

# Rules Assessment

Proposal: Delmore

Address: 88, 130, 132 Upper Ōrewa Road and 53A, 53B and 55 Russell Road, Ōrewa

Unitary Plan: Auckland Unitary Plan (Operative in Part)

| Site Zoning               |   |
|---------------------------|---|
| Zone                      | Future Urban Zone (FUZ)   |
| Overlays/Controls         | Significant Ecological Areas Overlay - Terrestrial<br>Macroinvertebrate Community Index – Native<br>Macroinvertebrate Community Index – Exotic<br>Macroinvertebrate Community Index – Rural |
| Designations              | NoR 6 - New Connection-Milldale to Grand Drive (AT)   |
| Non-statutory information | Flood prone areas<br>Flood plains<br>Overland flow paths<br>Archaeological site (R10/776) – shell midden<br>Archaeological site (R10/1573) – shell midden                                   |
| Other limitations         | Contains 'natural wetlands' under the National Environmental Standard for Freshwater 2020 (NES-F)   |
| Site area                 | 109.18ha  |

## National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

| Regulation    | Compliance  | Non-Compliance |
|---------------|---|----------------|
| 5 Application |   |                |
| (7)           | In accordance with Preliminary Site Investigation, the subject site is not 'land covered' under 5(7) of the NES:CS as no HAIL activities were identified as/has being undertaken, and it is not more than likely than not that HAIL activities have occurred on the site. As such, the NES:CS does not apply to the site. |                |

## National Environmental Standard for Freshwater 2020

| Subpart 1 – Natural inland wetlands |            |                |
|-------------------------------------|------------|----------------|
| Regulation                          | Compliance | Non-Compliance |

|  |   |   |
|--|---|---|
| 45C Restricted Discretionary Activities            |   | The proposal involves vegetation clearance and land disturbance within, and within a 10m setback from a natural inland wetland, land disturbance outside a 10 but within a 100m setback, and diversion and discharge for the purpose of urban development. These are restricted discretionary activities under regulation 45C(1) to 45C(5). |
| Subpart 3 – Passage of fish affected by structures |   |   |
| 70 – Culverts – permitted activities               | All culverts have otherwise been designed to meet the permitted activity standards. |   |
| 71 – Culverts – discretionary activities           |   | Culverts 7, 9 and 10 do not comply with condition (d) of regulation 70(2). This is a <b>discretionary activity</b> pursuant to 71(1)  |

#### Auckland Unitary Plan (Operative in Part 2016)

| Rule                                   | Compliance  | Non-Compliance   |
|--|---|--|
| Chapter E Auckland-Wide                |   |  |
| E1 Water Quality                       | N/A – these chapters are not relevant to the rules assessment as they do not contain any activity rules or standards.   |  |
| E2 Water Quantity, Allocation and Use  |   |  |
| E3 Lakes, Rivers, Streams and Wetlands | <p>Proposed wastewater pipe bridges complying with the standards in E3.6.1.16 are a <b>permitted activity</b> pursuant to E3.4.1(A29)</p> <p>Culverts less than 30m in length when measured parallel to the direction of water flow complying with the standards in E3.6.1.18 is a <b>permitted activity</b> pursuant to E3.4.1 (A32)</p> <p>Proposal complies with E3.6.1.1 General standards as follows:</p> <p>(1) The proposal will not result in any of the listed effects on receiving waters</p> | <p>Any activities not complying with general permitted activity standard E3.6.1.14 is a <b>discretionary activity</b> pursuant to E3.4.1(A44).</p> <p>Non-compliance with general standard E3.6.1.14(1)(b) – scour management works will exceed 5m in length either side of the following culverts:</p> <p>Culvert 3: 23m proposed<br/> Culvert 4: 22.8m proposed<br/> Culvert 5: 8m proposed<br/> Culvert 6: 6.2m proposed<br/> Culvert 8: 5.9m proposed<br/> Culvert 9: 10.1m proposed<br/> Culvert 11: 17.2m proposed</p> |

| Rule | Compliance  | Non-Compliance   |
|------|---|--|
|      | <p>(2) Proposed culverts will not result in increase of existing flood levels</p> <p>(3) Proposal will not result in more than minor erosion or land instability</p> <p>(4) Machinery will not sit directly on the wetted cross-section of the bed at the time of the work</p> <p>(5) N/A</p> <p>(6) Mixing of construction materials and maintenance of equipment will not occur within 10m of the river bed</p> <p>(7) N/A</p> <p>(8) N/A</p> <p>Complies with E3.6.1.18 as follows:</p> <p>(1) Complies - see compliance with E3.6.14 below</p> <p>(2) 1% AEP flood shall not increase flood levels upstream or downstream</p> <p>(3) Culvert will be constructed of inert material with design life of at 100 years</p> | <p>All proposed culverts do not comply with Standard E3.6.1.14(1)(c) and are a <b>discretionary activity</b> under Rule E3.4.1(A44)</p> <p>The removal of constructed ponds is required under Rule E3.4.1 (A49) as a <b>non-complying activity</b></p> <p>New reclamation of a natural inland wetland is a <b>non-complying activity</b> pursuant to E3.4.1(A49)</p> |
|      | <p>Otherwise complies with E3.6.1.14 as follows:</p> <p>(1) Otherwise, structure length will be less than 30m</p> <p>(2) Will comply</p> <p>(3) Structure will not prevent the passage of fish</p> <p>(4) The structure will not prevent more than minor bed erosion, scouring or undercutting</p> <p>(5) Construction materials will be removed from the bed</p> <p>(6) N/A</p> <p>(7) The 1% AEP floodplain will be accommodated by the structure without increasing flood levels</p> <p>(8) Flow rate calculation will be made using Auckland Council Guide</p>  |  |

