

Statutory Assessment

15 Clarks Lane, Whenuapai – Site A

(yellow text indicates consent matter)

1. NES – Managing Contaminants

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NES – Contamination**”) will apply if the sites are likely to have been used in the past for an activity described in the Ministry for the Environment’s Hazardous Activities and Industries List (“**HAIL**”).

The site has been used for activities on the HAIL and a DSI is required to confirm the consent requirements pursuant to the NES-SC – it is likely that Restricted Discretionary activity consent will be required.

2. NES – Freshwater

Resource consent **may be required** under the National Environmental Standards for Freshwater) Regulations 2020 (“NES – Freshwater”).

Refence	Rule	Activity status / Reason for consent	Location of proposed activity
NES - Freshwater			
<i>Restoration of Natural Wetland</i>			
Regulation 38 Permitted activities Restoration of natural wetlands	<p>(1) Vegetation clearance within, or within a 10 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>(3) The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>Conditions</p> <p>(4) The conditions are that—</p>	<p>Permitted activity – restoration works may be undertaken within and within 10m from the natural inland wetland in the south western corner of the site, and within 10m of the coastal wetland.</p> <p>Consent will be required as a Restricted Discretionary activity under reg 39 if the conditions at clause (4) cannot be complied with.</p>	South western corner and rear boundary.

Refence	Rule	Activity status / Reason for consent	Location of proposed activity
	<p>(a) the activity must comply with the general conditions on natural wetland activities in regulation 55; and</p> <p>(b) If the activity is vegetation clearance, earthworks, or land disturbance, the activity must not occur over more than 500 m² or 10% of the area of the natural wetland, whichever is smaller.</p> <p>(5) However, the condition in subclause (4)(b) does not apply if the earthworks or land disturbance is for planting.</p>		
Wetland			
Regulation 52 Non-complying activities	<p><i>Drainage of natural wetlands</i></p> <p>(1) <u>Earthworks outside, but within a 100 m setback from,</u> a natural wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A - while earthworks are proposed within 100m of the coastal wetland, the Ecological Memo at Appendix 7 confirms these works will be designed so as <u>not to result in the complete or partial drainage</u> of the wetland.</p>	South western corner and rear boundary.

Refence	Rule	Activity status / Reason for consent	Location of proposed activity
	<p>(2) The <u>taking, use, damming, diversion, or discharge of water outside, but within a 100 m setback from,</u> a natural wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A - while the discharge and diversion of stormwater are proposed within 100m of the coastal wetland, the Ecological Memo at Appendix 7 confirms these works will be designed so as <u>not to result in the complete or partial drainage</u> of the wetland.</p>	<p>South western corner and rear boundary.</p>
Regulation 53 Prohibited activities	<p>Earthworks <u>within</u> a natural wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A – Ecology Memo at Appendix 7 confirms the proposal is not a prohibited activity.</p>	
	<p>The taking, use, damming, diversion, or discharge of water <u>within</u> a natural wetland is a prohibited activity if it—</p>	<p>N/A – Ecology Memo at Appendix 7 confirms the proposal is not a prohibited</p>	

Refence	Rule	Activity status / Reason for consent	Location of proposed activity
	<p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	activity.	
Regulation 54 Non-Complying activities	<p>The following activities are non-complying activities if they do not have another status under this subpart:</p> <p>a) vegetation clearance within, or within a 10 m setback from, a natural wetland:</p>	Consent is <u>unlikely to be required</u> under reg 54 as no works are proposed within or within 10m of either wetland except for restoration (which is permitted under reg 38).	South western corner and rear boundary.
	<p>b) earthworks within, or within a 10 m setback from, a natural wetland:</p>	Consent is <u>unlikely to be required</u> under reg 54 as no works within or within 10m of either wetland are proposed except for restoration (which is permitted under reg 38).	South western corner and rear boundary.

Refence	Rule	Activity status / Reason for consent	Location of proposed activity
	c) the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland.	Non-complying activity consent	South western corner and rear boundary.

3. Auckland Unitary Plan

Chapter D Overlays

No rules relate to the following overlay:

- Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer.

Chapter E Auckland-wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E3 – Lakes, rivers, streams and wetlands <i>Stream – adjoins southern end of western boundary</i> <i>Flood plain – parallel to western boundary</i> <i>OLFP – traverses east to west across mid-site, two OLFP at northern end discharging to estuary</i>			
E3.4.1 Activity table	<i>General</i> (A1) Any activities in, on, under or over the bed of lakes, rivers, streams and wetlands not otherwise provided for	N/A - No works proposed in, on, under, over bed of stream.	
	<i>Activities involving planting and the associated diversion of water</i> (A2) Conservation planting complying with the standards in E3.6.1.2	Permitted activity – any planting will comply with E3.6.1.2.	
	(A32) Culverts or fords less than 30m in length when measured parallel to the direction of water flow complying with the standards in E3.6.1.18	N/A – none proposed.	
	(A39) Stormwater outfall complying with standards E3.6.1.14	N/A – discharge to coast.	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p><i>Activities in ephemeral rivers and streams</i></p> <p>(A53) Any activity that is undertaken in, on, over or within the bed of an ephemeral river and streams complying with the standards E3.6.1.1</p>	N/A - No works proposed in, on, under, over bed of stream.	
E3.6 Standards			
E3.6.1.2. Standards for conservation planting	<p>(1) The plant must be a non-invasive species in aquatic conditions.</p> <p>(2) Plantings must be species native to the area unless it is not practicable to do so.</p> <p>(3) The plant must not be a pest in a pest management strategy prepared under the Biosecurity Act 1993 or declared as an unwanted organism by a chief technical officer constituted under the same act</p>	Will comply	
E4-E7 N/A			
E8 – Natural Resources: Stormwater – Discharge and diversion			
E8.4.1 Activity table	<p>(A4) Diversion and discharge of stormwater runoff from impervious areas up to 5,000m² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.2.3</p>	<p>Permitted activity</p> <p>Complies with standards E8.6.1 and E8.6.2.3.</p>	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	(A5) Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.4.1	Restricted discretionary activity consent may be required - road area TBC.	Site wide – new internal roads
	(A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Discretionary activity consent	Site wide
E8.6 Standards			
E8.6.1 General standards	<p>(1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater matters.</p> <p>(2) The diversion and discharge must not cause or increase scouring or erosion at the point of discharge or downstream.</p> <p>(3) The diversion and discharge must not result in or increase the following:</p> <p>(a) flooding of other properties in rainfall events up to the 10 per cent annual exceedance probability (AEP); or</p> <p>(b) inundation of buildings on other properties in events up to the 1 per</p>	Complies	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>cent annual exceedance probability (AEP).</p> <p>(4) The diversion and discharge must not cause or increase nuisance or damage to other properties.</p> <p>(5) The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water:</p> <p>(a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p> <p>(b) any conspicuous change in the colour or visual clarity;</p> <p>(c) any emission of objectionable odour;</p> <p>(d) the rendering of fresh water unsuitable for consumption by farm animals; or</p> <p>(e) any significant adverse effects on aquatic life.</p>		
E8.6.2 Permitted activity standards			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E8.6.2.3. Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road...	(1) Any road ancillary area must not be used for: (a) storage of roading and building materials that are not inert for more than 30 days continuously; and works / building yards. (b) Works / building yards	Complies	Site wide – new internal roads
E8.6.4.1. Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road...	(1) Where stormwater runoff is directed to an existing stormwater network, including road side drainages, swales and catchpits, these must be managed and maintained to ensure effective operation and to prevent erosion, sediment generation and discharge. (2) Any road ancillary area must not be used for: (a) storage of roading and building materials that are not inert for more than 30 days continuously; (b) works / building yards. (3) Where stormwater runoff from an impervious area is discharged into a stream receiving environment, it must be managed by a stormwater management	Complies	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>device to meet the hydrology mitigation requirements E10.6.3.1.1(1) specified for Stormwater management area – Flow 1 in Table E10.6.3.1.1 Hydrology mitigation requirements, except as provided for in E10.6.3.1.1(2).</p> <p>(4) Stormwater management devices must be provided to reduce or remove contaminants from stormwater runoff.</p>		
E9 – Natural Resources: Stormwater quality – High contaminant generating car parks and high use roads			
N/A – the proposed road does not meet the AUP definition of a “high contaminant generating high use road”, however runoff from all roads is proposed to be treated prior to discharge regardless.			
E10 – Natural Resources: Stormwater management area – Flow 1 and Flow 2			
N/A – the site is not located within a SMAF area.			
E11 – Natural Resources: Land disturbance – Regional			
<p>Note: The AUP defines “Sediment Control Protection Area” as:</p> <p><i>(a) 100m either side of a foredune or 100m landward of the coastal area (whichever is the more landward of mean high water springs); or</i></p> <p><i>(b) 50m landward of the edge of a lake, river or stream, or the edge of a wetland of 1,000m² or greater.</i></p> <p>As such, portions of the site are located within the SCPA as the assessment above confirmed there is a stream on the site.</p>			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E11.4.1 Activity tables	<p><i>General earthworks north otherwise listed in this table</i></p> <p>(A3) Up to 10,000m² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – permitted</p> <p>(A2) Greater than 10,000m² up to 50,000m² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – controlled</p> <p>(A6) Up to 2,500m² where land has a slope equal to or greater than 10 degrees – permitted</p> <p>(A8) Greater than 2,500m² where land has a slope equal to or greater than 10 degrees – restricted discretionary</p>	<p>Restricted discretionary activity consent likely.</p>	Site wide
E11.6 Standards	Standards (1)-(3)	Complies	
E11.6.1. Accidental discovery rule	Standards (1)-(8)	Complies	
E11.6.2. General standards	Standards relating to undertaking regional earthworks.	Complies	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E12 – Natural Resources: Land disturbance – District			
E12.4 Activity table	General earthworks not otherwise listed (A6) Greater than 2500m ² – restricted discretionary	Restricted discretionary activity consent.	Site wide
	(A10) Greater than 2500m ³ – restricted discretionary	Restricted discretionary activity consent.	Site wide
E12.6 Standards			
E12.6.1. Accidental discovery rule	Standards relating to undertaking earthworks.	Complies	
E12.6.2. General standards	(1) Land disturbance within riparian yards and coastal protection yards are limited to: – less than 5m ² or 5m ³ for general earthworks;	Does not comply – Restricted discretionary activity consent required pursuant to C1.9.	Northern and south western boundaries
	(2) Other standards relating to undertaking district earthworks.	Complies	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E15 – Natural Resources: Vegetation management and biodiversity			
E15.4.1 Activity table	(A18) Vegetation alteration or removal within 20m of a natural wetland	Restricted Discretionary activity consent may be required to construct pedestrian walkway within esplanade reserve and to undertake enhancement planting.	Northern and south western boundaries
	(A19) Vegetation alteration or removal within 10m of urban streams	Restricted Discretionary activity consent may be required to construct pedestrian walkway within esplanade reserve.	South western boundary
	(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 ... Future Urban zone	Restricted Discretionary activity consent may be required to construct pedestrian walkway within esplanade reserve.	Northern (rear) boundary

