:</p> <ol style="list-style-type: none"> 1. It is located on the same site as the primary activity which is permitted on that site. 2. It is incidental to the primary activity. 3. It serves a supportive function to the primary activity.
Annual exceedence probability	<p>means the chance that a particular event will occur in any given year. This may be expressed as a percentage or a ratio, eg 10% annual exceedence probability is the same as a 1 in 10 year return period for an event. This term generally relates to hazards and climatological events.</p>
Antenna	<p>means any telecommunication, radio-communication and broadcasting equipment (including a satellite dish) used for transmission or reception. It includes the antenna mounting. It does not include the supporting mast or structure.</p>
Art galleries and museums	<p>means land or buildings used for the display of artworks, historical or cultural collections to the public and includes sculpture parks. It may include the sale of these items.</p>
Biodiversity	<p>means the variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part. This includes diversity within species, between species and of ecosystems.</p> <p>Components include:</p> <ol style="list-style-type: none"> 1. Genetic diversity - the variability in the genetic makeup among individuals within a single species and those among individuals within a population. 2. Species diversity - the variety of species, whether wild or domesticated, within a particular geographical area. A species is a group of organisms which have evolved distinct inheritable features and occupy a unique geographic area. Species are usually unable to interbreed naturally with other species due to such factors as genetic divergence, different behaviour and biological needs and separate geographic location. 3. Ecological (ecosystem) diversity - the variety of ecosystem types (eg forests, deserts, grasslands, streams, lakes, wetlands and oceans) and their biological communities that interact with one another and their non-living environments.
Biosecurity	<p>means measures that protect the economy, the natural environment and people from exotic pests and diseases. It includes preventing new pest and diseases from arriving, and eradicating or controlling those already here.</p>
Boarding house or hostel	<p>means a building used or designed to be used for residential accommodation by five or more people, boarders or lodgers (not including the manager or person in charge of the building and their family). The accommodation provided includes any of the following:</p> <ul style="list-style-type: none"> • accommodation only • food and accommodation • accommodation and the use of communal food preparation, toilet and washing facilities. <p>It includes hostels for students or farm workers.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • premises which are licensed under the Sale of Liquor Act 1989 • camping facilities • dwellings (excluding the accommodation for the manager or person in charge) • homestays • visitors' accommodation • tourist complexes • accommodation for care.

Boarding kennels and catteries	means land or buildings used for the care of cats or dogs for commercial purposes, or by animal welfare agencies such as the SPCA (Society for the Prevention of Cruelty to Animals). It does not include the breeding or raising of cats or dogs for commercial purposes.
Boatshed	means an accessory building used exclusively for the construction, maintenance, or storage of boats or boating equipment.
Bridle paths	means a path or trail suitable for the purposes of riding and/or leading horses, which may also be suitable for use by pedestrians or cyclists.
Building	<p>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:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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 wholly below ground level; ○ finished in a recessive colour in a natural colour range (green, brown, grey) unless they are located wholly below ground level; ○ 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: - <ul style="list-style-type: none"> ➤ 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; ➤ at an elevation less than 3m above mean high water springs if the activity is within 20m of mean high water springs; ➤ at an elevation less than 2m above mean high water springs if the activity is located more than 20m from mean high water springs. ○ not located on a site identified in Appendix 1: Heritage schedules for the inner islands & Appendix 2: Heritage schedules for the outer islands. <p>Note: Rainwater tanks remain defined as a building under the Building Act. A building consent may still be required under the Building Act.</p>
Building Code	means the New Zealand Building Code, which is the first schedule to the Building Regulations 1992.
Building coverage	<p>means the extent or proportion of the net site area which is covered by buildings or parts of buildings.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • any parts of the eaves, spouting or bay windows which project more than 1m measured horizontally from an exterior wall

- tanks used for collecting and storing rainwater for reuse on the site.
- overhanging and cantilevered parts of buildings.

It does not include any of the following:

- pergolas with a permanently open roof
- parking below ground level with landscaping above which includes soil of sufficient depth to allow drainage
- earthen terracing
- satellite dishes
- tanks used for collecting and storing rainwater for reuse on the site.

Maximum building coverage may be defined as an area (such as in m²) or as a proportion (such as a percentage) of the net site area depending on the requirements of the Plan.

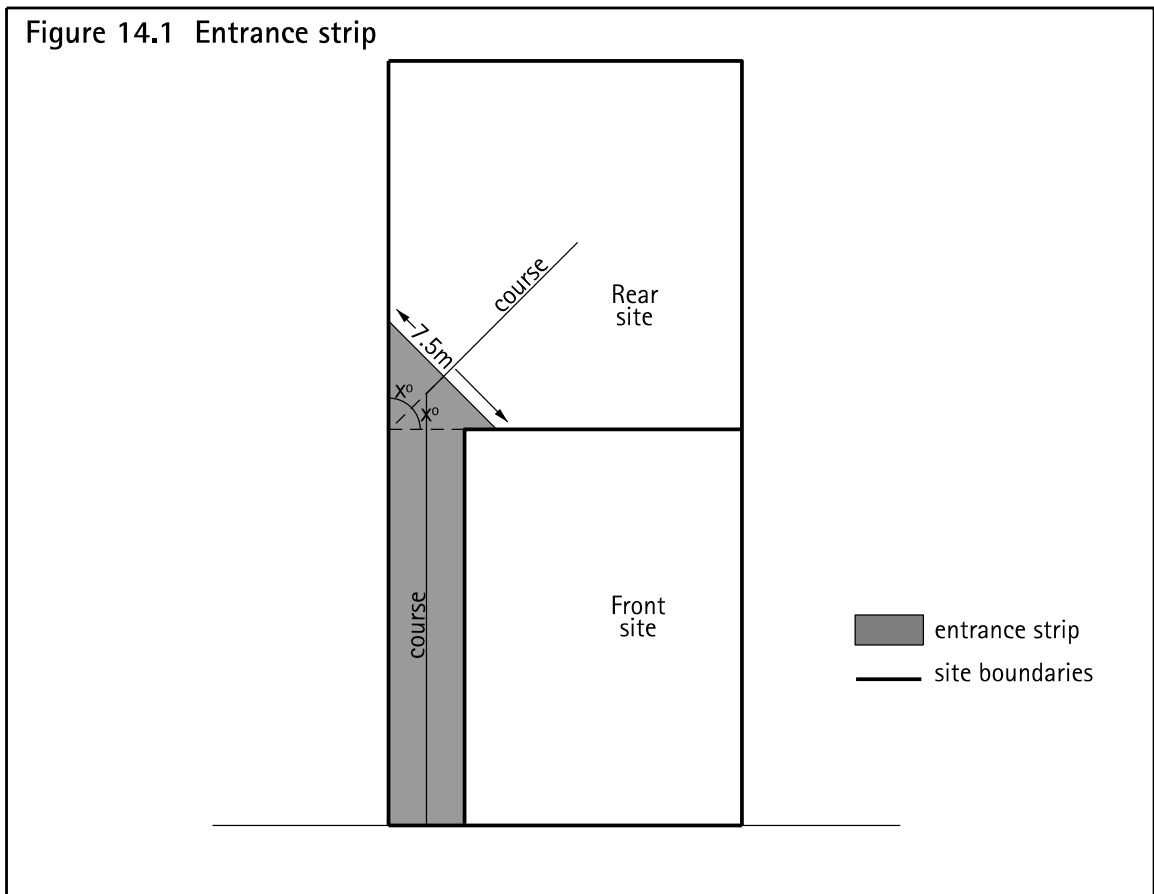
Building footprint	means the area of ground covered by a single building.
Building line	means a line drawn on the planning maps to indicate the extent of a building restriction yard.
Camping facilities	<p>means land or buildings used or designed to be used for rent, hire or reward for temporary living places by two or more families or groups of people living independently of each other.</p> <p>The temporary living places may include any of the following:</p> <ul style="list-style-type: none"> • a tent • a caravan, campervan or other vehicle occupied either wholly or in part as a temporary living place. <p>The families or groups may share common entrances, water supplies, cooking facilities, toilet and washing facilities, or other premises and equipment.</p>
Care centre	<p>means land or buildings where any of the following apply:</p> <ol style="list-style-type: none"> 1. Three or more children (in addition to the children of the person in charge) aged 5 years or younger are educated and cared for. It may be licensed as such by regulation. 2. Three or more children aged 5 years or older (in addition to the children of the person in charge) are cared for out of school hours. 3. Elderly people are cared for during the day. 4. People with disabilities are cared for during the day. <p>It includes creches, playcentres, kindergartens, childcare centres, kohanga reo, and play groups.</p>
Catchment	means an area of topography from which surface water flows via a self contained drainage system.
Commercial carparking	means land or buildings providing parking available to members of the public for a charge or fee. It does not include parking required under rule 13.7.2 .
Commercial firewood harvesting	<p>means the harvesting of living manuka, kanuka for the production and sale of firewood. The harvesting must occur in accordance with a management plan.</p> <p>It does not include other activities associated with the milling or processing of trees.</p> <p>Note: the Plan does not restrict the harvesting or sale of exotic or dead vegetation</p>
Community facilities	<p>means land or buildings used for community or public use and run on a not-for-profit basis.</p> <p>It includes places used for the gathering of people for recreation, worship, cultural and spiritual instruction and deliberation, public halls and libraries.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • entertainment facilities • healthcare services • restaurants, cafes and other eating places.