| Rule   | Compliance   | Non-Compliance  |
|--|--|---|
| E4 Other Discharge of Contaminants                           | N/A – not relevant to proposal   |   |
| E5 On-site and Small-Scale Wastewater Treatment and Disposal | N/A – not relevant to proposal   |   |
| E6 Wastewater Network Management                             |  | The discharge of treated wastewater into water from a wastewater treatment plant is a <b>discretionary activity</b> pursuant to E6.4.1(A6)  |
| E7 Taking, Damming and Diversion of Water and Drilling       | <p>Otherwise complies with the permitted activity standards under E7.6.1 as follows:</p> <p>E7.6.1.10(1) Diversion of groundwater caused by any excavation, (including trench) or tunnel:</p> <p>(4) Complies - the required stability enhancement measures should not impede groundwater flows.</p> <p>(6) Complies – the excavation edge is in excess of 50m from any wetland management overlays, greater than 10m from scheduled historic heritage overlays and lawful groundwater takes</p> | <p>Temporary diversion of surface water for urban development purposes not otherwise listed is a <b>discretionary activity</b> pursuant to E7.4.1 (A13)</p> <p>The diversion of groundwater caused by excavation that does not meet the permitted activity standards is a <b>restricted discretionary activity</b> pursuant to E7.4.1(A28).</p> <p>Proposed groundwater does not meet the permitted activity standards as follows:</p> <p>E7.6.1.6 Dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10:</p> <p>(2) Diversion is permanent</p> <p>E7.6.1.10. Diversion of groundwater caused by any excavation, (including trench) or tunnel:</p> <p>(1) Permanent diversion due to groundwater drawdown for proposed site earthworks</p> <p>(2) The total proposed cut area is greater than 1ha. The maximum depth of excavation is locally between 4m and 13m below the natural ground level where cuts are proposed adjacent to the property boundary.</p> |

| Rule   | Compliance  | Non-Compliance  |
|--|---|---|
|  |   | (3) Geotechnical Assessment indicates a worst-case total drawdown of the groundwater table of 6m at cuts along the northern boundary of Stage 1 and southern boundary of Stage 2.   |
| E8 Stormwater Discharge and Diversion                                  |   | <p>The proposal involves the discharge of stormwater runoff from impervious areas not otherwise provided for by Table E8.4.1. This is a <b>discretionary activity</b> pursuant to E8.4.1(A10).</p> <p>The proposal involves the diversion and discharge of stormwater runoff from a new stormwater network. This is a <b>discretionary activity</b> pursuant to E8.4.1(A11).</p>  |
| E9 Stormwater Quality – High Contaminant Generating Carparks and Roads | <p>Compliant with E9.6.2.2 controlled activity standards as follows:</p> <p>(1) Stormwater runoff from the impervious area will be treated by stormwater devices</p> <p>(2) As confirmed in the Access and Roading Report, stormwater runoff from new high use roads will be treated by a Stormwater Management Device meeting GD01 requirements.</p>                         | <p>The proposal involves the construction of new high use roads greater than 5,000m<sup>2</sup> in area. This is a <b>controlled activity</b> pursuant to E9.4.1(A7)</p>  |
| E10 Stormwater Management Areas Flow 1 and 2                           | N/A – site is not located within SMAF control   |   |
| E11 Land Disturbance - Regional  | <p>Otherwise, compliant with general standards as follows:</p> <p>E11.6.2(1) Complies – erosion and sediment control measures are proposed to ensure that the effects listed in (a) to (e) do not arise as a result of the proposed earthworks. Refer to the Earthworks Report at <b>Appendix 16</b>.</p> <p>E11.6.2(2) Complies – as set out in the Earthworks Report at</p> | <p>The proposal involves approximately 39.9 hectares of earthworks where land has a slope less than 10 degrees outside the SCPA in the FUZ. This is a <b>restricted discretionary activity</b> under E11.4.1(A5).</p> <p>The proposal involves general earthworks of approximately 19.1 hectares, being greater than 2,500m<sup>2</sup>, where land has a slope equal to or greater than ten degrees. This is a <b>restricted</b></p> |

| Rule                            | Compliance   | Non-Compliance   |
|---------------------------------|--|--|
|                                 | <p><b>Appendix 16</b>, best practice erosion and sediment control measures will be installed and maintained for the duration of earthworks.</p> <p>E11.6.2(4) Complies – as set out in the Earthworks Report as <b>Appendix 16</b>, earthworks will be staged and progressively closed and stabilised.</p> <p>E11.6.2(5) – Complies. Only clean fill material will be imported and used on site.</p>   | <p><b>discretionary activity</b> pursuant to E11.4.1(A8).</p> <p>The proposal involves general earthworks of approximately 308,011m<sup>2</sup>, being greater than 2,500m<sup>2</sup>, within the SCPA in the FUZ. This is a <b>restricted discretionary activity</b> pursuant to E11.4.1(A9).</p>  |
| E12 Land Disturbance - District | <p>Otherwise, compliant with general standards as follows:</p> <p>E12.6.2(2). Complies - the proposal is not anticipated to result in any instability of land beyond the site as no significant cuts are proposed on site boundaries.</p> <p>E12.6.2(3). Complies - the proposal will not damage any network utilities.</p> <p>E12.6.2(4). Complies - access to public footpaths, private properties, network utilities and public reserves will be maintained and will only be obstructed during works on those road berms.</p> <p>E12.6.2(5) Complies - the earthworks will be carried out as per the measures in the Earthworks Report at <b>Appendix 16</b> to ensure that the discharge of dust beyond the boundary of the site is minimised.</p> <p>E12.6.2(10) Complies - only clean fill will be imported to the site.</p> | <p>The proposal involves general earthworks of approximately 610,000<sup>2</sup>, being greater than 2,500m<sup>2</sup>, in the FUZ. This is a <b>restricted discretionary activity</b> pursuant to E12.4.1(A6).</p> <p>The proposal involves general earthworks of approximately 2,226,000m<sup>3</sup>, being greater than 2,500m<sup>3</sup>, in the FUZ. This is a <b>restricted discretionary activity</b> pursuant to E12.4.1(A10).</p> <p>Non-compliances to general standards as follows:</p> <p>E12.6.2(1). Earthworks exceeding 5m<sup>2</sup> and 5m<sup>3</sup> are proposed within riparian yards. This is a <b>restricted discretionary activity</b> under C1.9(2).</p> <p>E12.6.2(11). Approximately 64,534m<sup>3</sup> of fill is proposed within flood plains. The Flooding Report as <b>Appendix 29</b> confirms that the filling proposed will have no material impact on flood levels or conveyance of flood flows. This is a <b>restricted</b></p> |