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>(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:</p> <p>(a) a horizontal distance of 20m from the top of any cliff with;</p> <p>(b) a slope angle steeper than 1 in 3 (18 degrees); and</p> <p>(c) within 150m of mean high water springs</p>	<p>Restricted Discretionary activity</p> <p>consent may be required to construct pedestrian walkway within esplanade reserve.</p>	Northern (rear) boundary
E15.6 General Standards			
E15.6.3 Conservation Planting	Standards apply to significant ecological areas and ONF Overlays only	N/A	
E15.6.8 Vegetation Alteration or Removal with the 100 year ARI Floodplain	Vegetation alteration or removal must ensure that erosion control measures associated with vegetation removal and replanting such as mulch or bark	Complies	
E17 – Natural Resources: Trees in roads			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E25.4.1 Activity table	(A10) Tree removal of any tree greater than 4m in height or greater than 400mm in girth	Restricted discretionary activity consent may be required – survey of tree locations relative to boundaries is required.	Front (south eastern) boundary of Site A
E25 – Built Environment: Noise and vibration			
E25.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards	Permitted activity Compliance expected to be achieved with permitted activity standards.	
E25.6 Standards			
E25.6.1 General Standards	<p>(1) Noise levels must be measured and assessed in accordance with the New Zealand Standards NZS 6801:2008 and 6802:2008 Acoustics.</p> <p>(2) Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply.</p> <p>The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999</p>	Will comply	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity							
	Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.									
E25.6.3. Noise levels in rural and future urban zones	<p>The noise (rating) level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone below:</p> <table><tr><th>Time</th><th>Noise level</th></tr><tr><td>Monday to Saturday 7am-10pm</td><td rowspan="2">55dB L_{Aeq}</td></tr><tr><td>Sunday 9am-6pm</td></tr><tr><td>All other times</td><td>45dB L_{Aeq} 75dB L_{AFmax}</td></tr></table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	All other times	45dB L _{Aeq} 75dB L _{AFmax}	Complies	
Time	Noise level									
Monday to Saturday 7am-10pm	55dB L _{Aeq}									
Sunday 9am-6pm										
All other times	45dB L _{Aeq} 75dB L _{AFmax}									
E25.6.27 Construction noise levels	Construction noise levels must not exceed the levels in Table E25.6.27.1 when measured from the façade of any building that contains an activity sensitive to noise that is occupied during the works.	Compliance is likely due to separation distance from occupied buildings and standard construction methodologies proposed.								

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E25.6.30 Vibration	Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed the German Industrial Standard DIN4150-3 (1999) and the limited in Table E25.6.30.1 of the AUP. Some exceedances for short durations are permitted	Compliance is likely due to separation distance from occupied buildings and standard construction methodologies proposed.	
E26 – Infrastructure			
E26.2.3.1 Activity Table - Network Utilities in residential zones / roads	(A56) Water, wastewater and stormwater outfalls and ancillary structures	Permitted	Stabilised coastal outfall located within the site, proximate to the rear boundary
	(A58) Stormwater treatment devices, erosion protection, culverts, measuring devices (flow structures)	Permitted	Various – site wide
E27 – Infrastructure: Transport			
E27.4.1 Activity table	(A2) Parking, loading and access which is an accessory activity and does not comply with the standards for parking, loading and access – restricted discretionary activity (A3) Any activity or subdivision which exceeds the trip generation standards	Restricted discretionary activity consent may be required subject to final design of road, access and parking, and trip	Site wide – new vested road to be constructed at the junction with Clarks Lane. Vehicle crossings to be provided from

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	set out in Standard E27.6.1	generation.	new road and JOALs.
E27.5 Notification	Subject to normal tests for notification.		
E27.6. Standards			
E27.6.1. Trip generation	Where a proposal exceeds 20,000m ² GFA of warehousing and storage activity, restricted discretionary activity consent is required, or 10,000m ² of other industrial activities.	Trip generation to be confirmed.	Site wide
E27.6.2(4) Number of parking spaces	Deleted	N/A	
E27.6.2(6) Bicycle parking	1 per 20 short-stay 1 per dwelling without a dedicated garage	Design to comply	
E27.6.2(7) End of trip facilities	End of trip facilities to be provided for office, education or hospital facilities	N/A	