Comprehensive development	means a subdivision which creates at least three sites and which provides for the integrated assessment of the proposed sites, access (including any public access) and the development to be located on those sites.
Construction noise	means the noise arising from construction work.
Construction work	<p>means:</p> <p>'any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of:</p> <ol style="list-style-type: none"> a. Any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level; b. Any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome; c. Any drainage, irrigation, or river control work; d. Any electricity, water, gas, or telecommunications reticulation; e. Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation; or f. Any scaffolding. <p>Construction work includes:</p> <ol style="list-style-type: none"> g. Any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of construction work; h. The use of any plant, tools, gear, or materials for the purpose of any construction work; i. Any construction work carried out underwater, including work on ships, wrecks, buoys, rafts and obstructions to navigation; and j. Any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.' <p>This is the same definition as in NZS 6803:1999 Acoustics - Construction Noise.</p>
Contaminated land	has the same meaning as in the RMA.
Continuous canopy indigenous forestry	<p>means the sustainable harvesting of indigenous forests on a continuous canopy basis so that the ground is always covered by a canopy of tree species. The land must be registered with the New Zealand government's Permanent Forest Sink Initiative ('PFSI') and have a forest sink covenant registered on the title. Harvesting must be in accordance with the requirements of the PFSI.</p> <p>Note: To be eligible for the PFSI, the land must not have contained forest on 31 December 1989 and a change in land management practices since then must promote forest growth.</p>
Controlled activity	has the same meaning as in the RMA.
Co-operatively owned land	<p>means land owned by a number of individuals under a legally recognised, co-operative company or society structure. Land owned co-operatively has a corresponding meaning.</p> <p>Note: this definition is used in the context of the Plan rules which provide for multiple dwellings.</p>
Council	means the Auckland City Council. It includes any committee, community board, elected member of the council, or officer authorised to exercise the functions, duties or powers of the council.
Dairy	means a shop with a gross floor area of less than 50m ² (not including any attached dwelling) that supplies milk, bread, non-alcoholic drinks, packaged food and a variety of produce and household consumables.

DOC structures, facilities and operations	<p>means all structures, facilities and operations that are necessary to achieve the Department of Conservation's functions under the Conservation Act 1987 and consistent with any conservation management strategy, conservation management plan or management plans established under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act.</p> <p>It includes walking tracks, boardwalks, staircases, toilets, tramping huts and bunkhouses.</p>
Designation	has the same meaning as in the RMA.
Discretionary activity	has the same meaning as in the RMA.
Domestic firewood harvesting	<p>means the harvesting of living kanuka and manuka for the purpose of personal domestic firewood.</p> <p>It does not include other activities associated with the milling or processing of trees or the sale of firewood.</p> <p>Note: The Plan does not restrict the harvesting or sale of exotic or dead vegetation</p>
Dwelling	<p>means a building or a cluster of buildings, a room or group of rooms used or designed to be used exclusively on a permanent or temporary basis by one or more people as a separate household unit.</p> <p>Sleepouts must be treated as a building forming part of a dwelling rather than as an accessory building.</p> <p>It also includes the use of land for uses ancillary or incidental to a dwelling.</p> <p>Note: The terms 'accessory building', 'household unit' and 'sleepout' are defined elsewhere in this section.</p>
Earthen terracing	means an area of compacted earth that is above ground level, and includes any compacted earth behind a retaining wall.
Earthworks	<p>means earthmoving operations.</p> <p>It does not include quarrying, blasting, or rock drilling.</p> <p>Earthworks otherwise includes any of the following:</p> <ol style="list-style-type: none"> 1. The disturbance of land surfaces by: <ol style="list-style-type: none"> a. moving, removing, placing or replacing earth (including soil, clay, sand and rock); or b. excavation, contouring, cutting or filling operations. 2. Digging trenches for utility services or effluent disposal systems. 3. Cleanfill operations involving the depositing of soil or earth onto or into land, and not including material subject to biological breakdown.
Ecological corridor	means a geographical connection between natural habitats which provides for the movement of native flora and fauna between those habitats or provides a further habitat.
Ecosourcing	means the use of indigenous species naturally occurring in the general vicinity and the use of local genetic stock. In practice, this means sourcing seeds or cuttings from as close to the planting site as possible (eg from the same ecological unit or district). ' Ecosourced ' has a corresponding meaning.
Educational facilities	<p>means land or buildings used to provide regular instruction or training in accordance with a curriculum by teachers or instructors.</p> <p>It includes schools, technical institutes, teachers' colleges, universities, outdoor education centres, sports training establishments and home-schooling for more than two children not resident on the site.</p> <p>The activity also includes ancillary administrative, cultural, health, retail and communal facilities.</p>
Effect	has the same meaning as in the RMA.

