



BEACHLANDS SOUTH — RULES ASSESSMENT

26 June 2026

Prepared for:
Beachlands South Limited Partnership

1.0 PLANNING FRAMEWORK

1.1 Overview

This section of the application is provided in accordance with Schedule 5, clause 5(1)(h) of the FTAA which requires an assessment of the activity be provided against relevant provisions of the following documents provided in Schedule 5, clause 5(2) of the FTAA:

- (a) A national environmental standard.
- (b) Other regulations made under the Resource Management Act 1991.
- (c) A national policy statement.
- (d) A New Zealand coastal policy statement.
- (e) A regional policy statement or proposed regional policy statement.
- (f) A plan or proposed plan.
- (g) A planning document recognised by a relevant iwi authority and lodged with a local authority.

The Project has been considered against the above documents in the following sections of this report as well as consideration of the Project against the items listed in Schedule 5, clause 5(3)(a)-(c).

The application seeks all resource consents necessary for the construction and ongoing operation of the Project. The list of consents considered to be required is outlined below. For completeness, this application also seeks consent for any matters that are not listed below but which are subsequently identified as being necessary through the processing of this application.

In summary, the Project requires: non-complying activity consent overall under the AUP(OP), controlled activity under the National Environmental Standards for Contaminated Land and non-complying activity under the National Environmental Standards for Freshwater Management. Overall, the Project is assessed as a non-complying activity.

The Site has Business (Mixed Use, Light Industry and Local Centre), Residential (Mixed Housing Urban, Terrace Housing and Apartment Building and Large Lot), General Coastal Marine, and Future Urban zonings under the AUP (OP) and is located within sub-precincts A to F of the Beachlands South Precinct. The project requires approvals for the matters as outlined below.

1.2 Resource Consents Required

1.2.1 Auckland Unitary Plan (Operative in Part)

The AUP(OP) was made operative in 2016. Since being made operative there have been a number of appeals and plan changes. The Plan Change that has a bearing on this application is Plan Change 120 which is identified in the sections below.

Reasons for consent under the AUP(OP) in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

1.2.1.1 Chapter E3 – Lakes, rivers, streams and wetlands

Activity Table E3.4.1	Status
(A19) - The diversion of a stream to a new course and associated disturbance and sediment discharge is a discretionary activity outside overlays.	The proposal includes diverting streams. Resource consent is sought for a discretionary activity .
(A33) – Culverts or fords more than 30m in length when measured parallel to the direction of water flow is a discretionary activity outside overlays.	The proposal involves the extension of existing culverts beneath Jack Lachlan Drive which will be more than 30m in length when measured parallel to the direction of water flow. Resource consent is sought for a discretionary activity .
(A49) – New reclamation or drainage, including filling over a piped stream is a non-complying activity .	The proposal involves new reclamation of intermittent streams and wetlands to facilitate construction of the Project. Resource consent is sought for a non-complying activity .
Standards E3.6	Compliance
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.	(1) Will comply . (2) Will comply . (3) Will comply . (4) Will comply . (5) Will comply . (6) Will comply . (7) Will comply . (8) Will comply .

(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. (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.	
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1.2.1.2 Chapter E5 – On-site and small scale wastewater treatment and disposal

Activity Table E5.4.1	Status
(A6) – The discharge of treated domestic-type wastewater and wastewater (excluding trade waste) that does not meet the relevant or is not provided for by any other rule in the Plan is a discretionary activity .	The proposal includes the implementation of an on-site wastewater treatment plant with a design capacity of 450m ³ /day whereby treated wastewater will be discharged to land via irrigation systems located within the 620 Whitford-Maraetai Road property and the forest area. Resource consent is sought for a discretionary activity .
Standards E5.6	Compliance
E5.6.1. General standards for all permitted activities and restricted discretionary activities (1) The wastewater discharge must not result in contamination of ground water at a point of extraction, any surface water, a stormwater drain, a neighbouring property, or cause a public health risk. (2) The construction of the on-site wastewater treatment system and the resulting discharge of treated wastewater must not disturb or otherwise adversely affect any place	(1) The proposed wastewater discharge does not result in the contamination of groundwater, surface water, stormwater drain, neighbouring properties, or cause a public health risk – Complies. (2) The proposed construction, treatment, and discharge of wastewater will not disturb any sites and places of significant to mana whenua – Complies. (3) The wastewater treatment plant will be maintained by a suitably qualified operator

scheduled in the Historic Heritage Overlay or any site or place in the Sites and Places of Significance to Mana Whenua Overlay. (3) The wastewater treatment system must be maintained by a suitably qualified on-site wastewater service provider in accordance with Technical Publication 58 On-site Wastewater Systems: Design and Management Manual 2004 (TP58) recommendations, the manufacturer's recommendations or the suitably qualified on-site wastewater service provider's recommendations. At a minimum, the maintenance, where relevant to the specific system, must ensure that: (a) septic tank outlet filters are checked and serviced regularly at intervals as recommended by the manufacturer; (b) the secondary/ tertiary treatment plant and the land application disposal system is serviced six monthly by a suitably qualified on-site wastewater service provider; (c) primary/ septic tank(s) and the land application disposal system are inspected no less frequently than every three years and where necessary the tank(s) are pumped out by a suitably qualified on-site wastewater service provider when sludge and scum levels occupy 50 per cent of the tank volume; and (d) records of each maintenance action must be retained and made available on the site for inspection by the Council or their agents. (4) Reserve disposal areas must be retained in a suitable state and condition that does not prevent their use for future effluent disposal. (5) There must be no activities, including heavy vehicle or stock access, over the wastewater disposal area that may adversely affect the disposal area.	that complies with all relevant standards – Complies. (4) No reserve disposal areas proposed – n/a. (5) No other activities will take place over the wastewater disposal area – Complies.
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1.2.1.3 Chapter E6 – Wastewater network management

Activity Table E6.4.1	Status
(A6) Discharge of treated or untreated wastewater onto or into land and/or into water from a wastewater treatment plant is a discretionary activity .	The proposal will involve the discharge of treated wastewater onto land and into water from a wastewater treatment plant. Resource consent is sought for a discretionary activity .

1.2.1.4 Chapter E7 – Taking, using, damming and diversion of water

Activity Table E7.4.1	Status
(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 is a restricted discretionary activity .	The proposal will involve dewatering (groundwater take) associated with groundwater diversion to enable the proposed bulk earthworks and construction of the basement car parking levels that is likely to take longer than 30 days and would therefore not meet permitted activity standards E7.6.1.6. and resource consent is sought for a restricted discretionary activity .
(A26) Take and use of groundwater not meeting the permitted activity or restricted discretionary activity standards or not otherwise listed is a discretionary activity .	The proposal will involve the take and use of groundwater from the existing Formosa bore and the proposed 620 bore for potable water supply purposes which is not otherwise listed in all zones. Resource consent is sought for a discretionary activity .
(A41) New bores for purposes not otherwise specified is a controlled activity .	The proposal will involve the drilling of a new bore ('620 bore') on the 620 Whitford-Maraetai Road property for water take purposes which is not otherwise provided for in all zones. Resource consent is sought for a controlled activity .
Standards E7.6	Compliance
E7.6.1.6. Dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10, all of the following must be met: (1) The water take must not be geothermal water; (2) The water take must not be for a period of more than 10 days where it occurs in peat	(1) The proposed groundwater take is not geothermal water – Complies . (2) The dewatering associated with the groundwater diversion to enable construction of the concrete core caps is likely to take longer than 30 days – Infringe . Resource consent is sought for a restricted discretionary activity .

soils, or 30 days in other types of soil or rock; and (3) The water take must only occur during construction.	(3) Will Comply.
E7.6.2.3. Drilling and Use of holes and bores - New bores not otherwise specified (1) The bore must not be in a Wetland Management Areas Overlay. (2) The drilling of the hole or bore must not destroy, damage or modify any places scheduled in the Historic Heritage Overlay. (3) The bore must be constructed to avoid contaminants entering the aquifer penetrated by the bore. (4) The bore must be constructed to avoid a hydraulic connection between penetrated aquifers with different pressures, water quality or temperature. (5) The bore must be operated and maintained to avoid the leakage of groundwater to waste. (6) The drilling and construction of the bore must comply with section 1, 2, 3 and 4 of “New Zealand Standards - NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock”. (7) The records required under section 4 of “New Zealand Standards - NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock” must be kept and forwarded to the Council no later than one month after the bore is drilled.	(1) The bore is not in a Wetland Management Area Overlay. Complies. (2) The drilling will not modify any scheduled places in the Historic Heritage Overlay in any way. Complies. (3) The construction of the bore will comply with this standard. (4) The construction of the bore will comply with this standard. (5) The operation of the bore will comply with this standard. (6) The construction of the bore will comply with this standard. (7) Will comply.
E7.6.3.3. Take and use of groundwater (1) The water take must not be geothermal water. (2) The replacement of an existing resource consent to take and use groundwater for municipal water supply purposes: (a) at the time of the application, the take is an authorised take;	(1) The water take is not geothermal. Complies. (2) Complies.

(b) a water management plan has been prepared; (c) the take will not result in the water availabilities and levels in Table 1 Aquifer water availabilities and Table 2 Aquifer groundwater levels, in Appendix 3 Aquifer water availabilities and levels being exceeded, except in accordance with E2 Water quantity, allocation and use Policy E2.3(11); and (d) the take must not be from an area in the Wetland Management Areas Overlay.	
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1.2.1.5 Chapter E8 – Stormwater discharge and diversion

Activity Table E8.4.1	Status
(A10) The discharge of stormwater runoff from impervious areas within the project area not otherwise provided for is a discretionary activity .	The proposal includes the discharge of stormwater runoff from impervious areas greater than 5000m ² . Resource consent is sought for a discretionary activity .
(A11) The diversion and discharge of stormwater runoff from an existing or a new stormwater network is a discretionary activity .	The proposal creates a new stormwater network. Resource consent is sought for a discretionary activity .
Standards E8.6	Compliance
E8.6.1 General Standards (1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater matters. (2) The diversion and discharge must not cause or increase scouring or erosion at the point of discharge or downstream. (3) The diversion and discharge must not result in or increase the following: (a) flooding of other properties in rainfall events up to the 10 per cent annual exceedance probability (AEP); or (b) inundation of buildings on other properties in events up to the 1 per cent annual exceedance probability (AEP).	(1) The proposed stormwater management plan is consistent with the precinct plan – Complies. (2) The proposed discharge will not increase scouring or erosion at the point of discharge or downstream – Complies. (3) The proposed stormwater discharge will not increase flooding of other properties in a 10% AEP events and inundation of buildings on other properties in 1% AEP events – Complies. (4) The proposed discharge will not increase nuisance or damage to other properties – Complies. (5) The proposed discharge will not give rise to hazardous materials in any surface or coastal waters – Complies.

(4) The diversion and discharge must not cause or increase nuisance or damage to other properties. (5) The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water: (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. (6) Where the diversion and discharge is to ground soakage, groundwater recharge or peat soil areas any existing requirements for ground soakage, including devices to manage discharges or soakage, must be complied with.	(6) The proposed discharge is not to ground soakage – Complies.
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1.2.1.6 Chapter E9 – Stormwater quality – High contaminant generating carparks and high use roads

Activity Table E9.4.1	Status
(A6) The development of a new or redevelopment of an existing high contaminant generating car park greater than 5,000m ² is a restricted discretionary activity .	The proposal includes 66,864m ² of car parking and associated accessways. Resource consent is sought for a controlled activity .
(A7) The development of a new or redevelopment of an existing high use road greater than 5,000m ² is a restricted discretionary activity .	The proposal includes 45,042m ² of new high use roads. Resource consent is sought for a controlled activity .
Standards E9.6	Compliance
E9.6.2.1. Development of a new or redevelopment of an existing high contaminant generating car park greater than 5,000m ²	(1) The proposed high contaminant generating car park is not located within an industrial and trade activity area – Complies .

