

AUP Activities and Standards Assessment

Proposal: Milldale Substantive Application – Milldale North Rules Assessment

Address: 9 Cemetery Road, 480, 500, 522, 555, 569, 597, 602 Wainui Road, 173 and 231 Upper Orewa Road and Lot 4 DP 353309, Lot 1 DP 589819, Lot 6, 7, 8, 12, 14 DP 198205, Allot 210 and Allot 216 Parish of Waiwera, Allot 549 Parish of Waiwera (Milldale North)

Unitary Plan: Auckland Unitary Plan

Site Zoning	
Zone	Future Urban Zone (FUZ) Rural Production Zone (RPZ)
Precinct	N/A
Overlays	Significant Ecological Areas Overlay - SEA_T_2223, Terrestrial Natural Stream Management Areas Overlay Highly Productive Land – Class 3
Controls	Macroinvertebrate Community Index – Rural, Native, Exotic
Designations	Designations - 14109, The construction, operation and maintenance of an upgrade to Wainui Road to an arterial transport corridor and associated facilities, (Upgrade to Wainui Road), Designations, Auckland Transport
Natural Hazards	Flood Plains, Flood Prone Areas and Overland Flow Paths
Natural Hazards (PC120)	Low – Very High Flood Hazard Areas Flood Sensitive Areas Low – Very High Shallow Landslide Susceptibility Very Low – Very High Large Scale Landslide Susceptibility
Non-statutory information	
Other limitations	‘Piece of land’ under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (‘NESC’S’) ‘Natural wetlands’ under the National Environmental Standard for Freshwater (‘NESF’)

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

Regulation	Compliance	Non-Compliance
8 Permitted Activities		
(3) Disturbing the soil of the piece of land is a permitted activity while the following requirements are met: (A) controls to minimise the exposure of humans to mobilised (B) the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done (C) the volume of the disturbance of the soil of the piece of land must be no more than 25 m³ per 500 m² (D) soil must not be taken away in the course of the activity, except that, - for the purpose of laboratory analysis, any amount of soil may be taken away as samples - for all other purposes combined, a maximum of 5 m³ per 500 m² of soil may be taken away per year: (E) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind	Complies. Works will be undertaken in accordance with the CSMP/RAP. Complies. The site will be reinstated to an erosion-resistant state within 1 month of earthworks. Does not comply. The volume of disturbance exceeds more than 25 m³ per 500 m². Does not comply. The soil removal will exceed 5m³ per 500m². Complies. Soil will be disposed at an appropriate facility.	

(F) the duration of the activity must be no longer than 2 months (G) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised	Assumed compliance.	Does not comply. The duration of works will exceed 2 months.
10 Restricted Discretionary Activities		
(a) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity. (b) The activity is a restricted discretionary activity while the following requirements are met: (a) a detailed site investigation of the piece of land must exist: (b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7: (c) the consent authority must have the report: (d) conditions arising from the application of subclause (3), if there are any, must be complied with.		A DSI has been prepared for the residential subdivision area which states that the soil contamination exceeds the applicable standards in regulation 7. This is a restricted discretionary activity under Regulation 10.
11 Discretionary Activities		
		Consent required as a DSI has not been undertaken for Te Korowai

		o Maraeariki. This is a discretionary activity under Regulation 11.
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National Environmental Standard for Freshwater ('NESF')

Regulation	Compliance	Non-Compliance
Part 3 Standards for other activities that relate to freshwater		
Subpart 1 – Natural Inland Wetlands		
45C Urban development – Restricted discretionary activities (1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development. (2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development. (3) Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a restricted discretionary activity if it— (a) is for the purpose of constructing urban development; and (b) results in, or is likely to result in, the complete or partial drainage of all or part of the wetland. (4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if— (a) the activity is for the purpose of constructing urban development; and		Consent required. The proposal involves vegetation clearance within 10m of a natural inland wetland for the purpose of constructing urban development. This is a restricted discretionary activity under regulation 45C(1) of the NES-F. Consent required. The proposal involves earthworks within and within a 10m setback from a natural inland wetland for the purpose of constructing urban development. This is a restricted discretionary activity under regulation 45C(2) of the NES-F. Consent required. The proposal involves earthworks outside of a 10m setback but within a 100m setback from a natural inland wetland for the purpose of constructing urban development. This is a restricted discretionary activity under regulation 45C(3) of the NES-F. Consent required. The proposal involves the diversion of water within a 100m setback from a wetland which is for the purpose of constructing urban development, there is a hydrological connection between the works and the wetland and

(b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland. (5) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if— (a) the discharge is for the purpose of constructing urban development; and (b) there is a hydrological connection between the discharge and the wetland; and (c) the discharge will enter the wetland; and (d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland. (6) A resource consent for a restricted discretionary activity under this regulation must not be granted unless the consent authority has first— (a) satisfied itself that the urban development— (i) will contribute to a well-functioning urban environment; and (ii) will provide significant national, regional, or district benefits; and (b) satisfied itself that— (i) there is no practicable alternative location for the activity within the area of the development; or (ii) every other practicable alternative location in the area of the development would have	As addressed in the AEE, the works are for urban development that will contribute to a well-functioning urban environment and will provide significant regional and district benefits. As addressed in the AEE, there is no practicable alternative for the activity within the area or the development. As addressed in the AEE, the effects management hierarchy has been applied.	the works will change the water level of the wetland. This is a restricted discretionary activity under regulation 45C(4) of the NES-F. Consent required. The proposal involves the discharge of water within or within 100m from a wetland with a hydrological connection. This is a restricted discretionary activity under regulation 45C(5) of the NES-F.
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equal or greater adverse effects on a natural inland wetland; and (c) applied the effects management hierarchy. (7) A resource consent for a restricted discretionary activity under this regulation must not be granted if the activity— (a) occurs on land other than land that is identified for urban development in the operative provisions of a regional or district plan; or (b) occurs on land that is zoned in a district plan as general rural, rural production, or rural lifestyle.	The works are on land identified for urban development.	
Other Activities		
54 Non-complying activities (a) Vegetation clearance within, or within 10m setback from, a natural inland wetland. (b) Earthworks within, or within a 10m setback from, a natural inland wetland. (c) Taking, use, damming or diversion of water within, or within 100m setback from a natural inland wetland if: (i) There is a hydrological connection between the taking, use, damming or diversion and the wetland; (ii) The taking, use, damming, or diversion will change, or is likely to change the water level range or hydrological function of the wetland. (d) Discharge of water into water, or within 100m setback from a natural wetland if: (i) There is a hydrological connection between the		The proposal involves vegetation clearance and earthworks within a 10m setback from a natural wetland for the purpose of constructing the water and wastewater treatment plants located within RPZ. This is a non-complying activity under Regulation 54(a) and (b) of the NES-F. The proposal involves the discharge of water within 100m setback from a natural inland wetland where there is a hydrological connection between the discharge and the wetland, the discharge will enter the wetland and the discharge will change or is likely to change the water level range or hydrological function of the wetland. This is a non-complying activity under Regulation 54(d).

discharge and the wetland; (ii) The discharge will enter the wetland; (iii) The discharge will change or is likely to change the water level range or hydrological function of the wetland.		
Subpart 2 – Reclamation of rivers		
57 Discretionary activities (1) Reclamation of the bed of any river is a discretionary activity.		Consent required. The proposal involves six intermittent stream sections accounting for a total length of approximately 635 liner metres and 525.7m² of stream bed area. This is a discretionary activity under regulation 57(1) of the NES-F.
Subpart 3 – Passage of fish affected by structures		
70 Permitted activities (1) The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions. (2) The conditions are that— (a) the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert; and (b) the culvert must be laid parallel to the slope of the bed of the river or connected area; and (c) the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and	Complies. Culverts have been designed to comply with fish passage requirements.	

(d) the culvert's width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows: (i) where $w \leq 3$, $s \geq 1.3 \times w$: (ii) where $w > 3$, $s \geq (1.2 \times w) + 0.6$; and (e) the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert's diameter is below the level of the bed; and (f) the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and (g) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).		
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Auckland Unitary Plan (Operative in Part) ('AUP (OP)')

Rule	Compliance	Non-Compliance
Chapter E Auckland-Wide		
E1 Water quality and integrated management and E2 Water quantity, allocation and use		
N/A. These chapters are not relevant to the rules assessment as they do not contain any activity rules or standards.		
E3 Lakes, Rivers, Streams and Wetlands		
E3.4.1 Activity table (A1) Any activities in, on, under or over the bed of lakes, rivers, streams and wetlands not otherwise provided for – D (A19) Diversion of a river or stream to a new course and associated disturbance and sediment discharge outside overlays – D (A24) Demolition or removal of existing structures complying with the standards in E3.6.1.13 – P (A26) Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.10 – E3.6.1.13 - D (A32) Culverts or fords less than 30m in length when measured parallel to the direction of water flow complying with the standards in E3.6.1.18 – P (A33) Culverts or fords more than 30m in length when measured parallel to the direction of water flow outside of overlays – D (A34) Erosion control structure less than 30m in length when measured parallel to the direction of water flow complying with the standards in E3.6.1.14 – P (A39) Stormwater or wastewater outfall complying with the standards in E3.6.1.14 – P (A44) Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.14 to E3.6.1.23 - D	Conservation planting complying with the standards in E3.6.1.2 resulting in the diversion of water is a permitted activity under E3.4.1(A2) Demolition and removal of existing culverts complying with standards in E3.6.1.13 is a permitted activity (A24) Temporary structures for construction (complying with E3.6.1.5) are a permitted activity under (A27) Bridges and pipe bridges complying with the standards in E3.6.1.16 outside of overlays are permitted activity under E3.6.1.16 (A29) with maximum 6m in length proposed measured parallel to the direction of water flow. All culverts will be less than 30m when measured parallel to the direction of water flow and comply with standards in E3.6.1.18 – permitted activity (A32). All riprap and wingwall associated with culverts have a maximum length	The proposal involves diversion of stream to a new course and associated disturbance and sediment discharge. This is a discretionary activity under E3.4.1(A19). The proposal involves the reclamation of intermittent streams and wetlands Consent is required as a non-complying activity consent under E3.4.1(A49).