Electricity network	<p>means a system made up of electrical links to allow the distribution of electricity. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes cables (service connection and distribution lines), cabinets, conductors, transformers, substations, and Totally Underground Distribution Systems (TUDS). 2. Aboveground infrastructure located above the existing ground surface. This includes cabinets, pillars, transformers and substations. 3. Overhead infrastructure located over the existing ground surface and suspended by poles or support structures. This includes cables (service connection and distribution lines) and support poles, and any equipment or structure located on support poles.
Emergency services facilities	<p>means land and buildings used for a fire station, ambulance station or police station. This may include administration, vehicle and equipment storage and maintenance, and training.</p>
Entertainment facilities	<p>means land or buildings that are used for:</p> <ul style="list-style-type: none"> • recreation and entertainment; or • promotion of fitness. <p>It includes any of the following:</p> <ul style="list-style-type: none"> • premises used for gambling • theatres and cinemas • brothels and massage parlours • gymnasiums • commercial swimming pools • internet cafes (where more than five computer terminals are available for hire and use on the premises for gaming or internet access). <p>It does not include community facilities.</p>
Entrance strip	<p>means the narrow part of a site, designed to provide vehicle or other access from a road to the main part of the site. The entrance strip may have easements that provide access to other sites. The entrance strip only includes the narrow part of the site until it reaches 7.5m wide, perpendicular to the course of the entrance strip (as shown on figure 14.1: Entrance strip).</p>
Environment	<p>has the same meaning as in the RMA.</p>
Equestrian activity	<p>means any activity involving the riding or leading of horses, including the teaching and learning of horse riding skills, and the showing of horses competitively (including trotting, galloping and cross-country jumping).</p>
Erosion risk zone	<p>means land and sites likely to be affected by coastal erosion. Land and sites within an 'erosion risk zone' is identified on the planning maps.</p>
Exploration	<p>means:</p> <p>'any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and 'to explore' has a corresponding meaning'</p> <p>This is the same definition as in the Crown Minerals Act 1991.</p>
Freight handling and wharf administration activities	<p>means land or buildings used for any of the following:</p> <ul style="list-style-type: none"> • administrative offices associated with a wharf • the moving or storage of freight.



Forestry means the management of land for commercial wood production including the extraction of timber.

It does not include any of the following:

- the milling or processing of timber
- commercial firewood harvesting.

Function facilities means land or buildings, or parts of buildings, where any of the following activities are held on a commercial basis:

1. Organised conferences, conventions, seminars and meetings.
2. Events and celebrations such as parties, wedding and funeral receptions.

It does not include community facilities.

Funeral parlour means land or buildings used for the purpose of directing or conducting funerals. It may include one or more of the following:

- mortuary facilities
- a place for holding funeral services
- facilities for cremating the bodies of people who have had their funeral on the premises.

Gross floor area ('GFA') means the combined area of all internal floorspaces, including any mezzanine floors, outdoor courtyards and external decking used for a commercial purposes such as beer gardens. The area includes all floors of all buildings on the site, but excludes any area used for required parking and loading spaces.

Gross site area means the total area of a site. It includes any entrance strip.

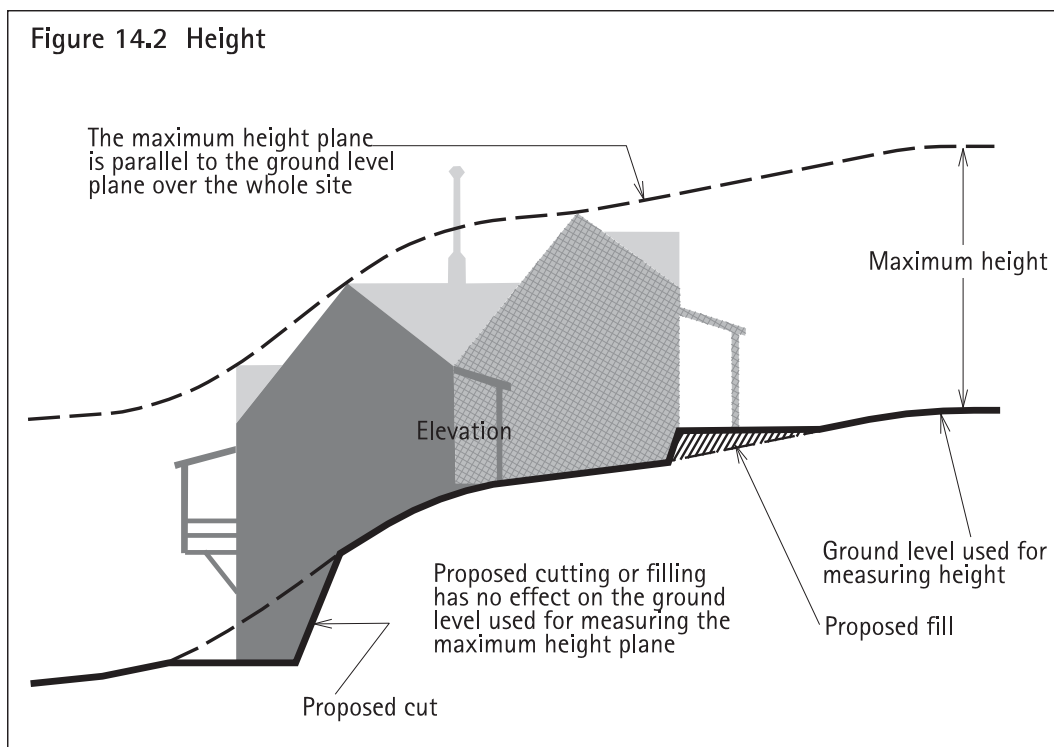


Ground level	means the finished level of the ground at the time the council issued a completion certificate under s224c of the RMA for the most recent subdivision applying to the site. However where there has been no such subdivision since 18 September 2006, the ground level will be taken to be the finished level of the ground as shown in the contour information based on 'light detection and ranging technology' (LIDAR) and flown between September 2005 and February 2006.
Hazardous facility	<p>means activities involving hazardous substances and sites.</p> <p>It includes any of the following:</p> <ol style="list-style-type: none"> 1. Sites where hazardous substances are used, stored or disposed of. 2. Vehicles used for transporting hazardous substances. <p>It does not include any of the following:</p> <ol style="list-style-type: none"> 1. The incidental use and storage of hazardous substances in minimal domestic scale quantities. 2. Hazardous activities which do not involve hazardous substances but which may pose a risk to people or the natural environment due to a physical or biological hazard (eg earthworks, electromagnetic radiation, genetically modified organisms and flour dust). 3. Network utility pipelines used for the transfer of hazardous substances such as gas, oil and sewage. 4. Infectious substances. 5. Retail premises which sell hazardous substances for the domestic use (eg supermarkets, hardware shops, pharmacies). 6. Fuel in motor vehicles, boats and small engines. 7. Facilities using genetically modified organisms.
Hazardous substance	<p>means any of the following:</p> <ol style="list-style-type: none"> 1. Substances with one or more of the following intrinsic properties: <ul style="list-style-type: none"> • an explosive nature • an oxidising nature • a corrosive nature • flammability • acute and chronic toxicity • ecotoxicity with or without bioaccumulation. 2. Substances which in contact with air or water (other than air and water where the temperature or pressure has been artificially increased or decreased) generate a substance with any one or more of the properties specified in item (1) above. 3. Substances which when discharged to surface or ground waters, have the potential to deplete oxygen as a result of the microbial decomposition of organic materials (eg milk or other food stuffs). 4. Radio-active substances except smoke detectors.
Hauraki Gulf islands	means that part of Auckland City excluding the Central Area and the Isthmus. This is shown in figure 1.1: Geographic areas .
Healthcare services	<p>mean land or buildings used for treatment or diagnosis of physical or mental health or welfare for people or animals.</p> <p>It includes hospitals, dentists, doctors' surgeries, psychiatrists, psychologists, alternative healthcare or treatments, rehabilitation clinics, physiotherapists, paediatricians, dieticians, counselling services, medical laboratories, veterinarians and ancillary dispensary pharmacies.</p> <p>It does not include chemists, hairdressers, beauty clinics or other retail activities.</p>

Height in relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point (as shown on [figure 14.2: Height](#)).