(1) The development of a new or redevelopment of an existing high contaminant generating car park must not be 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). (3) Where a high contaminant generating car park is more than 50 per cent 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). (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)'.	(2) The stormwater runoff from the proposed car parking area will be treated by stormwater management devices – Complies. (3) The high contaminant generating car park is less than 50% of the total impervious area of the site – n/a. (4) The stormwater management devices will be designed to meet the relevant standards – Complies.
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) 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	(1) The stormwater runoff from the proposed impervious areas will be treated by stormwater management devices – Complies. (2) The stormwater management devices will be designed to meet the relevant standards – Complies.

(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)'.	
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1.2.1.7 Chapter E10 – Stormwater management area – Flow 1 and Flow 2

Activity Table E10.4.1	Status
(A3) The development of new or redevelopment of existing impervious areas greater than 50m ² within Stormwater management area control – Flow 1 or Stormwater management area control – Flow 2 complying with Standard E10.6.1 and Standard E10.6.4.1 is a restricted discretionary activity .	The proposal involves the development of impervious surfaces greater than 50m ² other than for roads within the SMAF 1 control. Resource consent is sought for a restricted discretionary activity .
(A7) The development of new or redevelopment of existing impervious areas greater than 5,000m ² for a road, motorway or state highway operated by a road controlling authority or rail corridor within Stormwater management area control – Flow 1 or Stormwater management area control – Flow 2 that complies with Standard E10.6.1 and Standard E10.6.4.2 is a restricted discretionary activity .	The proposal involves the development of new impervious area greater than 5,000m ² for roads to be vested and operated by a road controlling authority within the SMAF 1 control with approximately 232,426m ² proposed and complying with Standard E10.6.1 and Standard E10.6.4.2. Resource consent is sought for a restricted discretionary activity .
Standards E10.6	Compliance
E10.6.1 General standards (1) Hydrology mitigation must be provided and must meet one of the following: (a) must be provided on the same site (or in the case of a road, motorway or state highway within the road reserve or land under the control of the road controlling authority) as the new or redeveloped impervious area; or (b) where the hydrology mitigation requirement is provided by an authorised	(1) Hydrology mitigation is provided on the site – Complies . (2) The stormwater management system has been designed by Harrison Grierson and will be built by a suitably qualified service provider and be fully operational according to its design prior to use of the impervious area – Complies . (3) Will Comply . (4) Will Comply .

off-site stormwater management device or system, all of the following must be met: (i) the system must be designed, constructed and operated to receive and manage stormwater from the impervious area of the site; and (ii) a copy of authorisation (such as a discharge consent or subdivision consent notice on title) must be provided to the Council, along with confirmation from the operator of the device or system that hydrology mitigation requirements will be achieved for the additional stormwater from the site. (2) Any stormwater management device or system must be built in accordance with design specifications by a suitably qualified service provider and must be fully operational prior to use of the impervious area. (3) 'As built' plans for any stormwater management device or system must be provided to Council within three months of practical completion of the works. (4) Any stormwater management device or system must be operated and maintained in accordance with best practice for the device or system.	
E10.6.4.1 Development of new or redevelopment of existing impervious areas greater than 50m² within Stormwater management area control – Flow 1 or Stormwater management area control – Flow 2 (1) Stormwater runoff must be managed to achieve one of the following: (a) where the new or redeveloped impervious area comprises no more than 50 per cent of the total site area, stormwater runoff from the new or redeveloped impervious area must be managed to achieve the hydrology mitigation requirements specified in Table	(1) Stormwater will be managed to achieve the hydrology mitigation requirements specified in Table E10.6.3.1.1 – Complies. (2) Hydrology mitigation is provided within the same site – Complies. (3) Hydrology mitigation is not provided off-site – n/a. (4) The stormwater management system has been designed by Harrison Grierson and will be built by a suitably qualified service provider and be fully operational according to its design prior to use of the impervious area – Complies. (5) Will Comply.

E10.6.3.1.1 Hydrology mitigation requirements; or (b) where the new and redeveloped impervious area comprises more than 50 per cent of the total site area, stormwater from the total site area must be managed to achieve the hydrology mitigation requirements specified in Table E10.6.3.1.1 Hydrology mitigation requirements. (2) Except as provided in standard E10.6.4.1(3) below, hydrology mitigation required must be provided on the same site as the new and redeveloped impervious area. (3) Where the hydrology mitigation requirement is provided by an authorised off-site stormwater management device or system, the following must be met: (a) the system must be designed, constructed and operated to receive and manage stormwater from the impervious area of the site; and (b) a copy of authorisation (such as a discharge consent or subdivision consent notice on title) must be provided to Council, along with confirmation from the operator of the device or system that hydrology mitigation requirements will be achieved for the additional stormwater from the site. (4) Any stormwater management device or system must be built generally in accordance with design specifications by a suitably qualified service provider and is fully operational prior to use of the impervious area; (5) 'As built' plans for any stormwater management device or system must be provided to the Council within three months of practical completion of the works; and (6) Any stormwater management device or system must be operated and maintained in	(6) Will Comply.
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accordance with best practice for the device or system.	
E10.6.4.2 Development of new or redevelopment of existing impervious areas greater than 5,000m² for a road, motorway or state highway operated by a road controlling authority or rail corridor within Stormwater management area control – Flow 1 or Stormwater management area control – Flow 2 (1) Stormwater runoff from the new impervious areas and any existing impervious areas discharging to the same drainage network point must be managed to achieve the hydrology mitigation requirements specified in Table E10.6.3.1.1 Hydrology mitigation requirements.	(1) Stormwater runoff from new and existing impervious surfaces will be managed to achieve the hydrology mitigation requirements specified in Table E10.6.3.1.1 – Complies.

1.2.1.8 Chapter E11 – Land Disturbance – Regional

Activity Table E11.4.1	Status
(A5) Earthworks greater than 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area ¹ is a restricted discretionary activity .	The proposal involves earthworks covering an area of 49.861 hectares where land has a slope less than 10° outside of the sediment control protection area. Resource consent is sought for a restricted discretionary activity .
(A8) Earthworks greater than 2,500m ² where the land has a slope equal to or greater than 10 degrees is a restricted discretionary activity .	The proposal involves earthworks covering an area of 48.806 hectares where land has a slope equal or greater than 10° across the Residential, Business, and Future Urban zonings of the project area. Resource consent is sought for a restricted discretionary activity .
(A9) Earthworks greater than 2,500m ² within the Sediment Control Protection Area ¹ is a restricted discretionary activity .	The proposal involves earthworks covering an area of 42.1789 hectares within the sediment control protection area to facilitate construction of the Project across the Residential, Business and Future Urban zonings of the project area. Resource consent is sought for a restricted discretionary activity .
Standards E11.6	Compliance

E11.6.1. Accidental discovery rule	The proposal will comply with all accidental discovery rules, the HNZPTA, and the conditions proposed by Ngai Tai ki Tamaki – Complies.
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. Note 1 Best practice in Auckland is generally deemed to be compliance with Auckland Council 'Guidance Document 2016/005 Erosion and Sediment Control Guideline for Land Disturbing Activities (GD05)' or similar design. (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	(1) The proposed earthworks will avoid all hazardous materials from entering the receiving waters – Complies. (2) Best practise erosion and sediment measures will be implemented including ponds, bunds, and silt socks. – Complies. (3) Best practise measures will be adopted when dewatering trenches and other excavations – Complies. (4) Will Comply. (5) Will Comply. (6) No Kauri trees have been identified on the site – n/a. (7) No maintenance or repairs are proposed – n/a. (8) No temporary activities proposed – n/a.

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. (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. (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. (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.	
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1.2.1.9 Chapter E12 – Land Disturbance – District

Activity Table E12.4.1	Status
(A6) Earthworks greater than 2500m ² in a Residential, Business, and Future Urban zone is a restricted discretionary activity .	The proposal includes the land disturbance of 118.6 hectares within Residential, Business, and Future Urban zones. Resource consent is sought for a restricted discretionary activity .
(A10) Earthworks greater than 2500m ³ in a Residential, Business, and Future Urban zone is a restricted discretionary activity .	The proposal includes a cut volume of 756,000m ³ and 588,000m ³ of fill proposed within Residential, Business, and Future Urban zones. Resource consent is sought for a restricted discretionary activity .
Standards E12.6	Compliance
E12.6.1. Accidental discovery rule	The proposal will comply with all accidental discovery rules, the HNZPTA, and the

	conditions proposed by Ngai Tai ki Tamaki – Complies.
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. (6) Burial of marine mammals must be undertaken by the Department of Conservation or the agents of the Department of Conservation. (7) Land disturbance around Transpower NZ Ltd electricity transmission line poles must:	(1) Land disturbance is proposed within the coastal protection yards to implement the wastewater outfall pipe. – Infringe. Resource consent is sought for a restricted discretionary activity. (2) Land disturbance will not result in any land instability as per the Geotechnical Report (attachment 15) – Complies. (3) The proposed earthworks will not damage any utility network infrastructure. – Complies. (4) Access to public and private land will not be obstructed during the earthworks – Complies. (5) Hazardous airborne materials will be managed during the earthworks to not cause a nuisance – Complies. (6) Will Comply if this scenario arises. (7) Will Comply. (8) Will Comply. (9) Will Comply. (10) Only cleanfill material is proposed – Complies. (11) Certain streams and flood hazard areas will be reclaimed and raised for a level building platform. As identified within the Stormwater Report (appendix X) the risk of flooding will not extend beyond the site – Infringed. Resource consent is sought for a restricted discretionary activity. (12) All overland flow paths will maintain the same entry and exit point at the boundaries of the site and will not generate any flood hazards beyond the site. (13) Will Comply. (14) No maintenance or repair proposed – n/a. (15) No maintenance or repair proposed – n/a. (16) No temporary activities proposed – n/a.

(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. (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. (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. (10) Only cleanfill material may be imported and utilised as part of the land disturbance. (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 10m³ which must not be exceeded through multiple filling operations; and (b) must not result in any adverse changes in flood hazard beyond the site.	(17) No earthworks proposed in areas of Historic significance – n/a.
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(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 occupied by the root plate of the pre-existing tree.

1.2.1.10 Chapter E14 – Air quality

Activity Table E14.4.1	Status
(A163) Treatment of municipal wastewater (municipal wastewater treatment plants) is a discretionary activity .	The proposal involves the discharge of contaminants into air from the treatment of municipal wastewater in the high and medium air quality area. Resource consent is sought for a discretionary activity .

1.2.1.11 Chapter E15 – Vegetation management and biodiversity

Activity Table E15.4.1	Status
(A18) Vegetation alteration or removal within 20m of a natural wetland, in the bed of a river or stream (permanent or intermittent), or lake is a restricted discretionary activity .	The proposal involves vegetation alteration or removal within 20m of a natural wetland and in bed of a river or stream (permanent/intermittent). Resource consent is sought for a restricted discretionary activity .
(A19) Vegetation alteration or removal within 10m of urban streams is a restricted discretionary activity .	The proposal involves vegetation alteration or removal within 10m of urban streams. Resource consent is sought for a restricted discretionary activity .
(A20) Vegetation alteration or removal of greater than 25m ² of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, within 50m of mean high water springs in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Waitakere Ranges Zone and Rural – Countryside Living Zone or Future Urban Zone is a restricted discretionary activity .	The proposal involves vegetation alteration or removal of greater than 25m ² , and tree alteration or tree removal of any indigenous tree over 3m in height within 50m of mean high water springs to facilitate construction of any stormwater outfall structures discharging to the coastal marine area. Resource consent is sought for a restricted discretionary activity .
(A21) Vegetation alteration or removal of greater than 25m ² of contiguous vegetation or tree alteration or tree removal of any indigenous tree over 3m in height within 20m of mean high water springs in all zones other than in a Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Waitakere Ranges Zone and Rural –	The proposal involves vegetation alteration or removal of greater than 25m ² , and tree alteration or tree removal of any indigenous tree over 3m in height within 20m of mean high water springs to facilitate construction of any stormwater outfall structures discharging to the coastal marine area. Resource consent is sought for a restricted discretionary activity .