Rule	Compliance	Non-Compliance
(A49) New reclamation or drainage, including filling over a piped stream – NC (A50) Any activities not complying with the general permitted activity standards in E3.6.1.1 or the specific activity standards in E3.6.1.24 – D (A53) Any activity that is undertaken in, on, over or within the bed of an ephemeral river and streams complying with the standards E3.6.1.1 - P	of 5m and comply with standard E3.6.1.14(1)(b). Surface water intake structure complying with the general standards in E3.6.1.1 – permitted activity (A41) Any activity that is undertaken in, on, over or within the bed of an ephemeral river and streams complying with the standards E3.6.1.1 is permitted (A53)	
E3.6.1.1 General standards (1) The activity 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; and (e) any significant adverse effects on aquatic life. (2) The activity must not result in an increase of existing flood levels up to and including the 1 per cent annual exceedance probability (AEP) flood plain on land or structures other than that owned or controlled by the person undertaking the activity. (3) The activity must not result in more than minor erosion or land instability. (4) Machinery must not sit directly on the wetted cross-section of the bed at the time of the work. (5) Explosives must not be used in the bed.	Complies. The scenarios listed in (a) to (e) will not arise. Complies. As assessed in the Stormwater Assessment, the proposed works will not increase existing flood levels on third party land. Complies. Culvert works will be managed so as not to generate more than minor erosion or land instability. Complies. Machinery will not sit on the stream bed.	

Rule	Compliance	Non-Compliance
(6) Mixing of construction materials and refuelling or maintenance of equipment must not occur within 10m of the bed and best site management practice must be used to avoid contaminant discharging into the water. (7) The activity must not destroy, damage or modify any sites scheduled in the Historic Heritage Overlay or the Sites and Places of Significance to Mana Whenua Overlay. (8) The activity must not prevent public access along the lake, river, stream or wetlands.	N/A explosives will not be used. Complies. Mixing of construction materials and refuelling or maintenance of equipment will occur at least 10m from the river bed. N/A. Complies. Public access to rivers, streams and wetlands will not be affected.	
E3.6.1.10. Standards for works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water (1) All works on existing structures must comply with all of the following standards: (a) during the activity bed disturbance upstream or downstream of the structure must not exceed 10m either side, excluding the length of the structure; (b) best practice erosion and sediment control measures must be used to minimise any discharge of sediment, including sediment impounded behind an existing structure; (c) debris or other material must not be re-deposited elsewhere in the bed of the lake, river or stream, or within the one per cent annual exceedance probability (AEP) flood plain;	Complies. The proposal involves the removal of existing structures only with no further works upstream or downstream of the structures proposed. Complies. Best practice erosion and sediment control will be undertaken to minimise discharge of sediment. Complies. Debris and material will not be re-deposited in the bed of the stream or floodplain. Complies. Measures will be undertaken to prevent	

Rule	Compliance	Non-Compliance
(d) the activity must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream; and (e) the activity must not compromise the structural integrity of the structure.	more than minor bed erosion, scouring or undercutting immediately upstream or downstream. Complies. The structural integrity of the structures will be maintained.	
E3.6.1.11. Works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for the operation, use, maintenance, repair and upgrading of existing structures (1) The activity must comply with the standards in E3.6.1.10 above. (2) For all structures, except culverts, do not prevent the passage of fish upstream and downstream in waterbodies that contain fish, except that temporary restrictions to fish passage may occur to enable construction work to be carried out. (3) For culverts do not have a perched entry or exit which prevents the passage of indigenous fish upstream or downstream in waterbodies that contain fish, except that temporary restrictions to fish passage may occur to enable construction work to be carried out. (4) Do not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream.	Complies. As assessed above, the works comply with standard E3.6.1.10. Complies. Fish passage will be provided. N/A. Upgrading of existing culverts have been designed to comply with standards for fish passage. Complies/N/A. Works will not cause more than minor bed erosion, scouring or undercutting. Complies/N/A. The structures will be maintained in a	

Rule	Compliance	Non-Compliance
(5) The structure must be maintained in a structurally sound condition at all times.	structurally sound condition.	
(6) Construction material and ancillary structures must be removed from the bed following completion of the activity.	Complies/N/A. Any construction materials within the bed will be removed following completion of works.	
(7) The activity must not change the area occupied by the structure.	Complies/N/A.	
E3.6.1.12. Works on structures lawfully existing on or before 30 September 2013 and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for the replacement, upgrading or extension of structures		
(1) The activity must comply with the standards in E3.6.1.10 above.	Complies/N/A. Upgrading works proposed on existing structures will comply with standards E3.6.1.10 above.	
(2) Structure length must comply with all of the following requirements: (a) the total length of any extended structure must not exceed 30m measured parallel to the direction of water flow. This includes the length of any existing structure and the proposed extension but excludes erosion or scour management works; and	Complies/N/A. Proposed upgrades of existing culverts are under 30m in length.	
(b) any required erosion or scour management works must not exceed 5m in length, either side of the extended structure. Such works protruding into the bed do not require a separate consent as they are authorised under this rule.	Complies/N/A. Erosion or scour management works will not exceed 5m in length.	
(3) Construction material and ancillary structures must be removed from the bed following completion of the activity.	Complies/N/A. Construction material and any ancillary structures will be removed from the bed	

Rule	Compliance	Non-Compliance
(4) Other than provided for by another rule, the activity must not increase the height or storage capacity of any existing dam. (5) The structure must not prevent the passage of fish upstream and downstream in waterbodies that contain fish. (6) Temporary restrictions to fish passage may occur to enable construction work to be carried out. (7) For modification of a dam or weir: (a) the modification must not commence until as much of the impounded sediment as is reasonably practicable has been removed from behind the structure; and (b) best practice endeavours must be used to minimise the discharge of sediment impounded by the structure. (8) For modification of a mooring: (a) the mooring anchor or pile is not relocated on the bed; and (b) the length of the mooring chain is not extended by more than 25 per cent.	following completion of the activity. N/A. N/A. The upgrading works proposed on existing structures will not prevent fish passage. N/A. N/A. N/A.	
E3.6.1.14. Standards for new structures and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water (1) Structure length must comply with all of the following: (a) the total length of any extended structure must not exceed 30m measured parallel to the direction of water flow. This includes the length of any existing structure and the proposed extension but excludes erosion or scour management works; (b) any required erosion or scour management works must not exceed 5m in length, either side of the extended structure. Such works protruding into the bed do not	Complies. All culverts and bridges are under 30m in length and fish passage is provided. Complies. Any erosion or scour management works (headwall and	

Rule	Compliance	Non-Compliance
require a separate consent as they are authorised under this rule; and	riprap) will not exceed 5m in length.	
(c) a new structure must not be erected or placed in individual lengths of 30m or less where this would progressively encase or otherwise modify the bed of a river or stream.	Complies. All culvert structures will be less than 30m in length.	
(2) During construction bed disturbance upstream or downstream of the structure must not exceed 10m either side, excluding the length of the structure.	Complies. Disturbance will not exceed 10m either side of the structure.	
(3) The structure must not prevent the passage of fish upstream and downstream in waterbodies that contain fish, except that temporary restrictions to fish passage may occur to enable construction work to be carried out.	Complies. Fish passage is provided for.	
(4) The structure must not cause more than minor bed erosion, scouring or undercutting immediately upstream or downstream.	Complies. Works will not cause more than minor bed erosion, scouring or undercutting.	
(5) Construction material and ancillary structures must be removed from the bed following completion of the activity.	Complies. Any construction materials within the bed will be removed following completion of works.	
(6) Other than provided for by another rule, the activity must not increase the height or storage capacity of any existing dam.	N/A. No dams are proposed.	
(7) The 1per cent annual exceedance probability (AEP) flood shall be accommodated by the structure and/or by an overland flow path without increasing flood levels up stream or downstream of the structure, beyond the land or structures owned or controlled by the person undertaking the activity.	Complies. This is confirmed in the stormwater report.	
(8) Calculation of flow rates will be made using the Auckland Council Technical Publication 108: Guideline for stormwater runoff modelling in the Auckland Region, April 1999.	N/A.	