| Rule  | Compliance   | Non-Compliance   |
|---|--|--|
|   | <p>E12.6.2(12). Proposed earthworks will not alter the entry/exit point at the boundaries of all of overland flow paths.</p> <p>E12.6.2(13) Temporary stockpiling of soil within 1% AEP floodplain or overland flow paths not proposed.</p>  | <b>discretionary activity</b> pursuant to C1.9(2)  |
| E13 Cleanfills, Managed Fills and Landfills | N/A – no clean fills, managed fills or land fills proposed   |  |
| E14 Air Quality                             | <p>The site is located in a medium air quality – dust and odour rural area (Rural) for the Future Urban Zone.</p> <p>Emergency generators used for the purpose of generating electricity for premises during mains power unavailability is a <b>permitted activity</b> under E14.4.1(A48)</p> <p>Proposed wastewater pump station is a <b>permitted activity</b> under E14.4.1(A166)</p> <p>WWTP complies with general standards as follows:</p> <p>E14.6.1.1(1)-(4): A FIDOL Assessment has been undertaken in the Air Discharge Assessment as <b>Appendix 31</b>, which confirms compliance.</p> | Discharge of contaminants into air from treatment of municipal wastewater in the medium quality air – dust and odour rural area is a <b>discretionary activity</b> under E14.4.1(A163)   |
| E15 Vegetation Management and Biodiversity  | Otherwise, complies with the general standards.  | <p>The proposal involves the removal of vegetation within 20m of rural streams. This is a <b>restricted discretionary activity</b> pursuant to E15.4.1(A16).</p> <p>The proposal involves the removal of vegetation within 20m of a natural wetland and in the bed of a stream. This is a <b>restricted discretionary activity</b> pursuant to E15.4.1(A18).</p> |
| E16 Trees in Open Space Zones               | N/A – not relevant to proposal   |  |
| E17 Trees in Roads                          | N/A – not relevant to proposal   |  |

| Rule   | Compliance  | Non-Compliance   |
|--|---|--|
| E18 Natural Character of the Coastal Environment                       | N/A – not relevant to proposal  |  |
| E19 Natural Features and Natural Landscapes in the Coastal Environment | N/A – not relevant to proposal  |  |
| E20 Māori Land   | N/A – site is not located on Māori Land   |  |
| E21 Treaty Settlement Land   | N/A – site is not Crown asset, is not owned by claimant group, iwi, hapū or whanau entity   |  |
| E22 Artworks   | N/A – not relevant to proposal  |  |
| E23 Signs  | N/A – not relevant to proposal  |  |
| E24 Lighting   | <b>Refer below.</b>   |  |
| E25 Noise and Vibration  | <p>Otherwise, operational noise levels and vibration generated by the wastewater treatment plant are anticipated to meet the permitted standards.</p> <p>Construction vibration levels are considered to meet permitted standards.</p>  | <p>Construction works are anticipated to exceed the applicable maximum 75dB LAeq long-term construction noise limits under Standard E25.6.27.</p> <p>This is a <b>restricted discretionary activity</b> under E25.4.1(A2).</p>   |
| E26 Infrastructure   | <p>Service connections are permitted under E26.2.3.1(A3)</p> <p>Pipe bridges for the conveyance of wastewater are a <b>permitted activity</b> under E26.2.3.1(A9)</p> <p>Underground electricity lines are a <b>permitted activity</b> under E26.2.3.1(A22)</p> <p>Underground telecommunication lines and facilities are <b>permitted</b> under E26.2.3.1(A40)</p> <p>Underground pipelines and ancillary structures for the conveyance of water, wastewater and stormwater (including above ground ancillary structures associated with underground pipelines) are <b>permitted activity</b> under E26.2.3.1(A49)</p> | <p>Aboveground pipelines and attached ancillary structures for the conveyance of wastewater are a <b>restricted discretionary activity</b> pursuant to E26.2.3.1 (A50)</p> <p>Wastewater treatment plants are a <b>restricted discretionary activity</b> pursuant to E26.2.3.1 (A54)</p> <p>Stormwater detention/retention ponds are a <b>controlled activity</b> pursuant to E26.2.3.1(A55)</p> |

| Rule                                | Compliance   | Non-Compliance   |
|-------------------------------------|--|--|
|                                     | <p>Wastewater pump stations are a <b>permitted activity</b> under E26.2.3.1 (A51)</p> <p>Wastewater pump stations that do not comply with standards E26.2.5.2(2)(a) or E26.2.5.2 (3)(a) are a <b>permitted activity</b> under E26.2.3.1(A51A)</p> <p>Water, wastewater and stormwater storage tanks are a <b>permitted activity</b> under E26.2.3.1(A52)</p> <p>Manholes are a <b>permitted activity</b> under E26.2.3.1(A57)</p> <p>Stormwater treatment devices; erosion protection; culverts; measuring devices (flows structures) are a <b>permitted activity</b> under E26.2.3.1(A58)</p> |  |
| E27 Transport                       | Refer below.   | Refer below.   |
| E28 Mineral Extraction from Land    | N/A – not relevant to proposal   |  |
| E29 Emergency Management Area       | N/A – not relevant to proposal   |  |
| E30 Contaminated Land               | N/A – no reasons for consent are triggered under Chapter E30   |  |
| E31 Hazardous Substances            | To use, store and dispose of hazardous substances in sub-classes 6.1D and 6.1E is a <b>permitted activity</b> under E31.4.1(A5)  | Hazardous facilities that store or use hazardous substances above the specified thresholds for controlled activity and restricted discretionary activity status in the activity tables or are not otherwise provided for are a <b>discretionary activity</b> under E31.4.1(A7) |
| E32 Biosolids                       | N/A – biosolids will be removed from site via truck  |  |
| E33 Industrial and Trade Activities | Hazardous Substances Assessment as <b>Appendix XX</b> confirms that the proposed wastewater treatment plant will be a permitted activity under E33.4.1(A5) and E33.4.1(A17)  |  |

