

Rules and Standards Assessment

Proposal: Auckland Surf Park Community - Stage 2 and Stage 1 s.127

Address: 1320 and 1350 Dairy Flat Highway, 89 and 105 Lascelles Drive, 237 and 253 Postman Road, Dairy Flat

Unitary Plan: Auckland Unitary Plan (Operative in Part)

Site Zoning	
Zone	Future Urban Zone
Overlays	Infrastructure: Airport Approach Surface Overlay - North Shore Airport Infrastructure: Aircraft Noise Overlay - North Shore Airport - outer control boundary (55dBA) Infrastructure: Aircraft Noise Overlay - North Shore Airport - air noise boundary (65dBA)
Controls	Macroinvertebrate Community Index - Rural
Designations	Designation 1497 - Upgrade to Dairy Flat Highway between Silverdale and Dairy Flat, Auckland Transport Notice of Requirement - New Rapid Transit Corridor between Albany Bus Station and Milldale, including a cycleway and/or shared (NoR 1), NZTA/Waka Kotahi (Decision 23/01/2025, under appeal)
Natural Hazards	Overland Flow Paths Flood Plains
Additional Limitations	Streams

Chapter E - Auckland-Wide			
Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
Natural Resources - E1 Water Quality	Objectives and policies only		
Natural Resources - E2 Water Quantity, Allocation and Use	Objectives and policies only		
Natural Resources - E3 Lakes, Rivers, Streams and Wetlands			
E3.4.1(A19) - Diversion of a river or stream to a new course and associated disturbance and sediment discharge	Realignment of the tributary stream	<u>Discretionary Activity</u> Realignment of the stream that traverses the site (LUS60429185)	No new consents sought.
Natural Resources - E4 Other Discharges of Contaminants			
E4.4.1(A15) - Discharge of water or contaminants (including washwater) onto or into land and/or into water not complying with the relevant standards or not otherwise provided for by a rule in the Plan	Discharge of chlorinated lagoon water into the onsite stream	<u>Discretionary Activity</u> The discharge of the lagoon water into the stream that does not meet standard E4.6.2.2(1)(a)	No new consents sought.
Natural Resources - E5 On-site and Small-Scale Wastewater Treatment and Disposal			
E5.4.1(A6) - Discharge of treated domestic-type wastewater and wastewater (excluding trade waste) that does not meet the relevant standards or is not provided for by any other rule in the Plan	On-site treated domestic-type wastewater discharge to land across new land holdings / site areas.	<u>Discretionary Activity</u> On-site discharge of treated wastewater to land exceeds 6m ³ per day. The development was anticipated to discharge 80m ³ /day.	<u>Discretionary Activity</u> On-site discharge of treated wastewater to land exceeds 6m ³ per day. The development is anticipated to discharge 80m³ 671m ³ /day.
Natural Resources - E6 Wastewater Network Management			
E6.4.1(A6) - Discharge of treated or untreated wastewater onto or into land and/or into water from a wastewater treatment plant	On-site treated wastewater discharge to land and water from a wastewater treatment plant is proposed.	Not applicable	<u>Discretionary Activity</u> Treated wastewater discharge to land (disposal fields) and water (tributary stream) from a wastewater treatment plant.

Chapter E - Auckland-Wide			
Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
Natural Resources - E7 Taking, Damming and Diversion of Water and Drilling			
E7.4.1(A9) - Take and use of surface water, including dams not meeting the permitted activity, controlled activity or restricted discretionary activity standards or not otherwise listed	Take and use of surface water from stream will exceed the permitted, controlled and restricted discretionary activities standards.	<u>Discretionary Activity</u> Take and use of surface water 'not otherwise listed' exceeds 5m ³ /day (WAT60429184)	No new consents sought.
E7.4.1(A20) - Dewatering or groundwater level control associated with a groundwater diversion authorised as a restricted discretionary activity under the Unitary Plan, not meeting permitted activity standards or is not otherwise listed	Dewatering associated with groundwater diversion	<u>Discretionary Activity</u> Dewatering associated with diversion not meeting the permitted activity standards E7.6.1.6(2) and (3) as water take will exceed more than 30 days in relation to the lagoon	<u>Discretionary Activity</u> Dewatering associated with diversion not meeting the permitted activity standards E7.6.1.6(2) and (3) across new land holdings.
E7.4.1(A26) – Take of groundwater for the purpose of potable water supply.	Groundwater take from bores for water supply	Not applicable	<u>Discretionary Activity</u> The groundwater take of 1,303m ³ /day for the purpose of potable water supply from the Rangitopuni Waitemata aquifer
E7.4.1(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	Diversion of groundwater	<u>Restricted Discretionary Activity</u> Diversion of groundwater that does not meet the permitted activity standard E7.6.1.10(2) as excavation is greater than 1ha in area	<u>Restricted Discretionary Activity</u> Diversion of groundwater that does not meet the permitted activity standard E7.6.1.10(2) as excavation is greater than 1ha in area across new land holdings.
E7.4.1(A35) - Dams not otherwise listed or not meeting the permitted activity standards or controlled activity standards	Surf lagoon considered to be a dam	<u>Discretionary Activity</u> Dam (surf lagoon) did not meet the following permitted activity standards: <ul style="list-style-type: none"> Standard E7.6.11(4) - The lagoon depth exceeds 4m of height Standard E7.6.12(2) - The lagoon exceeds 20,000m³ of storage volume of impounded water for off-stream dams 	No new consents sought.
Natural Resources - E8 Stormwater Discharge and Diversion			
E8.4.1(A10) - All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Diversion and discharge of stormwater runoff onto land from impervious areas	<u>Discretionary Activity</u> Diversion and discharge of stormwater runoff from impervious areas not otherwise provided	<u>Discretionary Activity</u> Diversion and discharge of stormwater runoff from impervious areas not otherwise provided in relation to new development areas.
Natural Resources - E9 Stormwater Quality – High Contaminant Generating Carparks and Roads			
E9.4.1(A6) - Development of a new high contaminant generating car park greater than 5,000m ²	Development of a high contaminant generating carpark	<u>Controlled Activity</u> Development of a high contaminant generating including 370 spaces over an area of 10,770m ²	No new consents sought. For completeness, updates have been made to the extent of non-compliance as below. <i>Development of a high contaminant generating including 370 197 spaces over an area of 10,770 10,925 m²</i>
E9.4.1(A9) – High contaminant generating roads	Development of a high contaminant generating road (Collector Road)		<u>Controlled Activity</u> Development of a a new high use road greater than 5,000m ² in area.
Standard E9.6.2.1 - Development of a new high contaminant generating car park greater than 5,000m ²			

Chapter E - Auckland-Wide			
Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
(1) The development of a new high contaminant generating car park must not be located in an industrial and trade activity area.	The car parking is not located in an industrial and trade activity area		
(2) Stormwater runoff from an impervious area used for a high contaminant generating car park must be treated by stormwater management device(s).	Car parking stormwater will be treated		
(3) Where a high contaminant generating car park is more than 50% of the total impervious area of a site, stormwater runoff from the total impervious area on the site must be treated by stormwater management device(s).	The car parking is not more than 50% of the total impervious area of a site		
(4) 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 (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)'	Stormwater management devices will be sized and designed in accordance with GD01		
Natural Resources - E11 Land Disturbance - Regional			
E11.4.1(A5) - Greater than 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area	Earthwork greater than 50,000m ² outside of the Sediment Control Protection Area	<u>Restricted Discretionary Activity</u> Earthworks over an area of 50,000m ² where land has a slope of less than 10 degrees outside a Sediment Control Protection Area	<u>Restricted Discretionary Activity</u> Earthworks over an area of 50,000m ² where land has a slope of less than 10 degrees outside a Sediment Control Protection Area
E11.4.1(A9) - Greater than 2,500m ² within the Sediment Control Protection Area	Earthworks greater than 2,500m ² within a Sediment Control Protection Area	<u>Restricted Discretionary Activity</u> Earthworks over an area of 2,500m ² within a Sediment Control Protection Area	<u>Restricted Discretionary Activity</u> Earthworks over an area of 2,500m ² within a Sediment Control Protection Area
Standard E11.6.1 - Accidental discovery rule	Will comply	N/A	N/A
Standard E11.6.2 - General standards	Will comply	N/A	N/A
Standard E11.6.3 - Standards for ancillary farming earthworks	Not applicable	N/A	N/A
Standard E11.6.4 - Standards for ancillary forestry earthworks	Not applicable	N/A	N/A
Natural Resources - E12 Land Disturbance - District			
E12.4.1(A6) - General earthwork >2500m ²	Earthworks greater than 2500m ² and 2500m ³	<u>Restricted Discretionary Activity</u> 206,614m ² cut and 179,127m ² fill over an area of 41.5ha	<u>Restricted Discretionary Activity</u> 257,992m ³ cut and 282,546m ³ fill over an area of 50.48ha
E12.4.1(A10) General earthwork > 2500m ³			
Standard E12.6.1 - Accidental discovery rule	Will comply		
Standard E12.6.2 - General standards			