Countryside Living Zone or Future Urban Zone is a restricted discretionary activity .	
(A22) Vegetation alteration or removal of greater than 25m² of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, that is within: (a) a horizontal distance of 20m from the top of any cliff with; (b) a slope angle steeper than 1 in 3 (18 degrees); and (c) within 150m of mean high water springs is a restricted discretionary activity.	The proposal involves vegetation alteration or removal of greater than 25m², and tree alteration or tree removal of any indigenous tree over 3m in height that is within a horizontal distance of 20m from the top of any cliff with a slope angle steeper than 1 in 3 and within 150m of mean high water springs to facilitate construction of any stormwater outfall structures discharging to the coastal marine area. Resource consent is sought for a restricted discretionary activity.
Activity Table E15.4.2	Status
(A43) Any vegetation alteration or removal not otherwise provided for is a discretionary activity .	The proposal involves vegetation alteration or removal within the SEA-T overlay to facilitate construction of the wastewater outfall structure discharging to the coastal marine area. Resource consent is sought for a discretionary activity.
Standards E15.6	Compliance
E15.6.A1. General standards (1) All kauri material (including sawdust and woodchips) must be retained within 3 times the radius of the canopy drip line of the tree or disposed of to an approved landfill facility.	Will comply.
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.	Will comply.

1.2.1.12 Chapter E17 – Trees in roads

Activity Table E17.4.1	Status
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(A6) Tree trimming or alteration that does not comply with Standard E17.6.1 is a restricted discretionary activity .	The proposal involves tree trimming or alteration that does not comply with Standard E17.6.1. Resource consent is sought for a restricted discretionary activity .
(A8) Works within the protected root zone that do not comply with Standard E17.6.3 is a restricted discretionary activity .	The proposal involves works within the protected root zone that do not comply with Standard E17.6.3. Resource consent is sought for a restricted discretionary activity .
(A10) Tree removal of any tree greater than 4m in height or greater than 400mm in girth is a restricted discretionary activity .	The proposal involves removal of any tree greater than 4m in height or greater than 400mm in girth. Resource consent is sought for a restricted discretionary activity .
Standards E17.6	Compliance
E17.6.1. Tree trimming or alteration (1) The maximum diameter of any branch removed must be no greater than 100mm at severance. (2) No more than 20 per cent of live growth of the tree may be removed in any one calendar year. (3) All works must be carried out in accordance with best arboricultural practice. (4) All trimming or alteration must retain the natural shape, form and branch habit of the tree. (5) Any diseased tree material is to be treated in accordance with the Biosecurity Act 1993. (6) Standards E17.6.1(1),(2),(3),(4) and (5) do not apply for works carried out: (a) in order to comply with the Electricity (Hazards from Trees) Regulations 2003; (b) by Council or its agent or the road controlling authority or its agent to maintain the visibility of road safety signage, maintain vehicle sight lines for traffic safety, maintain legal clearance height and width above the road carriage way including to:	(1) The proposal includes the entire removal of certain trees. Infringe. Resource consent is sought for a restricted discretionary activity. (2) The proposal includes the entire removal of certain trees. Infringe. Resource consent is sought for a restricted discretionary activity. (3) The proposal includes the entire removal of certain trees. Infringe. Resource consent is sought for a restricted discretionary activity. (4) The proposal includes the entire removal of certain trees. Infringe. Resource consent is sought for a restricted discretionary activity. (5) Will Comply.

(i) maintain a clearance of 4.5m height above the road carriageway or up to 0.5m above any traffic signal, or road safety and directional signage located above the carriageway; (ii) maintain the clearance of 0.5m width back from the road kerb; (iii) maintain the clearance of 0.6m width back from the unkerbed road; or (iv) maintain clearance requirements for over dimension routes. (c) within the formation width of the legal road where the road adjoins any rural zone for maintaining visibility.	
E17.6.3. Works within the protected root zone (1) For roots less than 60mm in diameter: (a) excavation undertaken by hand digging or air spade or hydro vac or machine excavator within the protected root zone without direction and/or supervision of a qualified arborist: (i) the works involving root pruning must not be on roots greater than 35mm in diameter at severance; (ii) surface area of a single excavation shall not exceed 1m²; (iii) works must not disturb more than 10 per cent of the protected root zone; (iv) any machine excavator must operate on top of paved surfaces and/or ground protection measures; and (v) any machine excavator must be fitted with a straight blade bucket. (b) excavation undertaken by hand digging, air spade, hydro vac or machine excavator within the protected root zone with direction and/or supervision of a qualified arborist: (i) works must not disturb more than 20 per cent of the protected root zone;	(1) The proposal includes the entire removal of certain trees. Infringe. Resource consent is sought for a restricted discretionary activity. (2) The proposal includes the entire removal of certain trees. Infringe. Resource consent is sought for a restricted discretionary activity.

(ii) works involving root pruning must not be on roots greater than 60mm in diameter at severance; (iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures; and (iv) any machine excavator must be fitted with a straight blade bucket. (c) excavation undertaken by trenchless methods must not be undertaken at a depth less than 800mm below ground level; (d) replacement of existing structures, kerbs, and hard surfaces within the protected root zone must be done so that: (i) the removal of the surface is carried out without damage to any tree roots; and (ii) the machine excavator must operate on top of paved surfaces and/or ground protection measures and must be fitted with a straight blade bucket. (e) Standard E17.6.3(1)(a), (b), (c) and (d) do not apply to any tree works undertaken inside existing infrastructure such as pipes and meter boxes. (2) For roots greater than 60mm but less than 80mm in diameter: (a) excavation undertaken by hand digging, or air spade, or hydro vac or machine excavator within the protected root zone with direction and/or supervision of a qualified arborist: (i) works must not disturb more than 20 per cent of the protected root zone; (ii) works involving root pruning must not be on roots greater than 80mm in diameter at severance; (iii) any machine excavator must operate on top of paved surfaces and/or ground protection measures; (iv) any machine excavator must be fitted with a straight blade bucket; and	
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(b) standard E17.6.3(2)(a) does not apply to any tree works undertaken inside existing infrastructure such as pipes and meter boxes.	
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1.2.1.13 Chapter E23 – Signage

Activity Table E23.4.1	Status
(A53) Comprehensive development signage, including amendments or additions to existing approved comprehensive development signage is a restricted discretionary activity .	The proposal involves comprehensive development signage associated with the commercial activities in the village centre, live-work units, employment sub-precinct, education facilities, and hotel. Resource consent is sought for a restricted discretionary activity .

1.2.1.14 Chapter E25 – Noise and vibration

Activity Table E25.4.1	Status
(A2) Activities that do not comply with a permitted activity standard is a restricted discretionary activity .	The proposal involves construction noise during construction that infringes multiple permitted activity standards. Resource consent is sought for a restricted discretionary activity .
Standards E25.6	Compliance
E25.6.1. General standards (1) Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply. (2) The application of an adjustment for noise containing special audible characteristics in terms of Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply to the A weighted level for any measurement but an adjustment must not be applied to any level measured in the 63Hz and 125Hz octave bands.	(1) Will comply . (2) Will comply . (3) Will comply . (4) Noted. (5) Will comply . (6) Noted.

(3) The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.

(4) The noise limits of the Plan do not apply to emergency service sirens and callout sirens during emergency situations.

(5) Where more than one standard applies that requires insulation of a noise sensitive space from an external noise source, the standards must be applied cumulatively.

(6) Where standards are provided for specific activities, the zone interface standards and the zone standards do not apply to that activity.

E25.6.27. Construction noise levels in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone

(1) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone when measured 1m from the façade of any building that contains an activity sensitive to noise that is occupied during the works.

Time of week	Time Period	Maximum noise level (dBA)	
		L _{eq}	L _{max}
Weekdays	6:30am - 7:30am	60	75
	7:30am - 6:00pm	75	90
	6:00pm - 8:00pm	70	85
	8:00pm - 6:30am	45	75
Saturdays	6:30am - 7:30am	45	75
	7:30am - 6:00pm	75	90
Sundays and public holidays	6:00pm - 8:00pm	45	75
	8:00pm - 6:30am	45	75
	6:30am - 7:30am	45	75
	7:30am - 6:00pm	55	85
	6:00pm - 8:00pm	45	75
	8:00pm - 6:30am	45	75

(1) Construction noise is expected to **infringe** the permitted limits. Resource consent is sought for a **restricted discretionary activity**.

(2) Will **comply**.

(3) **n/a**

(4) Construction noise is expected to **infringe** the permitted limits. Resource consent is sought for a **restricted discretionary activity**.

(2) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.2 Construction noise levels for noise affecting any other activity when measured 1m from the façade of any other building that is occupied during the works.

Time Period	Maximum noise levels Leq dBA
7:30am – 6:00pm	75
6:00pm – 7:30am	80

(3) For a project involving a total duration of construction work that is less than 15 calendar days, the noise levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be increased by 5dB in all cases.

(4) For a project involving a total duration of construction work that is more than 20 weeks the noise limits in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be decreased by 5dB in all cases.

E25.6.30. Vibration

(1) Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed:

- (a) the limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site; and
- (b) the limits in Table E25.6.30.1 Vibration limits in buildings in any axis when measured in the corner of the floor of the

(1) Construction vibration amenity levels during construction of the Project are predicted to exceed the vibration amenity limits in Standard E25.6.30(1)(b). Resource consent is sought for a **restricted discretionary activity**.

(2) **Complies.**

(3) **Complies.**

storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building.

Receiver	Period	Peak Particle Velocity Limit millimetres/second
Occupied activity sensitive to noise	Night-time 10pm to 7am	0.3 mm/s
	Daytime 7am to 10pm	2 mm/s
Other occupied buildings	At all times	2 mm/s

Works generating vibration for three days or less between the hours of 7am to 6pm may exceed the limits in Table E25.6.30.1 Vibration limits in buildings above, but must comply with a limit of 5mm/s peak particle velocity in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building, where:

(i) all occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and

(ii) the written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.

(2) Permanently installed stationary vibrating, reciprocating and rotating machinery and all piping, ducting and other equipment attached to such machinery must be installed and maintained so that any resulting vibration does not exceed the limits of Table E25.6.30.2 Vibration levels for stationary machinery when measured in any occupied room of any building on another site or in any occupied unit under different ownership from the source of the vibration. Vibration must be measured in accordance with ISO 2631-2:2003 Mechanical vibration and shock – Evaluation of human exposure to wholebody vibration – Part 2: Vibration in buildings (1Hz to 80Hz):

Affected occupied building or area	Time of day	Maximum vibration level in root mean square velocity (mm/s) between 8 and 80Hz
Noise sensitive spaces	7am-10pm	0.20
Bedrooms and sleeping areas only within activities sensitive to noise	10pm-7am	0.14

(3) For vibration levels applying to work within the road, refer to E25.6.29.

1.2.1.15 Chapter E26 – Infrastructure

Activity Table E26.2.3	Status
(A54) Wastewater treatment plants are a restricted discretionary activity .	The proposal involves the construction of a wastewater treatment plant located in Future Urban Zoned land as part of the ultimate wastewater solution for the Project. Resource consent is sought for a restricted discretionary activity .
(A55) Stormwater detention/retention ponds/wetlands are a controlled activity .	The proposal involves the construction of a stormwater detention/retention pond/wetlands for stormwater management purposes. Resource consent is sought for a controlled activity .