| Rule  | Compliance   | Non-Compliance  |
|---|--|---|
| E34 Agrichemicals and Vertebrate Toxic Agents | N/A – not relevant to proposal   |   |
| E35 Rural Production Discharges               | N/A – not relevant to proposal   |   |
| E36 Natural Hazards and Flooding              | <p>Compliance with general standards as follows:</p> <p>E36.6.1.5 and E36.1.10: N/A – no fences or walls located within flood plain or OLFP.</p> <p>E36.6.1.11: Complies – proposed buildings and structures are located on land which may be subject to instability and will be constructed in accordance with a Geotechnical Report and appropriate conditions of consent.</p> | <p>Construction of stormwater management devices in the 1 per cent annual exceedance probability (AEP) floodplain is a <b>restricted discretionary activity</b> pursuant to E36.4.1(A33).</p> <p>The proposal involves piping an overland flow path. This is a <b>restricted discretionary activity</b> pursuant to E36.4.1(A41).</p> <p>The proposal involves the construction of infrastructure such roads and infrastructure servicing on parts of the site which are located within the 1% AEP flood plain. This is a <b>restricted discretionary activity</b> pursuant to E36.4.1(A56)</p>   |
| E36 Natural Hazards and Flooding (PC120)      |  | <p>Construction of private roads, roads intended to be vested, and accessways in flood hazard areas are a restricted discretionary activity under E36.4.1A(A88);</p> <p>Onsite wastewater treatment and disposal systems and effluent disposal fields in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas are a restricted discretionary activity under E36.4.1A(A89);</p> <p>All other structures and buildings (including retaining walls) in the 1 per cent annual exceedance probability (AEP) floodplain and flood prone areas is a restricted discretionary activity under E36.4.1A(A98);</p> <p>Any buildings or other structures located within an overland flow path with a catchment less than 4,000m<sup>2</sup> is a restricted discretionary activity under E36.4.1A(A100);</p> |

| Rule | Compliance | Non-Compliance  |
|------|------------|---|
|      |            | <p>Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path is a restricted discretionary activity under E36.4.1A(A102); and</p> <p>Construction of road infrastructure in flood areas not otherwise provided for is a restricted discretionary activity under E36.4.1A(A107).</p> <p>Storage of hazardous substances in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A108);</p> <p>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 is a restricted discretionary activity under E36.4.1B(A112);</p> <p>New structures and buildings associated with activities potentially sensitive to natural hazards in medium (tolerable) and high (significant) landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A122);</p> <p>New structures and buildings associated with activities sensitive to natural hazards in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted discretionary activity under E36.4.1B(A124);</p> <p>All other buildings and structures, including retaining walls, in landslide hazard risk areas that comply with Standard E36.6.A1 is a restricted</p> |

| Rule   | Compliance   | Non-Compliance   |
|--|--|--|
|  |  | discretionary activity under E36.4.1B(A128); and<br>Construction of new roads in landslide susceptibility assessment areas not otherwise provided for is a restricted discretionary activity under E36.4.1C(A133). |
| E37 Genetically Modified Organisms   | N/A – not relevant to proposal   |  |
| E38 Subdivision – Urban  | N/A – site is not residentially zoned  |  |
| E39 Subdivision – Rural  | <b>Refer below</b>   | <b>Refer below</b>   |
| E39 Subdivision – Rural (PC120)  |  | Subdivision within flood hazard areas and medium to high landslide susceptibility areas is a restricted discretionary activity E39.4.1(A8).  |
| E40 Temporary Activities   |  | The proposed construction activity associated with the proposed development will exceed 24 months. This is a <b>restricted discretionary activity</b> pursuant to E40.4.1(A24).                                    |
| <b>E24 Lighting</b>  |  |  |
| E24.4.1 Activity Table   | Permitted activity under E24.4.1(A1) - proposal will meet general standards. A Lighting Plan will be conditioned and provided. |  |
| (PC79) Artificial lighting standards for access in residential zones<br><br>(1) When lighting for access in residential zones is required by Standard E27.6.3.7(2), it must:<br><br>(a) have lighting limits measured and assessed in accordance with Australian/New Zealand Standard Lighting for roads and public spaces (Part 3.1: Pedestrian Area (Category P) lighting – Performance and design requirements Lighting | A lighting plan will be provided meeting the required standards  |  |

| Rule   | Compliance | Non-Compliance |
|--|------------|----------------|
| <p>for Roads and Public Spaces<br/>(AS/NZS1158.3.1)</p> <p>(b) must be lit to the appropriate P subcategory for pedestrian access as set out in AS/NZS1158.3.1</p> <p>(c) meet the minimum P subcategories specified in Table 24.6.2.1 below:</p> <ul style="list-style-type: none"> <li>○ Pedestrian only – PP3</li> <li>○ Pedestrian access adjacent to vehicle access – PR2</li> <li>○ Connecting elements, steps, stairwells and ramps – PA3</li> <li>○ Parking spaces and adjacent pedestrian access – PC2</li> <li>○ Vehicle access for 4-9 parking spaces or dwellings – PC5</li> <li>○ Vehicle access for 10-10 parking spaces or dwellings – PR4</li> <li>○ Vehicle access for 20 or more parking spaces or dwellings – PR2</li> </ul> <p>(d) All light fittings must not project any light at or above the height of their light source.</p> <p>(e) All light emitted from light fittings must have a correlated colour temperature of 3000K (Kelvin) or less.</p> |            |                |

| Rule   | Compliance | Non-Compliance  |
|--|------------|---|
| <p>(f) Spill light and glare from the lighting must meet the specifications of E24.6.1(8).</p> <p>(g) The lighting must have automatic daylight controls such that the lights are on during the hours of darkness. Where automatic presence detection or sensor lighting is proposed, this must be supported by a safety assessment.</p> <p>(h) Lighting required by Standard E27.6.3.7(2) must be supplied from a common electrical supply.</p> |            |   |
| E27 Transport  |            |   |
| E27.4.1 Activity Table   |            | <p>Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access is a <b>restricted discretionary activity</b> under E27.4.1(A2).</p> <p>The proposal exceeds trip generation standards set out in Standard E27.6.1 and is a <b>restricted discretionary activity</b> pursuant to E27.4.1(A3)</p> <p>Construction of new vehicle crossings where a vehicle access restriction applies under Standard E27.6.4.1(3) is a <b>restricted discretionary activity</b> under E27.4.1(A5)</p> |
| E27.6.1 Traffic Generation Standards   |            | <p>Non-compliance as follows:</p> <p>New development of more than 100 dwellings proposed.</p>   |