Reference	Rule		Activity status / Reasons for consent	Location of proposed activity								
E27.6.2(8) Number of loading spaces	<table><tr><td>Up to 5000m²</td><td>No loading required</td></tr><tr><td>Greater than 5000m² up to 20,000m²</td><td>1</td></tr><tr><td>Greater than 20,000m² up to 90,000m²</td><td>2</td></tr><tr><td>Greater than 90,000m²</td><td>3 spaces plus space 1 for every additional 40,000m²</td></tr></table>	Up to 5000m ²	No loading required	Greater than 5000m ² up to 20,000m ²	1	Greater than 20,000m ² up to 90,000m ²	2	Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²		No loading space proposed.	
Up to 5000m ²	No loading required											
Greater than 5000m ² up to 20,000m ²	1											
Greater than 20,000m ² up to 90,000m ²	2											
Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²											
E27.6.3. Design of parking and loading spaces												
E27.6.3.1. Size and location of parking spaces	Defines the size, use and location of parking spaces		Complies All spaces are located within the same site, will not be used for any other purpose and will always be available.	Site wide								
E27.6.3.2. Size and location of loading spaces	11m x 3.5m		None required.									
E27.6.3.3. Access and	(1) Access and manoeuvring for vehicles must meet the 85 percentile tracking curves in Figure E27.6.3.3.1		All spaces are anticipated to have dedicated access aisles to accommodate B85 vehicle	Site wide, car park provided per new lot.								

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
manoeuvring	<p>(2) For every loading space accommodating heavy vehicles, the access and manoeuvring areas associated with that loading space must comply with the tracking curves set out in the NZTA guidelines RTS 18: NZ on-road tracking curves (2007)</p> <p>(3) Where a dwelling provides more than one parking space, these may be stacked.</p>	tracking.	
E27.6.3.4. Reverse manoeuvring	N/A	No restrictions given local roads.	
E27.6.3.5. Vertical clearance	2.1m clearance required for residential activities	Buildings designed to comply.	
E27.6.3.6. Formation and gradient	<p>(1) Parking and manoeuvring to be formed in all weather surface</p> <p>(2) N/a</p> <p>(3) Parking space gradient of 1 in 25 for accessible spaces and 1 in 20 for other spaces</p> <p>(4) Manoeuvring area gradient of 1 in 8 required</p>	Compliance can be achieved due to relatively flat topography and size of site.	Site wide
E27.6.3.7. Lighting	Lighting required for 10 more parking spaces	Complies	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E27.6.4. Access			
E27.6.4.1 Vehicle Access Restrictions	<p>(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:</p> <p>(a) is located within 10m of any intersection as measured from the property boundary</p>	Complies	
E27.6.4.2(T146) Width and number of vehicle crossings	<ul style="list-style-type: none"> Maximum number of vehicle crossings per road frontage of the site: 1 crossing per 25m of frontage or part thereof Minimum separation from crossings serving adjacent sites: 2m provided that two crossings on adjacent sites can be combined where they do not exceed a total width of 6m at the property boundary Minimum separation between crossings serving the same site: 6m 	Complies to Sinton Road, internal road compliance to be confirmed – Restricted discretionary activity consent required pursuant to C1.9 if compliance is not achieved.	Site wide – access relative to internal roads
E27.6.4.3(T148) Width of vehicle access and queuing	Length of access must not exceed 50m and width of access must not exceed 5.5m	Complies	Vehicle accesses to be provided from internal roads and JOALs.

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity						
requirements									
E27.6.4.3(T149) Width of vehicle access and queuing requirements	In the residential zone serving one or two parking spaces,the minimum width of the crossing at the site boundary must be 2.75m and the maximum width 3m, with a minimum formed access width being 2.5m.	Complies	Vehicle accesses to be provided from internal roads and JOALs.						
E27.6.4.4(T157) Gradient of vehicle access	<table><tr><th>Access type</th><th>Maximum gradient</th></tr><tr><td>(T156A) Vehicle access serving one residential rear site</td><td>1 in 4 (25 per cent)</td></tr><tr><td>(T157) Vehicle access serving any other residential activities (including rear sites)</td><td>1 in 5 (20 per cent)</td></tr></table>	Access type	Maximum gradient	(T156A) Vehicle access serving one residential rear site	1 in 4 (25 per cent)	(T157) Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)	Complies	Vehicle accesses to be provided from internal roads and JOALs.
Access type	Maximum gradient								
(T156A) Vehicle access serving one residential rear site	1 in 4 (25 per cent)								
(T157) Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)								
E30 – Environmental Risk: Contaminated land									
E30.4.1 Activity table	(A2) Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants	Restricted discretionary activity consent likely - DSI required to confirm.	Site wide						
E30.6.1 Permitted activity standards									
E30.6.1.2 Discharges of	(1) The volume of soil disturbed must not exceed: (a) 200m³ per site; or	DSI required to confirm consent requirements.							

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants	<p>(b) 200m³ per project for sites or roads with multiple concurrent land disturbance projects, where the cumulative total volume of soil disturbance associated with each given project will be used when determining activity status; or</p> <p>(c) an average depth and width of 1m for linear trenching by network utilities in the road or rail corridor. For the purpose of this rule the railway corridor does not include land more than 10m from the rail tracks.</p> <p>(2) Prior to the activity commencing:</p> <p>(a) the Council must be advised of the activity in writing if the volume of soil disturbed on land containing elevated levels of contaminants exceeds 25m³, including details of the measures and controls to be implemented to minimise discharges of contaminants to the environment, and such controls are to be effective for duration of the activity and until the soil is reinstated to an erosion-resistant state; and</p> <p>(b) controls on linear trenching must be implemented to manage discharges to the environment from trenches acting as migration pathways for contaminants.</p>		

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>(3) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons.</p> <p>(4) The duration of soil disturbance on a site must not exceed two months.</p> <p>(5) Any contaminated material removed from the site must be disposed of at a facility or site authorised to accept such materials.</p>		
E36 – Environmental Risk: Natural hazards and flooding			
E36.4.1 Activity Table	<i>Activities in the 1 per cent annual exceedance probability (AEP) floodplain</i> (A23) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain	Permitted activity	South western boundary, within stream environment
	(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	N/A – none proposed	
	<i>Activities in overland flow paths</i> (A39) Fences and walls located within or over an overland flow path do not	Permitted activity	Location of flow paths – east/west across site, along

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	obstruct the overland flow path		south western boundary, at northern boundary
	(A41) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	N/A – the exit location and capacity of the overland flow path will be retained.	Location of flow paths – east/west across site, along south western boundary, at northern boundary
	(A42) Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path	Restricted discretionary activity consent required – buildings will be located in the flow path as shown on Geomaps, however the flow path will be redirected within the site (and retain the same exit location).	Location of flow paths – east/west across site, along south western boundary, at northern boundary
	<i>Infrastructure</i> (A56) All other infrastructure in the 1% AEP Flood plain and overland flow paths not otherwise provided for	Unlikely to be required, no infrastructure proposed within flood plain at this stage.	South western boundary, within stream environment

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E36.6 Standards			
E36.6.1.5 Fences and Walls in the 1% AEP Flood Plain	<p>(1) Fences and walls in the 1 per cent annual exceedance probability (AEP) floodplain must be designed to allow for the passage of flood waters where those flood waters exceed 300mm in depth.</p> <p>(2) Standard E36.6.1.5(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.</p>	Complies – it is unlikely that any walls will be located within the flood plain.	South western boundary, within stream environment
E36.6.1.10 Fences and walls within or over an overland flow path	<p>(1) Any ponding of floodwater caused by any fence or wall must not extend beyond (upstream of or adjacent to) the site.</p> <p>(2) Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.</p>	Complies	Location of flow paths – east/west across site, along south western boundary, at northern boundary
E39 – Subdivision: Subdivision – Rural (including Future Urban zone)			
E39.4.1 Subdivision for specified purposes	(A5) Subdivision establishing an esplanade reserve	Restricted discretionary activity – coast and stream.	South western and northern boundaries (stream and coast respectively)
	(A7) Any reduction or waiver of esplanade reserves or strips	Discretionary activity – reduction may be proposed	South western boundary