1.2.1.16 Chapter E27 – Transport

Activity Table E27.4.1	Status
(A2) Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access is a restricted discretionary activity .	The proposal involves parking, loading and access which is accessory to an activity but which does not comply with the standards for parking, loading and access. Resource consent is sought for a restricted discretionary activity .
(A3) Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 is a restricted discretionary activity .	The proposal involves the development of activities which exceeds the trip generation standards set out in Standard E27.6.1 and Table E27.6.1.1. Resource consent is sought for a restricted discretionary activity .
(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) is a restricted discretionary activity .	The proposal involves the construction and use of a vehicle crossing where a Vehicle Access Restriction application under Standard E27.6.4.1(3). Resource consent is sought for a restricted discretionary activity .
Standards E27.6	Compliance

E27.6.1 Trip generation

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

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

Activity			New development or subdivision
(TA1)	Residential	Dwellings – threshold 1	40 dwellings
(T1)		Dwellings – threshold 2	400 60 100 dwellings
(T1A)		Integrated residential development – threshold 1	100 units
(T2)		Integrated residential development – threshold 2	500 100 500 units
(T2A)		Visitor accommodation – threshold 1	60 units
(T3)		Visitor accommodation – threshold 2	400 60 100 units
(T3A)		Residential subdivision – threshold 1	Capacity to accommodate more than 40 dwellings
(T3B)		Residential subdivision – threshold 2	Capacity to accommodate more than 100 dwellings
(T4)		Primary	167 students
(T5)		Secondary	333 students
(T6)		Tertiary	500 students
(T7)	Office		5,000 m ² GFA
(T8)	Retail	Drive through	333 m ² GFA
(T8A)		Retail activities (non-drive through)	1,667 m ² GFA
(T9)	Industrial activities	Warehousing and storage	20,000 m ² GFA
(T10)		Other industrial activities	10,000 m ² GFA

Table E27.6.1.1(T4) – development of a primary education facility for 600 students which exceeds the new development threshold of 167 students. Resource consent is sought for a **restricted discretionary activity**.

Table E27.6.1.1(T5) – development of a secondary education facility for 1,500 students which exceeds the new development threshold of 333 students. Resource consent is sought for a **restricted discretionary activity**.

Table E27.6.1.1(T8A) – development of retail activities (non-drive through) with a total GFA of 7,985m² which exceeds the new development threshold of 1,667m². Resource consent is sought for a **restricted discretionary activity**.

Table E27.6.1.1(T10) – development of other industrial activities with a total GFA of 29,099m² which exceeds the new development threshold of 10,000m². Resource consent is sought for a **restricted discretionary activity**.

E27.6.2. Number of parking and loading spaces

- (1) The number of parking spaces:
 - (a) must not exceed the maximum rates specified which apply to the zone or location specified in Table E27.6.2.1, Table E27.6.2.2, Table E27.6.2.3 and Table E27.6.2.4.

(1) Complies.

(3A) n/a

(4) Complies.

(5) Complies.

(6) Complies.

(7) Complies.

(3A) Within the Centre Fringe Office Control area, the parking rates contained in Table E27.6.2.2 apply instead of those contained in Table E27.6.2.3 and Table E27.6.2.4. (4) Table E27.6.2.3 sets out the parking rates which apply in the following zones and locations: (a) Business – Metropolitan Centre Zone; (b) Business – Town Centre Zone – excluding the following town centres where Table E27.6.2.4 applies: Helensville, Kumeu-Huapai, Pukekohe, Warkworth and Wellsford; (c) Business – Local Centre Zone – excluding the following local centres where Table E27.6.2.4 applies: Karaka, Kaukapakapa, Leigh, Matakana, Riverhead, Snells Beach, Te Hana, Waimauku and Waiuku; (d) Business – Mixed Use Zone (excluding where the Business – Mixed Use Zone is adjacent to the town centres or local centres identified in Standards E27.6.2(4)(b) and E27.6.2(4)(c) above); and (e) Residential – Terrace Housing and Apartment Buildings Zone. (5) Table E27.6.2.4 sets out the parking rates which apply all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3. (6) Bicycle parking: (a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; (aa) for residential developments, the required secure long-stay bicycle parking must be located and designed in a manner that (is): i) not part of any required outdoor living space ii) sheltered from the weather; iii) lockable and secure;	(8) The loading space provision for superlot CM2 infringes the minimum requirement of one space and none are provided. Resource consent is sought for a restricted discretionary activity.
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(bb) To avoid doubt, the required secure long-stay bicycle parking may be located within a dwelling. (b) the following bicycle parking requirements apply to new buildings and developments. (7) End-of-trip facilities: (a) the activities specified in Table E27.6.2.6 must provide end-of-trip facilities as listed below; and (b) the following end-of-trip facilities requirements apply to new buildings and developments. (8) Number of loading spaces: (a) all activities must provide loading spaces as specified in Table E27.6.2.7. (b) in addition, where the only vehicle access for residential activities is from an arterial road as identified on the planning maps a small loading space must be provided in accordance with Table E27.6.2.7A.	
E27.6.3.4. Reverse manoeuvring (1) Sufficient space must be provided on the site so vehicles do not need to reverse off the site or onto or off the road from any site where any of the following apply: (a) four or more parking spaces are served by a single access; (b) there is more than 30m between the parking space and the road boundary of the site; or (c) access would be from an arterial road or otherwise within a Vehicle Access Restriction covered in Standard E27.6.4.1. (2) Where E27.6.3.4.(1)(a), (b) or (c) requires a heavy vehicle to turn around within a site in a residential zone, to avoid reversing off the site or onto or off the road, sufficient space must be provided on the site so an 8m heavy vehicle can turn around with a maximum reverse manoeuvring distance of 12m.	The reverse manoeuvring for Apartment MP3-B provides an accessway serving more than four parking spaces with a separate vehicle crossing is provided for the loading space and thereby requiring the loading vehicle to reverse manoeuvre onto the local road in order to exit the loading space and infringe this standard. Resource consent is sought for a restricted discretionary activity.

(3) Heavy vehicle access and manoeuvring areas associated with access required by E27.6.3.4.(2) above must comply with the tracking curves set out in the Land Transport New Zealand Road and traffic guidelines: RTS 18: New Zealand on-road tracking curves for heavy motor vehicles (2007).	
E27.6.4.1. Vehicle Access Restrictions (3) Vehicle Access Restrictions apply and vehicle crossings must not be constructed or used to provide vehicle access across that part of a site boundary which: (a) is located within 10m of any intersection as measured from the property boundary, illustrated in Figure E27.6.4.1.1; (b) is subject to the following types of Vehicle Access Restriction as identified on the planning maps in the zones listed in Table E27.6.4.1.1; (c) has frontage to an arterial road as identified on the planning maps; or (d) is located closer than 30m from a railway level crossing limit line.	The proposal involves the construction and use of a vehicle crossing where a Vehicle Access Restriction application under Standard E27.6.4.1(3) because the vehicle crossing serving apartment building MP3-A, MP16-A and the CM5 superlot infringes with the minimum requirements for separation from an adjacent intersection as they achieve less than 10m separation from the nearest intersections. Resource consent is sought for a restricted discretionary activity.
E27.6.4.2. Width and number of vehicle crossings (2) The width of a vehicle crossing(s) must meet the minimum width and not exceed the maximum width as specified in Table E27.6.4.3.2.	The vehicle crossings serving the MP3-B (loading zone), MP26-A (eastern carpark), CM1, and VC1 infringe with the maximum permitted widths (see Table 7-2 in ITA in appendix 8). Resource consent is sought for a restricted discretionary activity.

1.2.1.17 Chapter E30 – Contaminated land

Activity Table E30.4.1	Status
(A7) Discharges of contaminants into air, or into water, or onto or into land not meeting controlled activity Standard E30.6.2.1 is a discretionary activity.	Discharges from the soil disturbance at 758 and 770 Whitford-Maraetai Road infringes E30 standards. Resource consent is sought for a discretionary activity.

1.2.1.18 Chapter E36 – Natural Hazards and Flooding

Activity Table E36.4.1	Status
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(A30) On-site septic tanks, on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain is restricted discretionary activity .	The proposal involves on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain on the 620 Whitford-Maraetai Road site. Resource consent is sought for a restricted discretionary activity .
(A37) All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain is restricted discretionary activity .	The proposal involves the construction of a new building on land located within the 1% AEP floodplain as shown on the planning maps. Resource consent is sought for a restricted discretionary activity .
(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 is restricted discretionary activity .	The proposal involves the use of the new building to accommodate more vulnerable activities (dwellings) located within the 1% AEP floodplain. Resource consent is sought for a restricted discretionary activity .
(A41) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is restricted discretionary activity .	The proposal involves diverting the entry or exit point of any part of an overland flow path within the project area. Resource consent is sought for a restricted discretionary activity .
(A56) All other infrastructure in areas listed in the heading above not otherwise provided for is restricted discretionary activity .	The proposal involves infrastructure in the 1% AEP flood plain and overland flow paths as shown on the planning maps which are not otherwise provided for. Resource consent is sought for a restricted discretionary activity .
Standards E36.6	Compliance
E36.6.1.12. On-site septic tanks, on-site wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and accessways on land which may be subject to land instability (1) On-site septic tanks, on-site wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater soakage fields and accessways on land which may be subject to	Complies.

land instability must be constructed in accordance with: (a) a geotechnical completion report or similar professional report, approved or endorsed by Council; and (b) any conditions of resource consent or subdivision consent associated with the site relating to stability or geotechnical matters.	
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1.2.1.19 Chapter E38 – Subdivision – Urban

Activity Table E38.4.1	Status
(A7) Subdivision of a site with two or more zones or subdivision along an undefined zone boundary is a restricted discretionary activity .	The proposal involves subdivision of a site with two or more zones. Resource consent is sought for a restricted discretionary activity .
(A8) Subdivision establishing an esplanade reserve is a restricted discretionary activity .	The proposal involves subdivision establishing an esplanade reserve. Resource consent is sought for a restricted discretionary activity .
(A11) Subdivision of land within any of the following natural hazard areas: • 1 per cent annual exceedance probability floodplain; • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; • coastal erosion hazard area; or • land which may be subject to land instability is a restricted discretionary activity.	The proposal involves the subdivision of land within the 1% AEP floodplain and coastal storm inundation 1% AEP + 1m sea level rise area. Resource consent is sought for a restricted discretionary activity .
(A13) Any subdivision listed in this activity table not meeting the permitted, controlled, or restricted discretionary activities standards in E38.7 Standards for subdivision for specific purposes is a discretionary activity .	The proposal involves subdivision that does not meet the restricted discretionary activity standard in E38.7 standards for subdivision for specific purposes. Resource consent is sought for a discretionary activity .
Activity Table E38.4.2	Status

(A14) Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.2.1 is a restricted discretionary activity .	The proposal involves subdivision in residential zones in accordance with an approved land use consent complying with Standard E38.8.2.1. Resource consent is sought for a discretionary activity .
(A19) Vacant sites subdivision involving parent sites of 1ha or greater not complying with Standard E38.8.3.1 is a non-complying activity .	The proposal involves vacant sites subdivision in residential zones involving parent sites of 1ha or greater not complying with Standard E38.8.3.1 for the MHU zone. Resource consent is sought for a non-complying activity .
(A21) Subdivision of sites identified in the Subdivision Variation Control not complying with Standard E38.8.2.4 is a non-complying activity .	The proposal involves the subdivision of sites identified within the Subdivision Variation Control not complying with Standard E38.8.2.4. Resource consent is sought for a non-complying activity .
(A30) Any subdivision listed in this activity table not meeting E38.6 General standards for subdivision is a discretionary activity .	The proposal involves subdivision in Table E38.4.2 that does not meet general standard E38.6.6 because the subdivision scheme plans do not show areas of indigenous vegetation, wetlands and streams. Resource consent is sought for a discretionary activity .
Activity Table E38.4.3	Status
(A33) Subdivision in accordance with an approved land use resource consent complying with Standard E38.9.2.1 is a restricted discretionary activity .	The proposal involves subdivision in accordance with an approved land use resource consent complying with Standard E38.9.2.1. Resource consent is sought for a restricted discretionary activity .
(A34) Subdivision around existing buildings and development complying with Standard E38.9.2.2 is a restricted discretionary activity .	The proposal involves subdivision in business zones around existing buildings and development in terms of the existing Formosa clubhouse that will be modified but retained and complying with Standard E38.9.2.2. Resource consent is sought for a restricted discretionary activity .
(A35) Vacant sites subdivision complying with Standard E38.9.2.3 is a restricted discretionary activity .	The proposal involves vacant sites subdivision in the Light Industry zone (Sub-precinct F, Employment) complying with Standard E38.9.2.3. Resource consent is sought for a restricted discretionary activity .