Rule	Compliance	Non-Compliance
E3.6.1.15. New structures and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for temporary structures (1) The activity must comply with the standards in E3.6.1.14 above. (2) This activity does not need to comply with Standard E3.6.1.1(2). (3) The temporary structure must be in place no longer than 14 days within any six month period. (4) The temporary structure must accommodate a 5 per cent annual exceedance probability (AEP) flood event. (5) The temporary structure must occupy the minimum area necessary for its purpose. (6) For a temporary bridge, temporary piles may be located in the bed.	Complies – see above N/A Will comply Will comply Complies Noted	
E3.6.1.16 New structures and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for bridges or pipe bridges (1) The activity must comply with the standards in E3.6.1.14 above. (2) Piles must not be located in, on or under the bed of the lake, river, stream or wetland.	Complies as noted above Will comply	
E3.6.1.17. New structures and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for new cables or lines that cross over a river or stream which do not require support structures in the watercourse (1) The activity must comply with the standards in E3.6.1.14 above. (2) Structures in navigable watercourses the cable or line must not prevent navigation of vessels.	Complies as noted above N/A	

Rule	Compliance	Non-Compliance
E3.6.1.18. New structures and the associated bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water for culverts or fords less than 30m in length when measured parallel to the direction of water flow (1) The activity must comply with the standards in E3.6.1.14 above. (2) The 1 per cent annual exceedance probability (AEP) flood shall be accommodated by the structure and/or by an overland flow path without significantly increasing flood levels up stream or downstream of the structure. (3) Culverts must be constructed of inert materials with a design life of at least 50 years.	Complies - see compliance with E3.6.14 above 1% AEP flood shall not increase flood levels upstream or downstream Culvert will be constructed of inert material with design life of at 100 years	
E4 Other Discharge of Contaminants, E5 On-site and Small-Scale Wastewater Treatment and Disposal		
N/A. These sections are not relevant as the proposal does not involve the discharge of contaminants managed in chapter E4, on-site wastewater treatment and disposal under chapter E5.		
E6 Wastewater network management		
E6.4.1 Activity Table		The discharge of treated wastewater into water from a wastewater treatment plant is a discretionary activity pursuant to E6.4.1(A6)
E7 Taking, Damming and Diversion of Water and Drilling		
E7.4.1 Activity Table (A14) Take and use of p to 5m3 /day when averaged over any consecutive 20-day period – P (A15) Up to 20m3 /day, when averaged over any consecutive five-day period, and no more than 5000m3 /year – P (A26) Take and use of groundwater not meeting the permitted activity or restricted discretionary activity standards or not otherwise listed	Diversion of groundwater caused by an excavation is a permitted activity (A27), complying with E7.6.1.10.	Take and use of surface water not otherwise listed is a discretionary activity pursuant to rule E7.4.1(A9). Take and use of groundwater not meeting the permitted activity or restricted discretionary activity standards or not otherwise listed is a discretionary activity pursuant to rule E7.4.1(A26). The damming of water associated with the

Rule	Compliance	Non-Compliance
(A27) Diversion of groundwater caused by any excavation (including trench) or tunnel - P (A28) The diversion of groundwater caused by any excavation, (including trench) or tunnel that does not meet the permitted activity standards or not otherwise listed in all zones - RD		proposed storage reservoir is a discretionary activity pursuant to Rule E7.4.1(A35). The drilling of a groundwater bore is a controlled activity pursuant to Rule E7.4.1(A1).
E8 Stormwater Discharge and Diversion		
E8.4.1 Activity table (A1) Diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network or a combined sewer network that complies with Standard E8.6.2.1. - P		The proposal involves the discharge of stormwater runoff from impervious areas not otherwise provided for by Table E8.4.1. This is a discretionary activity pursuant to E8.4.1(A10). The proposal involves the diversion and discharge of stormwater runoff from a new stormwater network. This is a discretionary activity pursuant to E8.4.1(A11).
E9 Stormwater Quality – High Contaminant Generating Car parks and High Use Roads		
E9.4.1 Activity table (A7) Development of a new or redevelopment of an existing high use road greater than 5,000m² - controlled	N/A – no high-use roads proposed	Development of new and existing high use road is a controlled activity pursuant to rule E9.4.1(A7).
E9.6.2.2. Development of a new or redevelopment of an existing high use road greater than 5,000m² (1) Stormwater runoff from the impervious area is treated by stormwater management device(s). (2) The stormwater management device(s) must meet the following: (a) the device or system must be sized and designed in accordance with 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'; or	Complies Complies – refer Stormwater Assessment.	

Rule	Compliance	Non-Compliance
(b) where alternative devices are proposed, the device must demonstrate it is designed to achieve an equivalent level of contaminant or sediment removal performance to that of 'Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region (GD01)'.		
E10 Stormwater Management Area - Flow 1 and Flow 2		
N/A. E10 does not apply because the site is not within the Stormwater Management Area Overlay – Flow 1 or Flow 2.		
E11 Land Disturbance - Regional		
Table E11.4.1 Activity table – all zones and roads		
(A5) General earthworks greater than 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area (SCPA) – restricted discretionary		Consent required. The proposal will involve earthworks greater than 50,000m ² , with approximately 574,411m ² proposed, where land has a slope less than 10 degrees outside the SCPA. This is a restricted discretionary activity under E11.4.1(A5).
(A8) Greater than 2,500m ² where the land has a slope equal to or greater than 10 degrees - RD		Consent required. The proposal will include greater than 2,500m ² of earthworks where the slope of the land is greater than 10 degrees, with approximately 174,842m ² proposed. This is a restricted discretionary activity under E11.4.1(A8).
(A9) Greater than 2,500m ² within the SCPA in a residential zone – restricted discretionary		Consent required. The proposal will include greater than 2,500m ² of earthworks within the SCPA, with approximately 367,255m ² proposed. This is a restricted discretionary activity under E11.4.1(A9).
Table E11.4.3 Activity table – overlays		

Rule	Compliance	Non-Compliance
(A16) Earthworks for the installation of fences, walking tracks and burial of marine mammals in SEA Overlay – P (A28) Other land disturbance in the SEA greater than 5m² – RD (A30) Other land disturbance in the SEA greater than 5m³ – RD		
E11.6.2 General standards (1) 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. (2) 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. (3) 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. (4) Trenching must be progressively closed and stabilised such that no more than 120m of continuous trench is exposed to erosion at any one time. (5) Only cleanfill material may be imported and utilised as part of the land disturbance.	Complies. Erosion and sediment control measures are proposed which will ensure the effects listed in (a) to (e) do not arise as a result of the proposal. Complies. As set out in the Infrastructure Report, best practice erosion and sediment control measures will be installed and maintained for the duration of earthworks. Complies. Dewatering of trenches will be undertaken in accordance with best practice and for less than 5 days. Complies. There will be no more than 120m of trenching at any one time.	

Rule	Compliance	Non-Compliance
(6) 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.	Complies. Only cleanfill material will be utilised (where required).	
(7) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Significant Ecological Areas Overlay shall be limited to the area of earth previously disturbed or modified.	N/A.	
(8) Earthworks associated with a temporary activity within the Significant Ecological Areas Overlay shall be limited to the area of earthwork previously disturbed or modified.	N/A.	
E12 Land Disturbance - District		
Table E12.4.1 Activity table – all zones and roads		
(A6) Earthworks greater than 2500m² in rural zones and roads – restricted discretionary		Consent required. The proposal will involve greater than 2,500² of earthworks, with approximately 116,738m² proposed in the RPZ, 654,519m² proposed in the FUZ and approximately 253,234m² proposed in the road reserve. This is a restricted discretionary activity under E12.4.1(A6).
(A10) – Earthworks greater than 2500m³ in rural zones and roads – restricted discretionary		Consent required. The proposal will involve greater than 2,500m³ of earthworks, with approximately 150,375m³ proposed in the RPZ, approximately

Rule	Compliance	Non-Compliance
		1,050,326m ³ proposed in the FUZ, and approximately 61,563m ³ proposed in the road reserve. This is a restricted discretionary activity under E12.4.1(A10).
E12.6.2. General standards (1) 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; or (e) burial of marine mammals. (2) Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs. (3) 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. (4) 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. (5) 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.	Complies. The recommendations of the Geotechnical Investigation Report will be adhered to, ensuring the instability of land or structures beyond site boundaries will not occur. Complies. The proposal will not damage any network utilities. Complies. Public access will be maintained. Complies. Erosion and sediment control measures, along with standard construction conditions of consent, will ensure discharge of dust beyond site boundaries is minimised.	Does not comply. The proposal will involve greater than 5m² or 5m³ of general earthworks within the existing riparian yards. This is a restricted discretionary activity under C1.9(2).

Rule	Compliance	Non-Compliance
(6) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation.	N/A.	
(7) 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 E12.6.2(7)(a) and E12.6.2(7)(b) above.	N/A.	
(8) 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 6-12m from the outer visible edge of a transmission tower support structure.	N/A.	
(9) 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 New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001.	N/A.	
(10) Only cleanfill material may be imported and utilised as part of the land disturbance.	Complies. Only cleanfill material (where required) will be utilised.	
(11) Earthworks (including filling) within a 100 year annual exceedance probability (AEP) flood plain: (a) must not raise ground levels more than 300mm, to a total fill volume up to 10m ³ which must not be exceeded through multiple filling operations; and (b) must not result in any adverse changes in flood hazard beyond the site.		Approximately 195,218m ³ of fill is proposed within flood plains. The Stormwater Assessment confirms that the filling proposed will have no material impact on flood

Rule	Compliance	Non-Compliance
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 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 the one per cent annual exceedance probability (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) 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 must be limited to the area and depth of earth previously disturbed or modified. (15) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Historic Heritage Overlay must not extend more than 300 mm below the surface where additional rules for archaeological sites or features apply as listed in Schedule 14 Historic Heritage Schedule, Statements and Maps. (16) Earthworks associated with a temporary activity on a site or place of significance to Mana Whenua shall be limited to the area of earthwork previously disturbed or modified. (17) Earthworks/land disturbance for the planting of any tree within the Historic Heritage Overlay must not be undertaken where additional rules for archaeological sites or features 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	N/A. N/A. N/A. N/A. N/A. N/A. N/A.	levels or conveyance of flood flows. This is a restricted discretionary activity pursuant to Rule C1.9(2).