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
		along short sections of the stream esplanade, whereby an average of 20m is provided.	(stream)
	<p>(A8) Subdivision of land within any of the following natural hazard areas:</p> <ul style="list-style-type: none"> • <u>1 per cent annual exceedance probability floodplain;</u> • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • <u>coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;</u> • <u>coastal erosion hazard area;</u> or • land which may be subject to land instability. 	Restricted discretionary activity – the inundation overlay is wholly located within the proposed riparian esplanade at the coastal edge; floodplain located within stream; coastal erosion hazard area located within esplanade reserve.	South western boundary and northern boundary
	(A9) Any subdivision not meeting the standards in E39.6.1 General standards for subdivision	Discretionary activity consent	Site wide
E39.4.3 Subdivision in Future Urban Zone	(A28) Subdivision for open spaces, reserves or road realignment	Discretionary activity consent	Site wide – roads, reserves
	(A29) Any other subdivision not provided for in Table E39.4.1 or E39.4.3	Non-complying activity consent	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39.5 Notification	Subject to normal tests for notification.		
E39.6 Standards			
E39.6.1 General standards for subdivision			
E39.6.1.1 Specified building area	(1) A specified building area must be clearly identified on every site on a subdivision scheme plan on which a building is to be constructed.	Complies	
	(2) Where the site contains an existing dwelling at the time the subdivision application is made, the specified building area must include ...	Not applicable	
	(3) The specified building area must meet all of the following:	Does not comply – Discretionary activity consent required pursuant to (A5).	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>(a) include a single area of at least 2,000m² clear of all of the following:</p> <ul style="list-style-type: none"> (i) all yards; (ii) one per cent annual exceedance probability floodplain areas; (iii) coastal storm inundation 1 per cent annual exceedance probability (AEP) area; (iv) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; (v) coastal erosion hazard area; (vi) land which may be subject to land instability; (vii) access to all proposed building platforms or areas; and (viii) on-site private infrastructure required to service the intended use of the site. <p>(b) be able to be linked by adequate and appropriate vehicle access to a formed public road;</p> <p>(c) be identified as the only place within the site where dwellings, any accessory buildings, and related parking and manoeuvring areas can be located; and</p> <p>(d) be located outside of the Quarry Buffer Area Overlay.</p>		
E39.6.1.2 Access and entrance strips	<p>All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:</p> <ul style="list-style-type: none"> (a) are being created for reserves, network utilities or road closure; or (b) will be amalgamated with another site that already has legal and 	Complies – all sites will be provided with vehicle crossings	Site wide – internal roads

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	physical access to a road.		
E39.6.1.3 Services	<p>(1) For all proposed sites capable of containing a building...each lot must be designed and located so that provision is made for the following services:</p> <ul style="list-style-type: none"> (a) collection, treatment and disposal of stormwater; (b) collection, treatment and disposal of wastewater; (c) water supply; (d) electricity supply; and (e) telecommunications. <p>(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 SNZPAS 4509:2008 must be provided</p>	Complies	Site wide
E39.6.1.4 Staging	<p>(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:</p>	N/A - Staging not proposed	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>(a) the time period over which the development is likely to take place;</p> <p>(b) the areas of land subject to the proposed stages; and</p> <p>(c) the balance area of the site remaining after the completion of each stage.</p>		
E39.6.1.5 Overland flow paths	<p>(1) All subdivision must be designed to incorporate overland flow paths on the site.</p> <p>(2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.</p>	Complies	Location of flow paths – east/west across site, along south western boundary, at northern boundary
E39.6.1.6 Existing vegetation	<p>(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:</p> <p>(a) any areas identified as Significant Ecological Area in the Significant Ecological Areas Overlay; or</p> <p>(b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.</p>	Compliance to be achieved as (b) applies. No SEA present.	Coastal and stream vegetation
E39.6.4 Standards – restricted discretionary activities			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39.6.4.1 Subdivision establishing an esplanade reserve	<p>(1) Any subdivision involving the creation of sites less than 4 hectares and the proposed <u>site adjoins the line of mean high water springs</u> or the bank of a river or stream 3 metres or more in width or any lake, <u>must provide a minimum 20 metre wide esplanade reserve</u> in accordance with section 230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.</p> <p>(2) The width of any esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water spring, or the bank of a river or stream or margin of any lake.</p> <p>(3) Standards E38.7.3.2(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20 metres has been set aside under the Conservation Act 1987.</p>	<p>Restricted discretionary activity consent required – the stream esplanade does not comply with minimum 20m dimension in all locations however a 20m average setback will be achieved overall.</p> <p>Coastal esplanade – designed to comply.</p>	Northern and south western boundaries
E39.6.4.2 Subdivision of a site within the one per cent annual exceedance	<p>(1) Each proposed site within the one per cent floodplain that is to contain a more vulnerable activity must meet one of the following:</p> <p>(a) contain a specified building area that meets the requirements of Standard E39.6.1 General standards; or</p> <p>(b) be in accordance with a land use consent that authorises development</p>	N/A – no proposed sites within floodplain.	Flood plain located at south western stream environment – subdivision will occur <u>around</u> the flood plain.

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
probability floodplain	or building in the floodplain.		
E39.6.4.3 Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in (a) to (c) below are located outside of any land subject to coastal erosion or coastal storm inundation:	N/A – no proposed sites on land within the inundation overlay or coastal erosion hazard area.	Inundation overlay located at northern boundary

5.1. Chapter H Zones

The site is zoned Future Urban and General Coastal Marine Zone under the AUP.

Rules

Rule	Comment	Resource Consent	Location of proposed activity
H18 Future Urban zone			
H18.4. 1 Activity table	(A1) Demolition of buildings	Permitted	
	(A2) New buildings	Non-complying activity - Same activity status as the proposed activity (A28)	Site wide – more than one dwelling proposed.
	(A27) Dwellings	Permitted	
	(A28) Dwellings that do not comply with Standard H18.6.8	Non-complying activity consent	Site wide – more than one dwelling proposed.
H18.5 Notification	<p>(1) Any application for resource consent for an activity listed in Table 18.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</p> <p>(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).</p>		

Rule	Comment	Resource Consent	Location of proposed activity
H18.6 Standards			
All activities in Table H18.4.1 Activity table must comply with the relevant applicable standards in H18.6.1 to H18.6.16.			
H18.6.2 Building height	15m	Complies	
H18.6.3 Yards	Front yards: 10m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Clarks Lane frontage – south eastern boundary
	Side or rear yard: 6m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Side boundaries – south western and north western boundaries
	Riparian yard: 20m from the edge of permanent and intermittent streams	Complies	South western boundary
	Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard: 50m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Rear northern boundary
H18.6.8 Dwellings	(1) A proposed dwelling must not be located on a closed road or road severance allotment. (2) No more than one dwelling is permitted on any site.	Does not comply – more than one dwelling proposed, Non-complying activity consent required pursuant to (A28).	Site wide

Rule	Comment	Resource Consent	Location of proposed activity
F2 Coastal – General Coastal Marine zone			
F2.19.1 Activity table - Drainage, reclamation and declamation		Not proposed	
F2.19.2 Activity table - Depositing and disposal of material		Not proposed	
F2.19.3 Activity table – Dredging		Not proposed	
F2.19.4 Activity table - Coastal marine area disturbance		Not proposed	
F2.19.5 Activity table - Planting in the coastal marine area		Not proposed	
F2.19.7 Activity table - Discharges to the coastal marine area		Refer to Chapter E8	
F2.19.8 Activity table - Use and activities		Not proposed	
F2.19.9 Activity table - Aquaculture activities		Not proposed	
F2.19.10 Activity table – Structures		Not proposed	