| Rule  | Compliance   | Non-Compliance |
|---|--|----------------|
| <ul style="list-style-type: none"> <li>Assessment required for more than 100 dwellings</li> </ul>   |  |                |
| (PC79) E27.6.1 Trip Generation <ul style="list-style-type: none"> <li>Where proposal exceeds one of the following thresholds or 100 vehicles per hour for activities not specified.</li> <li>Table E27.6.1.1 thresholds:               <ul style="list-style-type: none"> <li>TA1 – Dwellings Threshold 1 – 40 dwellings</li> <li>T1 – Dwellings Threshold 2 – 100 dwellings</li> <li>T1A – Integrated Residential Development Threshold 1 – 100 units</li> <li>T2 - Integrated Residential Development Threshold 2 – 500 units</li> <li>T2A – Visitor Accommodation Threshold 1 – 60 units</li> <li>T3 – Visitor Accommodation Threshold 2 – 100 units</li> <li>T3A – Residential Subdivision – Threshold 1 – Capacity to accommodate more than 40 dwellings</li> <li>T3B – Residential Subdivision Threshold 2 – Capacity to accommodate more than 100 dwellings</li> </ul> </li> <li>Does not apply in THAB, City Centre, Metropolitan Centre, Town Centre, or Centre Fringe Office Control</li> </ul> | Non-compliance as follows:<br>New development of more than 100 dwellings proposed. Vehicle trip generation assessment is provided. |                |
| E27.6.2 Number of Parking and Loading Spaces  | N/A – no minimum or maximum applicable parking rates.  |                |
| E27.6.2(6) Bicycle Parking <ul style="list-style-type: none"> <li>Requirements apply to developments of more than 20 dwellings</li> </ul>   | Complies – short term bicycle parking spaces available within the dwelling garages.  |                |
| (PC79) E27.6.2.(6) Bicycle Parking <ul style="list-style-type: none"> <li>Requirement applies to all residential developments, regardless of size.</li> </ul>   | Complies – short term bicycle parking spaces available within the dwelling garages.  |                |

| Rule  | Compliance  | Non-Compliance |
|---|---|----------------|
| <ul style="list-style-type: none"> <li>○ Visitor (short stay) minimum rate = 1 per 20 for developments of 20 or more dwellings</li> <li>○ Secure (long stay) minimum rate = 1 per dwelling without a dedicated garage or basement carparking space</li> <li>● (aa) for residential developments, the required secure long-stay bicycle parking must be:           <ul style="list-style-type: none"> <li>○ Not part of any required outdoor living space or landscaped area;</li> <li>○ In a location accessible from either the road, vehicle access, pedestrian access, or carparking area;</li> <li>○ Sheltered from the weather; and</li> <li>○ Lockable and secure.</li> </ul> </li> </ul> |   |                |
| E27.6.2(7) End-of-Trip Facilities   | N/A – not relevant to proposal  |                |
| E27.6.2(8) Loading <ul style="list-style-type: none"> <li>● (T112) All other activities up to 5,000m<sup>2</sup>: No loading required</li> </ul>  | N/A - not relevant to proposal  |                |
| (PC79) E27.6.2.(8) Loading <ul style="list-style-type: none"> <li>● Added: Residential activities where part of the site has frontage to an arterial road as identified on the planning maps, must provide loading as specified in Table E27.6.2.7A minimum small loading space requirements:               <ul style="list-style-type: none"> <li>○ (T111B) Developments where all dwellings have individual pedestrian access directly from a public road – no loading required</li> <li>○ (T111B) Up to 9 dwellings without individual pedestrian access directly from a public road – no loading required</li> </ul> </li> </ul>  | Complies - a small loading area is provided on JOAL 1 to comply with PC79 requirements. |                |

| Rule  | Compliance  | Non-Compliance |
|---|---|----------------|
| <ul style="list-style-type: none"> <li>○ (T111B) Greater than 9 dwellings up to 5,000m<sup>2</sup> without individual pedestrian access directly from a public road – 1 loading space required</li> <li>○ (T111B) Greater than 5,000m<sup>2</sup> – NA</li> </ul>   |   |                |
| <p>E27.6.3.1 Design of Parking and Loading Spaces</p> <ul style="list-style-type: none"> <li>● Dimensions set out at E27.6.3.1.1</li> <li>● Spaces must be located on the same site as the activity to which it relates; not be used for any other purpose; kept clear and available when the activity is in operation etc. Refer E27.6.3.1(1)(a)-(g).</li> </ul> | Compliant parking dimensions are provided to each dwelling.   |                |
| <p>(PC79) E27.6.3.1 Size and Location of parking spaces</p> <ul style="list-style-type: none"> <li>● Dimensions set out at E27.6.3.1.1 <i>except</i> for accessible parking which must be designed in accordance with NZ Standard for Design for Access and Mobility (NZS: 4121-2001)</li> </ul>  | Complies - proposed vehicle accesses relating to each dwelling will provide compliant accessibility dimensions. |                |
| <p>E27.6.3.2 Size and Location of Loading Spaces</p> <ul style="list-style-type: none"> <li>● Minimum dimensions set out at E27.6.3.2.1</li> <li>● Spaces must be located on the same site as the activity to which it relates; be available when the activity is in operation etc. Refer E27.6.3.2(1)(a)-(d).</li> </ul>   | All parking spaces will be provided on-site with the dwelling to which it relates                               |                |
| <p>(PC79) E27.6.3.2 Size and Location of Loading Spaces</p> <ul style="list-style-type: none"> <li>● Must also have a maximum crossfall of 1:50 (2%) in all directions</li> <li>● (T137A) Small loading spaces required under E27.6.2.(8)(b) (as per above) – 6.4m length and 3.5m width</li> </ul>   | N/A – no loading spaces proposed  |                |