Rule	Compliance	Non-Compliance
occupied by the root plate of the pre-existing tree		
E13 Cleanfills, Managed Fills and Landfills, E14 Air Quality		
N/A. These chapters are not relevant as the proposal does not involve any cleanfills, managed fills or landfills under chapter E13.		
E14 Air Quality		
Table E14.4.1	The site is located in a medium air quality – dust and odour rural area (Rural) for the Rural Production Zone. Emergency generators used for the purpose of generating electricity for premises during mains power unavailability is a permitted activity under E14.4.1(A48) Proposed wastewater pump station is a permitted activity under E14.4.1(A166) WWTP complies with general standards as follows: E14.6.1.1(1)-(4): A FIDOL Assessment has been undertaken in the Air Discharge Assessment, which confirms compliance.	Discharge of contaminants into air from treatment of municipal wastewater in the medium quality air – dust and odour rural area is a discretionary activity under E14.4.1(A163)
E15 Vegetation Management and Biodiversity		

Rule	Compliance	Non-Compliance
Table E15.4.1 Activity table - Auckland-wide vegetation and biodiversity management rules (A6) Pest plant removal – P (A7) Conservation planting - P (A18) Vegetation alteration or removal within 20m of a natural wetland, in the bed of a river or stream (permanent or intermittent), or lake - RD (A19) Vegetation alteration or removal within 10m of urban streams – restricted discretionary (A20) Vegetation removal within 20m of a natural wetland, bed of a river or stream or lake. (A22A) Vegetation alteration or removal in all other zones and not covered above – P (A23) Permitted activities in Table E15.4.1 that do not comply with one or more of the standards in E15.6 – RD	As set out in the arborist assessment, the proposal involves pest plant removal which is a permitted activity under E15.4.1(A6). Conservation planting is a permitted activity (A6).	The proposal involves vegetation alteration and removal of vegetation within 20m of rural streams in the FUZ. This is a restricted discretionary activity pursuant to E15.4.1(A16). Vegetation alteration and removal within 10m of rural streams in the RPZ is a restricted discretionary activity pursuant to E15.4.1(A17) The proposal involves the removal of vegetation within 20m of a natural wetland and in the bed of a stream. This is a restricted discretionary activity pursuant to E15.4.1(A18).
E15.6 Standards E15.6.8 Vegetation alteration or removal undertaken within the 100-year ARI floodplain (1) Vegetation alteration or removal must ensure that erosion control measures associated with vegetation removal and replanting, such as mulch or bark, are not able to be swept off-site in a flood event.	ESCP confirms proposal will comply	
E16 Trees in Open Space Zones – N/A as no open space zones within site		

Rule	Compliance	Non-Compliance
E17 Trees in Roads, E18 Natural Character of The Coastal Environment, E19 Natural Features and Natural Landscapes in The Coastal Environment, E20 Māori Land, E21 Treaty Settlement Land, E22 Artworks, E23 Signs		

These chapters do not apply as follows:

- The proposal involves the removal of trees in roads for the purpose of road widening/upgrading, which is covered under the E26 provisions, therefore E17 does not apply
- There are no activity rules or standards in chapters E18 and E19;
- The proposal does not involve any works on Māori Land or Treaty Settlement Land under chapters E20 and E21; and
- Artwork and signs are not proposed as part of the application, therefore chapters E22 and E23 are not relevant.

E24 Lighting		
Table E24.4.1 Activity Table (A1) Activities that comply with all the relevant permitted activity standards - permitted	Permitted activity under E24.4.1(A1) - proposal will meet general standards.	
E24.6.2. Artificial lighting standards for access in residential zones	N/A	
E25 Noise and Vibration		
Table E25.4.1 Activity table (A1) Activities that comply with all the relevant permitted activity standards - P	Complies. As assessed in the Acoustic Assessment at Appendix 47 , compliance with the permitted activity standards relating to construction and vibration and operational noise will be met and noise limits.	
E26 Infrastructure		
E26.2.3.1 Activity table - Network utilities and electricity generation (A49) Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines) – permitted	Service connections are a permitted activity (A3) Pipe and cable bridges for the conveyance of water, wastewater, stormwater, electricity, gas and telecommunications are a permitted activity (A9)	Aboveground pipelines and attached ancillary structures for the conveyance of wastewater are a restricted discretionary activity pursuant to E26.2.3.1 (A50) Wastewater treatment plants are a restricted discretionary activity pursuant to E26.2.3.1 (A54)

Rule	Compliance	Non-Compliance
(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) in a residential zone - C (A55) Stormwater detention / retention ponds / wetlands – controlled (A56) Stormwater outfalls and ancillary structures - P (A58) Stormwater treatment devices; erosion protection; culverts; measuring devices (flows structures) – permitted	Underground electricity lines are a permitted activity (A22) Underground telecommunication lines are a permitted activity (A40) Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines) are a permitted activity (A49). Water booster pump stations are a permitted activity (A50) The proposal involves new stormwater outfalls. These are a permitted activity (A56). The proposal involves stormwater treatment devices, erosion protection and culverts which are a permitted activity (A58).	Stormwater detention/retention ponds are a controlled activity pursuant to E26.2.3.1(A55)
Table E26.2.3.2 Activity table for road network activities (A67) Construction, operation, use, maintenance and repair of road network activities – permitted	The proposal involves road network activities which are permitted under E26.2.3.2(A67).	
E26.2.5.2 Activities within zones in Table E26.2.3.1 Activity table (1) Temporary network utilities	N/A. Temporary network utilities are not proposed.	

Rule	Compliance	Non-Compliance
(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. (1) 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; the maximum height for support structures for electricity lines and telecommunication lines is 25m. The maximum height for rainwater tanks is 3m (4) Yards: 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: The maximum dimension for transformers is 2m3 (6) Electricity transmission and distribution (Electric and magnetic fields): network utilities that emit electric and magnetic field emissions must comply with the International Commission on Non-ionising Radiation	N/A - multiple structures are proposed (i.e., tanks) for the WTP and WWTP that will be fenced but not housed inside a single building. Does not comply. The WTP will have a maximum height of 4.38m and the WWTP will have a maximum height of 6.96m, where a maximum height of 2.5m is permitted. This is a permitted activity under E26.2.3.1(A51A). N/A. Electricity and telecommunication support structures are not proposed. N/A. Pole mounted transformers are not proposed. N/A. Electricity transmission and distribution is not proposed.	

Rule	Compliance	Non-Compliance
Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health Physics, 2010, 99(6); 818836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007). (7) Radio Frequency Fields (RF fields): 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.	N/A. Activities involving radiofrequency fields are not proposed.	
E26.2.5.3. Specific activities within zones in Table E26.2.3.1 <i>Pipe and cable bridges</i> Pipe and cable bridges must not exceed 25m in length and 1m in diameter or width <i>Underground pipelines for the conveyance of gas, water, wastewater and stormwater</i> (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.	Complies. Any aboveground sections of pipelines will not exceed 25m in length and 300mm in diameter. Specifically, the above ground pipes proposed across the pedestrian bridge will be no greater than 15m in length and will be 300mm or less in diameter.	
E26.2.5.4. Standards for road network activities in Table E26.2.3.2 (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	Complies. Temporary structures will be removed upon completion of works. Complies. Ground will be reinstated following completion of works.	

Rule	Compliance	Non-Compliance
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 commencing the works.	Complies. Works will support the function of public roads. N/A.	
E27 Transport		
E27.4.1 Activity Table (A1) Parking, loading and access which is an accessory activity and complies with the standards for parking, loading and access - Permitted (A2) Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access – restricted discretionary (A3) Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 - restricted discretionary	All other accessory parking, loading and access complies.	Parking, loading, access and electric vehicle supply equipment, which is an accessory activity, but which does not comply with the standards for parking, loading, access and electric vehicle supply equipment is a restricted discretionary activity under rule E27.4.1(A2). This includes infringements to vehicle crossing widths and driveway gradients. The proposal exceeds the trip generation standard under E27.6.1.1(T3B). This is a restricted discretionary activity under E27.4.1(A3).
E27.4.1 Activity Table A(5) Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards		Consent required. Lots 55 and 56 (Stage 14A), Lot 83 (Stage 4C), Lots 181, 182, 186 and 187 (Stage 4D), Lots 226, 227, 228, 271, 272, 273, 274, 278, 279, 280,

Rule	Compliance	Non-Compliance
E27.6.4.1(2) or E27.6.4.1(3) – Restricted Discretionary Activity.		285, 286 and 287 (Stage 4E), Lots 296 and 297 (Stage 14F), Lots 337 and 338 (Stage 14G), Lots 393, 394, 438 and 439 (Stage 14I), Lots 461, 478 and 526 (Stage 14J), Lots 718, 719, 756 and 757 (Stage 16A), and Lots 783, 784, 796, 797, 798 and 824 (Stage 16B) will not comply with E27.6.4.1(3), as the vehicle crossing will be located within 10m of an intersection. This is a restricted discretionary activity under E27.4.1(A5).
E27.4.1 Activity Table • A(10) Off-road pedestrian and cycling facilities – Permitted.	Complies	
E27.6.1 Traffic Generation Standards • Table E27.6.1.1(T1) and (T3B): Assessment required for development or subdivision involving more than 100 dwellings.		Consent required. The proposal involves the development and subdivision of more than 100 dwellings/lots and therefore will exceed the trip generation standard under E27.6.1.1(T1) and (T3B). This is a restricted discretionary activity under E27.4.1(A3), as identified above.
E27.6.2 Number of Parking and Loading Spaces	N/A - no minimum or maximum applicable parking rates.	
E27.6.2(6) Bicycle Parking (T181) Visitor: 1 per 20 dwellings for 20+ dwellings Secure: 1/dwelling without a garage or basement car park.	All required visitor bicycle parking will be provided for where required for the non-residential uses.. Sufficient space has been allowed within each lot to accommodate the secure bicycle parking required for individual dwellings and any future commercial activity. Detailed bicycle parking	