Chapter E - Auckland-Wide			
Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
Standard E12.6.2(1) - Land disturbance within riparian yards and coastal protection yards are limited to: (a) less than 5m ² or 5m ³ for general earthworks (b) less than 10m ² or 5m ³ for the installation of new network utilities (c) installation of fences and walking tracks (d) burial of marine mammals		<u>Restricted Discretionary Activity</u> (pursuant to Rule C1.9(2)) Earthworks within the riparian yard of a stream to exceed 5m ² and 5m ³	<u>Restricted Discretionary Activity</u> (pursuant to Rule C1.9(2)) Earthworks within the riparian yard of a stream to exceed 5m ² and 5m ³
Standard E12.6.2(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	Complies - Earthworks will not result in instability of land or structures	N/A	N/A
Standard E12.6.2(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	Complies - Earthworks will not cause malfunction or damage to network utilities	N/A	N/A
Standard E12.6.2(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	Complies - Access will not be obstructed	N/A	N/A
Standard E12.6.2(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 - Dust will be managed to ensure that the discharge of it beyond the site boundaries is avoided	N/A	N/A
Standard E12.6.2(6) - Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation	Not applicable - No marine mammal burial is proposed as part of this application	N/A	N/A
Standards E12.6.2(7) - E12.6.2(9)	Not applicable - There are no Transpower transmission lines on the subject site or within 12m of the subject site	N/A	N/A
Standard E12.6.2(10) - Only cleanfill material may be imported and utilised as part of the land disturbance	Complies - Only clean fill will be imported/utilised	N/A	N/A
Standard E12.6.2(11) - Earthworks (including filling) within a 100-year AEP flood plain: (a) must not raise ground levels more than 300mm, to a total fill volume up to 10m ³ ; and (b) must not result in any adverse changes in flood hazard beyond the site.	Does not comply - earthworks exceeding the permitted activity standard within the flood plains	<u>Restricted Discretionary Activity</u> (pursuant to Rule C1.9(2)) Earthworks within the 1% AEP will raise ground level by more than 300mm and will exceed a volume of 10m ³	<u>Restricted Discretionary Activity</u> (pursuant to Rule C1.9(2)) Earthworks within the 1% AEP will raise ground level by more than 300mm and will exceed a volume of 10m ³
Standard E12.6.2(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	Complies – Overland flow path entries and exits will be maintained	N/A	N/A
Standard E12.6.2(13) - Temporary land disturbance and stockpiling of soil and other materials within the 1% AEP flood plain and/or overland flow path for up to a maximum of 28 days in any calendar year may occur as part of construction or maintenance activities	Does not comply - temporary stocking within flood hazards will exceed 28 days.	N/A	<u>Restricted Discretionary Activity</u> (pursuant to Rule C1.9(2)) The proposed earthworks involve temporary stocking of materials within flood hazards that will exceed 28 days

Chapter E - Auckland-Wide			
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Standards E12.6.2(14)-(15)	Not applicable - No works for the maintenance and repair of driveways, parking areas, sports fields and major recreational facilities or a temporary activity	N/A	N/A
Standard E12.6.2(16)-(17)	Not applicable - The site is not located in a site or place of significance to Mana Whenua or within the Historic Heritage Overlay	N/A	N/A
Natural Resources - E14 Air Quality			
E14.4.1(A48) - Discharge of contaminants into air from combustion activities: Emergency generators used for the purpose of generating electricity for premises during mains power unavailability (includes operation for the purpose of generator testing and maintenance)	Permitted - Data centre emergency generators and associated testing and maintenance is a permitted activity	N/A	N/A
E14.4.1(A163) - discharge of contaminants into air from treatment of municipal wastewater.	Contaminants will be discharged into air from treatment of the municipal wastewater treatment plant	N/A	<u>Discretionary Activity</u> discharge of contaminants into air from treatment of municipal wastewater
Natural Resources - E15 Vegetation Management and Biodiversity			
E15.4.1(A16) - Vegetation alteration or removal within 20m of rural streams, other than those in Rural – Rural Production Zone and Rural – Mixed Rural Zone	Vegetation removal within 20m of a rural stream	<u>Restricted discretionary activity</u> Vegetation removal within 20m of a rural stream	<u>Restricted discretionary activity</u> Vegetation removal within 20m of rural streams within new landholdings
Built Environment - E24 Lighting			
E24.4.1(A1) - Activities that comply with all the relevant permitted activity standards	Permitted – Lighting is designed to comply with the relevant permitted activity standards.	N/A	<u>Permitted activity</u> Lighting is designed to comply with the relevant permitted activity standards
Standard E24.6.1 - General standards	Complies - Lighting is designed to comply with the relevant permitted activity standards.	N/A	N/A
Built Environment - E25 Noise and Vibration			
E25.4.1(A2) - Activities that do not comply with a permitted activity standard	Activities will exceed vibration standards as below.	<u>Restricted discretionary activity</u> Construction noise level exceedances of Standard E25.6.27.	<u>Restricted discretionary activity</u> Vibration level exceedances of Standard E25.6.27. Stage 2 has been designed to avoid construction noise exceedances. For completeness, updates have been made to reasons for consent sought under Stage 1 below. <u>Restricted discretionary activity</u> Construction noise level exceedances of Standard E25.6.27.
Standard E25.6.1 - General standards	Complies	N/A	N/A
Standard E25.6.27 - Construction noise levels in all zones	Complies	N/A	N/A
Standard E25.6.30 - Vibration	1368 Dairy Flat Highway is anticipated to experience vibrations levels of up to 2 – 5mm/s PPV when construction works occur within 30m of the building	N/A	N/A
Infrastructure - E26 Infrastructure			

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E26.2.3.1(A16) - Network utilities and electricity generation facilities not listed in Table E26.2.3.1 Activity Table	Data Centre 2 is a network utility.	<u>Discretionary activity</u> Data Centre 1 is a network utility within the FUZ.	No change to consents sought. <u>Discretionary activity</u> Data Centre 2 is a network utility within the FUZ.
E26.5.3.1(A49) - Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines)	Permitted.	N/A	N/A
E26.2.3.1(A51) - Water, wastewater and stormwater pump stations	A pumpstation is incorporated into the wastewater treatment plant.	N/A	<u>Permitted Activity</u>
E26.2.3.1(A54) - Wastewater treatment plants	A wastewater treatment plant is located in the Future Urban zone	<u>N/A</u>	<u>Restricted discretionary activity</u> A wastewater treatment plant in the Future Urban zone
E26.2.3.1(A55) - Stormwater detention/retention ponds/wetlands		<u>Controlled activity</u> Stormwater detention/retention ponds/wetlands in FUZ	<u>Controlled activity</u> Additional stormwater detention/retention ponds/wetlands in FUZ.
E26.2.3.1(A58) - Stormwater treatment devices; erosion protection; culverts; measuring devices (flows structures)	Devices are proposed across the site.		<u>Permitted Activity</u>
E26.2.3.1(A63) - Other electricity generating facilities	A solar farm is proposed within the FUZ.	<u>Discretionary activity</u> Solar farm meets the definition of 'other electricity generating facilities' in the FUZ.	<u>Discretionary activity</u> Solar farm meets the definition of 'other electricity generating facilities' in the FUZ.
Infrastructure - E27 Transport			
E27.4.1(A2) - Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access		<u>Restricted discretionary activity</u> Access not complying with Standard E27.6.4.2 below	<u>Restricted discretionary activity</u> Further accesses not complying with Standard E27.6.4.2 below
E27.4.1(A3) - Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1		<u>Restricted discretionary activity</u> Trip generation exceedances of Standard E27.6.1 below	<u>Restricted discretionary activity</u> Trip generation exceedances of Standard E27.6.1 below
E27.4.1(A5) - Construction or use of a vehicle crossing where a Vehicle Access Restriction applies under Standards E27.6.4.1(2) or E27.6.4.1(3)		<u>Restricted discretionary activity</u> Access not complying with Standard E27.6.4.1 below	<u>Restricted discretionary activity</u> Further access not complying with Standard E27.6.4.1 below
E27.6. Standards - Refer to assessment in ITA for full details			
Standard E27.6.1 - Traffic Generation	Does not comply - trip generation exceeds the thresholds of T1, T3 and T8A.		See E27.4.1(A3) above.
Standard E27.6.2 - Number of Parking and Loading Spaces	Complies		
Standard E27.6.2(6) - Bicycle Parking	Complies		
Standard E27.6.2(7) - End-of-Trip Facilities	Complies		
Standard E27.6.2(8) - Loading	Complies		
Standard E27.6.3.1 - Design of Parking and Loading Spaces	Complies		
<ul style="list-style-type: none"> • Dimensions set out at E27.6.3.1.1 • Spaces must be located on the same site as the activity to which it relates; not be used for any other purpose; 			