| Rule   | Compliance  | Non-Compliance   |
|--|---|--|
| (PC79) E27.6.3.2(A) Accessible Parking   | <ul style="list-style-type: none"> <li>• (1) Must be provided for all new activities, changes of activity types and/or intensification of use, except where listed in E27.6.2(A)(2);</li> <li>• (2) Not required in THAB, unless car parking is provided on site in which case the number of spaces must be determined as usual</li> <li>• (3) Developments of 10 or more units (excluding in THAB) must provide accessible parking</li> <li>• (4) (iii) Residential must be provided in accordance with Table 2, being: <ul style="list-style-type: none"> <li>○ 10-19 Dwellings = Not less than 1</li> <li>○ 20-29 Dwellings = Not less than 2</li> <li>○ 30-50 Dwellings = Not less than 3</li> <li>○ Every additional 25 dwellings = Not less than 1</li> </ul> </li> </ul> | <p>Non-compliance as follows:</p> <p>A total of 51 accessible parking spaces are required, where no formal spaces are provided. Note that a total of 109 1:25 parking pads across the development are proposed allowing the development to informally meet PC79.</p> |
| E27.6.3.3 Access and Manoeuvring   | Compliant 85 <sup>th</sup> percentile tracking provided – complies.   |  |
| <ul style="list-style-type: none"> <li>• Must accommodate 85<sup>th</sup> percentile tracking curves for cars</li> <li>• Loading must comply with the RTS 18 tracking curves</li> <li>• Only car parks for dwellings may be stacked</li> </ul> |   |  |
| (PC79) E27.6.3.3 Access and Manoeuvring  | N/A   |  |
| <ul style="list-style-type: none"> <li>• (2A) Where loading is required under E27.6.3.2.1 (T137A), loading space must accommodate the 6.4m van tracking curves in Figure E27.6.3.3.3</li> </ul>  |   |  |
| E27.6.3.4 Reverse Manoeuvring<br>Not permitted where:  | Otherwise complies.   | Non-compliance with E27.6.3.4(1)(c) as follows:  |
| <ul style="list-style-type: none"> <li>• Four or more spaces are served by a single access</li> </ul>  |   |  |

| Rule  | Compliance  | Non-Compliance   |
|---|---|--|
| <ul style="list-style-type: none"> <li>• There is 30m between the parking space and the road boundary</li> <li>• Access is from an arterial road or Vehicle Access Restriction</li> </ul>   |   | A total of 58 vehicle crossings gain access to a road within 10m of an intersection. |
| (PC79) E27.6.3.4A Heavy Vehicle Access <ul style="list-style-type: none"> <li>• If heavy vehicle access provided in residential zone, sufficient space must be provided so an 8m heavy vehicle does not need to reverse onto or off the site or road, with a maximum reverse manoeuvring distance within the site of 12m</li> <li>• Access and manoeuvring area must comply with tracking curves in RTS18</li> </ul>  | N/A – no loading spaces required  |  |
| E27.6.3.5 Vertical Clearance <ul style="list-style-type: none"> <li>• Minimum 2.1m for residential</li> </ul>   | Complies  |  |
| (PC79) E27.6.3.5 Vertical Clearance <ul style="list-style-type: none"> <li>• (ca) 2.8m where loading is required for residential activities (more than 9 dwellings up to 5,000m<sup>2</sup> without individual pedestrian accesses from the road);</li> <li>• (cb) 3.8m where heavy vehicle access is provided under E27.6.3.4A;</li> <li>• (d) 3.8m where loading is required in Table E27.6.2.7 (previously required for all other activities)</li> </ul> | N/A – not relevant to proposal  |  |
| E27.6.3.6 Formation and Gradient <ul style="list-style-type: none"> <li>• Parking and access must be formed, drained, provided with an all-weather surface and be marked out or delineated (except in some rural zones)</li> <li>• Maximum 1:25 for accessible spaces</li> </ul>  | Parking and access will be formed and drained.<br>It will have a maximum gradient of 1:20 for parking spaces, and 1:8 for manoeuvring spaces. |  |

| Rule  | Compliance   | Non-Compliance  |
|---|--|---|
| <ul style="list-style-type: none"> <li>• Maximum 1:20 for other spaces</li> <li>• Maximum 1:8 for manoeuvring</li> </ul>  |  |   |
| <b>E27.6.3.7 Lighting</b> <ul style="list-style-type: none"> <li>• Lighting is required where there are 10 or more spaces which are likely to be used during hours of darkness</li> </ul>   | Compliant lighting will be provided in the Landscape Plan.                             |   |
| <b>(PC79) E27.6.3.7 Lighting</b> <ul style="list-style-type: none"> <li>• (2) Lighting is required, in residential zones to primary pedestrian access, vehicle access, parking and manoeuvring areas, where any of the following apply:           <ul style="list-style-type: none"> <li>◦ (a) 4 or more dwellings accessible from a primary pedestrian access which is not adjacent to a vehicle access;</li> <li>◦ (b) 10 or more parking spaces; or</li> <li>◦ (c) 10 or more dwellings.</li> </ul> </li> <li>• Lighting must be provided during the hours of darkness and comply with E24.</li> </ul> | Lighting will be provided, refer to Greenwoods JOAL lighting plan                      |   |
| <b>E27.6.4.1 Vehicle Access Restrictions</b>  |  | Non-compliance as follows:<br>A total of 58 proposed vehicle crossings will be located within 10m of an intersection.   |
| <b>E27.6.4.2 Width and Number of Vehicle Crossings</b> <ul style="list-style-type: none"> <li>• 1 crossing per 25m frontage</li> <li>• Minimum 2m separation between crossings on adjacent sites, except that two crossings on adjacent sites can be combined to max 6m width</li> <li>• Minimum 6m separation between crossings servicing the same site</li> <li>• Must comply with E27.6.4.3</li> </ul>   | Complies as follows:<br>Each dwelling will be provided with one crossing per frontage. | Technical non-compliance with E27.6.4.2(2), as whilst the crossings are designed to comply with the residential requirements of E27.6.4.3, the site's rural zoning access width requirements are not met. |
| <b>E27.6.4.3 Width of Vehicle Access and Queuing Requirements</b>   | Complies   |   |