Rule	Compliance	Non-Compliance
	layouts will be confirmed at building consent stage.	
E27.6.2(7) End-of-Trip Facilities	N/A - not relevant to the proposal.	
E27.6.2(8) Loading (a) all activities must provide loading spaces as specified in Table E27.6.2.7. (b) in addition, where the only vehicle access for residential activities is from an arterial road as identified on the planning maps a small loading space must be provided in accordance with Table E27.6.2.7A.	• Loading requirements will depend on the nature and scale of any future commercial activity established on the commercial lot. Sufficient space has been allowed within the lot to accommodate a loading bay if required under Table E27.6.2.7. • No residential lots are accessed from an arterial road and therefore E27.6.2.7A is not applicable.	
E27.6.3 Design of Parking and Loading Spaces E27.6.3.1 Size and Location of Parking Spaces • Dimensions set out at E27.6.3.1.1 except accessible parking dimensions must be design in accordance with NZSDAMBAF (NZS:4121-2001) • Spaces must be located on the same site as the activity to which it relates; not be used for any other purpose; kept clear and available when the activity is in operation etc. Refer E27.6.3.1(1)(a)-(g).	Complies – any parking spaces will be designed to comply with these standards. Complies - proposed vehicle accesses relating to each dwelling will provide compliant accessibility dimensions.	
E27.6.3.2 Size and Location of Loading Spaces • Minimum dimensions set out at E27.6.3.2.1 • Spaces must be located on the same site as the activity to which it relates; be available when the activity is in operation etc. Refer E27.6.3.2(1)(a)-(d). • Must have a maximum crossfall of 1:50 (2%) in all directions.	Loading requirements will depend on the nature and scale of any future commercial activity established on the commercial lot.	
E27.6.3.2(A) Number and Design of Accessible Parking (1) Accessible parking must be provided for all new buildings, extension to existing buildings and changes of activity from non-residential	Will comply	

Rule	Compliance	Non-Compliance
to residential land uses, in accordance with E27.6.3.2(A)(2) to (5) below (2) For residential developments where car parking is provided on site, accessible parking spaces must be provided for developments of 10 or more dwellings. (3) For all non-residential developments, accessible parking must be provided when car parking is provided on-site. (4) Accessible parking is not required to be provided where no car parking is provided on site, except for the following activities in the following zones where accessible parking must be provided even when there is no car parking on-site. (5) Where accessible parking is required to be provided on-site in accordance with E27.6.3.2 (A) (1) to (4) above, the required number of accessible parking spaces must be calculated as set out in E27.6.3.2(A) (6) and (7). (6) For non-residential land uses, the required number of accessible parking spaces is to be determined using Steps 1 to 3 below. (7) For dwellings in all zones (including dwellings in the residential component of mixed use developments) which provide car parking, the required number of accessible parking spaces provided must be in accordance with Table 2 below. (8) For retirement villages, supported residential care, visitor accommodation and boarding houses The same method for calculating the required number of onsite accessible parking spaces for non-residential uses in (6) applies. (9) Accessible car parks must be marked as accessible and connected by an accessible route to the building, unit(s) or facility they serve, except that: (a) for residential developments where an accessible car park is located within a garage, carport or parking pad that directly adjoins the dwelling it serves, the space may be, but is not required to be, marked as accessible; and (b) for accessible parking spaces in grouped or communal areas of residential developments that do not directly adjoin the dwellings they serve, such spaces must be marked as accessible, and may include additional		

Rule	Compliance	Non-Compliance
signage indicating private allocation to specific dwellings. The marking for these residential parking spaces may be supplemented beyond standard accessible parking markings to clearly indicate their residential and private/allocated nature. For all non-residential developments, or non-residential components of mixed-use developments, standard accessible parking markings must be used. (10) The requirements of this standard E27.6.3.2(A) do not apply to activities within I208 Port Precinct.		
E27.6.3.3 Access and Manoeuvring - Must accommodate 85th percentile tracking curves for cars Loading must comply with the RTS 18 tracking curves For every small loading space required by Table E27.6.3.2.1.(T137A) the access and manoeuvring areas associated with that loading space must accommodate the 6.4m van tracking curves set out in Figure E27.6.3.3.3. - Only car parks for dwellings may be stacked	Parking spaces and associated driveways will be designed to accommodate the 85 percentile car tracking curves.	
E27.6.3.4 Reverse Manoeuvring Not permitted where: - Four or more spaces are served by a single access - There is 30m between the parking space and the road boundary - Access is from an arterial road or Vehicle Access Restriction - Where E27.6.3.4(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.	N/A	
E27.6.3.5 Vertical Clearance (1) To ensure vehicles can pass safely under overhead structures to access any parking and loading spaces, the minimum clearance between the formed surface and the structure must be:	Will comply. Parking spaces will either be located on outdoor parking pads or within garages which will have a	

Rule	Compliance	Non-Compliance
(a) 2.1m where access and/or parking for cars is provided for residential activities; (b) 2.3m where access and/or parking for cars is provided for all other activities; (c) 2.5m where access and/or accessible parking is provided/required; (ca) 2.8m where loading is required for residential activities denoted with an asterisk (*) in Table E27.6.2.7A; (cb) 3.8m where heavy vehicle access in Standard E27.6.3(2) is provided; or (d) 3.8m where loading is required in Table E27.6.2.7.	vertical clearance of at least 2.1m.	
E27.6.3.6 Formation and Gradient • Parking and access must be formed, drained, provided with an all-weather surface and be marked out or delineated (except in some rural zones) • Maximum 1:25 for accessible spaces • Maximum 1:20 for other spaces Maximum 1:8 for manoeuvring	Parking and access will be formed and drained. It will be designed to have a maximum gradient of 1:20 for parking spaces, and 1:8 for manoeuvring spaces.	
E27.6.3.7 Lighting Lighting is required where there are 10 or more spaces which are likely to be used during hours of darkness Lighting is required, in residential zones to primary pedestrian access, vehicle access, parking and manoeuvring areas, where any of the following apply: (a) There are four to nine dwellings accessible from a primary pedestrian access which is not adjacent to a vehicle access; (b) There are 10 or more parking spaces; or (c) There are 10 or more dwellings. Lighting must be provided during the hours of darkness in a manner that complies with the rules in Section E24 Lighting.	Compliant lighting will be provided in accordance with the Milldale North Design Guideline.	
E27.6.4.1 Vehicle Access Restrictions		Consent required. The proposal seeks blanket land use consent to enable the establishment of vehicle crossings within 10m of an intersection, where a VAR applies under E27.6.4.1(3) on Lots 55 and 56 (Stage 14A), Lot 83 (Stage 4C), Lots 181, 182, 186 and 187 (Stage 4D), Lots 226, 227,

Rule	Compliance	Non-Compliance
		228, 271, 272, 273, 274, 278, 279, 280, 285, 286 and 287 (Stage 4E), Lots 296 and 297 (Stage 14F), Lots 337 and 338 (Stage 14G), Lots 393, 394, 438 and 439 (Stage 14I), Lots 461, 478 and 526 (Stage 14J), Lots 718, 719, 756 and 757 (Stage 16A), and Lots 783, 784, 796, 797, 798 and 824 (Stage 16B). This is a restricted discretionary activity under E27.4.1(A5).
E27.6.4.2 Width and Number of Vehicle Crossings • 1 crossing per 25m frontage • Minimum 2m separation between crossings on adjacent sites, except that two crossings on adjacent sites can be combined to max 6m width • Minimum 6m separation between crossings servicing the same site • Must comply with E27.6.4.3	Will comply as follows: No more than one crossing per 25m frontage per site is proposed. The crossings will be designed to comply with the minimum 2m separation/6m combined width. No more than one crossing per site is proposed.	
E27.6.4.3 Width of Vehicle Access, Queuing and Speed Management Requirements • Passing bay requirements apply to accesses over 50m in length under 5.5m width • (T150) Minimum crossing width 3m (one-way), maximum crossing width 3.5m (one-way) and minimum clear corridor of 3.5m • Must meet the minimum speed management measure spacing specified in Table E27.6.4.3.3.	No JOALs < 5.5m are greater than 50m. No passing bays required.	Will not comply. The proposal seeks to establish vehicle crossings that exceed the maximum width requirement of 3.5m, with vehicle crossings up to 4.8m wide proposed. This requires consent as a restricted discretionary activity under Rules E27.4.1(A2) and E27.6.4.4(3).
E27.6.4.4 Gradient of Vehicle Access • (T157) Vehicle access serving any other residential activities (including rear sites) = maximum 1:5 (20%) • 4m long 1:20 platform where adjoining road boundary		Consent required. The proposal seeks blanket land use consent for driveway gradients that exceed the maximum gradients for safety platforms of 1 in 20 for the first 4m length. This is a restricted discretionary activity under E27.4.1(A2).