When determining the highest part of the building, parapets will be taken into account but not any of the following:

1. Radio and television antennas which do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 3m.
2. Chimneys which:
 - a. Do not exceed 1.1m in any horizontal direction; and
 - b. Do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 1.5m.
3. Finials which do not exceed the maximum height normally permitted by the rules for the land unit or settlement area by more than 1.5m.



Helipad means land or buildings used for the take off and landing of helicopters. It does not include facilities for servicing, freight handling or storage hangars.

Historic heritage has the same meaning as in the RMA.

Home occupation

means the commercial use of a site for craft, occupation, business, trade or profession which is secondary and incidental to the use of the site for residential purposes.

The home occupation must meet all of the following:

1. Be carried out by a person who lives on the site.
2. Be carried out either wholly within the dwelling or within a residential accessory building. However fruit and vegetables used for the home occupation may be grown outdoors.
3. Employ no more than one full-time equivalent employee who does not live on the site.
4. No goods can be sold, or displayed for sale, on the site other than:
 - a. Goods made on the site; or
 - b. Fruit, vegetables or other natural products grown on the site.
5. Generate or cause no objectionable noise, smoke, smell, effluent, vibration, dust or other noxious or dangerous effects on the environment.
6. Generate no significant increase in traffic when compared with the traffic that could otherwise be generated from reasonable residential use of the site.
7. Include no exterior display, other than a single sign that complies with the council's bylaw about signs, no exterior storage of materials, no other exterior indication of the home occupation or variation from the residential character of the site or the neighbourhood.

None of the following activities may be undertaken as a home occupation:

- the boarding of cats, dogs or other animals
- storage or sorting of any bottles, scrap or other waste materials
- fish, meat or animal by-product processing
- panel beating
- vehicle wrecking
- spray painting
- non-residential vehicle storage
- sheet metal work
- heavy engineering
- engine reboring or crankshaft grinding
- boat, caravan or motor vehicle building.

These exclusions do not prevent the people who live in the dwelling from carrying out the normal maintenance and repair of domestic equipment (including motor vehicles) they own and use.

Homestay

means where a resident person, family or other household provide within their own dwelling, accommodation (which may include meals) for reward or payment for not more than five guests. Homestay accommodation is not self-contained and does not contain a kitchen sink or dishwashing facility.

Horticulture

means the use of land or buildings for the growing of vegetables, fruit, berries, nuts, vines, flowers, plants or fungi. It includes market gardening, orcharding, and viticulture (but not a winery).

Household unit	<p>means a separate housekeeping unit consisting of any one of the following:</p> <ol style="list-style-type: none"> 1. One person; and up to five other people unassociated with the household. 2. Two or more people related by blood, marriage (whether legal or defacto), civil union, adoption or legal guardianship; and up to five other people unassociated with the household. 3. A group of not more than eight people unrelated by blood, marriage whether legal or defacto, civil union, adoption or legal guardianship. <p>It includes any of the normal domestic household activities which may occur on the site.</p>
Impervious surface	<p>means a surface which prevents water from passing into the ground.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • roofed areas • concrete and paving • driveway and parking areas • decking where there is not a gap of at least 5mm between the boards • any pool or tank (other than tanks used for collecting and storing rainwater for reuse on the site). <p>It includes areas which also fit within the definition of building coverage.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • eco pavers or gobi blocks (unless used for driveway and parking areas) • paths under 1m in width • decking where there is a gap of at least 5mm between the boards • tanks used for collecting and storing rainwater for reuse on the site. <p>Maximum impervious surface may be defined as an area (such as in m²) or as a proportion (such as a percentage) of the net site area depending on the requirements of the Plan.</p>
Indigenous vegetation	<p>means vegetation of a species which occurs naturally in New Zealand or arrived in New Zealand without human assistance. It includes manuka and kanuka.</p>
Industry	<p>means the production, processing, assembly, packaging, servicing, testing, repair, or storage of any materials, goods, products, vehicles or equipment.</p> <p>It may include any of the following:</p> <ul style="list-style-type: none"> • a works depot • vehicle dismantling or wrecking to extract parts for sale • a recycling facility (but not the composting of green waste). <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • quarrying or mining • refuse transfer stations.
Integrated visitor development	<p>means a comprehensive proposal for all buildings (including new and existing buildings) and activities associated with a visitor development. It may include one or more of the following:</p> <ul style="list-style-type: none"> • visitor accommodation • restaurants, café and other eating places • tourist complex • visitor information centre • dairy • management and maintenance facilities and service infrastructure.
Islands	<p>means the Hauraki Gulf islands, unless the context makes it clear that a different or smaller group of islands is being referred to.</p>

Kaitiakitanga	has the same meaning as in the RMA.
Landing Area	Any land located in landforms 1 (coastal cliffs), 3 (alluvial flats), 5 (productive land), 6 (regenerating slopes) and 7 (forest and bush areas) only where they are used for the take-off and landing of helicopters and aircraft in association with pastoral farming and horticulture.
Lot	means a distinct parcel of land defined on a survey plan.
Mana whenua	has the same meaning as in the RMA.
Marine fuelling services	means any facility supplying motor fuels (excluding CNG or LPG) to boats or other vessels moored alongside at a jetty or wharf.
Marine recreation facilities	means land or buildings used for marine recreation activities that have a functional relationship with the sea. It must be for community use and includes clubrooms used by organisations such as boating clubs, sea scouts and surf life saving clubs. It does not include retail premises.
Mast	means any pole, tower or structure designed to carry antennas.
Mean high water springs ('MHWS')	is determined by the average of the heights of each pair of successive high waters during that period of about 24 hours in each semi-lunation (approximately every 14 days) when the range of tides is greatest.
Metrolight pole	means a street light pole that has been designed to include telecommunications equipment as part of the pole structure. The equipment may include radio communication antennas.
Mining	means: 'to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and 'to mine' has a corresponding meaning.' This is the same meaning as in the Crown Minerals Act 1991.
Minor alterations and additions to a building	means any of the following: 1. Constructing an uncovered deck of natural or dark stained timber. The deck must comply with the development controls for the land unit or settlement area. 2. Changing or putting in windows or doors in an existing building. 3. Changing existing materials or cladding with other materials or cladding of the same colour.
Motor vehicle sales	means any of the following: 1. The sale, hire or lease of motor vehicles, trailer boats, caravans, or trailers. 2. The sale of spare parts for motor vehicles, outboard motors or trailer boats.
Motor vehicle services	means the servicing and repair of motor vehicles and outboard motors. This may include any of the following: • building motor vehicle bodies • panel beating • spraypainting • engine reconditioning.
Multiple dwellings	means more than one dwelling on a site.
Natural and physical resources	has the same meaning as in the RMA.
Natural hazard	has the same meaning as in the RMA.