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kept clear and available when the activity is in operation etc. Refer E27.6.3.1(1)(a)-(g).			
(PC79) Standard E27.6.3.1 Size and Location of Accessible Parking spaces <ul style="list-style-type: none"> Must be designed in accordance with NZ Standard for Design for Access and Mobility (NZS: 4121-2001) Standard E27.6.3.2(A) 	Complies		
Standard E27.6.3.2 - Size and Location of Loading Spaces <ul style="list-style-type: none"> 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). 	Complies		
(PC79) Standard E27.6.3.2(A) - Accessible Parking <ul style="list-style-type: none"> Must be provided for all new activities, changes of activity types and/or intensification of use, except where listed in E27.6.2(A)(2) 	Complies		
Standard E27.6.3.3 - Access and Manoeuvring <ul style="list-style-type: none"> Must accommodate 85th percentile tracking curves for cars Loading must comply with the RTS 18 tracking curves Only car parks for dwellings may be stacked 	Complies		
Standard E27.6.3.4 Reverse Manoeuvring Not permitted where: <ul style="list-style-type: none"> 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 	Complies		
Standard E27.6.3.5 - Vertical Clearance <ul style="list-style-type: none"> 2.3m for access /parking for other activities 2.5m for access/parking for people with accessible parking 3.8m where loading is required 	Complies		
(PC79) Standard E27.6.3.5 - Vertical Clearance <ul style="list-style-type: none"> (cb) 3.8m where heavy vehicle access is provided under E27.6.3.4A; (d) 3.8m where loading is required in Table E27.6.2.7 (previously required for all other activities) 	Complies		
Standard E26.6.3.6 - Formation and Gradient <ul style="list-style-type: none"> 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 	Complies		

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<ul style="list-style-type: none"> Maximum 1:8 for manoeuvring 			
Standard E27.6.3.7 - Lighting <ul style="list-style-type: none"> Lighting is required where there are 10 or more spaces which are likely to be used during hours of darkness 	Complies		
Standard E27.6.4.1(1) - Vehicle Access Restrictions apply to: <ul style="list-style-type: none"> (a) As shown on the planning maps (b) Key Retail Frontages 	N/A		
Standard E27.6.4.1(2) - Standard E27.6.4.1(3) applies where: <ul style="list-style-type: none"> (a) A new vehicle crossing is proposed; (b) A new activity is established on a site; (c) There is a change of type of activity; or (d) a building(s) is constructed, that are not permitted activities in certain zones. 	Does not comply – the proposal involves the construction of a vehicle crossings subject to vehicle access restrictions		See E27.4.1(A5) above.
Standard E27.6.4.1(3) - VAR apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which: <ul style="list-style-type: none"> (a) is located within 10m of any intersection; (b) is subject VAR as identified on the planning maps; (c) has frontage to an arterial road; or (d) is located closer than 30m from a railway level crossing limit line. 			
Standard E27.6.4.2 - Width and Number of Vehicle Crossings <ul style="list-style-type: none"> 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 	Does not comply – the following infringements are proposed: <ul style="list-style-type: none"> The main entry / exit vehicle crossing for the data centre is approximately 3m apart where a 6m separation is required; and The vehicle crossing on the Postman Road roundabout to the eastern industrial accessway is 10m wide where a maximum width of 9m is required. 		See E27.4.1(A2) above.
Standard E27.6.4.3 - Width of Vehicle Access and Queuing Requirements	Complies		
Standard E27.6.4.4 - Gradient of Vehicle Access	Complies		
Standard E27.6.4.5 - Sightlines for Road/Rail Level Crossings	N/A		
Standard E27.6.5 - Design and Location of Off-Road Pedestrian and Cycling	Complies		
(PC79) Standard E27.6.6 - Design and location of pedestrian access in residential zones	N/A		
(PC79) Standard E27.6.7 Provision for electric vehicle charging	Complies		
Environmental Risk - E30 Contaminated Land			
E30.4.1(A6) - Discharges of contaminants into air, or into water, or onto or into land not meeting permitted activity Standard E30.6.1.1; E30.6.1.2; E30.6.1.3; E30.6.1.4; or E30.6.1.5	The proposal involves discharge of contaminants into water and land associated with the WWTP and disposal field.	<u>Controlled Activity</u> Potential discharge of contaminates onto the land not meeting Standard E30.6.1.2 but meeting Standard E30.6.2.1.	<u>Controlled Activity</u> Potential discharge of contaminates onto the land not meeting Standard E30.6.1.2 but meeting Standard E30.6.2.1.

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Environmental Risk - E31 Hazardous Substances Refer to Table A2 in Hazardous Substances and Industrial and Trade Activity Assessment for full details			
E31.4.1(A7)	The proposal involves the storage of hazardous substances exceeding the permitted, controlled and restricted discretionary activity criteria in relation to Data Centre 2.	<u>Discretionary Activity</u> The proposal involves hazardous substance storage in relation to Data Centre 1 exceeding the permitted, control and restricted discretionary thresholds are a discretionary activity.	<u>Discretionary Activity</u> The proposal involves hazardous substance storage in relation to Data Centre 2 exceeding the permitted, control and restricted discretionary thresholds are a discretionary activity.
E31.4.1(A87)	The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.	N/A	<u>Discretionary Activity</u> The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.
E31.4.1(A91)	The proposal involves the storage of hazardous substances exceeding the permitted, controlled and restricted discretionary activity criteria in relation to Data Centre 2.	<u>Discretionary Activity</u> The proposal involves hazardous substance storage in relation to Data Centre 1 exceeding the permitted, control and restricted discretionary thresholds are a discretionary activity.	<u>Discretionary Activity</u> The proposal involves the storage of hazardous substances exceeding the permitted, controlled and restricted discretionary activity criteria in relation to Data Centre 2.
E31.4.1(A101)	The proposal involves the storage of hazardous substances exceeding the permitted, controlled and restricted discretionary activity criteria in relation to Data Centre 2.	<u>Discretionary Activity</u> The proposal involves hazardous substance storage in relation to Data Centre 1 exceeding the permitted, control and restricted discretionary thresholds are a discretionary activity.	<u>Discretionary Activity</u> The proposal involves the storage of hazardous substances exceeding the permitted, controlled and restricted discretionary activity criteria in relation to Data Centre 2.
E31.4.1(A102)	The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.	N/A	<u>Discretionary Activity</u> The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.
E31.4.1(A103)	The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.	N/A	<u>Discretionary Activity</u> The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.
E31.4.1(A106)	The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.	N/A	<u>Discretionary Activity</u> The proposal involves the storage of hazardous substances exceeding the permitted activity, controlled and restricted discretionary criteria in relation to the WWTP.
Environmental Risk - E33 Industrial and Trade Activities			
E33.4.1 (A9) - Unlisted activities		<u>Discretionary activity</u> Pursuant to Rule E33.4.1 (A9), data centres (unlisted activity) that do not meet the relevant permitted of controlled land use standards	No changes to consents sought.
E33.4.1 (A12) - Discharge of contaminants from an existing or new industrial or trade activity area where permitted standards are not met.	Data centre 2 and the WWTD will not meet Standard E33.6.1.2.	<u>Controlled activity</u> The discharge of contaminants from a new data centre (unlisted activity) not listed in Table E33.4.3 where the permitted discharge standards are not met is a controlled activity.	<u>Controlled activity</u> The discharge of contaminants from data centre 2 and the WWTP where the permitted discharge standards are not met is a controlled activity.