Standards E38.6	Compliance
E38.6.1. Site size and shape (1) Except where the purpose of the site is for a network utility (including a site to be vested in Council), sites must meet one of the following: (a) in residential zones and business zones - a shape factor that meets the requirements of Standard E38.8.1.1 Site shape factor in residential zones or Standard E38.9.1.1 Site shape factor in business zones; (b) be in accordance with an approved land use resource consent; or (c) be around an existing lawfully established development.	We request the land use component is assessed prior to the subdivision component. The subdivision is in accordance with the land use component of this proposal. Complies.
E38.6.2. Access and entrance strips (1) All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following: (a) are being created for reserves and network utilities; or (b) will be amalgamated with another site that already has legal and physical access to a road. (2) Entrance strips must be less than 7.5 metres wide unless otherwise stated.	(1) All sites have legal and physical access to the road. Complies. (2) Numerous entrance strips are wider than 7.5m. Infringed. Resource consent is sought for a restricted discretionary activity.
E38.6.3. Services (1) For all proposed sites capable of containing a building, or for cross lease or unit title, strata title, company lease, each lot must be designed and located so that provision is made for the following services: (a) collection, treatment and disposal of stormwater; (b) collection, treatment and disposal of wastewater; (c) water supply;	(1) All sites capable of containing a building have been designed to include all necessary services. Complies. (2) n/a

(d) electricity supply; and (e) telecommunications. (2) Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.	
E38.6.4. Staging (1) Where a subdivision is to be carried out in stages, the applicant must provide adequate detail of the proposed timetable and sequencing of the staging at the time they apply for the overall subdivision consent. This must include all of the following: (a) the time period over which the development is likely to take place; (b) the areas of land subject to the proposed stages; and (c) the balance area of the site remaining after the completion of each stage.	A comprehensive sequencing plan is provided in the Planning Assessment in Appendix B. Complies.
E38.6.5. Overland flow paths (1) All subdivision must be designed to incorporate overland flow paths on the site. (2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.	(1) The subdivision has been designed to incorporate overland flows. Complies. (2) Down stream properties are not subject to increased risk from stormwater. Complies.
E38.6.6. Existing vegetation on the site (1) All subdivision plans, excluding subdivision plans for boundary adjustments, must show any of the following features that exist on, or on the boundary of, the land being subdivided: (a) any areas identified as Significant Ecological Area in the Significant Ecological Areas Overlay; or (b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.	The proposal involves subdivision in Table E38.4.2 that infringes general standard E38.6.6 because the subdivision scheme plans do not show areas of indigenous vegetation, wetlands and streams. Resource consent is sought for a discretionary activity.

Standards E38.7	Compliance
E38.7.3.1. Subdivision of a site with two or more zones or subdivision along an undefined zone boundary (1) Where a site has two or more zones the lot boundaries of the subdivision must follow, as near as possible to, the zone boundaries. (2) Where a proposed site is located entirely within a single zone, the proposed site must comply with the relevant subdivision standards for that zone. (3) The lots created must comply with the overlay, Auckland-wide and zone rules applying to that particular part of the site.	(1) Numerous sites have two or more zones the lot boundaries of the subdivision do not follow, as near as possible to, the zone boundaries. Resource consent is sought for a discretionary activity.
Standards E38.8	Compliance
E38.8.2.4. Subdivision of sites identified in the Subdivision Variation Control (1) E38.8.2.3 Vacant sites subdivision involving parent sites of less than 1 hectare and E38.8.3.1 Vacant sites subdivision involving parent sites of 1 hectare or greater do not apply to sites identified in the Subdivision Variation Control in the planning maps. (2) Proposed sites identified in the Subdivision Variation Control in the planning maps must comply with the minimum net site area in Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control	The proposal involves the subdivision of sites identified within the Subdivision Variation Control not complying with Standard E38.8.2.4 (I458 Beachlands South Precinct: Large Lot Zone in Sub-precinct D, Coastal) because some vacant lots proposed in the Large Lot zone of the Coastal sub-precinct have a minimum net site area less than 1,000m². Infringed. Resource consent is sought for a non-complying activity.
E38.8.3.1. Vacant sites subdivision involving parent sites of 1 hectare or greater (1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings and development. (2) Site sizes for proposed vacant sites subdivision in the Residential - Large Lot Zone, Residential - Rural and Coastal Settlement Zone and Residential - Terrace Housing and Apartment Buildings Zone, must meet the	Numerous sites infringe the minimum site requirements in Table E38.8.3.1.1. Resource consent is sought for a non-complying activity.

minimum net site area for subdivision in the relevant zone as set out in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare above. (3) For other residential zones, each vacant site must comply with the minimum net site area in Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent sites of 1 hectare or greater. (4) The minimum average net site area calculated over the total of all sites created must comply with Table E38.8.3.1.1 Minimum net site areas for subdivisions involving parent site of 1 hectare or greater. (5) When calculating the minimum average net site area for the purpose of Standard E38.8.3.1(3), any proposed site with a net site area greater than the maximum average net site area specified for the applicable zone in Table E38.8.3.1.1 Minimum net site areas for subdivision involving parent sites of 1 hectare or greater must be included in the averaging calculation at the figure specified as the maximum average net site area for the applicable zone. (6) For all subdivision on a parent site greater than 1 hectare where 30 or more vacant sites are proposed, the total number of rear sites must not exceed five per cent of the total number of proposed sites.	
Standards E38.9	Compliance
E38.9.2.1. Subdivision in accordance with an approved land use resource consent (1) Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans	Complies.
E38.9.2.2. Subdivision around existing buildings and development	We request the land use component is assessed prior to the subdivision component.

(1) Prior to subdivision occurring, all development must: (a) have existing use rights; (b) comply with the relevant overlay, Auckland-wide and zone rules; or (c) be in accordance with an approved land use resource consent.	The subdivision is in accordance with the land use component of this proposal. Complies.
E38.9.2.3. Vacant sites subdivision (1) The following standards do not apply to subdivision that is in accordance with existing or concurrently approved land use consents, or for any lots around existing buildings. (2) Site sizes for proposed sites must comply with the minimum net site areas specified in Table E38.9.2.3.1 Minimum net site size and frontage for vacant site subdivision below. (3) Rear sites must not exceed 20 per cent of the total number of proposed sites. (4) Entrance strips and accessways for rear sites must comply with Table E27.6.4.3.2 Vehicle crossing and vehicle access widths.	(1) The subdivision is in accordance with the land use component of this proposal. Complies.

1.2.1.20 Chapter E40 – Temporary activities

Activity Table E40.4.1	Status
(A24) Specific temporary activities that are not provided as a permitted activity in rules (A12) to (A23) are a restricted discretionary activity.	The proposal will involve temporary activities associated with building and construction (including structures and buildings that are accessory activities) for a duration of more than 24 months as provided for in Table E40.4.1(A20). These temporary activities include construction of the project and associated enabling works. Resource consent is sought for a restricted discretionary activity.

1.2.1.21 Chapter F2 – General Coastal Marine Zone

Activity Table F2.19.4	Status
(A37) Coastal marine area disturbance that is not otherwise provided for is a discretionary activity.	The proposal involves CMA disturbance in the General Coastal Marine ('GCM') zone that is not otherwise provided for in relation to excavating, drilling or tunnelling of the

	proposed coastal outfall in the CMA associated with the Stage 2 wastewater concept. Resource consent is sought for a discretionary activity .
(A42) Native vegetation alteration or removal, not otherwise provided for is a restricted discretionary activity .	The proposal may require native vegetation alteration or removal not otherwise provided for in the GCM zone in relation to the proposed coastal outfall in the CMA associated with the Stage 2 wastewater concept. Resource consent is sought for a restricted discretionary activity .
Activity Table F2.19.7	Status
(A69) Discharge of treated wastewater from a wastewater treatment plant is a discretionary activity .	The proposal involves the discharge of treated wastewater from a wastewater treatment plant in the GCM zone. Resource consent is sought for a discretionary activity .
Activity Table F2.19.8	Status
(A84) Use of the coastal marine area and/or occupation of the common marine and coastal area by activities that are not otherwise provided for in this table or in table F2.19.10 is a discretionary activity .	The proposal involves the use of the coastal marine area and/or occupation of the common marine and coastal area by activities that are not otherwise provided for in Table F2.19.8 Use and activities or in table F2.19.10 in relation to the proposed coastal outfall in the CMA associated with the Stage 2 wastewater concept. Resource consent is sought for a discretionary activity .
Activity Table F2.19.10	Status
(A121) Construction of coastal marine area structures and buildings unless provided for elsewhere in this table (see table F2.19.8 for the use of the structure) is a discretionary activity .	The proposal involves the construction of CMA structures within the GCM zone in relation to the proposed coastal outfall in the CMA associated with the Stage 2 wastewater concept. Resource consent is sought for a discretionary activity .
(A127) Occupation associated with coastal marine area structures located below the surface of the foreshore and seabed (other than cables located within the cable protection areas (as identified on the planning maps)) is a restricted discretionary activity .	The proposal involves occupation associated with coastal marine area structures located below the surface of the foreshore and seabed in relation to the proposed coastal outfall in the CMA. Resource consent is sought for a restricted discretionary activity .

(A133) Infrastructure coastal marine area structures not otherwise provided for is a discretionary activity .	The proposal involves infrastructure coastal marine area structures in relation to the proposed coastal outfall in the CMA which is not otherwise provided for. Resource consent is sought for a discretionary activity .
Standards F2.21	Compliance
F2.21.1. All permitted activities, controlled activities and restricted discretionary activities (1) Structures and works must not cause a hazard to safe navigation. (2) Any excess building material, spoil, construction equipment or litter must be removed from the coastal marine area within 24 hours of completion of any works. (3) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area. (4) Written advice must be given to the Council at least 10 working days prior to the work starting unless otherwise specified.	(1) The coastal outfall structure will not cause a hazard to safe navigation. Complies. (2) All excess material and rubbish will be removed from the CMA within 24 hours of completion of any works. Complies. (3) Works will not take place in areas with outstanding natural features or character. n/a. (4) Will comply.

1.2.1.22 Chapter H11 – Local Centre Zone

Activity Table H11.4.1	Status
(A21) Retail greater than 450m ² gross floor area per tenancy is a restricted discretionary activity .	The proposal involves retail greater than 450m ² per tenancy in the Village Centre. Resource consent is sought for a restricted discretionary activity .
(A24) Supermarkets greater than 2000m ² gross floor area per tenancy is a restricted discretionary activity .	The proposal involves supermarkets greater than 2,000m ² per tenancy in the Village Centre. Resource consent is sought for a restricted discretionary activity .

(A44) New buildings are a restricted discretionary activity .	The proposal involves the development of new buildings. Resource consent is sought for a restricted discretionary activity .
Standards H11.6	Compliance
H11.6.1. Building height (1) Buildings must not exceed the height in metres specified in Table H11.6.1.1, unless otherwise specified in the Height Variation Control on the planning maps.	The proposal involves the development of Apartment Building RS1 in the VC1 lot and Apartment Building C in the VC4 lot which infringe the maximum permitted building height of 24m specified in the Height Variation Control, as per the below. Resource consent is sought for a restricted discretionary activity pursuant to Standard C1.9(2). VC1 lot – maximum vertical height of 2.055m over a maximum horizontal length of 48.2m. VC4 lot - maximum vertical height of 1.3m over a maximum horizontal length of 9.629m.
H11.6.3. Residential at ground floor (1) Dwellings including units within an integrated residential development must not locate on the ground floor of a building where the dwelling or unit has frontage to public open spaces including streets.	The proposal involves residential in the form of dwellings at the ground floor within Apartments A, B and C within the VC4 lot. Infringed . Resource consent is sought for a restricted discretionary activity pursuant to Standard C1.9(2).