Natural hazard area	<p>means land identified on the planning maps as being in any of the following:</p> <ul style="list-style-type: none"> • flood prone land - type A flood plain • flood prone land - type B flood risk area • soil warning area • soil register area • erosion risk zone.
Net site area	<p>means the net area of a site. It is calculated by deducting the area of the entrance strip (if any) from gross site area.</p> <p>Note: for front and corner sites, net site area is the same as gross site area.</p>
Network utility service	<p>means any activity relating to one or more of the following:</p> <ol style="list-style-type: none"> 1. Distribution or transmission by pipeline of natural or manufactured gas petroleum or geothermal energy. 2. Telecommunication or radiocommunication. 3. Transformation, transmission or distribution of electricity. 4. The transmission and distribution of water, (whether treated or untreated), for the supply including irrigation. 5. Stormwater drainage or sewerage reticulation systems. 6. Construction, operation and maintenance of railway lines, tramways and roads. 7. Construction, operation and maintenance of an airport 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. 8. Lighthouse, navigation aids and beacons. 9. Meteorological services. 10. A project or work described as a 'network utility operation' by regulations made under the RMA. <p>'Network utility' or 'utility service' has a corresponding meaning.</p>

New organism

means:

1. A new organism is-
 - a. An organism belonging to a species that was not present in New Zealand immediately before 29 July 1998:
 - b. An organism belonging to a species, subspecies, infrasubspecies, variety, strain, or cultivar prescribed as a risk species, where that organism was not present in New Zealand at the time of promulgation of the relevant regulation:
 - c. An organism for which a containment approval has been given under this Act:
 - ca. an organism for which conditional release approval has been given:
 - cb. a qualifying organism approved for release with controls:
 - d. A genetically modified organism:
 - e. An organism that belongs to a species, subspecies, infrasubspecies, variety, strain, or cultivar that has been eradicated from New Zealand.
2. An organism is not a new organism if-
 - a. the organism is not a genetically modified organism and-
 - i. an approval is granted under section 38 to release an organism of the same taxonomic classification; or
 - ii. the organism is a qualifying organism and an approval has been granted under section 38I to release an organism of the same taxonomic classification without controls; or
 - iii. an organism of the same taxonomic classification has been prescribed as not a new organism; or
 - b. the organism is a genetically modified organism and-
 - i. an approval is granted under section 38 to release an organism of the same taxonomic classification with the same genetic modification; or
 - ii. the organism is a qualifying organism and an approval has been granted under section 38I to release an organism of the same taxonomic classification with the same genetic modification without controls; or
 - iii. an organism of the same taxonomic classification with the same genetic modification has been prescribed as not a new organism; or
 - c. the new organism was deemed to be a new organism under section 255 and other organisms of the same taxonomic classification were lawfully present in New Zealand before the commencement of that section and in a place that was not registered as a circus or zoo under the Zoological Gardens Regulations 1977.
- 2A. A new organism does not cease to be a new organism because-
 - a. it is subject to a conditional release approval; or
 - b. it is a qualifying organism approved for release with controls.
3. Despite the provisions of this section, an organism present in New Zealand before 29 July 1998 in contravention of the Animals Act 1967 or the Plants Act 1970 is a new organism.
4. Subsection (3) does not apply to the organism known as rabbit haemorrhagic disease virus, or rabbit calicivirus.'

This is the same definition as in the Hazardous Substances and New Organisms Act 1996.

Noise Sensitive Activity	Means any of the following activities that are sensitive to air transport noise: dwellings: educational facilities, care centres; healthcare services; accommodation for care: accommodation for retired, elderly or disabled people; boarding house or hostel, visitor facilities.
Non-complying activity	has the same meaning as in the RMA.
Notional boundary	means: 'The notional boundary is defined as a line 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.' This is the same meaning as NZS 9801:1999 Acoustics - Measurement of Sound. The term 'notional boundary' is used in the Plan in the context of measuring noise.
Offices	means land or buildings used for administration, consultation, or management of business transactions. It includes any of the following: <ol style="list-style-type: none"> 1. Administrative offices for managing the affairs of an organisation, whether or not trading takes place. 2. Commercial offices such as banks, insurance agents, or real estate agents where trade (other than the immediate exchange of money for physical goods) is transacted. 3. Professional offices such as the offices of accountants, solicitors, architects, engineers, surveyors, stockbrokers and consultants where a professional service is available and carried out. This does not include healthcare services.
Open air market	means an outdoor market which sells goods including bric a brac, produce, food and drink, art and cottage industry goods.
Outdoor adventure activities	means an adventure sport undertaken outdoors. It includes paintball, mountain biking and associated tracks, bungyjumping, kayaking, and other outdoor pursuits. It does not include motorised activities such as motorcross or go-karting.
Papakainga housing	means residential accommodation on any land classified as Maori land by the Maori Land Court.
Park and ride facilities	means all day carparking provided for commuters so that they can use passenger transport (ie bus) for all or part of their journey to and from work.
Pastoral farming	means the growing of grass and fodder crops on which stock are grazed. It includes the associated use of land and buildings. It does not include the grazing of deer or goats.
Permitted activity	has the same meaning as in the RMA.
Plan	means this District Plan (ie the proposed Hauraki Gulf Islands Section of the Auckland City District Plan).
Prohibited activity	has the same meaning as in the RMA.
Prospecting	means: 'any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes - <ol style="list-style-type: none"> a. Geological, geochemical, and geophysical surveys; and b. The taking of samples by hand or hand held methods; and c. Aerial surveys, and 'to prospect' has a corresponding meaning.' This is the same definition as in the Crown Minerals Act 1991.

Protection yard	<p>means either of the following:</p> <ol style="list-style-type: none"> 1. A strip of land located between the coast (as defined by mean high water springs 'MHWS') and a line parallel to that coast; or 2. A strip of land located between the edge of a wetland or water body, and a line parallel to that edge. <p>The Plan rules specify the required width for any particular protection yard. The width must be measured in the horizontal plane.</p> <p>The protection yard must be:</p> <ol style="list-style-type: none"> 1. Kept clear and unobstructed by buildings (including eaves, roof, gutter or downpipes). This includes buildings both above and below ground; and 2. Kept clear of earthworks and any other activities as specified in the Plan. <p>The location of the protection yard may change over time due to changes in the location of MHWS, the wetland or water body.</p>
Quarrying	<p>means the extraction of sand, gravel or rock for the purposes of providing construction materials. It may include any of the following:</p> <ol style="list-style-type: none"> 1. Blasting. 2. Removal of overburden. 3. Processing to produce aggregates of sand, gravel and rock only. 4. Storage of this material. 5. Construction and maintenance of plant, machinery and buildings. 6. Other ancillary works connected with such operations.
Rainwater tank	<p>A tank used for collecting and storing rainwater.</p>
Refuse transfer station	<p>means a facility where waste collected from waste generators is compacted before being taken to a waste disposal site.</p>
Requiring authority	<p>has the same meaning as in the RMA.</p>
Residential accessory building	<p>means an accessory building which is either:</p> <ol style="list-style-type: none"> 1. Incidental to the use of a dwelling on a site; or 2. Incidental to the residential use of a site. <p>It may include a garage or carport, a shed, a workshop, an office, a building used for a home occupation, a recreation room, a spa pool or swimming pool.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • a sleepout or other buildings that generally form part of a dwelling • a building which contains a kitchen sink, cooking or dishwashing facility. <p>Note: The terms 'accessory building', 'building', 'dwelling', 'residential use' and 'sleepout' are defined elsewhere in this section.</p>
Residential uses	<p>means any use of land or buildings for a dwelling or for uses ancillary or incidental to a dwelling.</p>
Restaurant, cafe and other eating places	<p>means land or buildings where food is sold to the public for eating on the premises. It may include premises licensed under the Sale of Liquor Act 1989. Part of the trade of the premises may involve sale of food to be eaten off the premises ie takeaway food.</p>
Restricted discretionary activity	<p>has the same meaning as in the RMA.</p>