Chapter E - Auckland-Wide			
Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
Standard E33.6.1.2 – stormwater treatment	Does not comply – stormwater treatment is proposed where no treatment is permitted.		
Environmental Risk - E36 Natural Hazards and Flooding			
E36.4.1(A37) – structures and buildings	New structure and buildings are proposed within the 1% AEP flood plain.	<u>Restricted discretionary activity</u> The construction of the bridge within the 1% annual exceedance probability (AEP) floodplain is a restricted discretionary activity.	<u>Restricted discretionary activity</u> The proposal involves the construction of new structure and building within the 1% AEP floodplain.
E36.4.1(A56) - All other infrastructure in areas listed in the heading above not otherwise provided for	New infrastructure such as roads and servicing is proposed within the 1% AEP flood plain.	<u>Restricted discretionary activity</u> The proposal involves infrastructure on land subject to overland flow paths and the 1% AEP floodplain. This is a restricted discretionary activity pursuant to Rule E36.4.1(A56).	<u>Restricted discretionary activity</u> The proposal involves the construction of infrastructure such as roads and servicing is proposed within the 1% AEP flood plain.
Subdivision - E39 Subdivision Rural			
E39.4.1(A2) – Subdivision that does not meet the E39.6.1.1 activity standards	The proposal does not meet standard E39.6.1.1.		<u>Discretionary Activity</u> The proposal does not meet standard E39.6.1.1.
E39.4.1(A8) – Subdivision of land within the 1% AEP floodplain	The proposal involves subdivision in the 1% AEP floodplain		<u>Discretionary Activity</u> The proposal involves subdivision in the 1% AEP floodplain
E39.4.1(A9) – Subdivision that does not meet the standards in E39.6.1.			<u>Discretionary Activity</u>
E39.4.1(A28) – Subdivision for open spaces, reserve and roads in the FUZ.	The proposal involves subdivision for open spaces, reserves and roads in the FUZ.		<u>Discretionary Activity</u> The proposal involves subdivision for open spaces, reserves and roads in the FUZ.
E39.4.1(A29) – Subdivision not provided for.	The proposal involves subdivision which is not provided for in the FUZ.		<u>Non-complying activity</u> The proposal involves subdivision which is not provided for in the FUZ.
E39.6.1.1. Specified Building Area (1) A specified building area must be clearly identified on every site on a subdivision scheme plan on which a building is to be constructed. (2) Where the site contains an existing dwelling at the time the subdivision application is made, the specified building area must include: (a) the location of the existing dwelling; (b) indicate that the dwelling will be removed from the site; or (c) the new location of the existing dwelling that will be relocated. (3) The specified building area must meet all of the following: (a) include a single area of at least 2,000m ² clear of all of the following: (i) all yards;	Does not comply. The proposal will result in the creation of allotments with a site area less than 2000m ² .		See E39.4.1(A2) above.

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>(ii) one per cent annual exceedance probability floodplain areas;</p> <p>(iii) coastal storm inundation 1 per cent annual exceedance probability (AEP) area;</p> <p>(iv) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;</p> <p>(v) coastal erosion hazard area;</p> <p>(vi) land which may be subject to land instability;</p> <p>(vii) access to all proposed building platforms or areas; and</p> <p>(viii) on-site private infrastructure required to service the intended use of the site.</p> <p>(b) be able to be linked by adequate and appropriate vehicle access to a formed public road;</p> <p>(c) be identified as the only place within the site where dwellings, any accessory buildings, and related parking and manoeuvring areas can be located; and (d) be located outside of the Quarry Buffer Area Overlay</p>			
<p>E39.6.1.2. Access and entrance strips</p> <p>All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:</p> <p>(a) are being created for reserves, network utilities or road closure; or</p> <p>(b) will be amalgamated with another site that already has legal and physical access to a road.</p>	Complies.	N/A	N/A
<p>E39.6.1.3. Services</p> <p>For all proposed sites capable of containing a building, or for cross-lease, unit title, strata title or company lease, each building must be designed and located so that provision is made for all of the following services:</p> <p>(a) collection, treatment and disposal of stormwater; E39 Subdivision - Rural Auckland Unitary Plan Operative in part 14</p> <p>(b) collection, treatment and disposal of wastewater;</p> <p>(c) water supply;</p> <p>(d) electricity supply; and</p> <p>(e) telecommunications</p> <p>Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.</p>	Complies.	N/A	N/A
E39.1.4. Staging	Complies.	N/A	N/A

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>Where a subdivision is to be carried out in stages, the applicant must provide adequate detail of the proposed timetable and sequencing of the staging at the time they apply for the overall subdivision consent. This detail must include all of the following:</p> <p>(a) the time period over which the development is likely to take place;</p> <p>(b) the areas of land subject to the proposed stages; and</p> <p>(c) the balance area of the site remaining after the completion of each stage</p>			
<p>E39.6.1.5. Overland Flow paths</p> <p>(1) All subdivision must be designed to incorporate overland flow paths existing on the site.</p> <p>(2) Stormwater must exit the site in a location that does not increase the risks of hazards to downstream properties.</p>	Complies.	N/A	N/A
<p>E39.6.1.6. Existing vegetation on the site</p> <p>(1) All subdivision plans, excluding boundary adjustments subdivision plans, must show any of the following features that exist on, or on the boundary of, the land being subdivided:</p> <p>(a) any areas identified as an Significant Ecological Area in the D9 Significant Ecological Areas Overlay; or</p> <p>(b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.</p>	Complies.	N/A	N/A
<p>E39.6.2.1. Lease in excess of 35 years of a building or part of a building where a cross-lease, company lease or unit title subdivision is not involved</p> <p>(1) The subject building must be lawfully established.</p> <p>(2) The boundaries of the proposed sites must follow existing or proposed walls, ceilings and floors.</p> <p>(3) The scheme plan must show the proposed sites in relation to the exterior of the building and provide upper and lower elevations in terms of a datum to be established.</p> <p>(4) Each lease area must have either frontage to a legal road or allow for access through common areas to a legal road.</p>	N/A	N/A	N/A
<p>E39.6.2.2. Subdivision for a network utility</p> <p>(1) The network utility activity must meet one of the following:</p> <p>(a) be a permitted activity pursuant to E26 Infrastructure; or</p>	N/A	N/A	N/A

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>(b) have all resource consents or notices of requirements approved.</p> <p>(2) A covenant or consent notice must be required to state that land that is no longer required for the network utility after it disestablishes, must be amalgamated with the adjoining land.</p> <p>(3) The balance sites must comply with the relevant overlays, Auckland-wide and zone standards, other than the minimum site size, unless resource consent has been granted for any infringements.</p> <p>(4) Sites must have access to a legal road through an appropriate legal mechanism.</p>			
<p>E39.6.3.1. Amendments to cross-lease or unit title, including additions and alterations to buildings, accessory buildings and areas for exclusive use by an owner or owners</p> <p>(1) All buildings must meet one of the following:</p> <p>(a) have existing use rights;</p> <p>(b) comply with the relevant overlays, Auckland-wide and zone standards; or</p> <p>(c) be in accordance with an approved land use resource consent.</p> <p>(2) All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.</p> <p>(3) Subdivision consent affecting a building or any part of a building, any proposed covenant, unit or accessory unit boundary, must not result in any infringements of any relevant overlays, Auckland-wide and zone rules.</p> <p>(4) Parking spaces must not be created as principal units, unless provided for by a resource consent, and only created as accessory units or common areas when associated with an approved use or activity.</p> <p>(5) All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.</p>	N/A	N/A	N/A
<p>E39.6.3.2. Boundary adjustments that do not exceed 10 per cent of the original site size</p>		N/A	N/A

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>(1) All sites prior to the boundary adjustment must be contained within the same zone.</p> <p>(2) All service connections and on-site infrastructure must be located within the boundary of the site they serve, or have legal rights provided by an appropriate legal mechanism.</p> <p>(3) All sites must remain compliant with the applicable minimum site area and minimum average site area for the relevant zones.</p> <p>(4) Boundary adjustments must not result in the creation of additional titles.</p> <p>(5) If any boundary adjustment under this control creates the potential for additional subdivision creating additional sites or additional dwellings over and above what was possible for each site prior to the boundary adjustment a legal covenant or consent notice under s. 221 of the RMA is to be registered on the titles prohibiting any further such subdivision or new dwellings under Rules in Chapters E39 and H19.</p>			
<p>E39.6.4.1. subdivision establishing an esplanade reserve</p> <p>(1) Any subdivision involving the creation of sites less than 4 hectare which adjoins the line of the mean high water springs, or the bank of a river or stream 3 metres or more in width, or any lake, must provide a minimum 20 metre wide esplanade reserve in accordance with section 230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.</p> <p>(2) The esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water springs, or the bank of a river, stream or the margin of any lake.</p> <p>(3) Standards E39.6.4.1(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20 metres has been set aside under the Conservation Act 1987.</p>	N/A	N/A	N/A
<p>E39.6.4.2. Subdivision of a site within the one per cent annual exceedance probability floodplain</p> <p>(1) Each proposed site within the one per cent floodplain that is to contain a more vulnerable activity must meet one of the following:</p>	<p>Does not comply.</p> <p>Standard E39.6.1 is not met for the reasons set out above.</p>	N/A	See E39.4.1(A8)