Rule	Compliance	Non-Compliance
E27.6.4.5 Sightlines for Road/Rail Level Crossings	N/A - not relevant to the proposal.	
E27.6.5 Design and Location of Off-Road Pedestrian and Cycling	Will comply	
E27.6.6 Design and location of pedestrian access in residential zones	Complies as per the design of the JOAL typologies proposed.	
E27.6.7 Provision for Electric Vehicle Charging (1) New dwelling with undercover carparking must provide the undercover car park with the capability to install EV equipment. • Does not apply to new detached dwellings or visitor parking.	Will comply – garage parking spaces have capability to install EV equipment.	
E27.6.8 Electric Vehicle Charging Stations (1) Any building or structure for EV charging must: (a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and (b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone.	Will comply - capability for future EV charging within garage.	
E28 Mineral extraction from land, E29 Emergency management area – Hazardous facilities and infrastructure		
N/A. These chapters are not relevant as the proposal does not involve mineral extraction under chapter E28, or any hazardous facilities or infrastructure which would require an emergency management area under chapter E29.		
E30 Contaminated Land		
Table E30.4.1 Activity table (A6) Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standard E30.6.1.2 - controlled		Discharges from the soil disturbance at Te Korowai o Maraeariki will require consent as a discretionary activity as no DSI has been prepared. This is a discretionary activity pursuant to Rule E30.4.1(A7).
E30.6.1.2 Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants (1) The volume of soil disturbed must not exceed: (a) 200m ³ per site; or		

Rule	Compliance	Non-Compliance
(b) 200m³ per project for sites or roads with multiple concurrent land disturbance projects, where the cumulative total volume of soil disturbance associated with each given project will be used when determining activity status; or (c) an average depth and width of 1m for linear trenching by network utilities in the road or rail corridor. (2) Prior to the activity commencing: (a) the Council must be advised of the activity in writing if the volume of soil disturbed on land containing elevated levels of contaminants exceeds 25m³, including details of the measures and controls to be implemented to minimise discharges of contaminants to the environment, and such controls are to be effective for duration of the activity and until the soil is reinstated to an erosion-resistant state; and (b) controls on linear trenching must be implemented to manage discharges to the environment from trenches acting as migration pathways for contaminants. (3) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons. (4) The duration of soil disturbance on a site must not exceed two months. (5) Any contaminated material removed from the site must be disposed of at a facility or site authorised to accept such materials.	Complies. The Council will be notified of the activity prior to works commencing Will comply. Will comply.	Does not comply. The volume of contaminated soil disturbance exceeds 200m³ per site. Does not comply. Soil disturbance will exceed two months.
E31 Hazardous Substances		
E31 Hazardous Substances	To use, store and dispose of hazardous substances in subclasses 6.1D and 6.1E is a permitted activity under E31.4.1(A5)	Hazardous facilities that store or use hazardous substances above the specified thresholds for controlled activity and restricted discretionary activity status in the activity tables or are not otherwise provided for are a

Rule	Compliance	Non-Compliance
		discretionary activity under E31.4.1(A7)
E32 Biosolids, E34 Agrichemicals and Vertebrate Toxic Agents, E35 Rural Production Discharges		
N/A. These chapters are not relevant as:		
- The proposal does not involve any, biosolids under chapter E32. - The proposal also does not involve agrichemical, vertebrate toxic agents under chapter E34 or rural production discharges under chapter E35.		
E33 Industrial and Trade Activities		
E33.4.1	Hazardous Substances Assessment as Appendix confirms that the proposed wastewater treatment plant will be a permitted activity under E33.4.1(A5) and E33.4.1(A17)	
E36 Natural Hazards and Flooding		
E36.4.1 Activity table		
(A23) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain – P	The proposal involves fences and walls in the 1% AEP floodplain, which, as assessed below comply with Standard E36.6.1.5 and therefore is permitted under E36.4.1(A23).	Construction of stormwater management devices in the 1 per cent annual exceedance probability (AEP) floodplain is a restricted discretionary activity pursuant to rule E36.4.1(A33).
(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	The proposal involves fences over overland flow paths that do not obstruct the overland flow path. This is permitted under E36.4.1(A39).	Piping or diversion of an overland flow path is a restricted discretionary activity pursuant to rule E36.4.1(A41).
(A37) All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain - RD		Any buildings or structures, including retaining walls located within or over an overland flow path is a restricted discretionary activity pursuant to rule E36.4.3(A42).
(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		Infrastructure on land subject to overland flow paths and the 1% AEP floodplain is a restricted

Rule	Compliance	Non-Compliance
(A39) Fences and walls located within or over an overland flow path that do not obstruct the overland flow path - 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 (A43) Buildings and structures on land which may be subject to land instability that comply with Standard E36.6.1.11 - P		discretionary activity pursuant to rule E36.4.1(A56).
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.	Complies. Fencing has been designed to enable the passage of flood waters. Refer to engineering plans N/A.	
E36.6.1.10. Fences and walls located within or over an overland flow path that do not obstruct the overland flow path	N/A. Ponding of floodwater caused by a	

Rule	Compliance	Non-Compliance
(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	fence or wall will not occur. N/A.	
E37 Genetically Modified Organisms		
N/A. The proposal does not involve any genetically modified organisms (E37)		
E39 Subdivision - Rural		
Table E39.4.1 Subdivision for specified purposes		Subdivision establishing an esplanade reserve in the FUZ is a restricted discretionary activity pursuant to rule E39.4.1(A5). The proposal involves waiver of esplanade reserve in the FUZ as it relates to Lots 8002 and 8003. This is a discretionary activity pursuant to Rule E39.4.1(A7). The proposal involves the subdivision of land within the 1% AEP floodplain and land which may be subject to instability. This is a restricted discretionary activity pursuant to E39.4.1(A8). As assessed below, the proposal involves subdivision which does not

Rule	Compliance	Non-Compliance
		meet the standards in E39.6.1. This is a discretionary activity pursuant to E39.4.1(A9).
Table E39.4.2 Subdivision in Rural Zones		Subdivision for open spaces, reserves or road realignment in the Rural Production Zone is a discretionary activity pursuant to rule E39.4.2(A11).
Table E39.4.3 Subdivision in Future Urban Zone		The proposal involves subdivision for open spaces, reserves and roads in the FUZ. This is a discretionary activity pursuant to E39.4.3(A28). The proposal involves subdivision in the FUZ not provided for in Tables E38.4.1 or E39.4.3. This is a non-complying activity pursuant to E39.4.3(A29).
E39.6.1.1 General Standards – specified building area	Complies as follows: A specified building area will be identified on every site on the Scheme Plan. Vehicle access to formed public roads will be provided. Specified building area will be identified as the only place on the site where dwellings and parking/manoeuvring areas can be located, will be located outside Quarry Buffer Area Overlay	The building area will not be a single area of at least 2,000m ² and will not be clear of yards, floodplain areas and land which may be subject to instability.
E39.6.1.2 Access and entrance strips	Complies – all proposed sites will be provided with legal and physical access	
E39.6.1.3 Services	Complies – all sites will have provision for	

Rule	Compliance	Non-Compliance
	services listed in (a) to (e).	
E39.6.1.4 Staging	Complies – staging information is provided in the AEE and Scheme Plan	
E39.6.1.14 Overland flow paths	Will comply – overland flow paths will be redirected within the roads (refer to Stormwater Management Plan).	
E39.6.1.6 Existing vegetation on the site	Complies – SEA areas and waterways have been shown on the plans.	
E39.6.4 Standards – restricted discretionary activities		
E39.6.4.1 Subdivision establishing an esplanade reserve	Complies – 20m esplanade reserve width to be provided, measured from 90 degrees.	
E39.6.4.2 Subdivision of a site within the one per cent annual exceedance probability floodplain		Non-compliance as follows: Building area does not contain area meeting requirements of E39.6.1.
E39.6.5.1 Subdivision in the Rural – Rural Production Zone	N/A	
E39.6.5.1.1 Minimum average site size: RPZ Minimum average site: 100ha RPZ Minimum site size: 80ha		
E40 Temporary Activities		
E40.4.1 Activity table		The proposal will involve construction activities exceeding 24 months. This is a restricted discretionary activity pursuant to E40.4.1(A24).
(A24) Specific temporary activities that are not provided as a permitted activity in rules (A12) to (A23) - RD		
H18 Future Urban Zone		
H18.4.1 Activity Table	Demolition of existing buildings is a permitted	As new buildings have the same activity status and

Rule	Compliance	Non-Compliance
	activity pursuant to H18.4.1(A1).	standards as applies to the land use activity. In this regard, the following consents are required: New buildings associated with dwellings are a non-complying activity pursuant to H18.4.1(A2). New buildings associated with restaurants and cafes not otherwise provide for are a discretionary activity pursuant to H18.4.1(A2). New buildings associated with retail and commercial service activities are a discretionary activity pursuant to H18.4.1(A2). Retaining walls greater than 1.5m in height or within 1.5m of a public place are considered 'buildings' and carry the same activity status as applies to the land use activity that the new buildings are accommodating. This is a non-complying activity and discretionary activity under H18.4.1(A2). Dwellings that do not comply with Standard H18.6.8 are a non-complying activity pursuant to H18.4.1(A28). Restaurants and cafes not otherwise provided for is a discretionary activity pursuant to H18.4.1(A38). Retail and commercial service activities are not specifically classed in Table H18.4.1 Activity Table. This is a discretionary activity

Rule	Compliance	Non-Compliance
		pursuant to C1.7(1) as an activity not provided for.
H18.6.1 Disposal of non-residential waste or compost	N/A – not relevant to proposal.	
H18.6.2 Maximum building height	Will comply for the detached dwellings and commercial development with 9m maximum building height proposed.	Medium density dwellings will have a maximum height of at least 12m. This is a restricted discretionary activity under C1.9(2).
H18.6.3 Yards • Front yards adjoining arterial roads: 20m Front yards all other sites: 10m Side/rear yard for other buildings other than dwellings: 12m Side/rear yards for dwellings: 6m • Riparian yard: 20m		Retaining walls located within the front, side and/or rear yard for the following lots: 62, 320-327, 513, 515-518, 526, 552-558, 559-566, 567-569, 571-577, 580, 623 – 634, 716, 717, 739, 745-748, 743, 744 and 825-832. Detached dwellings: 3m front yard 1m side/rear yard 1.5m side/rear on identified large lot Medium density dwellings: 1.5m front yard 1m rear, except no setback where JOAL forms the rear boundary 1m side, except no setback where a common wall or zero-lot detached typology is proposed Commercial development 0m to 1.5m front yard setback Minimum 2m side/rear yard on Lots 126-130 or Lots 268-272 and 3m side/rear yard only where it adjoins a residential lot