| Rule  | Compliance   | Non-Compliance  |
|---|--|---|
| Passing bay requirements apply to accesses over 50m in length under 5.5m width  | All crossings will meet minimum crossing width requirements  |   |
| Minimum crossing width  | All JOALs over 50m in length have 5.5m width   |   |
| (PC79) E27.6.4.3 Width of vehicle access, queueing and speed management requirements <ul style="list-style-type: none"> <li>Deleted - 1.0m pedestrian access for rear sites ability to be located within the formed 5.5m width of the access.</li> <li>Must meet the minimum speed management measure spacing: <ul style="list-style-type: none"> <li>(T156A) Residential Zones – access exceeding 30m in length must include speed management measures not more than 10m from the site boundary with the legal road; and not more than 30m spacing between speed management measures.</li> </ul> </li> </ul> | Complies as follows <p>Vertical traffic calming will be provided in JOALs as required. A minimum 5.5m formed access width is provided in the JOALs where the JOAL services 10 or more parking spaces, therefore, no passing bay is required.</p> |   |
| E27.6.4.4 Gradient of Vehicle Access <ul style="list-style-type: none"> <li>(T157) Vehicle access serving any other residential activities (including rear sites) = maximum 1:5 (20%)</li> <li>4m long 1:20 platform where adjoining road boundary</li> </ul>   | Otherwise complies – Vehicle accesses serving residential dwellings will achieve the maximum 20% gradient. <p>JOALs have been designed to provide a 4m platform at a grade of 5% adjacent to the road reserve.</p>                               | Non-compliance as follows: <p>Some driveways do not provide a 4m long 1:20 platform. The steepest driveways provide a 1:8 gradient and are identified in Section 10.4.2 of the ITA.</p>   |
| E27.6.4.5 Sightlines for Road/Rail Level Crossings  | N/A – no rail crossings required   |   |
| E27.6.5 Design and Location of Off-Road Pedestrian and Cycling  | Will comply  |   |
| (PC79) E27.6.6 Design and Location of Pedestrian Access in Residential Zones <ul style="list-style-type: none"> <li>(1) 2 or more dwellings, primary pedestrian access must have: <ul style="list-style-type: none"> <li>(a) 1.8m wide pedestrian path where not adjacent to vehicle access, regardless of size of development; or</li> </ul> </li> </ul>   |  | Non-compliance as follows: <p>JOALs 5A, 9, 13, 30, 30A, 39 and 40 serve more than 3 dwellings and do not have frontage to a local road only provide 1.2m wide pedestrian footpaths where a minimum width of 1.8m is required which does not comply with the standard.</p> |

| Rule  | Compliance | Non-Compliance |
|---|------------|----------------|
| <p>(a) Where ped path adjacent to vehicle access, minimum width including kerb:</p> <ul style="list-style-type: none"> <li>- 2-3 dwellings –no min width (T156A)</li> <li>- 4-19 carparking spaces or dwellings (whichever is greater) – 1.4m vertically separated (T156B)</li> <li>- 20 + carparking spaces or dwellings – 1.8m vertically separated (T156C)</li> <li>- NB: Vertically separated paths as per Figure E27.6.4.3.1</li> </ul> <p>(c) Gradient 1:12 or as specified in Table E27.6.4.4.1</p> <p>(e) Firm, stable, and slip resistant surface treatment in any weather condition</p> <p>(f) Provide direct and continuous access to the dwellings from a public footpath (NB inclusion of a gate is an infringement);</p> <p>(g) Be free from permanent obstructions and have a clear height of at least 2.1m for its full length</p> <p>(2) Minimum clear width of 3m and minimum clear height of 2.1m for full length where not adjacent to vehicle access and serving:</p> <ol style="list-style-type: none"> <li>a. Up to three dwellings with a length greater than 50m; or</li> <li>b. Four or more dwellings</li> </ol> <p>(3) For (2) above, the clear width may include the ped. path, landscaping not more than 600mm high and lighting infrastructure</p> |            |                |

| Rule  | Compliance   | Non-Compliance |
|---|--|----------------|
| <p>(4) Standards 1-3 don't apply where up to three dwellings are proposed and vehicle access is provided to each dwelling; or a dwelling directly fronts and has direct access to a street</p> <p>(5) Four or more dwellings – ped access must be provided to each parking space within a parking area consisting of four or more parking spaces served by the same vehicle access, and:</p> <ul style="list-style-type: none"> <li>a. Have a minimum width of 1.2m;</li> <li>b. Be vertically separated from trafficable areas as shown in Figure E27.6.4.3.1;</li> <li>c. Connect to the primary pedestrian access or the dwellings associated with those parking spaces;</li> <li>d. Have a surface treatment which is firm, stable, and slip resistant in any weather condition; and</li> <li>e. Be free from permanent obstructions and have a clear height of 2.1m for its full length</li> </ul> <p>This standard does not apply where the pedestrian access forms part of a primary pedestrian access</p> |  |                |
| <p>(PC79) E27.6.7 Provision for Electric Vehicle Charging</p> <p>(1) New dwelling with carparking must provide undercover car park with the capability to install EV equipment</p> <ul style="list-style-type: none"> <li>• Does not apply to new detached dwellings or visitor parking.</li> </ul>   | Complies – garage parking spaces have capability to install EV equipment |                |
| <p>(PC79) E27.6.8 Electric Vehicle Charging Stations</p> <p>(1) Any building or structure for EV charging must:</p>   | Complies – capability for future EV charging within garage.              |                |