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
(a) contain a specified building area that meets the requirements of Standard E39.6.1 General standards; or (b) be in accordance with a land use consent that authorises development or building in the floodplain.			
E39.6.4.3. Subdivision of a site within the one per cent annual exceedance probability floodplain (1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in (a) to (c) below are located outside of any land subject to coastal erosion or coastal storm inundation: (a) a specified building area that meets the requirements of Standard E39.6.1 General standards; (b) access to all proposed building platforms or areas; and (c) on-site private infrastructure required to service the intended use of the site.	Does not comply. Standard E39.6.1 is not met for the reasons set out above.	N/A	See E39.4.1(A8)
E39.6.4.4. In-situ subdivision creating additional sites through protection of indigenous vegetation or wetland identified in the Significant Ecological Areas Overlay or shown on the Kawau Island Rural Subdivision SEA Control; and in-situ subdivision creating additional sites through protection of indigenous vegetation or wetland not identified in the Significant Ecological Areas Overlay but meeting the Significant Ecological Areas factors identified in Policy B7.2.2(1) (1) The indigenous vegetation or wetland to be protected must either be: a) identified in the Significant Ecological Areas Overlay or shown on the Kawau Island Rural Subdivision SEA Control; or b) must be assessed by a suitably qualified and experienced person (e.g. for example, ecologist) who must determine that it meets one or more of the Significant Ecological Areas factors identified in Policy B7.2.2(1) and detailed in the factors and sub-factors listed in Schedule 3 Significant Ecological Areas – Terrestrial Schedule. A report by that person must be prepared and must be submitted to support the application. (2) The maximum number of sites created from the protection of an indigenous vegetation or wetland must comply with Table E39.6.4.4.1	N/A	N/A	N/A

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>E39.6.4.5. In-situ subdivision creating additional sites through establishing indigenous revegetation planting</p> <p>(1) Any established revegetation planting must meet all of the following:</p> <p>(a) not be located on land containing elite soil or prime soil;</p> <p>(b) be located outside any Outstanding Natural Character, High Natural Character or Outstanding Natural Landscape overlays;</p> <p>(c) be contiguous with existing indigenous vegetation or wetland identified in the Significant Ecological Area Overlay or meeting the Significant Ecological Area factors identified in Policy B7.2.2(1); and</p> <p>(d) the criteria as set out in Appendix 15 Subdivision information and process and Appendix 16 Guideline for native revegetation plantings.</p> <p>(2) The maximum number of new sites created through establishing revegetation planting must comply with Table E39.6.4.5.1.</p>	N/A	N/A	N/A
<p>E39.6.4.5.1. Maximum number of new sites from establishing native revegetation planting (to be added to existing indigenous vegetation or wetland identified in the Significant Ecological Area Overlay or meeting the Significant Ecological Areas factors identified in Policy B7.2.2(1)) subject to protection</p>	N/A	N/A	N/A
<p>E39.6.4.6. Transferable rural site subdivision through protection of indigenous vegetation or wetland identified in the Significant Ecological Areas Overlay or shown on the Kawau Island Rural Subdivision SEA Control; or transferable rural sites subdivision through protection of indigenous vegetation or wetland not identified in the Significant Ecological Areas Overlay but meeting the Significant Ecological Area factors identified in Policy B7.2.2(1); or transferable rural sites subdivision through establishing revegetation planting</p> <p>(1) All transferable rural sites subdivisions applications involving protection of indigenous vegetation or wetlands must meet all of the standards that are applicable for:</p> <p>(a) the protection of indigenous vegetation or wetlands identified in the Significant Ecological Areas Overlay or shown on the Kawau Island Rural Subdivision SEA Control as set out in Standard E39.6.4.4; or</p>	N/A	N/A	N/A

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>(aa) the protection of indigenous vegetation or wetland not identified in the Significant Ecological Areas Overlay but meeting the Significant Ecological Area factors identified in Policy B7.2.2(1) as set out in Standard E39.6.4.4: or</p> <p>(b) the creation of sites through establishing revegetation planting as set out in Standard E39.6.4.5.</p> <p>(2) Deleted</p> <p>(3) A donor site (being the site with the indigenous vegetation, wetland or the revegetation planting to be protected) must not be the same site as a receiver site.</p> <p>(4) The receiver site must be located within a Rural – Countryside Living Zone and be identified as an eligible receiver site by the subdivision variation control on the planning maps.</p> <p>(5) Sites being subdivided must have a minimum net site area and average net site area that complies with the transferable rural sites subdivision in the Rural – Countryside Living Zone as set out in Table E39.6.5.2.1 Minimum and average net site areas.</p> <p>(6) The subdivision resource consent must be made subject to a condition requiring the subdivision plan creating the receiver site or sites to be deposited after, and not before, the protective covenant has been legally registered against the title containing the covenanted indigenous vegetation or wetland as applicable.</p>			
<p>39.6.4.7. Transferable rural site subdivision through the amalgamation of donor sites, including sites identified in Appendix 14 Land amalgamation incentivised area</p> <p>(1) Prior to amalgamation of donor sites, all applications for amalgamation of donor sites must meet the following:</p> <p>(a) donor sites must be abutting;</p> <p>(b) one of the two donor sites must not contain a dwelling unless the resulting amalgamated site is permitted by this Plan to have more than one dwelling;</p> <p>(c) donor sites must be zoned either Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone or Rural - Rural Conservation Zone;</p> <p>(d) the land must contain at least 90 per cent elite soil or prime soil. The applicant must provide a detailed Land Use Capability (LUC) soil assessment confirming that donor sites contain at least 90 per cent elite land or prime land. The assessment</p>	N/A	N/A	N/A

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Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
<p>must be prepared by a suitably qualified and experienced person;</p> <p>(e) each site must have a net site area of between 1 and 20 hectares;</p> <p>(f) sites must have been in existence, or be shown on an approved scheme plan of subdivision; and</p> <p>(g) sites must not comprise part or all of a closed road, road severance, or designation.</p> <p>(2) Following amalgamation of donor sites, all donor sites must meet all of the following:</p> <p>(a) be held in a single certificate of title;</p> <p>(b) rescinded in such a way that replacement titles cannot be reissued;</p> <p>(c) made subject to a legal protection mechanism that states all of the following:</p> <p>(i) the residential development rights attaching to the donor sites have been used to create a transferable rural sites subdivision under the Plan and must not accommodate any further residential development unless it is allowed as a permitted activity subject to the relevant zone rules or by the granting of a resource consent;</p> <p>(ii) the new site cannot be further subdivided other than by amalgamation with another qualifying site or by boundary adjustment; and</p> <p>(iii) the new site has no further potential to be used for the purpose of a transferable rural sites subdivision.</p> <p>(3) Following amalgamation of donor sites, all receiver sites must meet all of the following:</p> <p>(a) be subdivided into no more sites than those permitted by Table E39.6.4.7.1 Maximum number of new sites for transfer from the amalgamation of sites;</p> <p>(b) the donor site must not be the same site as a receiver site;</p> <p>(c) be located within sites zoned as Rural – Countryside Living Zone and be identified as an eligible receiver site by the Subdivision Variation Control on the planning maps;</p> <p>(d) have a minimum net site area complying with the minimum net site area and average net site area with transferable rural sites subdivision as set out in Table E39.6.5.2.1 Minimum and average net site areas;</p> <p>(e) be made subject to a condition of subdivision consent that requires the subdivision plan creating the receiver site or sites to be deposited after, and not before, the plan of</p>			

Chapter E - Auckland-Wide			
Rule/Standard	Compliance/ Non-Compliance	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
subdivision for the amalgamation of donor sites has been deposited			
E39.6.5.1. Subdivision in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, and Rural – Rural Conservation Zone (1) Subdivision in these rural zones must meet the minimum average site size and minimum site size requirement as set out in Table E39.6.5.1.1 Minimum average site size and minimum site size for subdivision. (2) Subdivision of the land described as at 14 March 2018 as Lot 1 Deposited Plan 173316, Deposited Plan 25125 and Deposited Plan 7067 (CFR NA106B/436) and Part Island of Kawau (CFR NA55B/931) a) Is not required to comply with General Standards E39.6.1.1 to E39.6.1.5 where the subdivision resource consent is made subject to a legal mechanism to ensure no dwellings can be established on the new sites created (although this mechanism shall not affect the establishment of dwellings on the balance parent site): b) Shall be deemed to meet the access requirements in Standards E39.6.1.1 (3)(b) and E39.6.1.2 if access by sea to the proposed sites is provided.	N/A	N/A	N/A

H18– Future Urban Zone			
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
H18.4 Activity Table			
H18.4.1(A2) - New buildings, building additions and accessory buildings	The proposal involves new buildings. New buildings have the same activity status as activity they are designed to accommodate	See below.	See below.
H18.4.1(A19) – Produce sales that do not comply with Standard H18.6.7		Discretionary activity Produce sales associated with the 334m ² market/flexible space building is a discretionary activity.	Deleted.
H18.4.1 (A28) Dwellings that do not comply with Standard H18.6.8	The proposal involves dwellings that do not comply with Standard H18.6.8.		<u>Non-complying activity</u> A total of 486 dwellings are proposed.
H18.4.1(A36) - Visitor accommodation		<u>Discretionary activity</u> Visitor accommodation in the form of a lodge and eco-cabin is a discretionary activity.	No changes are sought. For completeness, the following updates have been made to the reasons for consent. <i>Visitor accommodation in the form of a lodge hotel and eco-cabin is a discretionary activity.</i>