1.2.1.23 Chapter H13 – Mixed Use Zone

Activity Table H13.4.1	Status
(A8) Conference facilities are a discretionary activity .	The proposal involves conference facilities in the Mixed Use zone. Resource consent is sought for a discretionary activity .
(A45) New buildings are a restricted discretionary activity .	The proposal involves the development of new buildings. Resource consent is sought for a restricted discretionary activity .
Standards H13.6	Compliance
H13.6.1. Building height (1) Buildings must not exceed the height in metres specified in Table H13.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.	The proposal involves the development of Apartment Building B and C within the VC3 lot which infringe the maximum permitted building height of 18m, as per the below. Resource consent is sought for a restricted

	discretionary activity pursuant to Standard C1.9(2). Apartment Building B - maximum vertical height of 2.823m over a maximum horizontal length of 36.919m. Apartment Building C - maximum vertical height of 3.2m over a maximum horizontal length of 45.446m.
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1.2.1.24 Chapter H18 – Future Urban Zone

Activity Table H18.4.1	Status
(A2) New buildings, building additions and accessory buildings have the same activity status and standards as applies to the land use activity that the new building, building addition or accessory building is designed to accommodate.	In this case, the wastewater treatment plant is a restricted discretionary activity. Therefore, the building associated with the wastewater treatment plant requires resource consent for a restricted discretionary activity under H18.4.1(A2). The wastewater treatment plant sits partly in the live zoned land and partly in the FUZ land.
Standards H18.6	Compliance
H18.6.2. Maximum building height (1) Dwellings and buildings accessory to dwellings must not exceed 9m in height. (2) Other accessory buildings must not exceed 15m in height.	(1) Infringed. Resource consent for a restricted discretionary activity. (2) Infringed. Resource consent for a restricted discretionary activity.

1.2.1.25 Chapter I458 – Beachlands South Precinct

Activity Table I458.4.1	Status
(A2) Four or more dwellings per site in a Residential – Terrace Housing and Apartment Buildings Zone or Residential – Mixed Housing Urban Zone is a restricted discretionary activity .	The proposal involves four or more dwellings per site in the THAB and MHU zone. Resource consent is sought for a restricted discretionary activity .
(A4) New buildings not otherwise provided for in Tables I458.4.1 to I458.4.6 is a restricted discretionary activity .	The proposal involves new buildings not otherwise provided for in Tables I458.4.1 to I458.4.6. Resource consent is sought for a restricted discretionary activity .

(A8) Development that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Rows a) to d) is a non-complying activity .	The proposal involves development that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Rows a) to d). Resource consent is sought for a non-complying activity .
(A9) Development that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Row e) is a discretionary activity .	The proposal involves development that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Row e). Resource consent is sought for a discretionary activity .
(A10) Development that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport upgrades and table I458.6.3.2 (Threshold for Subdivision and Development For Ferry Capacity) is a discretionary activity .	The proposal involves development that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport upgrades and table I458.6.3.2 (Threshold for Subdivision and Development for Ferry Capacity). Resource consent is sought for a discretionary activity .
(A13) Development of publicly accessible open spaces greater than 1000m ² is a restricted discretionary activity .	The proposal involves the development of publicly accessible open spaces greater than 1,000m ² . Resource consent is sought for a restricted discretionary activity .
(A14) Development of a civic space as shown on Precinct Plan 3 is a controlled activity .	The proposal involves development of a civic space as shown on Precinct Plan 3. Resource consent is sought for a controlled activity .
(A15) Establishment of the Coastal Pathway as shown on Precinct Plan 5 is a controlled activity .	The proposal involves establishment of the coastal Pathway as shown on Precinct Plan 5. Resource consent is sought for a controlled activity .
(A20) Vegetation alteration or removal within the Ecological Protected Area Network for all other purposes not otherwise provided for is a discretionary activity .	The proposal involves vegetation alteration or removal within the EPAN for all other purposes, such as remediation of the slip within the EPAN, which is not otherwise provided for. Resource consent is sought for a discretionary activity .
(A21) Subdivision or development that does not comply with standard I458.6.6 Ecological Protected Area Network is a discretionary activity .	The proposal involves subdivision or development that does not comply with standard I458.6.6 Ecological Protected Area

	Network. Resource consent is sought for a restricted discretionary activity .
(A23) Subdivision that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Rows a) to d) is a non-complying activity .	The proposal involves Subdivision that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Rows a). Resource consent is sought for a non-complying activity .
(A24) Subdivision that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Row e) is a discretionary activity .	The proposal involves Subdivision that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.1 (Road Upgrades) Row e. Resource consent is sought for a discretionary activity .
(A25) Subdivision that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.2 (Threshold for Subdivision and Development for Ferry Capacity) is a discretionary activity .	The proposal involves Subdivision that does not comply with Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades and Table I458.6.3.2 (Threshold for Subdivision and Development for Ferry Capacity). Resource consent is sought for a discretionary activity .
(A29) Subdivision and/or development that does not comply with Standard I458.6.14 Road Design is a restricted discretionary activity .	The proposal involves subdivision and/or development that does not comply with Standard I458.6.14 Road Design. The proposal does not comply for the reasons as set out in Table 10-1 of the ITA in Appendix 8, in addition to the following: Precinct Plan 3 shows that an indicative primary and secondary collector road is proposed within Sub-precinct D, Coastal which therefore requires cycle provision in accordance with Appendix 1 of the Precinct Plan. However, this indicative road has been designed as a local road therefore no cycle provision is provided. Resource consent is sought for a restricted discretionary activity.
(A33) Subdivision (A30) or (A31) not meeting General Standards E38.6.2 to E38.6.6 inclusive is a discretionary activity .	The proposal involves subdivision specified in (A30) or (A31) not meeting General Standards E38.6.2 to E38.6.6 inclusive. Resource consent is sought for a discretionary activity .

Activity Table I458.4.5	Status
(A45) New buildings is a restricted discretionary activity .	The proposal involves the development of new buildings in Sub-precinct F, Employment. Resource consent is sought for a discretionary activity .
Standards I458.6	Compliance
I458.6.1. Building Height (1) Buildings must not exceed the height in metres of the underlying zone standards for land zoned Business – Local Centre, Business – Mixed Use, Business – Light Industry, Residential – Large Lot or Future Urban, unless otherwise specified in the Height Variation Control on the planning maps. (2) Buildings must not exceed the height in metres in Standard I458.6.17(2)(a) for land zoned Residential – Terrace Housing and Apartment Buildings or Residential – Mixed Housing Urban. (3) If the site is subject to the Height Variation Control on the planning maps, buildings must not exceed the height in metres, as shown in Table I458.6.1.1 below. (4) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.	(1) Apartment Building B and C within the VC3 lot which infringe the maximum permitted building height of 18m in the underlying Mixed Use zone. Resource consent is sought for a restricted discretionary activity. (2) Various buildings will infringe the height in metres in Standard I458.6.17(2)(a) for land zoned Residential – Terrace Housing and Apartment Buildings or Residential – Mixed Housing Urban (refer compliance tables in Appendix D for specific buildings and extent of non-compliance). Resource consent is sought for a restricted discretionary activity. (3) Apartment Building RS1 in the VC1 lot and Apartment Building C in the VC4 lot which infringe the maximum permitted building height of 24m specified in the Height Variation Control in the underlying Local Centre zone. Resource consent is sought for a restricted discretionary activity. (4) Infringed. Resource consent is sought for a restricted discretionary activity.
I458.6.3. Staging of Subdivision and Development with Transport Upgrades <u>Table I1458.6.3.1</u>	The proposal does not comply because: Table I1458.6.3.1 Row (a) – The upgrade of Jack Lachlan Drive due to construction staging whereby 68 out of 500 dwellings are proposed to be occupied prior to the full upgrade being completed. All other upgrades at Sites A, B and E will be complied with; Row (b) – The upgrade of Jack Lachlan Drive required in row (a) described above will not be complied with, but the upgrade at Site D will be complied with;

Column 1 Development and/or subdivision enabled within the area identified on Precinct Plan 6 by transport infrastructure in column 2,	Column 2 Transport infrastructure required to enable development and/or subdivision in column 1
(a) Up to a maximum of 500 dwellings and/or residential lots	Upgrade of Jack Lachlan Drive to provide two-way cycling facilities along the full length of one side of the road; and a footpath on the northern side of the road as shown in Appendix 2; and Site (A) on Precinct Plan 6: Upgrade of Whitford-Maraetai Road / Jack Lachlan Drive intersection as shown in Appendix 2 and Site (B) on Precinct Plan 6: Upgrade of Whitford Park Road / Whitford Road / Whitford-Maraetai Road roundabout to provide an additional traffic lane on the Whitford Road (western) approach and traffic signal metering of the same approach with queue detectors on the Whitford-Maraetai Road (eastern) approach as shown in Appendix 2 **; and Site (E) on Precinct Plan 6: Upgrade of Somerville Road / Whitford Road / Point View Drive roundabout to

		provide a double north-west bound through-lane for additional capacity as shown in Appendix 2.
(b)	A provision of: i. More than 500 and up to 850 dwellings or residential lots	Upgrades in (a) above; and Site (D) on Precinct Plan 6: Provision of an additional left-turn approach lane on the northbound approach to the Whitford Park Road / Saleyard Road / Sandstone Road roundabout as shown in Appendix 2*.
(c)	A provision of: i. More than 850 and up to 1,200 dwellings or residential lots	Upgrades in (a) – (b) above; and Site (C) on Precinct Plan 6: Upgrade to Trig Road (south) / Whitford-Maraetai Road intersection as shown in Appendix 2.*
(d)	A provision of: i. More than 1,200 and up to 1,900 dwellings or residential lots	Upgrades in (a) – (c) above; and Site (B) on Precinct Plan 6: Further upgrade of Whitford Park Road / Whitford Road / Whitford-Maraetai Road roundabout to provide an additional lane on the Whitford-Maraetai Road (eastern) approach, and the removal of the traffic signal metering equipment as shown in Appendix 2. *
(e)	A provision of: i. More than 1,900 and up to 2,700 dwellings or residential lots	Upgrades in (a) – (d) above; and Site (F) on Precinct Plan 6: Whitford Bypass providing a two-way single lane each way between the Trig Road (south) / Whitford-Maraetai Road intersection and the Saleyard Road / Whitford Park Road / Sandstone Road intersection, including upgrades to the intersections at both ends.

Table I1458.6.3.2

Column 1 Development and/or subdivision enabled within the area identified on Precinct Plan 6 by transport infrastructure in column 2	Column 2 Transport infrastructure required to enable development and/or subdivision in column 1
(a) A provision of more than 250 up to 500 dwellings or residential lots	Provision for a total capacity of at least 600 ferry passengers from Pine Harbour during the two-hour peak period between 0620 – 0820 on weekdays.
(b) A provision of more than 500 up to 850 dwellings or residential lots	Provision for a total capacity of at least 700 ferry passengers from Pine Harbour during the two-hour peak period between 0620 – 0820 on weekdays.
(c) A provision of more than 850 up to 1500 dwellings or residential lots	Provision for a total capacity of at least 825 ferry passengers from Pine Harbour during the two-hour peak period between 0620-0820 on weekdays; and
(d) A provision of more than 1500 up to 1900 dwellings or residential lots	Provision for a total capacity of at least 950 ferry passengers from Pine Harbour during the two-hour peak period between 0620 – 0820 on weekdays.
(e) A provision of more than 1900 and up to 2700 dwellings or residential lots	Provision for a total capacity of at least 1150 ferry passengers from Pine Harbour during the two-hour peak period between 0620 – 0820 on weekdays

I458.6.6. Ecological Protected Area Network

Row (c) - The upgrade of Jack Lachlan Drive required in row (a) described above will not be complied with and the upgrade at Site C is not proposed and therefore will not be complied with; and

Row (d) – The upgrade of Jack Lachlan Drive required in row (a) described above will not be complied with and the upgrade at Site C will not be complied with, but the upgrade at Site B will be complied with.

Row (e) – The proposal does not comply because the upgrades all the upgrades in rows (a) – (d) above are not complied as described above and the upgrade in Site F is not proposed.

Table I1458.6.3.2

The proposal does **not comply** with row (e) because a condition of consent is proposed to assess the ferry service requirements once the 1,900 dwellings are exceeded.

Resource consent is sought for a **non-complying activity**.

Infringed. Resource consent is sought for a **restricted discretionary activity**.