| Rule   | Compliance  | Non-Compliance  |
|--|---|---|
| (a) Not exceed a maximum height above ground level of 3m (excluding charging cables and cable support systems); and<br><br>(b) If there are more than two EV charging structures or EV charging buildings, comply with the front yard and landscape buffer standards of the underlying Zone. |   |   |
| <b>E39 Subdivision - Rural</b>   |   |   |
| Table E39.4.1 Subdivision for specified purposes   |   | <p>The proposal involves the subdivision of land within the 1% AEP floodplain. This is a <b>restricted discretionary activity</b> pursuant to E39.4.1(A8).</p> <p>As assessed below, the proposal involves subdivision which does not meet the standards in E39.6.1. This is a <b>discretionary activity</b> pursuant to E39.4.1(A9).</p> |
| Table E39.4.3 Subdivision in Future Urban Zone   |   | <p>The proposal involves subdivision for open spaces, reserves and roads in the FUZ. This is a <b>discretionary activity</b> pursuant to E39.4.3(A28).</p> <p>The proposal involves subdivision in the FUZ not provided for in Tables E38.4.1 or E39.4.3. This is a <b>non-complying activity</b> pursuant to E39.4.3(A29).</p>           |
| E39.6.1.1 General Standards – specified building area  | <p>Complies as follows:</p> <p>A specified building area will be identified on every site on the Scheme Plan.</p> <p>Vehicle access to formed public roads will be provided.</p> <p>Specified building area will be identified as the only place on the</p> | <p>The building area will not be a single area of at least 2,000m<sup>2</sup> and will not be clear of yards, floodplain areas and land which may be subject to instability.</p>  |

| Rule                                      | Compliance  | Non-Compliance |
|---|---|----------------|
|   | site where dwellings and parking/manoeuvring areas can be located, will be located outside Quarry Buffer Area Overlay |                |
| E39.6.1.2 Access and entrance strips      | Complies – all proposed sites will be provided with legal and physical access   |                |
| E39.6.1.3 Services                        | Complies – all sites will have provision for services listed in (a) to (e).   |                |
| E39.6.1.4 Staging                         | Complies – staging information is provided in the AEE and Scheme Plan   |                |
| E39.6.1.14 Overland flow paths            | Will comply – overland flow paths will be redirected within the roads (refer to Stormwater Management Plan).          |                |
| E39.6.1.6 Existing vegetation on the site | Complies – SEA areas and waterways have been shown on the plans.  |                |

| H18 Future Urban Zone                                |   |  |
|--|---|--|
| H18.4.1 Activity Table                               | <p>Demolition of existing buildings is a <b>permitted activity</b> pursuant to H18.4.1(A1).</p> <p>As new buildings have the same activity status and standards as applies to the land use activity, new dwellings are a <b>non-complying activity</b> pursuant to H18.4.1(A2)</p> <p>Retaining walls greater than 1.5m in height or within 1.5m of a public place are considered ‘buildings’ and carry the same activity status as applies to the land use activity that the new buildings are accommodating. This is a <b>non-complying activity</b> under H18.4.1(A2)</p> <p>Dwellings that do not comply with Standard H18.6.8 are a <b>non-complying activity</b> pursuant to H18.4.1(A28)</p> |  |
| H18.6.1 Disposal of non-residential waste or compost | N/A – not relevant to proposal  |  |

|   |  |  |
|---|--|--|
| <p>H18.6.2 Maximum building height</p> <ul style="list-style-type: none"> <li>• Dwellings max 9m height</li> </ul>  | <p>Will comply – proposed dwellings will not exceed the 9m maximum vertical height</p>                                   |  |
| <p>H18.6.3 Yards</p> <ul style="list-style-type: none"> <li>• Front yards adjoining arterial roads: 20m</li> <li>• Front yards all other sites: 10m</li> <li>• Side/rear yards: 6m</li> <li>• Riparian yard: 20m</li> </ul> | <p>The following pre-subdivision compliances are noted:</p> <p>The proposal complies with the 10m front yard setback</p> | <p>Riparian yards: All dwellings will have at least a minimum 10m riparian yard setback, where a minimum 20m riparian yard setback is required, resulting in a riparian yard infringement depth of 10m.</p> <p>Front yard (arterial roads): The dwellings to be constructed will have a minimum front yard of 3m where a minimum front yard of 20m is required, resulting in a front yard infringement depth of 17m.</p> <p>Front yards (all other roads): All dwellings fronting a road will have a minimum front yard setback of 3m where a 10m setback is required, which is a maximum encroachment depth of 7m. The exception to this is where a dwelling has two road frontages, whereby the second frontage will have a minimum setback of 1m, which results in a maximum encroachment depth of 9m;</p> <p>Side and rear yards:</p> <p>Zero-lot dwellings will be constructed with no side yard setbacks where a minimum 6m side yard is required, resulting in a side yard infringement depth of 6m.</p> <p>All other dwellings will be constructed with a minimum side and rear yard of 1m, where a minimum 6m side/rear yard is required, resulting in a side/rear yard infringement depth of 5m.</p> <p>This is a restricted discretionary activity under C1.9(2).</p> |

|  |                                |  |
|--|--------------------------------|--|
| H18.6.4 Buildings housing animals  | N/A – not relevant to proposal |  |
| H18.6.5 Maximum size of buildings for animal breeding or boarding, produce sales, and on-site primary produce manufacturing                | N/A – not relevant to proposal |  |
| H18.6.6 Free range poultry farming   | N/A – not relevant to proposal |  |
| H18.6.7 Produce sales  | N/A – not relevant to proposal |  |
| H18.6.8 Dwellings <ul style="list-style-type: none"> <li>• Must not be located on close road</li> <li>• Max 1 dwelling per site</li> </ul> |                                | 1,213 dwellings are proposed to be established – non-complying |
| H18.6.9 Home occupations   | N/A – not relevant to proposal |  |
| H18.6.10 Forestry  | N/A – not relevant to proposal |  |
| H18.6.11 Animal breeding or boarding   | N/A – not relevant to proposal |  |
| H18.6.12 Markets   | N/A – not relevant to proposal |  |
| H18.6.13 Quarries – farm or forestry   | N/A – not relevant to proposal |  |
| H18.6.14 Mineral prospecting and mineral exploration   | N/A – not relevant to proposal |  |
| H18.6.15 Minor dwellings   | N/A – not relevant to proposal |  |
| H18.6.16 Worker's accommodation  | N/A – not relevant to proposal |  |