Rule	Compliance	Non-Compliance
		This is a restricted discretionary activity under C1.9(2).
H18.6.4 Buildings housing animals	N/A – not relevant to proposal	
H18.6.5 Maximum size of buildings for animal breeding or boarding, produce sales, and on-site primary produce manufacturing	N/A – not relevant to proposal	
H18.6.6 Free range poultry farming	N/A – not relevant to proposal	
H18.6.7 Produce sales	N/A – not relevant to proposal	
H18.6.8 Dwellings Must not be located on close road Max 1 dwelling per site		1,401 dwellings are proposed to be constructed.
H18.6.9 Home occupations	N/A – not relevant to proposal	
H18.6.10 Forestry	N/A – not relevant to proposal	
H18.6.11 Animal breeding or boarding	N/A – not relevant to proposal	
H18.6.12 Markets	N/A – not relevant to proposal	
H18.6.13 Quarries – farm or forestry	N/A – not relevant to proposal	
H18.6.14 Mineral prospecting and mineral exploration	N/A – not relevant to proposal	
H18.6.15 Minor dwellings	N/A – not relevant to proposal	
H18.6.16 Worker's accommodation	N/A – not relevant to proposal	
H19 Rural Production Zone		
H19.8.1 Activity Table	Conservation planting is a permitted activity (A15)	The water reservoir, WTP and WWTP are not provided for within the activity table and therefore is a discretionary activity as an activity not provided for under C1.7(1).

Plan Change 120 (Notified Version) – Rules with Immediate Legal Effect

Proposal: Milldale Substantive Application

Address: 9 Cemetery Road, 480, 500, 522, 555, 569, 597, 602 Wainui Road, 173 and 231 Upper Orewa Road and Lot 4 DP 353309, Lot 1 DP 589819, Lot 6, 7, 8, 12, 14 DP 198205, Allot 210 and Allot 216 Parish of Waiwera, Allot 549 Parish of Waiwera (Milldale North)

Rule	Compliance	Non-Compliance
E12 Land Disturbance – District		
E12.6.2 General Standards		
E12.6.2(11) - Earthworks (including filling) within a 100 year <u>the 1 per cent</u> AEP floodplain <u>and/or flood prone areas</u>: - Must not raise ground levels more than 300mm, to a max fill volume of 1m³, which must not be exceeded through multiple filling operations; and - Must not result in any adverse changes in flood hazard beyond the site Note1 This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.		Earthworks will raise ground levels by more than 300mm within the 1% AEP floodplain and flood prone areas This is a restricted discretionary activity pursuant to Rule C1.9(2).
E12.6.2(13) Temporary land disturbance and stockpiling of soil and other materials <u>in flood hazard areas within the one per cent annual exceedance probability (AEP) flood plain and/or overland flow path</u> for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities.	N/A – temporary stockpiling within flood hazard areas not proposed.	
<u>E12.6.2(18)</u> <u>Earthworks proposed within medium and high landslide</u>	Landslide hazard is overall low however earthworks will be undertaken in accordance with	

Rule	Compliance	Non-Compliance
<u>susceptibility assessment areas must be undertaken in general accordance with:</u> - o <u>geotechnical reports, prepared by a suitably qualified and experienced person in accordance with Auckland Council Code of Practice for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) and approved or certified by Council when associated with a resource consent or compliant proposal in relation to applicable Auckland-wide natural hazard rules;</u> - o <u>a landslide hazard risk assessment report prepared by a suitably qualified and experienced person in accordance with Appendix 24 Landslide hazard risk assessment methodology and approved or certified by Council when associated with a resource consent or compliant proposal in relation to applicable Auckland-wide natural hazards rules; and</u> - o <u>any conditions of a building consent, resource consent, or consent notice registered on the land title(s) associated with the proposal and relating to landslide risk and geotechnical assessment matters.</u>	the Geotechnical Report supplied by Gibb Ritchie, and a landslide hazard risk assessment prepared by Gibb Ritchie.	
E12.9 Special Information Requirements		
(1) <u>Geotechnical reports prepared by a suitably qualified and experienced person in accordance with</u>	Complies – a Geotechnical Report has been prepared by Gibb Ritchie and appended to the application.	

Rule	Compliance	Non-Compliance
<u>Auckland Council Code of Practice for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) must accompany a resource consent application for earthworks within medium and high landslide susceptibility assessment areas.</u>		
E15 Vegetation Management and Biodiversity		
E15.6 Standards		
E15.6.8 Vegetation alteration or removal undertaken within the 100-year ARI <u>1 per cent annual exceedance probability (AEP)</u> floodplain (1) Vegetation alteration or removal must ensure that erosion control measures associated with vegetation removal and replanting, such as mulch or bark, are not able to be swept off-site in a flood event	Complies - appropriate measures for vegetation removal within the 1% AEP floodplain are contained within the ESC.	
<u>E15.6.8A Vegetation alteration or removal proposed within medium and high landslide susceptibility assessment areas</u> (1) <u>Vegetation alteration or removal proposed within medium and high landslide susceptibility assessment areas must be undertaken in general accordance with:</u> (a) <u>geotechnical reports prepared by a suitably qualified and experienced person in accordance with Auckland Council Code of Practice for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) and approved or certified by Council when associated</u>	Landslide hazard is overall low however any vegetation removal will be undertaken in accordance with the Geotechnical Report supplied by Gibb Ritchie, and a landslide hazard risk assessment prepared by Gibb Ritchie.	

Rule	Compliance	Non-Compliance
<u>with a resource consent or compliant proposal in relation to applicable Auckland-wide natural hazards rules;</u> (b) <u>a landslide hazard risk assessment report prepared by a suitably qualified and experienced person in accordance with Appendix 24 Landslide hazard risk assessment methodology and approved or certified by Council when associated with a resource consent or compliant proposal in relation to applicable Auckland-wide natural hazards rules;</u> (c) <u>any conditions of a building consent, resource consent or consent notice registered on the land title(s) associated with the proposal and relating to landslide risk and geotechnical assessment matters.</u>		
E15.9 Special Information Requirements		
(1) <u>Geotechnical reports prepared by a suitably qualified and experienced person in accordance with Auckland Council Code of Practice for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) must accompany a resource consent application for vegetation alteration or removal within medium and high landslide susceptibility assessment areas</u> (2) <u>A landslide hazard risk assessment prepared by a suitably qualified and experienced person in</u>	Complies – vegetation removal located within medium and high landslide susceptibility areas will be undertaken in accordance with the Geotechnical Report supplied by Gibb Ritchie, and a landslide hazard risk assessment prepared by Gibb Ritchie.	

Rule	Compliance	Non-Compliance
<u>accordance with Appendix 24 Landslide hazard risk assessment methodology must accompany a resource consent application for vegetation alteration or removal within medium and high landslide susceptibility assessment areas.</u>		
E36 Natural Hazards ¹		
E36.4 Activity Table		
Table E36.4.1A Activity Table (Coastal and Flood Hazard Areas) (A79) Activities where natural hazard risk is acceptable – P (A87) Fences, earth bunds and walls in flood hazard areas – P (A104) Construction, operation, maintenance, renewal and repair of road network activities within the legal road or road formation width in flood hazard areas – P (A106) Construction, operation, maintenance, renewal and repair of underground utilities within flood and coastal inundation hazard areas - P	Surface parking and above ground parking areas (including vehicle entry and exit points) in a low flood hazard area is a permitted activity pursuant to rule E36.4.1A(A81). Construction of private roads, roads intended to be vested, and accessways in a low flood hazard area is a permitted activity pursuant to rule E36.4.1A(A88). Construction of stormwater management devices or flood mitigation works that are to be vested in the Council in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a permitted activity pursuant to rule E36.4.1A(A91).	Activities where natural hazard risk is significant in accordance with Table E36.3.1B.2 in low flood hazard areas is a non-complying activity pursuant to rule E36.4.1A(A78). Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1% annual exceedance probability (AEP) floodplain and flood prone areas is a restricted discretionary activity pursuant to rule E36.4.1A(A92). All other structures and buildings (including retaining walls) in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a restricted discretionary activity pursuant to rule E36.4.1A(A98). Any buildings or other structures located within an overland flow path with a catchment greater than 4,000m² is a restricted discretionary activity pursuant to rule E36.4.1A(A101). Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path

¹ Note: Given the extensive changes proposed to this chapter, the provisions have not been tracked changed, and instead rules are summarised afresh.

Rule	Compliance	Non-Compliance
		is a restricted discretionary activity pursuant to rule E36.4.1A(A102). All other infrastructure in flood and coastal hazard areas not otherwise provided for is a restricted discretionary activity pursuant to rule E36.4.1A(A107).
Table E36.4.1B Activity Table (Landslide Hazard Risk Areas) (A108) Storage of hazardous substances in landslide hazard risk areas that comply with E36.6.A1 – P (A112) 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, accessways private roads and roads intended to be vested in landslide hazard risk areas that comply with Standard E36.6.A1 in a medium or low area – P (A114) New structures and buildings and external additions and alterations to existing structures and buildings (as existing at 03/11/25) associated with activities potentially sensitive and less sensitive to natural hazards in low (acceptable) landslide hazard risk areas – P (A115) New structures and buildings and external additions and alterations to existing structures and buildings (as existing at 03/11/25) with a gross floor area up to 20m² associated with activities less sensitive to natural hazards in medium	Storage of hazardous substances in landslide hazard risk areas that comply with Standard E36.6.A1 in a low to moderate landslide hazard risk area is a permitted activity pursuant to Rule E36.4.1B(A108). 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, accessways private roads and roads intended to be vested in landslide hazard risk areas that comply with Standard E36.6.A1 in a low to moderate landslide hazard risk area is a permitted activity pursuant to Rule E36.4.1B(A112). All other buildings and structures, including retaining walls, in landslide hazard risk areas that comply with Standard E36.6.A1 in a low to moderate landslide hazard risk area is a permitted activity pursuant to Rule E36.4.1B(A128).	