I458.6.12. Large Lot Zone (1) Proposed sites identified in the Subdivision Variation Control on the planning maps must comply with the minimum net site area in Table E38.8.2.4.1. (2) The maximum building coverage must not exceed 35% of the net site area. (3) The maximum impervious area must not exceed 50% of the net site area.	The proposal does not comply with the Large Lot zone standard for the reasons below. Resource consent is sought for a restricted discretionary activity pursuant to Standard C1.9(2). (1) Not all proposed sites identified in the Subdivision Variation Control on the planning maps comply with the minimum net site area in Table E38.8.2.4.1 because some are below the minimum net site area requirement of 1,000m². Infringed. (2) A maximum building coverage of 50% is proposed for sites with a minimum net site area less than 1,000m² identified in the Subdivision Variation Control where the permitted maximum is 35%. Infringed. (3) An impervious area of 65% is proposed for sites with a minimum net site area less than 1,000m² identified in the Subdivision Variation Control where the permitted maximum is 50%. Infringed.
I458.6.16. Site Access (1) Where subdivision and development adjoin an arterial road identified on the planning maps or planned cycle path in Appendix 1 Beachlands South Precinct, Road Function and Design Details Table, rear access must be provided so that no driveway is provided directly from the arterial road or over the planned cycle path.	Subdivision and development adjoin a planned cycle path in Appendix 1 of the Precinct Plan and not all subdivision and development achieves rear access so that no driveway is provided directly over the planned cycleway. – Infringed. Resource consent is sought for a restricted discretionary activity.
I458.6.17. Medium Density Residential Standards (1) There must be no more than three dwellings per site. (2) (a) Building height (i) In the Residential - Terrace Housing and Apartment Buildings Zone, buildings must not exceed 16m in height. (ii) In the Residential – Mixed Housing Urban Zone, buildings must not exceed 11 metres in height, except that 50% of a	(1) More than 3 dwellings per site are proposed on some sites. Infringed. Resource consent is sought for a restricted discretionary activity. (2) (a) Various buildings will infringe the height in metres in Standard for land zoned Residential – THAB or MHU. (b) The height in relation to boundary standard is not complied with. (c) The yard standard is not complied with.

building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more. (b) Height in relation to boundary (i) Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way. (ii) This standard does not apply to — (a) a boundary with a road: (b) existing or proposed internal boundaries within a site: (c) site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. (c) Yards (i) Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table. (ii) This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed. (d) Building coverage The maximum building coverage must not exceed 50% of the net site area. (e) Outdoor living space (i) A dwelling at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises	(d) The building coverage standard is not complied with. (e) The outdoor living space standard is not complied with. (f) The outlook space standard is not complied with. (g) The windows to street standard is not complied with. (h) The landscape area standard is not complied with. Resource consent is sought for a restricted discretionary activity.
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ground floor, balcony, patio, or roof terrace space that: (a) where located at ground level, has no dimension less than 3 metres; and (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and (c) is accessible from the dwelling; and (d) may be: • grouped cumulatively by area in one communally accessible location; or • located directly adjacent to the dwelling; and (e) is free of buildings, parking spaces, and servicing and manoeuvring areas. (ii) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that— (a) is at least 8 square metres and has a minimum dimension of 1.8 metres; and (b) is accessible from the dwelling; and (c) may be: • grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or • located directly adjacent to the dwelling. (f) Outlook space (i) An outlook space must be provided for each dwelling as specified in this standard. (ii) An outlook space must be provided from habitable room windows (iii) The minimum dimensions for a required outlook space are as follows: (a) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and	
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(b) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

(iv) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

(v) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.

(vi) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

(vii) Outlook spaces may be under or over a balcony. (viii) Outlook spaces required from different rooms within the same building may overlap.

(ix) Outlook spaces must—

(a) be clear and unobstructed by buildings; and

(b) not extend over an outlook space or outdoor living space required by another dwelling.

(g) Windows to street

Any dwelling facing the street must have a minimum of 20% of the streetfacing façade in glazing. This can be in the form of windows or doors.

(h) Landscape area

(i) A dwelling at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them

(ii) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

1.2.2 AUP(OP) Plan Change 120

Proposed Plan Change 120 (PC120) to the AUP was publicly notified by Auckland Council on 3 November 2025. PC120 aims to manage housing intensification and natural hazards.

Certain rules regarding natural hazards have immediate legal effect from 3 November 2025. Reasons for consent under PC120 in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

1.2.2.1 Chapter E12 – Land Disturbance - District

Activity Table E12.4.1	Status
	<i>No changes to activities</i>
Standards E12.6	Compliance
E12.6.2. General standards (11) Earthworks (including filling) within <u>the 1 per cent annual exceedance probability (AEP) flood plain and/or flood prone areas:</u>	The proposal involves earthworks within a flood prone area – Infringe . Resource consent is sought for a restricted discretionary activity .

1.2.2.2 Chapter E36 – Natural Hazards and Flooding

Activity Table E36.4.1A	Status
<u>(A79) Activities where natural hazard risk is potentially tolerable in accordance with Table E36.3.1B.1 in flood hazard areas are a restricted discretionary activity low flood hazard areas.</u>	The proposal involves activities where natural hazard risk is potentially tolerable in accordance with Table E36.3.1B.1 in a low flood hazard area. Resource consent is sought for a restricted discretionary activity .
<u>(A89) On-site septic tanks, onsite wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a restricted discretionary activity.</u>	The proposal involves on-site wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain on the 620 Whitford-Maraetai Road site. Resource consent is sought for a restricted discretionary activity .
<u>(A92) Construction of other land drainage works, stormwater management devices or flood mitigation works in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a restricted discretionary activity.</u>	The proposal involves stormwater management devices in the 1% AEP flood plain as shown on the planning maps. Resource consent is sought for a restricted discretionary activity .
<u>(A98) All other structures and buildings (including retaining walls) in the 1 per cent</u>	The proposal involves other buildings located in the 1% AEP floodplain and flood prone

<u>annual exceedance probability (AEP) floodplain and flood prone areas are a restricted discretionary activity.</u>	areas. Resource consent is sought for a restricted discretionary activity .
<u>(A102) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is a restricted discretionary activity.</u>	The proposal involves diverting the entry or exit point of any part of an overland flow path within the project area. Resource consent is sought for a restricted discretionary activity .

1.2.2.3 Chapter E38 – Subdivision – Urban

Activity Table E38.4.1	Status
(A11) Subdivision of land within any of the following natural hazard areas: • <u>flood hazard areas (excluding overland flow paths);</u> • <u>coastal hazard areas;</u> • <u>medium landslide susceptibility assessment areas; or</u> • <u>high landslide susceptibility assessment areas.</u>	The proposal involves the subdivision of land within a flood hazard area, coastal hazard area, and a medium to high landslide susceptibility assessment area. Resource consent is sought for a restricted discretionary activity.

1.2.3 National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health 2011

The NESCS is a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or the contaminants contained to make the land safe for human use.

A Detailed Site Investigation (DSI) was undertaken for the project area and this identified that activities on the Hazardous Activities and Industrial List ('HAIL') have occurred on the Site) and contaminants remain above background concentrations. As such, this piece of land is deemed to have been used for HAIL activities and the NESCS applies.

The DSI and Site Management Plan (SMP) prepared by Tonkin + Taylor (T+T) in **Appendix X** concludes that the Site will be suitable for development. However, resource consent is required under the NESCS regulations as follows:

- Regulation 11 – As a DSI has not been undertaken for 758 and 770 Whitford-Maraetai Road. This is a discretionary activity.

1.2.4 National Environmental Standards for Freshwater 2020

The NES Freshwater regulates activities that pose risks to the health of freshwater and freshwater ecosystems such as farming activities reclamation of streams and wetlands, and the passage of fish affected by structures.

Resource consent is required under the NES-F regulations as follows:

- Regulation 45C(1) – The proposal involves vegetation clearance within and within a 10m setback of a natural inland wetland for the purpose of constructing urban development. This is a restricted discretionary activity.
- Regulation 45C(2) – The proposal involves earthworks or land disturbance within a 10m setback of natural inland wetland for the purpose of constructing urban development. Earthworks are also proposed within a natural inland wetland that will result in the complete drainage and reclamation of this wetland. This is a restricted discretionary activity.
- Regulation 45C(3) - The proposal involves earthworks or land disturbance within a 100m setback of a natural inland wetland for the purpose of constructing urban development and is likely to result in the partial drainage of those wetlands. This is a restricted discretionary activity.
- Regulation 45C(4) - The proposal involves the diversion of water within a 100m setback of a natural inland wetland for the purpose of constructing urban development and is likely to change the water level range or hydrological function of the wetlands. This is a restricted discretionary activity.
- Regulation 45C(5) - The proposal involves the discharge of water within a 100m setback of a natural inland wetland for the purpose of constructing urban development and is likely to change the water level range or hydrological function of the wetlands. This is a restricted discretionary activity.
- Regulation 57 – The proposal involves the reclamation 18 stream sections accounting for a total length of approximately 645 lineal metres and 330.3m² of stream bed area. This is a discretionary activity.

1.3 Other National Environmental Standards

The proposal does not require resource consents under any of the other National Environmental Standards, including:

- National Environmental Standards for Air Quality 2004
- National Environmental Standards for Commercial Forestry
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standards for Sources of Drinking Water
- National Environmental Standards for Marine Aquaculture
- National Environmental Standard for Storing Tyres Outdoors
- National Environmental Standards for Detached Minor Residential Units

- National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat
- National Environmental Standards for Papakāinga

1.4 Permitted Activities

In accordance with clause 5(5)(a) of Schedule 5 of the FTAA the following permitted activities are part of the proposal to which the consent application relates such that a resource consent is not required for the activities under section 87A(1) of the RMA.

1.4.1 AUP(OP)

Chapter E3 Lakes, Rivers, Streams and Wetlands

- Bridges and the associated bed disturbance complying with standards in E3.6.1.16 is provided for as a permitted activity outside of any overlays in Table E3.4.1(A29). The open space strategy for the Project includes bridges in the form of boardwalks over streams. The relevant standards are captured in the proposed consent conditions in **Appendix C** to ensure compliance will be achieved.
- Stormwater outfalls complying with the standards in E3.6.1.14 are a permitted activity under E26.2.3(A56).

Chapter E8 Stormwater – Discharge and diversion

- E8.4.1(A1) - The proposal involves the diversion of stormwater runoff from lawfully established impervious areas directed into an authorised stormwater network that complies with Standard E8.6.2.1 because the impervious area will be lawfully established as part of this consent.

Chapter E15 Vegetation management and biodiversity

- The proposal involves vegetation removal within the project area to facilitate development of the Project which is likely to include pest plant removal which is provided for as permitted activity in Table E15.4.1(A6).

Chapter E24 Lighting

- The proposal is likely to involve the provision of external lighting around the buildings complying with general standards E24.6.1 and the relevant standards that apply in Table E24.6.1.1 for lighting of the Project across the different business and residential zones. Lighting activities that comply with all the relevant permitted activity standards is provided for as a permitted activity in Table E24.4.1(A1). The relevant standards Chapter 24 in are captured in the proposed consent conditions in **Appendix C** to ensure compliance will be achieved.

Chapter E25 Noise and vibration

- The proposal involves both activities emitting operational and construction noise and vibration at all adjacent properties that will comply with the relevant permitted activity standards and is provided for as a permitted activity in Table E25.4.1(A1). The acoustic report in **Appendix 18** demonstrates how the relevant permitted activity standards will be complied with and the proposed conditions of consent in **Appendix C** include relevant noise and vibration conditions to ensure compliance will be achieved.
- The proposal involves the development of ‘noise sensitive spaces’ in terms of dwellings and visitor accommodation within the Local Centre and Mixed Use zones that will be designed

and/or insulated so that the internal noise levels do not exceed those specified in Table E25.6.10.1 for the zone. The acoustic report specifies in **Appendix 18** states that there will no challenges to achieving compliance with this design standard and the proposed conditions of consent in **Appendix C** requires an acoustic engineer to provide written certification to confirm buildings containing 'activities sensitive to noise' have been designed and constructed to those standards.

Chapter E27 Transport

- Section 10.2 of the ITA in **Appendix 8** provides a detailed permitted activity assessment of the proposal against the relevant transportation standards.