H18– Future Urban Zone			
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
H18.4.1(A37) – Restaurants and cafes ancillary to farming carried out on the same site		Restricted discretionary activity A farm to table restaurant being ancillary to farming carried out on the same site is a restricted discretionary activity.	Deleted.
H18.4.1(A38) - Restaurants and cafes not otherwise provided for.	The proposal involves new food and beverage activities not provided for.	<u>Discretionary activity</u> Restaurants and cafes are a discretionary activity.	<u>Discretionary activity</u> Restaurants and cafes are a discretionary activity.
H18.4.1 (A42) Storage and lock-up facilities	The proposal involves storage and lock up facilities (industrial buildings)		<u>Discretionary activity</u> Storage and lock up facilities are a discretionary activity.
H18.4.1(A45) - Rural tourist and visitor activities		<u>Discretionary activity</u> Rural tourist and visitor activities are a discretionary activity.	No new consents are sought.
H18.4.1 (A49) Healthcare facilities	The proposal involves healthcare facilities (wellness centre)		<u>Discretionary activity</u> Health care facilities are a discretionary activity.
H18.4.1 (A50) Education facilities	The proposal involves education facilities (ECC)		<u>Discretionary activity</u> Education facilities are a discretionary activity.
H18.4.1(A54) - Organised sport and recreation		<u>Restricted discretionary activity</u> The proposal to establish a sport and recreational surf park including ancillary surf academy, rental, changing rooms, administration, ticketing and retail facilities is a restricted discretionary activity	No new consents are sought.
H18.4.1(A56) – Clubrooms		<u>Restricted discretionary activity</u> To establish clubrooms (members clubs) is a restricted discretionary activity	No new consents are sought.
H18.4.1 (C1.9(2))		<u>Restricted discretionary activity</u> Pursuant to C1.9(2) the proposal involves development that fails to meet the following Future Urban Zone standards and is therefore a restricted discretionary activity: <ul style="list-style-type: none"> • Maximum height standard H18.6.3.1; and • Yard standard H18.6.3 See below.	<u>Restricted discretionary activity</u> Pursuant to C1.9(2) the proposal involves development that fails to meet the following Future Urban Zone standards and is therefore a restricted discretionary activity: <ul style="list-style-type: none"> • Maximum height standard H18.6.3.1; and • Yard standard H18.6.3 See below.
H18.6 Standards			
H18.6.1 Disposal of non-residential waste or compost.	N/A	N/A	N/A
H18.6.2 Maximum Height <ul style="list-style-type: none"> • 9m for dwellings • 15m for accessory buildings 	Will not comply. The following infringements are proposed in relation to the Data Centre Precinct:	Will not comply. Six 28m high lighting columns are proposed surrounding the surf lagoon. As the height of the columns exceeds 7m, the	See H18.4.1 (C1.9(2))

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	<ul style="list-style-type: none"> The Data Centre building will exceed the 15m non-dwelling height by 3.1m over a length of 10.8m. However, utilises the AUP(OP) definition for height which excludes 1.5m of height for mechanical plants less than 10% of the total roof area. The height infringement is therefore considered to be 1.6m <p>The following infringements are proposed in relation to the Live Work Precinct:</p> <ul style="list-style-type: none"> The Live/ Work Unit within Lot 507 will exceed the 9m dwelling height by 0.7m over a length of 3.8m. The Live/ Work Unit within Lot 508 will exceed the 9m dwelling height by 0.6m over a length of 2.6m. The Live/ Work Unit within Lot 509 will exceed the 9m dwelling height by 0.5m over a length of 2.5m. The Live/ Work Units within Lot 510 will exceed the 9m dwelling height by 0.4m over a length of 2.1m. The Live/ Work Unit within Lot 511 will exceed the 9m dwelling height by 0.3 over a length of 1.5m. The Live/ Work Unit within Lot 517 will exceed the 9m dwelling height 0.6m over a length of 1.9m. The Live/ Work Unit within Lot 518 will exceed the 9m dwelling height by 0.5m over a length of 1m. The Live/ Work Unit within Lot 519 will exceed the 9m dwelling height by 0.8m over a length of 1.7m. The Live/ Work Unit within Lot 520 will exceed the 9m dwelling height by 0.6m over a length of 1.7m. The Live/ Work Unit within Lot 521 will exceed the 9m dwelling height by 0.6m over a length of 1.5m. The Live/ Work Unit within Lot 501 will exceed the 9m dwelling height by 1m over a length of 4.6m. The Live/ Work Unit within Lot 50 will exceed the 9m dwelling height by 1m over a length of 3.5m. The Live/ Work Unit within Lot 503 will exceed the 9m dwelling height by 1m over a length of 3.2m. The Live/ Work Unit within Lot 504 will exceed the 9m dwelling height by 1m over a length of 3.3m. The Live/ Work Unit within Lot 505 will exceed the 9m dwelling height by 1m over a length of 3.2m. The Live/ Work Unit within Lot 506 will exceed the 9m dwelling height by 1m over a length of 2.9m. <p>The following infringements are proposed in relation to the Village Centre Precinct:</p>	<p>AUP(OP) defines these structures as buildings. The light columns will infringe the max height limit by 13m.</p> <p>The data centre will have a maximum height of 16.5m, however, utilises the AUP(OP) definition for height which excludes 1.5m of height for mechanical plants less than 10% of the total roof area. The maximum height is therefore considered to be 15m, complying with the zone standard.</p> <p><i>Note: No maximum height limit applies based off the drafting of the FUZ maximum height standard. We note this is likely a drafting error and have applied the 15m height limit for accessory buildings as a precautionary approach.</i></p> <p>All other buildings will comply with this standard.</p> <p>Pursuant to C1.9 the proposal to construct lighting columns that do not meet the zone standards is therefore a restricted discretionary activity.</p>	

H18– Future Urban Zone			
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
	<ul style="list-style-type: none"> The Apartment Block A building will exceed the 9m dwelling height by 10.6m over a length of 66.5m. The Apartment B building will exceed the 9m dwelling height by 10.7m over a length of 66.5m. The Apartment Block C building will exceed the 9m dwelling height by 11.7m over a length of 50.5m. The Apartment Block D1 building will exceed the 9m dwelling height by 8.4m over a length of 37.7m. The Apartment Block E1 building will exceed the 9m dwelling height by 7.7m over a length of 37.7m. The Apartment Block D2 building will exceed the 9m dwelling height by 8.1m over a length of 19.2m. The Apartment Block E2 building will exceed the 9m dwelling height by 7.8m over a length of 19.2m. <p>The 9m maximum dwelling height will be exceeded by up to 4m within the Northwestern Residential Precinct.</p> <p>The 9m maximum dwelling height will be exceeded by up to 4.15m within the Northeastern Residential Precinct.</p> <p>The 9m maximum dwelling height will be exceeded by up to 5m within the Southern Residential Precinct.</p> <p>The 9m maximum dwelling height will be exceeded by up to 0.5m within the Accommodation Precinct.</p> <p>The 15m maximum non-dwelling height will be exceeded by up to 9.9m in relation to the hotel within the Surf Lagoon and Amenity Precinct.</p>		
<p>H18.6.3 Yards</p> <ul style="list-style-type: none"> 20m front yard adjoining arterial roads 10m front yard 12m side/rear yard 20m riparian yard 30m lake yard 	<p>Does not comply.</p> <p>The 12m side/rear yard setback in relation to the Solar Farm Precinct will be reduced to 5m across the entirety of the Precinct.</p> <p>The following infringements are proposed in relation to the Accommodation Precinct:</p> <ul style="list-style-type: none"> The accommodation units will infringe the 20m riparian yard by a maximum depth of 3500mm by a maximum length of 5500mm. 	<p>Will not comply.</p> <p>The following infringements are proposed in relation to the data centre site.</p> <ul style="list-style-type: none"> The 3m high security fence meets the definition of a building. The fence aligns the perimeter of the site reducing the yards to 0m. A portion of the front façade will extend 1.85m into the side yard across an approximate width of 131m. 	See H18.4.1 (C1.9(2))