Rule	Compliance	Non-Compliance
(tolerable) and high (significant) landslide hazard risk areas – P		
(A120) New structures and buildings and external additions and alterations to existing structures and buildings (as existing at 03/11/25) with a gross floor area more than 20m ² associated with activities less sensitive to natural hazards in medium (tolerable) and high (significant) landslide hazard risk areas that comply with Standard E36.6.A1 - P		
Table E36.4.1C Activity Table (Infrastructure in Landslide Hazard Susceptibility Areas)		
(A131) Construction, operation, maintenance, renewal and repair of road network activities within the legal road or road formation width in landslide susceptibility assessment areas - P		
Table E36.4.1D Activity Table (Defences Against Coastal Hazards)	N/A	
E36.6 Standards		
E36.6.A1 General Standards		
- All activities (except activities (A108), (A114) and (A115) listed as a permitted activity, controlled activity or restricted discretionary activity in Table E36.4.1B, must comply with the following standards by being undertaken in accordance with: - Geotechnical reports prepared by SQEP in accordance with CoP for Land Development and Subdivision, Section 2, and approved/certified by Council when associated with a BC/RC;	Complies – activities located within medium and high landslide susceptibility areas will be undertaken in accordance with the Geotechnical Report supplied by Gibb Ritchie, and a landslide hazard risk assessment prepared by Gibb Ritchie.	

Rule	Compliance	Non-Compliance
○ Hazard risk assessment prepared by SQEP in accordance with E36.9 and Appendix 24, and approved/certified by Council when associated with RC or compliant proposal; and ○ Any BC, RC or consent notice conditions relating to landslide risk and Geotech matters.		
E36.6.1 Permitted Activity Standards		
<i>Activities in the Coastal Hazard Areas</i>		
E36.6.1.1A Activities where natural hazard risk is acceptable in accordance with Table E36.3.1B.1 and E36.3.1B.2 in Coastal Hazard Areas • Risk from coastal hazards must not be exacerbated beyond the site	N/A – the site is not subject to a coastal inundation hazard area.	
E36.6.1.1B Surface Parking and Above Ground Parking Areas (including Vehicle Entry and Exit Points) in Coastal Inundation Hazard Areas • The parking areas including vehicle entry and exit points must be above the 1% AEP inundation level taking into account 1.5m relative sea level rise	N/A – the site is not subject to a coastal inundation hazard area.	
E36.6.1.1C Storage of Goods and Materials in Coastal Hazard Areas, and Storage of Hazardous Substances in Coastal Hazard Areas • Goods and materials are secured and contained so as not to cause an environmental, public health or safety hazard during or after an event	N/A – the site is not subject to a coastal hazard area.	
E36.6.1.1D(1) Fences and Walls for Landscaping, Privacy, or Aesthetic Purposes in Coastal	N/A – the site is not subject to a coastal hazard area.	

Rule	Compliance	Non-Compliance
Hazard Areas (excluding Earth Bunds and Retaining Walls) The fence or wall must be constructed so that 80% of the surface area will permit the unobstructed passage of tidal water, overland flow or stormwater drainage		
E36.6.1.1D(2) Fences and Walls for Landscaping, Privacy, or Aesthetic Purposes in Coastal Hazard Areas (excluding Earth Bunds and Retaining Walls) The fence or wall must not prevent the ebb and flow of the tide during storm events	N/A – the site is not subject to a coastal hazard area.	
E36.6.1.1D(3) Fences and Walls for Landscaping, Privacy, or Aesthetic Purposes in Coastal Hazard Areas (excluding Earth Bunds and Retaining Walls) The fence or wall shall not be for erosion control or hazard mitigation	N/A – the site is not subject to a coastal hazard area.	
E36.6.1.1D(4) Fences and Walls for Landscaping, Privacy, or Aesthetic Purposes in Coastal Hazard Areas (excluding Earth Bunds and Retaining Walls) The fence or wall must not incorporate footings, anchoring systems, steel reinforcement or other structural elements designed to withstand lateral earth pressure	N/A – the site is not subject to a coastal hazard area.	
E36.6.1.1E Domestic Above-Ground Rainwater Tanks in Coastal Hazard Areas The rainwater tank must be secured so that it cannot become mobile during a coastal inundation event	N/A – the site is not subject to a coastal hazard area.	
E36.6.1.2 Beach Nourishment	N/A – not proposed.	
E36.6.1.3 Dune Stabilisation	N/A – not proposed.	
E36.6.1.4 The repair, maintenance or minor upgrade (which does not increase the	N/A – not proposed.	

Rule	Compliance	Non-Compliance
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		
<i>Flood Hazard Areas</i>		
E36.6.1.5(1) Fences, Earth Bunds, and Walls in Flood Hazard Areas Fences, earth bunds and walls in the 1% AEP floodplain and in flood prone areas must be designed ² to allow for passage of flood waters	Complies – fences will be designed to convey flood waters.	
E36.6.1.5(3) Fences, Earth Bunds, and Walls in Flood Hazard Areas Fences, earth bunds and walls within an overland flow path must not obstruct it	Complies – fences and walls will not obstruct an overland flow path, OLFPs to be directed within the road reserves	
E36.6.1.5(4) Fences, Earth Bunds, and Walls in Flood Hazard Areas Fences, earth bunds and walls must not exacerbate the depth, velocity or extent of flow of surface water beyond the subject site	Complies – fences and walls will not exacerbate the flood hazard beyond the site.	
E36.6.1.6 Storage of Goods and Materials in Flood Hazard Areas Goods and materials stored in the flood hazard area for longer than 28 consecutive days must not impede flood flows; where capable of creating a safety hazard by being shifted by floodwaters, be contained and secured in order to minimise movement in times of flood; and must be kept watertight if hazardous substances	N/A – goods and materials will not be stored within the flood hazard area.	
E36.6.1.6A External alterations to existing structures and buildings	N/A – not proposed.	

² Complying designs could include post and wire fences, wire mesh fences; railing type fences where at least 70% of the surface area is not solid; or solid fences/walls with an opening of sufficient size at flood level that it can convey the 1% AEP flood flow or overland flow

Rule	Compliance	Non-Compliance
(as existing at 03/11/25) which do not increase the gross floor area of the building in the 1% AEP floodplain and flood prone areas External alterations must not impede flood flows or exacerbate the depth, velocity or extent of surface water flow beyond the site		
E36.6.1.6B External additions and alterations to existing structures and buildings (as existing at 03/11/25) that increase the gross floor area by no more than 10m ² in the 1% AEP floodplain and flood prone areas External additions and alterations must not impede flood flows or exacerbate the depth, velocity or extent of surface water flow beyond the site	N/A – not proposed.	
E36.6.1.6C New structures and buildings with a gross floor area of up to 10m ² in the 1% AEP floodplain and flood prone areas The structure/building must not impede flood flows or exacerbate the depth, velocity or extent of surface water flow beyond the site	N/A – not proposed.	
<i>Infrastructure in Natural Hazard Areas</i>		
E36.6.1.13 Operation, maintenance, renewal, repair and minor infrastructure upgrading, of infrastructure in natural hazard areas	N/A – not proposed.	
E36.9 Special Information Requirements		
- Hazard risk assessment required when subdivision, use or development requiring consent is proposed on land subject to natural hazard areas - Level of info must be proportionate to the hazard risk and its nature, and appropriate to the scale,	Complies – hazard risk assessment has been provided by Woods and Gibb Ritchie.	

Rule	Compliance	Non-Compliance
nature and location of the development • Must identify which natural hazard(s) that the land is potentially at risk of being exposed to over at least the next 100 years • Must address the matters outlined in Policies E36.3(3), E36.3(4A) and E36.3(4B), including climate scenarios in Auckland Council Guideline Document 15: Climate change scenarios (GD15) November 2024		
E3 Subdivision – Rural ³		
E39.4.1 Activity Table - Subdivision for Specific Purposes		
(A8) Subdivision of land within any of the following natural hazard areas: • Flood hazard areas (excluding overland flow paths) • Coastal hazard areas; • Medium landslide susceptibility assessment areas; or • High landslide susceptibility assessment areas. Restricted discretionary activity		Subdivision of land containing a flood hazard area, medium and high landslide susceptibility area is a restricted discretionary activity under E39.4.1(A8).
E39.6.1 General Standards		
E39.6.1.1 Specific building area 2,000m² area clear of: • Yards • Flood hazard areas • Coastal hazard areas • High landslide hazard risk areas	Complies	
E39.6.4 Standards – Restricted Discretionary Activities		
E39.9 Special Information Requirements		
• Hazard risk assessment required for subdivision of land within natural hazard area	Complies – natural hazard risk assessments have been provided for flooding and landslides risks. Geotech report provided.	

³ Note: Proposed changes are not tracked changed and instead proposed clean wording, summarised, is shown.

Rule	Compliance	Non-Compliance
• Landslide hazard risk assessment required for subdivision of land within landslide hazard area • Geotech report required for subdivision of land within landslide hazard area		