Retail premises	<p>means land or buildings where goods, merchandise, equipment or services are sold, displayed, hired or offered for sale or direct hire to the public.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • a shop • a takeaway food bar • a market • premises which have an off-license under the Sale of Liquor Act 1989. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • a service station • motor vehicle sales • motor vehicle services • restaurant, cafe and other eating places • an internet cafe (where five or more computer terminals are available for hire and use on the premises for gaming and internet access.)
Ridgeline	means the line marking or following the crest of a ridge.
RMA - the RMA	means the Resource Management Act 1991 and includes any amendments to that Act. The RMA is also referred to as 'the Act'.
Road	<p>means:</p> <p>'the whole of land which is within the district, and which-</p> <ol style="list-style-type: none"> a. Immediately before the commencement of this Part of this Act was a road or street or public highway; or b. Immediately before the inclusion of any area in the district was a public highway within that area; or c. Is laid out by the council as a road or street after the commencement of this Part of this Act; or d. Is vested in the council for the purpose of a road as shown on a deposited survey plan; or e. Is vested in the council as a road or street pursuant to any other enactment;- <p>and includes-</p> <ol style="list-style-type: none"> f. Except where elsewhere provided in this Part of this Act, any access way or service lane which before the commencement of this Part of this Act was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this part of this Act or is declared by the Minister of Lands as an access way or service lane on or after the 1st day of April 1988. g. Every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or limits thereof;- <p>But, except as provided in the Public Works Act 1981 or in any regulations under that Act, but does not include a motorway within the meaning of that Act.'</p> <p>This is the same definition as in section 315 of the Local Government Act 1974.</p>

Road network	<p>means a system of roads to allow the movement of pedestrian, cycles and vehicles. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes any of the following: <ol style="list-style-type: none"> a. The construction (including earthworks), operation and maintenance of roads including associated footways, cycleways, footbridges, bridges, tunnels and retaining walls. b. Public transit systems. c. Road lighting, lighting in public places, lighting in private roads and private ways together with support structures as provided for by section 334A of the Local Government Act. d. Traffic and direction signs, information and naming signs permitted under the council's bylaw which controls signs. e. Traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals. f. Transport shelters. g. Seats and rubbish bins. 2. Aboveground infrastructure located above the existing ground surface. This includes any of the following: <ol style="list-style-type: none"> a. The construction (including earthworks), operation and maintenance of roads including associated footways, cycleways, footbridges, bridges, tunnels and retaining walls. b. Public transit systems. c. Road lighting, lighting in public places, lighting in private roads and private ways together with support structures as provided for by Section 334A of the Local Government Act. d. Traffic and direction signs, information and naming signs permitted under the council's bylaw which controls signs. e. Traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals. f. Parking meters. g. Refuse and recycling drop off points. h. Transport shelters. i. CCTV (closed circuit television) cameras. j. Seats and rubbish bins.
Rural property management plan	<p>means a long term management plan which comprehensively details all land use activities proposed to be undertaken on a site. It includes:</p> <ul style="list-style-type: none"> • the location of buildings and activities • the mitigation of effects proposed to manage adverse effects from those buildings and activities • methods for protecting and, where practicable, enhancing any parts of the site classified as landform 1, 2 or 4.
Sand quarrying	means 'quarrying' (as defined earlier) but for sand only.
Scheduled item	see definition in part 7 - Heritage .

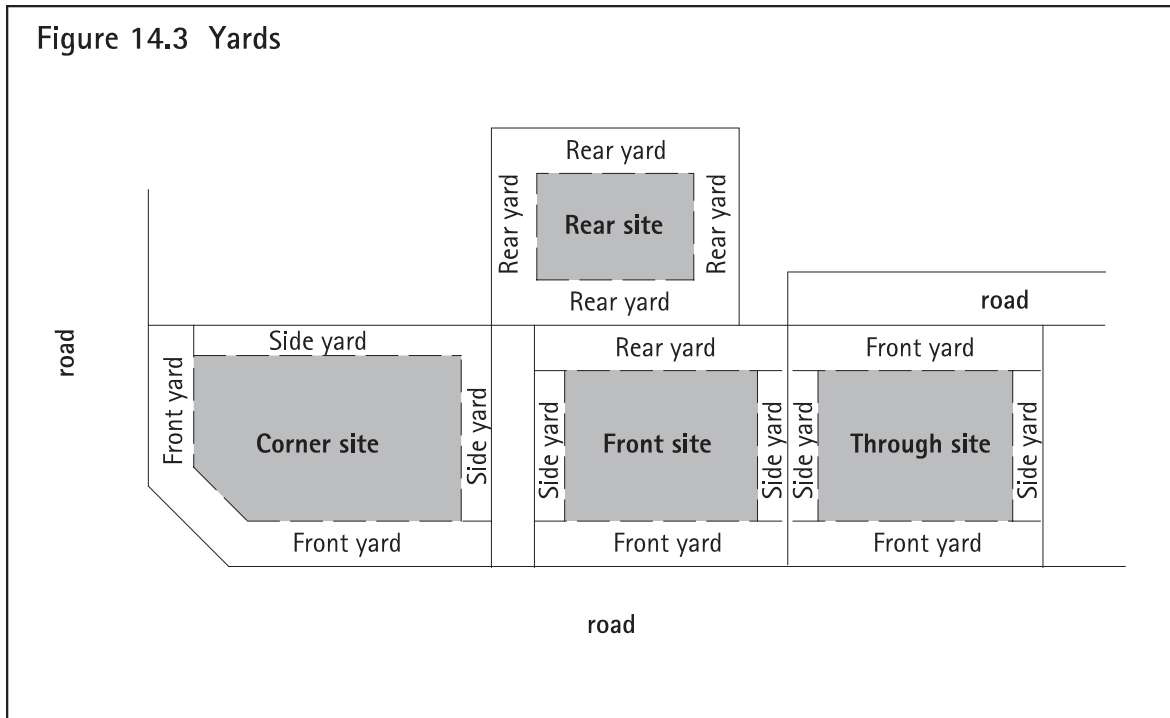
Service station	<p>means any land or buildings where the main activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel).</p> <p>It may also include one or more of the following:</p> <ol style="list-style-type: none"> 1. The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles. 2. A retail premises with a maximum gross floor area of 100m². 3. Mechanical repair and servicing of motor vehicles (including motor cycles, caravans, boat motors, trailers) and domestic gardening equipment. 4. Warrant of fitness testing. 5. Car wash facilities.
Settlement area	<p>means an area identified as such in figures 10b.1 to 8 and on the planning maps for the outer islands.</p>
Significant environmental feature	<p>means any of the following:</p> <ul style="list-style-type: none"> • The whole of any distinct natural feature, landform or landscape which makes a significant contribution to the quality of the local natural environment and amenity. • Any feature of archaeological, historical or cultural significance. <p>It may include one or more of the following:</p> <ul style="list-style-type: none"> • any site of ecological significance scheduled in the Plan • a water system • a habitat for indigenous species • an association of indigenous vegetation • a landform (including any significant ridgeline identified on the planning maps) • an ecological corridor • a visually significant area or group of areas • any item scheduled in the Plan for its archaeological, historical or cultural significance. <p>For the purposes of the Thumb Point Waiheke Island property, any site of ecological significance that is shown on the (Series 2) planning maps in the Plan is deemed to be a significant environmental feature (for the avoidance of doubt).</p>
Significant ridgeline area	<p>means an area surrounding a significant ridgeline as identified on the planning maps. The significant ridgeline area includes all land falling within 100m perpendicular to any point on the identified ridgeline.</p> <p>On the planning maps, the extent of the significant ridgeline area is shown by lighter dotted lines parallel to and on either side of a heavier dotted line which marks the location of the associated ridgeline.</p>