H18– Future Urban Zone			
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
	<ul style="list-style-type: none"> The accommodation units will infringe the 6m side/rear yard by a maximum depth of 7000mm by a maximum length of 4500mm. <p>The following infringements are proposed in relation to the Lagoon and Amenity Precinct:</p> <ul style="list-style-type: none"> The Dairy Flat Highway transformer will infringe the 20m front yard setback by a maximum depth of 3877mm over a length of 9759mm. The Collector Road transformer will infringe the 12m side/rear yard setback by a maximum depth of 3861mm over a length of 3847mm. <p>The following infringements are proposed in relation to the Northwestern Residential Precinct:</p> <ul style="list-style-type: none"> Lot 315 will infringe the 20m riparian setback by a maximum depth of 5404mm by a maximum length of 12,000mm. Lot 316 will infringe the 20m riparian setback by a maximum depth of 4677mm by a maximum length of 7601mm. Lot 344 will infringe the 20m riparian setback by a maximum depth of 11,094mm by a maximum length of 7199mm. Lot 344 will infringe the 6m side/ rear yard setback by a maximum depth of 185mm by a maximum length of 124mm. Lot 338 will infringe the 20m riparian setback by a maximum depth of 8803mm by a maximum length 5096mm. Lot 336 will infringe the 20m riparian setback by a maximum depth of 3361mm by a maximum length of 1976mm. <p>In addition to the above, following blanket resource consent is sought within the Northwestern Residential Precinct to apply the Residential Design Control side and rear yard standard (1.1m) and the worst-case front yard standard (1m).</p> <p>The following infringements are proposed in relation to the Southern Residential Precinct:</p> <ul style="list-style-type: none"> Lot 604 will infringe the 20m riparian setback by a maximum depth of 5366mm and a maximum length of 8033mm. Lot 605 will infringe the 20m riparian setback by a maximum depth of 10, 110mm by a maximum length of 8772mm. 	<p>Note: The side yard standards apply to the data centre due to the proposed collector road not yet being formed or vest.</p> <p>Pursuant to C1.9 the proposal to construct a data centre that does not meet the zone standards and is therefore a restricted discretionary activity.</p>	

H18– Future Urban Zone			
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
	<ul style="list-style-type: none"> Lot 606-613 will infringe the 20m riparian setback by a maximum depth of 10, 410mm by a maximum length of 8772mm. Lot 614 will infringe the 20m riparian setback by a maximum depth of 10,410mm by a maximum length of 8070mm. Lot 615-621 will infringe the 20m riparian setback by a maximum depth of 10,410mm by a maximum length of 8772mm. Lot 622 will infringe the 20m riparian setback by a maximum depth of 10,410mm by a maximum length of 8770mm. Lot 623 will infringe the 20m riparian setback by a maximum depth of 4547mm by a maximum length of 2560mm. <p>The following infringements are proposed in relation to the Light Industrial Precinct:</p> <ul style="list-style-type: none"> Lot 408 will infringe the 12m side/ rear yard setback by a maximum depth of 5985mm by a maximum length of 30,000mm. <p>The following infringements are proposed in relation to the Live/ Work Precinct:</p> <ul style="list-style-type: none"> Lot 501-506 will infringe the 20m riparian setback by a maximum depth of 3903mm by a maximum length of 32,721mm. <p>The following infringements are proposed in relation to the Data Centre Precinct:</p> <ul style="list-style-type: none"> The 3m high security fence around the new data centre module meets the definition of a building. The fence aligns the perimeter of the Site reducing the side and rear yard setback to 0m. <p>In addition to the above, undertaking subdivision will be undertaken following the land use consent will result in a number of internal yard infringements. These are technical non-compliances and blanket resource consent is sought for this matter across the ASPC site.</p>		
H18.6.4 Buildings housing animals	N/A	N/A	N/A
H18.6.5 Max size of building for animal breeding, boarding, produce sales and on-site produce manufacturing	N/A	N/A	N/A

H18– Future Urban Zone			
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 1 s.127 or Stage 2 Consents Sought
H18.6.6 Free-range poultry farming	N/A	N/A	N/A
H18.6.7 Produce sales <ul style="list-style-type: none"> Retail area 100m² 	N/A	N/A	N/A
H18.6.8 Dwellings	N/A	N/A	N/A
H18.6.9 Home occupations	N/A	N/A	N/A
H18.6.10 Forestry	N/A	N/A	N/A
H18.6.11 Animal breeding/boarding	N/A	N/A	N/A
H18.6.12 Market	N/A	N/A	N/A
H18.6.13 Quarries	N/A	N/A	N/A
H18.6.14 Minerals	N/A	N/A	N/A
H18.6.15 Minor dwellings	N/A	N/A	N/A
H18.6.16 Worker’s accommodation	N/A	N/A	N/A

National Environmental Standard for Freshwater (NES-F)

Rule	Compliance	Non-Compliance	
Chapter	Compliance/ Assessment	Stage 1 Consents Granted	Stage 2 Consents Sought
Regulation 57(1)	The proposal does not involve any reclamation to streams within the site.	N/A The proposal to re-align the existing highly modified stream does not involve reclamation.	N/A


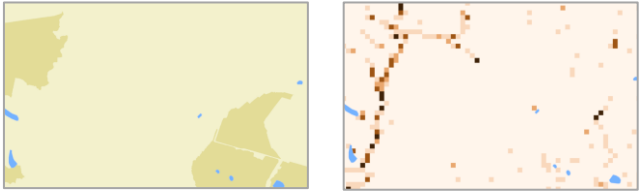
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

Rule	Compliance	Non-Compliance	
Regulation	Compliance/ Assessment	Stage 1 Consents Granted	Stage 2 Consents Sought
Regulation 10	The proposal involves disturbance of contaminated land within: <ul style="list-style-type: none"> An area of 237 Postman Road that did not involve any development under Stage 1; and New landholdings being 1320 Dairy Flat Highway. 	<u>Restricted Discretionary Activity</u> The proposal involved disturbance of contaminated land within the Stage 1 landholdings / development site areas.	<u>Restricted Discretionary Activity</u> The proposal involves disturbance of contaminated land associated with new development areas / landholdings.

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

Proposal: Auckland Surf Park Community - Stage 2 and Stage 1 s.127
Address: 1320 and 1350 Dairy Flat Highway, 89 and 105 Lascelles Drive, 237 and 253 Postman Road, Dairy Flat

Hazards Overview

<p>Proposed Activities</p>	<p>Proposed Activities Sensitive to Natural Hazards:</p> <ul style="list-style-type: none"> Residential dwellings Visitor accommodation <p>Activities potentially sensitive to natural hazards:</p> <ul style="list-style-type: none"> Retail Commercial Industrial activities <p>Activities less sensitive to natural hazards:</p> <ul style="list-style-type: none"> Organised sport and recreation Parking and loading areas Buildings for network utilities <p>Ancillary activities:</p> <ul style="list-style-type: none"> Surface parking Roads and accessways Infrastructure
<p>Flood Hazard Area</p>	<p>Site is subject to:</p> <ul style="list-style-type: none"> Overland Flow Paths Flood Plains Flood Prone Areas Low, Medium, High and Very High Flood Hazard Areas 
<p>Coastal Hazard Area</p>	<p>The site is not identified as being subject to any coastal hazards</p>
<p>Landslide Hazard Area</p>	<p>Low (Acceptable) Landslide Hazard Risk Area Low Landslide Susceptibility Assessment Area</p> 

Rule	Compliance	Non-Compliance
E12 Land Disturbance - District		
E12.6.2 General Standards		
<p>Standard E12.6.2(11) - Earthworks (including filling) within a 100 year <u>the 1 per cent AEP floodplain and/or flood prone areas</u>:</p> <ul style="list-style-type: none"> • 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 <p>Note1 - This standard does not limit excavation and replacement of fill to form building platforms, where those works do not raise ground levels.</p>		<p>Earthworks within the flood plain have been carefully designed to result in a net cut. Significant flood storage cuts have been designed to significantly increase 100-year attenuation onsite. There may be isolated spot areas where fill depths exceed 300mm or 10m²</p> <p>This is a restricted discretionary activity under Rule C.1.9(2)</p>
<p>Standard 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.</p>		<p>Temporary stockpiling of materials (typically stripped topsoil) may exceed 28 days. Where possible all stockpiles are to be located outside of the flood hazard areas and any storage within the flood hazard areas shall be temporary in nature and reduced to the most practical amount possible.</p> <p>This is a restricted discretionary activity under Rule C.1.9(2)</p>
<p><u>Standard E12.6.2(18) - Earthworks proposed within medium and high landslide susceptibility assessment areas must be undertaken in general accordance with:</u></p> <p>(a) geotechnical reports, prepared by a SQEP in accordance with AC CoP 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;</p> <p>(b) <u>a landslide hazard risk assessment report prepared</u></p>	<p>Complies – Not medium or high risk.</p>	

Rule	Compliance	Non-Compliance
<p><u>by a SQEP 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></p> <p>(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></p>		
E12.9 Special Information Requirements		
<p>(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 earthworks within medium and high landslide susceptibility assessment areas.</u></p>	Refer to Appendix 39 .	
E15 Vegetation Management and Biodiversity		
E15.6 Standards		
<p>Standard E15.6.8 Vegetation alteration or removal undertaken within the 100-year ARI <u>1% AEP floodplain</u></p> <p>(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</p>	Complies	
<p><u>Standard E15.6.8A - Vegetation alteration or removal proposed within medium and high landslide</u></p>	Complies – Not medium or high risk.	