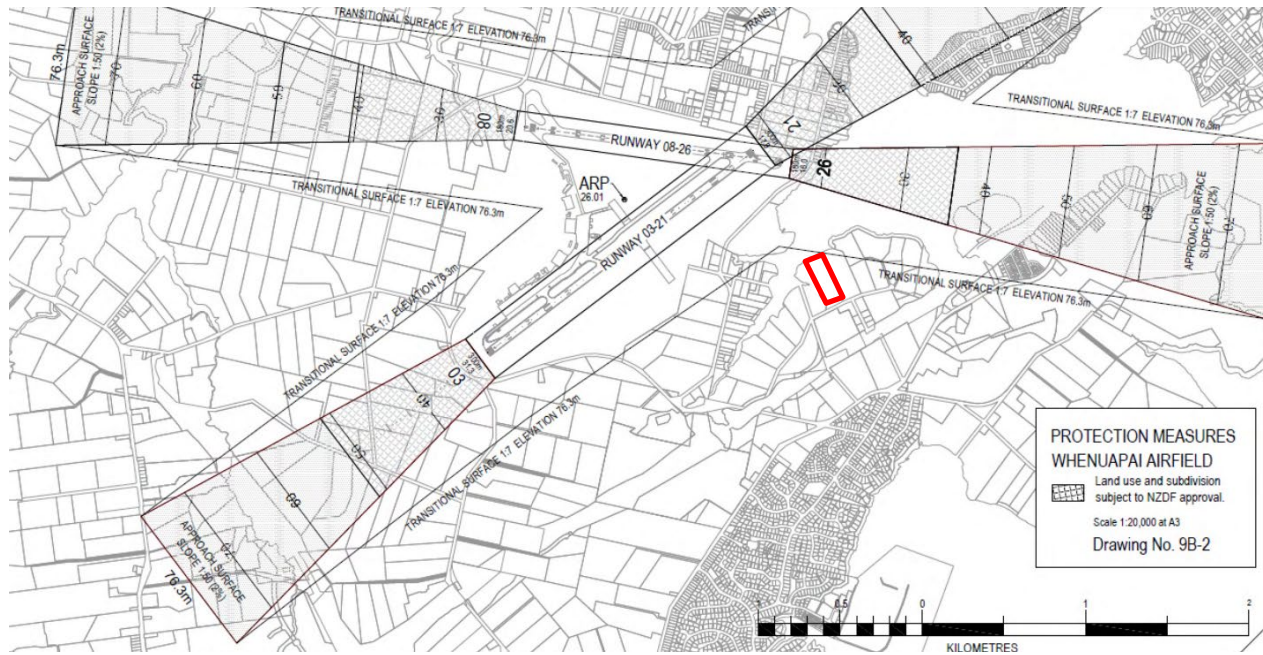
5.2. Chapter I Precincts

The site is not located within a Precinct.

5.3. Chapter K Designations

Rule	Comment	Resource Consent
Airspace Restriction Designation ID 4311 Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence		
Conditions - Restrictions Relating to Approach Paths	1. The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the areas of the designation shown on the planning maps as 'land use and subdivision subject to NZDF approval'. These areas are generally within 1,000 metres of the runways.	N/A – the site is not located within this area
	2. No obstacle shall penetrate the <u>approach and departure path obstacle limitation surfaces</u> shown on the planning maps and explained by the text "Explanation of Protection Surfaces Whenuapai Airfield" and Diagram MD1A below without the prior approval in writing of the New Zealand Defence Force. This restriction shall not apply to any building being erected which has a height of not more than 9.0 metres above natural ground level.	Complies

Planning Assessment – 15 Clarks Lane, Whenuapai



Explanation of Surfaces

The protection surfaces have been developed in accordance with NZ Civil Aviation Circulars (AC) 139-6 and AC 13910. Where two or more surfaces (whether take off, approach, transitional, horizontal or conical surfaces) coincide, the lower shall apply.

1. Takeoff, Approach and Transitional Surfaces

The Takeoff and Approach surfaces coincide and commence at 60 metres from the end of the runway threshold. The width of the start of the surface is 300 metres for Runways 03 and 21 and 180 metres for Runways 08 and 26. Each surface diverges in width each side at a rate of 1:6.6 (15%) and extends at a gradient of 1 in 50 (2%) for a total distance of 15 kilometres. As a result, maximum permitted building altitude increases with distance from the Airfield.

The Transitional Side Surfaces, which restrict building altitudes either side of the runway, are imposed either side of the aerodrome strip. The Transitional Side Surface slopes upward from the edge of the aerodrome strip at a gradient of 1:7 (14.3%) to the inner edge of the Inner Horizontal Surface at a height of 45 metres above the Aerodrome Elevation and at an elevation of 76.3 metres above mean sea level (AMSL). The effect of these surfaces on maximum building altitude is illustrated in Diagram MD1A.

Statutory Assessment

10 Sinton Road, Whenuapai – Site B

(yellow text indicates consent matter)

1. NES – Managing Contaminants

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NES – Contamination**”) will apply if the sites are likely to have been used in the past for an activity described in the Ministry for the Environment’s Hazardous Activities and Industries List (“**HAIL**”).

Historic aerial photographs do not indicate HAIL activities have occurred on the site, nor do Council’s records indicate this to be the case. For completeness, a PSI / DSI is required to confirm the consent requirements pursuant to the NES-SC – consent may be required as a **Restricted Discretionary activity**.

2. NES – Freshwater

Resource consent **may be required** under the National Environmental Standards for Freshwater) Regulations 2020 (“NES – Freshwater”).

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
NES - Freshwater			
<i>Restoration of Natural Wetland</i>			
Regulation 38 Permitted activities Restoration of natural wetlands	<p>(1) Vegetation clearance within, or within a 10 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>(3) The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p>	<p>Permitted activity – restoration works may be undertaken within 10m of the coastal wetland.</p> <p>Consent will be required as a Restricted Discretionary activity under regulation 39 if the conditions at clause (4) cannot be complied with.</p>	Rear boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>Conditions</p> <p>(4) The conditions are that—</p> <p>(a) (the activity must comply with the general conditions on natural wetland activities in regulation 55; and</p> <p>(b) If the activity is vegetation clearance, earthworks, or land disturbance, the activity must not occur over more than 500 m² or 10% of the area of the natural wetland, whichever is smaller.</p> <p>(5) However, the condition in subclause (4)(b) does not apply if the earthworks or land disturbance is for planting.</p>		
<i>Wetland</i>			
Regulation 52 Non-complying activities	<p><i>Drainage of natural wetlands</i></p> <p>(1) <u>Earthworks outside, but within a 100 m setback from,</u> a natural wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	N/A - while earthworks are proposed within 100m of the coastal wetland, the Ecological Memo at Appendix 7 confirms these works will be designed so as <u>not to result in the complete or partial drainage</u> of the wetland.	Northern boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>(2) The <u>taking, use, damming, diversion, or discharge of water outside, but within a 100 m setback from,</u> a natural wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A - while the discharge and diversion of stormwater are proposed within 100m of the coastal wetland, the Ecological Memo at Appendix 7 confirms these works will be designed so as <u>not to result in the complete or partial drainage</u> of the wetland.</p>	Northern boundary
Regulation 53 Prohibited activities	<p>Earthworks within a natural wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A – Ecology Memo at Appendix 7 confirms the proposal is not a prohibited activity.</p>	
	<p>The taking, use, damming, diversion, or discharge of water within a natural wetland is a prohibited activity if it—</p>	<p>N/A – Ecology Memo at Appendix 7 confirms the proposal is not a prohibited</p>	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	activity.	
<p>Regulation 54</p> <p>Non-Complying activities</p>	<p>The following activities are non-complying activities if they do not have another status under this subpart:</p> <p>a) vegetation clearance within, or within a 10 m setback from, a natural wetland:</p>	<p>Consent is <u>unlikely to be required</u> under reg 54 as no works are proposed within or within 10m of the coastal wetland except for restoration (which is permitted under reg 38).</p>	Rear boundary
	<p>b) earthworks within, or within a 10 m setback from, a natural wetland:</p>	<p>Consent is <u>unlikely to be required</u> under reg 54 as no works within or within 10m of the coastal wetland are proposed except for restoration (which is permitted under reg 38).</p>	Rear boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	c) the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland.	Non-complying activity consent	Rear boundary

3. Auckland Unitary Plan

Chapter D Overlays

No rules relate to the following overlay:

- Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer.