Site	<p>means either:</p> <ol style="list-style-type: none"> 1. An area of land which is: <ol style="list-style-type: none"> a. Contained in a single certificate of title; or b. Contained in a single lot on an approved survey plan or subdivision for which a separate certificate of title could be issued without further consent of the council; <p>being in any case the smaller land area of (a) or (b);or</p> 2. 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: <ol style="list-style-type: none"> a. Subject to a condition imposed under section 75 of the Building Act 2004 (or previously bound by section 37 of the Building Act 1991 (repealed)); or b. Held together in such a way that they cannot be dealt with separately without the prior consent of the council, such as a covenant imposed under section 220(2)(a) and section 240 of the Resource Management Act 1991, or any covenant previously bound by section 643 (repealed) of the Local Government Act 1974. <p>Except that in the case of land subdivided under the Unit Titles Act 1972 or the cross lease system, 'site' will be considered to be the whole of the land subject to the unit development or cross lease.</p>
Sleepout	<p>means a building which contains a bedroom or bedrooms. It may include bathroom and toilet facilities. It does not contain a kitchen sink, cooking or dishwashing facility.</p> <p>A sleepout must be treated as a building forming part of a dwelling rather than as an accessory building.</p> <p>Note: The terms 'accessory building', 'building' and 'dwelling' are defined earlier in this section.</p>
Soil register area	<p>means land for which the council holds a geotechnical report on the condition of soils for all or part of the sites identified. These reports have usually been prepared in conjunction with an application for a building consent because:</p> <ul style="list-style-type: none"> • The land was within a soil warning area; or • Site inspections by an engineer with geotechnical expertise determined that the foundations for a building or structure on the site would need specific design due to soil conditions. <p>Land within a 'soil register area' is identified on the planning maps.</p>
Soil warning area	<p>means any of the following:</p> <ul style="list-style-type: none"> • areas of filled or weak ground (this may include former refuse tip sites) • areas that are unstable • areas where the ground is suspected to be liable to slip, slump, or become liquefied, or perform poorly if loads are imposed upon it. <p>Land within a 'soil warning area' is identified on the planning maps.</p>
Sustainable management	<p>has the same meaning as in the RMA.</p>
Tavern	<p>means land or buildings used primarily for the sale of liquor and other refreshments to the public for consumption on the premises. Liquor may also be sold for consumption off the premises.</p>

Telecommunication network	<p>means a system made up of telecommunication links to allow telecommunication. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes cables (service connection and distribution lines including fibre optic), cabinets, conductors and Totally Underground Distribution Systems (TUDS). 2. Aboveground infrastructure located above the existing ground surface. This includes public telephone boxes, cabinets, junction pillars, cellphone antennas, cell site antennas, masts and metrolight poles. 3. Overhead cable infrastructure located above the existing ground surface and suspended by poles or support structures. This includes cables (service connection and distribution lines including fibre optic) and support poles, and any equipment or structure located on support poles.
Thumb Point Waiheke Island property	<p>Means any land that is (as at 17 October) contained within the following certificates of title NA23C/199. NA23C/200, NA26A/1073, NA26A/1074. NA26A/1075. NA47C/503. NA47C/889, NA173/117, NA195/118. NA758/233. NA758/234, NA758/235, NA970/265 and NA82C/468.</p>
Tourist complex	<p>means land or buildings which are used for the day to day accommodation of tourists and short-stay visitors away from their normal place of residence.</p> <p>It includes visitor accommodation in association with one or more of the following:</p> <ul style="list-style-type: none"> • function facilities • taverns • restaurants, cafe and other eating places • entertainment facilities <p>without limiting the use of such facilities to people staying in the complex.</p> <p>It may include premises licensed under the Sale of Liquor Act 1989.</p> <p>It does not include:</p> <ul style="list-style-type: none"> • camping facilities; or • boarding houses or hostels.
Type A flood plain	<p>means land that the council has identified as being likely to flood in a 1 in 100 year storm. Type A flood plains are identified on the planning maps. Type A flood plains are considered to be a reasonably accurate assessment of flooding in a 1 in 100 year storm.</p>
Type B flood risk area	<p>means land that the council has identified as being likely to flood in a 1 in 100 year storm. Type B flood risk areas are identified on the planning maps. Type B flood risk areas are based on less accurate information than type A flood plains.</p>

Visitor accommodation	<p>means land or buildings used for the day to day accommodation of tourists and short-stay visitors away from their normal place of residence.</p> <p>It may include shared or centralised services for the tourists or visitors such as kitchen and dining facilities, toilet and washing facilities, and recreational and bar facilities.</p> <p>It includes any of the following:</p> <ul style="list-style-type: none"> • motels and hotels • backpacker lodges • serviced rental accommodation for visitors that is offered at a daily tariff or with a pricing structure that is consistent with short stay accommodation • timeshare accommodation. <p>It may include premises licensed under the Sale of Liquor Act 1989.</p> <p>Where the visitor accommodation provides for more than 10 people, it may include on site accommodation for a manager and the manager's family.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • the letting of dwellings, including for holiday purposes • homestays • boarding houses and hostels • camping facilities • taverns • restaurants, cafes and other eating places except where these are limited to the use of people staying in the accommodation and their guests. <p>It may form part of a tourist complex.</p>
Wastewater network	<p>means a system made up of wastewater links to allow the reticulation of wastewater or sewage. It includes any of the following:</p> <ol style="list-style-type: none"> 1. Underground infrastructure located at or below the existing ground surface. This includes associated equipment, pipes and fittings, chambers and pits, meters, pumping stations, manholes and detention tanks. 2. Aboveground infrastructure located above the existing ground surface. This includes aerial pipe bridges, pumping stations, transformers, ventilation pipes, manholes, discharge outlets equipment, cabinets, emergency overflows, aerals, overflow screens and biofilters.
Water body	<p>means fresh or tidal water in a river, lake, stream, pond or modified natural water course.</p> <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • any artificial water course such as a drain or an irrigation canal • any ephemeral streams that do not support aquatic life • any water located below mean high water springs.
Water system	<p>means any part of a natural drainage system including ground water, aquifers, water bodies, and wetlands.</p>
Wetland	<p>includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</p>