Chapter E36 Natural hazards and flooding

- The proposal involves surface parking and above ground parking areas in the 1% AEP floodplain that comply with standard E36.6.1.7 which is provided for as a permitted activity in Table E36.4.1(A24).
- The proposal involves the construction of private roads and accessways within the 1% AEP flood plain which is provided for as a permitted activity under Table E36.4.1(A27).
- The proposal involves buildings and structures on land which may be subject to land instability that comply with standard E36.6.1.11 which is provided for as a permitted activity in Table E36.4.1(A43). The geotechnical report in **Appendix 15** provides site stability or geotechnical recommendations for the proposal and the geotechnical related proposed conditions of consent in **Appendix C** contains those recommendations to ensure they will be complied with.

Chapter H11 – Local Centre Zone

- H11.4.1(A2) – Dwellings is a permitted activity.
- H11.4.1(A7) – Commercial services is a permitted activity.
- H11.4.1(A13) – Food and beverage is a permitted activity.
- H11.4.1(A20) – Retail up to 450m² per tenancy is a permitted activity.
- H11.4.1(A28) – Community facilities is a permitted activity.

Chapter H13 – Mixed Use Zone

- H13.4.1(A2) – Dwellings is a permitted activity.
- H13.4.1(A6) – Visitor accommodation is a permitted activity.
- H13.4.1(A30) – Education facilities is a permitted activity.

Chapter H17 – Light Industry Zone

- H17.4.1(A2) – Workers accommodation (live-work units) is a permitted activity.
- H17.4.1(A38) – New buildings is a permitted activity.

Chapter I458 Beachlands South Precinct

- I458.4.1(A17) - Pest and invasive vegetation removal within the Ecological Protected Area Network as shown on Precinct Plan 2, is a permitted activity.

- I458.4.1(A18) - Vegetation alteration or removal within the Ecological Protected Area Network (excluding high value terrestrial and wetland vegetation) to form the indicative shared path links as shown on Precinct Plan 5, is a permitted activity.
- I458.4.1(A38) – Education facilities in Sub-Precinct C, Community is a permitted activity.
- I458.4.1(A39) – Community facilities in Sub-Precinct C, Community is a permitted activity.
- I458.4.1(A40) – Visitor accommodation in Sub-Precinct C, Community is a permitted activity.
- I458.4.1(A41) – Organised sport and recreation including associated maintenance in the Golf Course Special Area shown on Precinct Plan 1 in Sub-Precinct C, Community is a permitted activity.

1.4.1 PC 120

Chapter E36 Natural hazards and flooding

- 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 areas that comply with Standard E36.6.A1 in a low to moderate landslide hazard risk area is a permitted activity.
- E36.4.1B(A128) - 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.
- E36.4.1A(A81) - Surface parking and above ground parking areas (including vehicle entry and exit points) in a low flood hazard area is a permitted activity.

1.5 Overall Activity Status

Overall, the application requires non-complying activity consent overall under the AUP(OP), discretionary activity consent under the NESCS and discretionary activity consent under the NES-F.

The majority of reasons for consent either have a controlled, restricted discretionary or discretionary activity status under the AUP-OP. However, in this case, we have taken a conservative approach and assessed the application overall as a non-complying activity. Where there is a group of activities in an application which are closely associated with each other, or are directed towards one dominant use or purpose, they should be assessed holistically as a single “bundle”, according to the most stringent activity status. Part C1.5 of the Unitary Plan (Applications for more than one activity) and Part C1.6. (Overall activity status) also inform this judgment.

The overall activity status for this application is **non-complying**.

1.6 Auckland Unitary Plan – Special Information Requirements

This section sets out the special information requirements relevant to the reasons for consent that are required under the AUP(OP).

1.6.1 Auckland-wide – Special Information Requirements

1.6.1.4 Hazard Risk Assessment

E36.9(1) of Chapter E36 of the AUP(OP) requires a hazard risk assessment to be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which is subject to the 1 per cent annual exceedance probability (AEP) floodplain, coastal storm inundation 1 per cent annual exceedance probability (AEP), coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise.

T+T has undertaken a hazard risk assessment in relation to coastal hazards for the project and this is provided as **Appendix 12** of the application material. HG has undertaken a hazard risk in relation to flood hazards for the Project and this is provided as **Appendix 12** of the application material.

1.6.1.5 Lighting Plan

E24.9(1) of Chapter E24 requires a Lighting Plan to be provided when lighting is required under Standards E27.6.3.7(2) and E24.6.2 of the AUP. A Lighting Plan prepared suitably experienced and qualified lighting specialist is provided in **Appendix 19** of the application material.

1.6.2 I458 Beachlands South Precinct – Special Information Requirements

1.6.2.6 Riparian Planting Plan

An application for land modification, development and subdivision which adjoins a permanent or intermittent stream must be accompanied by a riparian planting plan identifying the location, species, planter bag size and density of the plants. Viridis has prepared a Riparian Planting Plan included within the BMP and this is enclosed as **Appendix 12**.

1.6.2.7 Biodiversity Management Plan

Any application for subdivision in the Precinct involving the EPAN as identified on Precinct Plan 2 must be accompanied by a Biodiversity Management Plan for the EPAN. Viridis has prepared a BMP and this is enclosed as **Appendix 12**.

1.6.2.8 Archaeological Vegetation Management and Planting Plan

An application for subdivision or development along the coastal edge of the EPAN identified on Precinct Plan 2 must be accompanied by a vegetation management and planting plan which takes into account the location of recorded archaeological sites and the potential to discover additional archaeological sites, prepared by a suitably qualified archaeologist in consultation with mana whenua. Clough & Associates has prepared this management and planting plan and this is enclosed as **Appendix 17**.

1.6.2.9 Integrated Transport Assessment

An application to infringe Standard I458.6.3 Staging of Subdivision and Development with Transport Upgrades or to provide in excess of 2700 dwellings or lots must be accompanied by an integrated transport assessment prepared by suitably qualified transport planner or traffic engineer. Hughes Traffic & Transport has prepared an ITA for the Project and this is enclosed as **Appendix 8**.

1.6.2.10 Transport Development and Subdivision Monitoring Report

A Transport Monitoring Report is required to be prepared for every 500 dwellings or residential lots cumulatively within the precinct (e.g., 500, 1,000, 1,500, and so on). A condition of consent is proposed to address the Transport Monitoring Report for the Project and this is enclosed as **Appendix C**.

1.6.2.11 Lizard and Bat Management Plan

An application for bulk earthworks in the Precinct requiring land use consent under Chapter E11 Land disturbance – Regional must be accompanied by a Lizard and Bat Management Plan. This management plan must specify measures to salvage and relocate lizards, bats and associated habitat features from the earthworks areas to appropriate habitats within the EPAN. Viridis has prepared a Lizard and Bat Management Plan included a part of the Fauna Management Plan and this is enclosed as **Appendix 12**.

1.6.2.12 Travel Management Plan

A Travel Management Plan ('TMP') is required for commercial activities greater than 500m² within this precinct. Hughes Traffic & Transport has prepared a TMP for the Project and this is enclosed as **Appendix 8**.

1.6.2.13 Coastal and Bird Management Plan

An application for subdivision in the precinct adjoining the coastal marine area must be accompanied by a Coastal Bird Management Plan. T+T has prepared a CBMP and this is enclosed as **Appendix 12**.

1.6.2.14 Transport Design Report

Any proposed new road intersection or upgrading of existing road intersections identified on Precinct Plan 6 must be supported by a Transport Design Report and Concept Plans (including forecast transport modelling and land use assumptions), prepared by a suitably qualified transport engineer. Hughes Traffic & Transport has prepared a transport design report as part of the ITA for the Project and this is enclosed as **Appendix 8**.

1.7 Plan Change 120 Special Information Requirements

This section sets out the special information requirements relevant to the reasons for consent that are required under PC120 to the AUP(OP) which have immediate legal effect.

1.7.1.15 Hazard Risk Assessment

E36.9(1) of Chapter E36 under PC120 requires a hazard risk to be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which are within one or more natural hazard areas. For coastal hazards, this should include consideration of the potential effects of climate change over at least a 100 year timeframe.

T+T has undertaken a hazard risk assessment in relation to coastal hazards for the Project and this is provided as **Appendix 14** of the application material. HG has undertaken a hazard risk in relation to flood hazards for the Project and this is provided as **Appendix 9** of the application material.

1.7.1.16 Landslide Risk Assessment

E36.9(3) of Chapter E36 under PC120 requires a landslide risk assessment to be prepared by a suitably qualified and experienced person 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. The Site is mapped on Auckland Council's Geomaps viewer as being within a 'low' and 'very low' landslide susceptibility areas but is located within 150m of a 'very high' landslide susceptibility area to the north.

A Landslide hazard risk assessment in accordance with the Appendix 24 methodology is contained within the geotechnical report prepared by T+T in **Appendix 15** of the application material.

1.7.1.17 Geotechnical Report

E36.9(3) of Chapter E36 under PC120 requires a geotechnical assessment to be 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 the subdivision, use or development of land within a landslide hazard area.

A geotechnical report prepared by T+T in **Appendix 15** of the application material.

1.8 Any Other Activities

This section is provided in accordance with clause 5(1)(e) of Schedule 5 of the FTAA. There are no other activities that are part of the proposal to which the consent application relates.

1.9 Other Approvals

In accordance with clause 5(1)(f) of Schedule 5 of the FTAA, no other approvals are required, nor have been obtained, for the Project separate to this FTAA application.

1.9.1 Heritage NZ Authority

An archaeological authority that would otherwise be sought under the Heritage New Zealand Pouhere Taonga Act 2014 is sought under Section 42(4)(i) of the FTAA.

The Proposal seeks archaeological authority under the Heritage New Zealand Pouhere Taonga Act (HNZPTA).

The Archaeological Assessment identified 28 archaeological sites within 250m of the Development area, the majority of which are outside the main earthworks footprint. There are eleven recorded sites (R11/343, R11/344, R11/345, R11/1438, R11/1439, R11/1440, R11/1617, R11/1618, R11/1621, R11/1622, and R11/1623) that are either located within, or extend into, areas of proposed ground disturbance associated with bulk earthworks or EPAN works involving vegetation clearance, replanting and the construction of walkways and associated infrastructure.

An archaeological assessment addressing the required information for an approval described in section 43(3)(i) (archaeological authority) clause 2(1) has been prepared by Clough & Associates in accordance with clause 2(1) of Schedule 8 of the Act (refer **Appendix 17**). This section of the application provides a summary of the information set out within **Appendix 17**.

The application also seeks the approval of a person nominated to undertake the activity under the Archaeological Authority. In this case, the Project Archaeologist is proposed to be Glen Farley of Clough & Associates.

For completeness, it is confirmed that the application complies with section 46(2)(a), (b), and (d) of the FTAA.

1.9.2 Wildlife Act Permit

A wildlife approval that would otherwise be sought under the WA is sought under Section 42(4)(h) of the FTAA.

This Wildlife Approval application is for the capture, handling, temporary holding and relocation of indigenous lizards that may be present within suitable habitat affected by the proposed works. It also seeks approval for any incidental injury or mortality of indigenous lizards that may occur despite implementation of authorised lizard salvage, destructive searches, vegetation clearance controls and associated habitat removal procedures undertaken in accordance with the Fauna Management Plan (FMP). For the avoidance of doubt, this wildlife approval application does not apply to indigenous birds and bats.

A memorandum addressing the required information for an approval described in section 43(3)(h) (wildlife approval) clause 2(1) has been prepared by Viridis in accordance with clause 2(1) of Schedule 7 of the Act (refer Error! Reference source not found.12). For completeness, this section of the application provides a summary of the information set out within **Appendix 12**.

For completeness it is noted that there are no fisheries approval requirements sought under Section 42(4)(j) of the FTAA. This will be applied for separately if required.

1.10 Information Requirements

1.10.1 Schedule 5(5)(1) of the FTAA

Clause 5 of Schedule 5 of the Act sets out specific information to be included in a substantive application for resource consent. These requirements are addressed throughout the consent application and supporting technical documents. A checklist is attached as **Appendix A** which sets out how and where this information has been provided.