Chapter E Auckland-wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E8 – Natural Resources: Stormwater – Discharge and diversion			
E8.4.1 Activity table	(A4) Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.2.3	Permitted activity Complies with standards E8.6.1 and E8.6.2.3.	Site wide
	(A5) Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.4.1	Restricted discretionary activity consent may be required - road area TBC.	Site wide – new internal roads
	(A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Discretionary activity consent	Site wide
E8.6 Standards			
E8.6.1	(1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed	Complies	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
General standards	<p>stormwater matters.</p> <p>(2) The diversion and discharge must not cause or increase scouring or erosion at the point of discharge or downstream.</p> <p>(3) The diversion and discharge must not result in or increase the following:</p> <p>(a) flooding of other properties in rainfall events up to the 10 per cent annual exceedance probability (AEP); or</p> <p>(b) inundation of buildings on other properties in events up to the 1 per cent annual exceedance probability (AEP).</p> <p>(4) The diversion and discharge must not cause or increase nuisance or damage to other properties.</p> <p>(5) The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water:</p> <p>(a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p> <p>(b) any conspicuous change in the colour or visual clarity;</p>		

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>(c) any emission of objectionable odour;</p> <p>(d) the rendering of fresh water unsuitable for consumption by farm animals; or</p> <p>(e) any significant adverse effects on aquatic life.</p>		
E8.6.2 Permitted activity standards			
E8.6.2.3. Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated	<p>(1) Any road ancillary area must not be used for:</p> <p>(a) storage of roading and building materials that are not inert for more than 30 days continuously; and works / building yards.</p> <p>(b) Works / building yards</p>	Complies	Site wide – internal roads

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
by a road controlling authority) or rail corridor			
E8.6.4.1. Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road...	<p>(1) Where stormwater runoff is directed to an existing stormwater network, including road side drainages, swales and catchpits, these must be managed and maintained to ensure effective operation and to prevent erosion, sediment generation and discharge.</p> <p>(2) Any road ancillary area must not be used for:</p> <p>(a) storage of roading and building materials that are not inert for more than 30 days continuously;</p> <p>(b) works / building yards.</p> <p>(3) Where stormwater runoff from an impervious area is discharged into a stream receiving environment, it must be managed by a stormwater management device to meet the hydrology mitigation requirements E10.6.3.1.1(1) specified for Stormwater management area – Flow 1 in Table E10.6.3.1.1 Hydrology mitigation requirements, except as provided for in E10.6.3.1.1(2).</p> <p>(4) Stormwater management devices must be provided to reduce or remove contaminants from stormwater runoff.</p>	Complies	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E9 – Natural Resources: Stormwater quality – High contaminant generating car parks and high use roads			
N/A – the proposed road does not meet the AUP definition of a “high contaminant generating high use road”, however runoff from all roads is proposed to be treated prior to discharge regardless.			
E10 – Natural Resources: Stormwater management area – Flow 1 and Flow 2			
N/A – the site is not located within a SMAF area.			
E11 – Natural Resources: Land disturbance – Regional			
<p>Note: The AUP defines “Sediment Control Protection Area” as:</p> <p><i>(a) 100m either side of a foredune or 100m landward of the coastal area (whichever is the more landward of mean high water springs); or</i></p> <p><i>(b) 50m landward of the edge of a lake, river or stream, or the edge of a wetland of 1,000m² or greater.</i></p> <p>As such, portions of the site are located within the SCPA as the assessment above confirmed there is a stream on the site.</p>			
E11.4.1	<i>General earthworks north otherwise listed in this table</i>	Restricted discretionary activity	Site wide
Activity tables	<p>(A3) Up to 10,000m² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – permitted</p> <p>(A2) Greater than 10,000m² up to 50,000m² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – controlled</p>	consent.	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	(A6) Up to 2,500m ² where land has a slope equal to or greater than 10 degrees – permitted (A8) Greater than 2,500m ² where land has a slope equal to or greater than 10 degrees – restricted discretionary		
E11.6 Standards	Standards (1)-(3)	Complies	
E11.6.1. Accidental discovery rule	Standards (1)-(8)	Complies	
E11.6.2. General standards	Standards relating to undertaking regional earthworks.	Complies	
E12 – Natural Resources: Land disturbance – District			
E12.4 Activity table	<i>General earthworks not otherwise listed</i> (A6) Greater than 2500m ² – restricted discretionary.	Restricted discretionary activity consent.	Site wide
	(A10) Greater than 2500m ³ – restricted discretionary.	Restricted discretionary activity consent.	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E12.6 Standards			
E12.6.1. Accidental discovery rule	Standards (1)-(3)	Complies	
E12.6.2. General standards	(1) Land disturbance within riparian yards and coastal protection yards are limited to: <ul style="list-style-type: none"> Less than 5m² or 5m³ for general earthworks. 	Does not comply – Restricted discretionary activity consent required pursuant to C1.9.	Rear boundary adjoining CMA
	Other standards relating to undertaking district earthworks.	Complies	Site wide
E15 – Natural Resources: Vegetation management and biodiversity			
E15.4.1 Activity table	(A18) Vegetation alteration or removal within 20m of a natural wetland.	Restricted Discretionary activity consent may be required to construct pedestrian walkway within esplanade reserve and to undertake enhancement planting.	Northern boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed 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 ... Future Urban zone.	Restricted Discretionary activity consent may be required to construct pedestrian walkway along coastal esplanade reserve.	Northern boundary
	(A22) 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, 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.	Restricted Discretionary activity consent may be required to construct pedestrian walkway along coastal esplanade reserve.	Northern boundary
E15.6 General Standards			
E15.6.3 Conservation Planting	Standards apply to significant ecological areas and ONF Overlays only.	N/A	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E17 – Natural Resources: Trees in roads			
E17.4.1 Activity table	(A10) Tree removal of any tree greater than 4m in height or greater than 400mm in girth.	Restricted Discretionary activity consent may be required to remove trees in road reserve if they cannot be retained in site layout, subject to height and girth.	South eastern road boundary
E25 – Built Environment: Noise and vibration			
E25.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards.	Permitted Compliance expected to be achieved with permitted activity standards.	
E25.6 Standards			
E25.6.1 General Standards	(1) Noise levels must be measured and assessed in accordance with the New Zealand Standards NZS 6801:2008 and 6802:2008 Acoustics.	Will comply	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity							
	<p>(2) Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply.</p> <p>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.</p>									
E25.6.3. Noise levels in rural and future urban zones	<p>The noise (rating) level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone below:</p> <table><tr><th>Time</th><th>Noise level</th></tr><tr><td>Monday to Saturday 7am-10pm</td><td rowspan="2">55dB L_{Aeq}</td></tr><tr><td>Sunday 9am-6pm</td></tr><tr><td>All other times</td><td>45dB L_{Aeq} 75dB L_{AFmax}</td></tr></table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	All other times	45dB L _{Aeq} 75dB L _{AFmax}	Complies	
Time	Noise level									
Monday to Saturday 7am-10pm	55dB L _{Aeq}									
Sunday 9am-6pm										
All other times	45dB L _{Aeq} 75dB L _{AFmax}									
E25.6.27	Construction noise levels must not exceed the levels in Table E25.6.27.1 when	Compliance is likely due to								