Winery	<p>means land or buildings used for the processing and, if required fermentation of grapes into wine or juice, and may include:</p> <ul style="list-style-type: none"> • the storage, blending, or mixing of a wine or wines • the bottling or otherwise packaging of wine • the labelling of wine • wine-tasting and ancillary wine retailing. <p>It does not include any of the following:</p> <ul style="list-style-type: none"> • visitor accommodation • restaurants, cafes or other eating places • function facilities. <p>The storage, packaging (but not bottling), and labelling of wine is not exclusively limited to a winery and can occur as part of viticulture.</p>
Works within the dripline	<p>Means the excavation, deposition of material, construction, work, emplacement of services, storage or other activity in, on, above or under, the dripline (branch spread) of a tree or vegetation.</p>
Yard	<p>means a part of a site which is to be kept clear and unobstructed by buildings (including eaves, roof, gutter or downpipes) from the ground upwards.</p> <p>The Plan rules specify the required width for any particular yard. The width must be measured in the horizontal plane.</p> <p>Except as otherwise provided by this Plan:</p> <p>Front yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the site boundary where it abuts the road and a line parallel to that; and • extends across the full width of the site. <p>Except that where any building line for road widening purposes is shown on the planning maps this line will be substituted for the site boundary.</p> <p>Rear yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the rear boundary of a site (other than a corner site) and a line parallel to that; and • extends across the full width of the site. <p>For a rear site, all boundaries, other than the boundary fronting the road, will be treated as rear boundaries.</p> <p>Side yard means a yard which:</p> <ul style="list-style-type: none"> • is located between the side boundary of a site and a line parallel to that • extends across the full width of the site; and • excludes any part of the site which is a front or rear yard. <p>For a corner site, every boundary which does not abut the road, will be treated as a side boundary.</p> <p>The location of front, rear and side yards is shown on figure 14.3: Yards.</p> <p>Building restriction yard means a yard, the location of which is indicated on the planning maps. This replaces any other front yard requirements.</p> <p>Protection yard - this is defined under 'protection yard'</p>



14.4 Definitions from the Resource Management Act 1991

The Plan uses a number of terms which have particular meanings as defined the RMA. Those RMA terms which are likely to be of most relevance to a user of the Plan are set out below for information purposes only. However this list is by no means exhaustive.

The definitions below are correct at the time of notification of this Plan. However from time to time there may be further amendments to the RMA resulting in changes to defined terms. The council intends to update this list periodically to reflect any subsequent changes to the RMA. If any inconsistency arises between the most current RMA definition and this list, then the RMA definition takes precedence.

Allotment

Section 218 (2) states:

“In this Act, the term “allotment” means —

- a. Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not —
 - i. The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - ii. A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- b. Any parcel of land or building or part of a building that is shown or identified separately —
 - i. On a survey plan; or
 - ii. On a licence within the meaning of Part 7A of the Land Transfer Act 1952; or
- c. Any unit on a unit plan; or
- d. Any parcel of land not subject to the Land Transfer Act 1952.”

Amenity values	<p>Section 2 states:</p> <p>"Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."</p>
Coastal marine area	<p>Section 2 states:</p> <p>"Coastal marine area means the foreshore, seabed, and coastal water, and the air space above the water-</p> <ol style="list-style-type: none"> a. Of which the seaward boundary is the outer limits of the territorial sea: b. Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of- <ol style="list-style-type: none"> i. One kilometre upstream from the mouth of the river; or ii. The point upstream that is calculated by multiplying the width of the river mouth by 5:"
Contaminant	<p>Section 2 states:</p> <p>"Contaminant includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat-</p> <ol style="list-style-type: none"> a. When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged:"
Contaminated land	<p>Section 2 states:</p> <p>"contaminated land means land that has a hazardous substance in or on it that-</p> <ol style="list-style-type: none"> a. has significant adverse effects on the environment; or b. is reasonably likely to have significant adverse effects on the environment".
Controlled activity	<p>Section 87A(2) states:</p> <p>"If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a controlled activity, a resource consent is required for the activity and-</p> <ol style="list-style-type: none"> a. the consent authority must grant a resource consent (except if section 106 applies); and b. the consent authority's power to impose conditions on the resource consent is restricted to the matters over which control is reserved (whether in its plan or proposed plan, a national environmental standard, or otherwise); and c. the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Designation	<p>Section 166 states:</p> <p>"Designation means a provision made in a district plan to give effect to a requirement made by a requiring authority under section 168 or section 168A or clause 4 of Schedule 1."</p>

Discretionary activity	<p>Section 87A(4) states:</p> <p>"If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a discretionary activity, a resource consent is required for the activity and-</p> <ul style="list-style-type: none">a. the consent authority may decline the consent or grant the consent with or without conditions; andb. if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Effect	<p>Section 3 states:</p> <p>"In this Act, unless the context otherwise requires, the term "effect" includes —</p> <ul style="list-style-type: none">a. Any positive or adverse effect; andb. Any temporary or permanent effect; andc. Any past, present, or future effect; andd. Any cumulative effect which arises over time or in combination with other effects — <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes —</p> <ul style="list-style-type: none">e. Any potential effect of high probability; andf. Any potential effect of low probability which has a high potential impact."
Environment	<p>Section 2 states:</p> <p>"Environment includes —</p> <ul style="list-style-type: none">a. Ecosystems and their constituent parts, including people and communities; andb. All natural and physical resources; andc. Amenity values; andd. The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters."
Historic heritage	<p>Section 2 states:</p> <p>"Historic heritage -</p> <ul style="list-style-type: none">a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:<ul style="list-style-type: none">i. archaeological:ii. architectural:iii. cultural:iv. historic:v. scientific:vi. technological; andb. includes —<ul style="list-style-type: none">i. historic sites, structures, places, and areas; andii. archaeological sites; andiii. sites of significance to Maori, including wahi tapu; andiv. surroundings associated with the natural and physical resources."
Kaitiakitanga	<p>Section 2 states:</p> <p>"Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship."</p>

Mana whenua	Section 2 states: "Mana whenua means customary authority exercised by an iwi or hapu in an identified area."
Natural and physical resources	Section 2 states: "Natural and physical resources includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures."
Natural hazard	Section 2 states: "Natural hazard means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslide, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment."
Non-complying activity	Section 87A(5) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a non-complying activity, a resource consent is required for the activity and- a. decline the consent; or b. grant the consent, with or without conditions, but only if the consent authority is satisfied that the requirements of section 104D are met and the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Permitted activity	Section 87A(1) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a permitted activity, a resource consent is not required for the activity if it complies with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."
Prohibited activity	Section 87A(6) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a prohibited activity, a resource consent is required for the activity and- a. no application for a resource consent may be made for the activity; and b. the consent authority must not grant a consent for it."
Requiring authority	Section 166 states: "Requiring authority means - a. A Minister of the Crown; or b. A local authority; or c. network utility operator approved as a requiring authority under section 167."
Restricted discretionary activity	Section 87A(3) states: "If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a restricted discretionary activity, a resource consent is required for the activity and- a. grant a consent and to impose conditions on the consent, is restricted to the matters over which discretion is restricted (whether in its plan or proposed plan, a national environmental standard, or otherwise); and b. if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan."

Sustainable management

Section 5 (2) states:

“In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while —

- a. Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- b. Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- c. Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”