Rule	Compliance	Non-Compliance
<p><u>susceptibility assessment areas must be undertaken in general accordance with:</u></p> <p>(a) <u>geotechnical reports prepared by a SQEP 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 hazards rules;</u></p> <p>(b) <u>a landslide hazard risk assessment report prepared by a SQEP 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></p> <p>(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></p>		
<p>E15.9 Special Information Requirements</p>		
<p>(1) <u>Geotechnical reports prepared by a SQEP 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></p>	<p>N/A</p>	
<p>(2) <u>A landslide hazard risk assessment prepared by a suitably qualified and</u></p>	<p>N/A</p>	

Rule	Compliance	Non-Compliance
<u>experienced person in 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 Hazards¹		
E36.4.1A Activity Table - Use - Flood Hazard Areas		
E36.4.1A(A78) - Activities where natural hazard risk is significant in accordance with Table E36.3.1B.1 and E36.3.1B.2 in flood hazard areas		Non-complying The proposal to located visitor accommodation within the 1% AEP is a non-complying activity.
E36.4.1A(A79) - Activities where natural hazard risk is potentially tolerable in accordance with Table E36.3.1B.1 in flood hazard areas		Restricted Discretionary Activity The proposal includes activities where natural hazard risk is potentially tolerable.
E36.4.1A(A80) - Activities where natural hazard risk is acceptable in accordance with Table E36.3.1B.2 in flood hazard areas	Permitted Flood hazard area and activity sensitive less to natural hazards = Acceptable: <ul style="list-style-type: none"> • Organised sport and recreation • Parking and loading areas • Buildings for network utilities 	
E36.4.1A(A81) - Surface parking (including vehicle entry and exit points) in flood hazard areas	Permitted Low flood hazard areas	
E36.4.1A(A84) - Storage of hazardous substances in flood hazard areas		Restricted Discretionary Activity Diesel powered generators with associated fuel storage
E36.4.1A(A89) - On-site wastewater treatment and disposal fields		Restricted Discretionary Activity Wastewater disposal field is located within the flood plan.
E36.4.1A Activity Table - Development - Flood Hazard Areas		
E36.4.1A(A87) - Fences, earth bunds, and walls in flood hazard areas	Permitted No obstruction within flood hazard areas	

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
E36.4.1A(A88) - Construction of private roads, roads intended to be vested, and accessways in flood hazard areas	Permitted Roads in low flood hazard areas	
E36.4.1A Activity Table - Development - 1% AEP Floodplain and Flood Prone Areas		
E36.4.1A(A89) - On-site septic tanks, onsite wastewater treatment and disposal systems and effluent disposal fields in the 1% AEP floodplain and flood prone areas		Restricted Discretionary Activity The disposal fields will be managed progressively in accordance with Dairy Flat Highway Designation 1497. Any reduction in disposal footprint within the Designation will be offset by suitable areas elsewhere within the overall development.
E36.4.1A(A98) - All other structures and buildings (including retaining walls) in the 1% AEP floodplain and flood prone areas		Restricted Discretionary Activity The proposal involves buildings within the flood plains.
E36.4.1A Activity Table - Development - Overland flow paths		
E36.4.1A(A102) - Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	N/A - Existing OLFP entry and exit point remain and flow path capacity increased by the development	
E36.4.1A Activity Table - Infrastructure - Flood Hazard Areas		
E36.4.1A(A106) - Construction, operation, maintenance, renewal and repair of underground utilities within flood and coastal inundation hazard areas	Permitted Construction of underground utilities	
E36.4.1B Activity Table - Use - Landslide Hazard Risk Areas		
E36.4.1B(A108) - Storage of hazardous substances in landslide hazard risk areas that comply with Standard E36.6.A1	Permitted Diesel powered generators with associated fuel storage in low (acceptable) landslide hazard risk area	
E36.4.1B Activity Table - Development and Associated Use - Landslide Hazard Risk Areas		
E36.4.1B(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	Permitted Stormwater pipes, accessways, private roads and roads intended to be vested in low (acceptable) landslide hazard risk area	

Rule	Compliance	Non-Compliance
areas that comply with Standard E36.6.A1		
E36.4.1B(A114) - New structures and buildings associated with activities potentially sensitive and less sensitive to natural hazards in low (acceptable) landslide hazard risk areas	Permitted New structures and buildings in low (acceptable) landslide hazard risk area	
E36.4.1B(A124) - New structures and buildings with a gross floor area more than 20m ² associated with activities sensitive to natural hazards in landslide hazard risk areas that comply with Standard E36.6.A1	Permitted New structures and buildings in low (acceptable) landslide hazard risk area	
E36.4.1B(A128) - All other buildings and structures, including retaining walls, in landslide hazard risk areas that comply with Standard E36.6.A1	Permitted Retaining walls in low (acceptable) landslide hazard risk area	
E36.4.1C Activity Table - Infrastructure in Landslide Hazard Susceptibility Areas		
E36.4.1C(A133) - All other infrastructure in landslide susceptibility assessment areas not otherwise provided for	Permitted Infrastructure in Low (acceptable) landslide hazard risk area	
E36.6.A1 General Standards		
Standard E36.6.A1(1) - All P, C or RD activities (except activities (A108), (A114) and (A115) in Table E36.4.1B must comply with the following:		
(a) 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	Will comply - Will be undertaken in accordance with Geotechnical Assessment Report prepared by Initia (Appendices 38 and 39)	
(b) Hazard risk assessment prepared by SQEP in accordance with E36.9 and Appendix 24 (Landslide hazard risk assessment methodology), and approved/certified by Council when associated with RC or compliant proposal	Will comply - Please refer to Appendix 39.	
(c) Any BC, RC or consent notice conditions relating to landslide risk and Geotech matters	Existing geotechnical conditions for Stage 1 (BUN60429155) will be complied with	

Rule	Compliance	Non-Compliance
E36.6.1 Permitted Activity Standards		
Activities in Flood Hazard Areas		
Standard E36.6.1.5 - Fences, Earth Bunds, and Walls in Flood Hazard Areas		
(1) 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	
(2) Fences, earth bunds and walls within an overland flow path must not obstruct it	Complies	
(3) Fences, earth bunds and walls must not exacerbate the depth, velocity or extent of flow of surface water beyond the subject site	Complies	
Standard E36.6.1.6 - Storage of Goods and Materials in Flood Hazard Areas	N/A - Not proposed	
Standards E36.6.1.6A-C - External alterations to existing structures and buildings	N/A - Not proposed	
E36.9 Special Information Requirements		
(1) 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, nature and location of the development	Please refer to flood assessments provided by McKenzie & Co and Woods	
(2) Hazard risk assessment for E36.9 (1) 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	Please refer to Appendix 32 . The proposal is considered to accord with Policies E36.3(3), E36.3(4A) and E36.3(4B) as the development and subdivision appropriately takes into account the risk from natural hazards: <ul style="list-style-type: none"> • The proposal has been appropriately designed to avoid or mitigate natural hazard risks • Potential effects of climate change have been considered. 	

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
E36.3(4B), including climate scenarios in Auckland Council Guideline Document 15: Climate change scenarios (GD15) November 2024	<ul style="list-style-type: none"> Natural hazards will not be created, accelerating or exacerbating. 	
(3) A landslide hazard risk assessment prepared by a SQEP in accordance with Appendix 24 Landslide hazard risk assessment methodology must accompany a resource consent application for the subdivision, use or development of land within a landslide hazard area.	Please refer to Appendix 39 .	
(4) Geotechnical reports prepared by a SQEP in accordance with Auckland Council CoP for Land Development and Subdivision, Section 2 (Earthworks and Geotechnical Requirements) must accompany a resource consent application for the subdivision, use or development of land within a landslide hazard area.	Please refer to the Geotechnical Assessment Report prepared by Initia (Appendices 38 and 39)	
E39 Subdivision - Rural ³		
E39.4.1 Activity Table		
E39.4.1 Activity Table - Subdivision for Specific Purposes		
E39.4.1(A8) - Subdivision of land within flood hazard areas (excluding overland flow paths)		Restricted discretionary The proposal involves subdivision of land within flood hazard areas
E39.6.1 - General standards		
Standard E39.6.1.1 - Specified building area		Lots will not include a single area of at least 2,000m ² clear of flood hazard areas
E39.6.4 - Standards - Restricted Discretionary Activities		
Standard E39.6.4.2 - Subdivision of land within flood hazard areas (excluding overland flow paths) Each proposed site within flood hazard areas (excluding overland flow paths) must be in accordance with a land use consent that	Complies - Will be in accordance with a land use consent	

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

Rule	Compliance	Non-Compliance
authorises development or building in the natural hazard area		
E39.9 Special Information Requirements		
Refer to E36.9 Special Information Requirements above as E39.9 repeats these		