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
Construction noise levels	measured from the façade of any building that contains an activity sensitive to noise that is occupied during the works.	separation distance from occupied buildings and standard construction methodologies proposed.	
E25.6.30 Vibration	Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed the German Industrial Standard DIN4150-3 (1999) and the limited in Table E25.6.30.1 of the AUP. Some exceedances for short durations are permitted	Compliance is likely due to separation distance from occupied buildings and standard construction methodologies proposed.	
E26 – Infrastructure			
E26.2.3.1 Activity Table - Network Utilities in residential zones / roads	(A56) Water, wastewater and stormwater outfalls and ancillary structures.	Permitted	
	(A58) Stormwater treatment devices, erosion protection, culverts, measuring devices (flow structures).	Permitted	
E26.2.5.3 Specific activities within	<i>Underground pipelines for gas, water, wastewater and stormwater</i>	N/A – pipes are underground.	Stabilised coastal outfall at rear boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
zones	(24) Any above ground section of pipe...		
E27 – Infrastructure: Transport			
E27.4.1 Activity table	<p>(A2) Parking, loading and access which is an accessory activity and does not comply with the standards for parking, loading and access – restricted discretionary activity.</p> <p>(A3) Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1.</p>	<p>Restricted discretionary activity consent may be required subject to final design of road, access and parking, and trip generation.</p>	Site wide – new vested road to be constructed at the junction with Sinton Road. Vehicle crossings to be provided from new road and JOALs.
E27.5 Notification	Subject to normal tests for notification.		
E27.6. Standards			
E27.6.1. Trip generation	<p>(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:</p> <p>(a) a new development in Table E27.6.1.1;</p> <p>(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</p>	Trip generation to be confirmed.	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity								
	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; or (c) a proposed subdivision of land which has capacity under this Plan to accommodate more than 100 dwellings resource consent for a restricted discretionary activity is required.										
E27.6.2(4) Number of parking spaces	Deleted	N/A									
E27.6.2(6) Bicycle parking	1 per 20 short-stay. 1 per dwelling without a dedicated garage.	Design to comply	Site wide								
E27.6.2(8) Number of loading spaces	<table><tr><td>Up to 5000m²</td><td>No loading required</td></tr><tr><td>Greater than 5000m² up to 20,000m²</td><td>1</td></tr><tr><td>Greater than 20,000m² up to 90,000m²</td><td>2</td></tr><tr><td>Greater than 90,000m²</td><td>3 spaces plus space 1 for every additional 40,000m²</td></tr></table>	Up to 5000m ²	No loading required	Greater than 5000m ² up to 20,000m ²	1	Greater than 20,000m ² up to 90,000m ²	2	Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²	No loading space required.	
Up to 5000m ²	No loading required										
Greater than 5000m ² up to 20,000m ²	1										
Greater than 20,000m ² up to 90,000m ²	2										
Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²										

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E27.6.3. Design of parking and loading spaces			
E27.6.3.1. Size and location of parking spaces	<i>Defines the size, use and location of parking spaces.</i>	Complies All spaces are located within the same site, will not be used for any other purpose and will always be available.	Site wide
E27.6.3.4. Reverse manoeuvring	N/A	No restrictions given local roads.	
E27.6.3.5. Vertical clearance	2.1m clearance required for residential activities.	Complies	
E27.6.3.6. Formation and gradient	(1) Parking and manoeuvring to be formed in all weather surface. (2) N/A (3) Parking space gradient of 1 in 25 for accessible spaces and 1 in 20 for other spaces. (4) Manoeuvring area gradient of 1 in 8 required.	Compliance can be achieved due to relatively flat topography and size of site.	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E27.6.3.7. Lighting	Lighting required for 10 more parking spaces.	Complies	Site wide
E27.6.4. Access			
E27.6.4.1 Vehicle Access Restrictions	<p>(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:</p> <p>(a) is located within 10m of any intersection as measured from the property boundary.</p>	Complies	Intersection of new road at Sinton Road.
E27.6.4.2(T146) Width and number of vehicle crossings	<ul style="list-style-type: none"> Maximum number of vehicle crossings per road frontage of the site: 1 crossing per 25m of frontage or part thereof. Minimum separation from crossings serving adjacent sites: 2m provided that two crossings on adjacent sites can be combined where they do not exceed a total width of 6m at the property boundary. Minimum separation between crossings serving the same site: 6m. 	Complies to Sinton Road, internal road compliance to be confirmed – Restricted discretionary activity consent required pursuant to C1.9 if compliance is not achieved.	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity									
E27.6.4.3(T148) Width of vehicle access and queuing requirements	Length of access must not exceed 50m and width of access must not exceed 5.5m.	Complies	Site wide									
E27.6.4.3(T149) Width of vehicle access and queuing requirements	In the residential zone serving one or two parking spaces, the minimum width of the crossing at the site boundary must be 2.75m and the maximum width 3m, with a minimum formed access width being 2.5m.	Complies	Site wide									
E27.6.4.4(T157) Gradient of vehicle access	<table><tr><th colspan="2">Access type</th><th>Maximum gradient</th></tr><tr><td>(T156A)</td><td>Vehicle access serving one residential rear site</td><td>1 in 4 (25 per cent)</td></tr><tr><td>(T157)</td><td>Vehicle access serving any other residential activities (including rear sites)</td><td>1 in 5 (20 per cent)</td></tr></table>	Access type		Maximum gradient	(T156A)	Vehicle access serving one residential rear site	1 in 4 (25 per cent)	(T157)	Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)	Compliance is likely to be achieved due to reasonably flat topography and size of site.	Site wide
Access type		Maximum gradient										
(T156A)	Vehicle access serving one residential rear site	1 in 4 (25 per cent)										
(T157)	Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)										
E30 – Environmental Risk: Contaminated land												

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E30.4.1 Activity table	(A2) Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants.	Restricted discretionary activity consent likely - DSI required to confirm.	Site wide
E30.6.1 Permitted activity standards			
E30.6.1.2 Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants	<p>(1) The volume of soil disturbed must not exceed:</p> <ul style="list-style-type: none"> (a) 200m³ per site; or (b) 200m³ per project for sites or roads with multiple concurrent land disturbance projects, where the cumulative total volume of soil disturbance associated with each given project will be used when determining activity status; or (c) an average depth and width of 1m for linear trenching by network utilities in the road or rail corridor. For the purpose of this rule the railway corridor does not include land more than 10m from the rail tracks. <p>(2) Prior to the activity commencing:</p>	DSI required to confirm consent requirements.	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>(a) the Council must be advised of the activity in writing if the volume of soil disturbed on land containing elevated levels of contaminants exceeds 25m³, including details of the measures and controls to be implemented to minimise discharges of contaminants to the environment, and such controls are to be effective for duration of the activity and until the soil is reinstated to an erosion-resistant state; and</p> <p>(b) controls on linear trenching must be implemented to manage discharges to the environment from trenches acting as migration pathways for contaminants.</p> <p>(3) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons.</p> <p>(4) The duration of soil disturbance on a site must not exceed two months.</p> <p>(5) Any contaminated material removed from the site must be disposed of at a facility or site authorised to accept such materials.</p>		
E36 – Environmental Risk: Natural hazards and flooding			
E36.4.1	<i>Activities on land in the coastal storm inundation 1 per cent annual exceedance</i>	N/A - No works are proposed	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
Activity Table	<i>probability (AEP) plus 1 m sea level rise area.</i>	within the overlay which is wholly situated within the esplanade reserve.	
	<i>Activities in overland flow paths</i> (A39) Fences and walls located within or over an overland flow path do not obstruct the overland flow path.	Permitted activity	North western corner
	(A41) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path.	N/A – the exit location and capacity of the overland flow path will be retained.	North western corner
	(A42) Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path.	Restricted discretionary activity consent required – buildings will be located in the flow path as shown on Geomaps, however the flow path will be redirected within the site (and retain the same exit location).	North western corner

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p><i>Infrastructure</i></p> <p>(A56) All other infrastructure in the 1% AEP Flood plain and overland flow paths not otherwise provided for.</p>	N/A – no infrastructure proposed in overland flow path.	OLFP at north western corner
E36.6 Standards			
E36.6.1.10 Fences and walls within or over an overland flow path	<p>(1) Any ponding of floodwater caused by any fence or wall must not extend beyond (upstream of or adjacent to) the site.</p> <p>(2) Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.</p>	Complies	North western corner
E39 – Subdivision: Subdivision – Rural (including Future Urban zone)			
E39.4.1 Subdivision for specified purposes	(A5) Subdivision establishing an esplanade reserve.	Restricted discretionary activity – coastal esplanade reserve proposed.	Northern (rear) boundary
	<p>(A8) Subdivision of land within any of the following natural hazard areas:</p> <ul style="list-style-type: none"> • 1 per cent annual exceedance probability floodplain; 	Restricted discretionary activity – the inundation overlay is wholly located within the	Northern (rear) boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<ul style="list-style-type: none"> • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • <u>coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;</u> • <u>coastal erosion hazard area;</u> or • land which may be subject to land instability. 	proposed coastal esplanade reserve; coastal erosion hazard area located within esplanade reserve.	
	(A9) Any subdivision not meeting the standards in E39.6.1 General standards for subdivision.	Discretionary activity consent.	Site wide
E39.4.3 Subdivision in Future Urban Zone	(A28) Subdivision for open spaces, reserves or road realignment.	Discretionary activity consent.	Site wide – roads, reserves
	(A29) Any other subdivision not provided for in Table E39.4.1 or E39.4.3.	Non-complying activity consent.	Site wide
E39.5 Notification	Subject to normal tests for notification.		
E39.6 Standards			

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E39.6.1 General standards for subdivision			
E39.6.1.1 Specified building area	(1) A specified building area must be clearly identified on every site on a subdivision scheme plan on which a building is to be constructed.	Complies	Site wide
	(2) Where the site contains an existing dwelling at the time the subdivision application is made, the specified building area must include ...	N/A	
	(3) The specified building area must meet all of the following:	Does not comply – Discretionary activity consent required pursuant to (A5).	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>(a) include a single area of at least 2,000m² clear of all of the following:</p> <ul style="list-style-type: none"> (i) all yards; (ii) one per cent annual exceedance probability floodplain areas; (iii) coastal storm inundation 1 per cent annual exceedance probability (AEP) area; (iv) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; (v) coastal erosion hazard area; (vi) land which may be subject to land instability; (vii) access to all proposed building platforms or areas; and (viii) on-site private infrastructure required to service the intended use of the site. <p>(b) be able to be linked by adequate and appropriate vehicle access to a formed public road;</p> <p>(c) be identified as the only place within the site where dwellings, any accessory buildings, and related parking and manoeuvring areas can be located; and</p> <p>(d) be located outside of the Quarry Buffer Area Overlay.</p>		

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E39.6.1.2 Access and entrance strips	<p>All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:</p> <p>(a) are being created for reserves, network utilities or road closure; or</p> <p>(b) will be amalgamated with another site that already has legal and physical access to a road.</p>	Complies – all sites will be provided with vehicle crossings.	Site wide
E39.6.1.3 Services	<p>(1) For all proposed sites capable of containing a building...each lot must be designed and located so that provision is made for the following services:</p> <p>(a) collection, treatment and disposal of stormwater;</p> <p>(b) collection, treatment and disposal of wastewater;</p> <p>(c) water supply;</p> <p>(d) electricity supply; and</p> <p>(e) telecommunications.</p> <p>(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 SNZPAS 4509:2008 must be provided.</p>	Complies	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E39.6.1.4 Staging	<p>(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:</p> <p>(a) the time period over which the development is likely to take place;</p> <p>(b) the areas of land subject to the proposed stages; and</p> <p>(c) the balance area of the site remaining after the completion of each stage.</p>	Staging not proposed.	
E39.6.1.5 Overland flow paths	<p>(1) All subdivision must be designed to incorporate overland flow paths on the site.</p> <p>(2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.</p>	Complies	North western corner
E39.6.1.6 Existing vegetation	<p>(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:</p> <p>a) any areas identified as Significant Ecological Area in the</p>	Compliance to be achieved as (b) applies. No SEA present.	Northern boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	Significant Ecological Areas Overlay; or b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.		
E39.6.4 Standards – restricted discretionary activities			
E39.6.4.1 Subdivision establishing an esplanade reserve	<p>(1) Any subdivision involving the creation of sites less than 4 hectares and the proposed <u>site adjoins the line of mean high water springs</u> or the bank of a river or stream 3 metres or more in width or any lake, <u>must provide a minimum 20 metre wide esplanade reserve</u> in accordance with section 230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.</p> <p>(2) The width of any esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water spring, or the bank of a river or stream or margin of any lake.</p> <p>(3) Standards E38.7.3.2(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20</p>	<p>Complies</p> <p>Coastal esplanade proposed.</p>	Northern boundary

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	metres has been set aside under the Conservation Act 1987.		
E39.6.4.3 Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in (a) to (c) below are located outside of any land subject to coastal erosion or coastal storm inundation:	N/A – no proposed sites on land within the inundation overlay, no flood plain exists within site.	Overlay at northern boundary, to be contained within coastal esplanade lot.

5.1. Chapter H Zones

The site is zoned Future Urban and General Coastal Marine under the AUP; each are addressed in turn.

Rules

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
H18 Future Urban zone			
H18.4. 1 Activity table	(A1) Demolition of buildings	Permitted	
	(A2) New buildings	Non-complying activity - Same activity status as the proposed activity (A28).	Site wide – more than one dwelling proposed.
	(A27) Dwellings	Permitted	
	(A28) Dwellings that do not comply with Standard H18.6.8	Non-complying activity consent.	Site wide
H18.5 Notification	(1) Any application for resource consent for an activity listed in Table 18.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991. (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).		
H18.6 Standards			
All activities in Table H18.4.1 Activity table must comply with the relevant applicable standards in H18.6.1 to H18.6.16.			

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
H18.6.2 Building height	15m	Complies	
H18.6.3 Yards	Front yards: 10m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Southern boundary (Sinton Road)
	Side or rear yard: 6m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Eastern and western (side) boundaries
	Riparian yard: 20m from the edge of permanent and intermittent streams.	N/A – no stream.	
	Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard: 50m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Northern (rear) boundary
H18.6.8 Dwellings	(1) A proposed dwelling must not be located on a closed road or road severance allotment. (2) No more than one dwelling is permitted on any site.	Does not comply – more than one dwelling proposed, Non-complying activity consent required pursuant to (A28).	Site wide
F2 Coastal – General Coastal Marine zone			
F2.19.1 Activity table - Drainage, reclamation and declamation		Not proposed	
F2.19.2 Activity table - Depositing and disposal of material		Not proposed	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
F2.19.3 Activity table – Dredging		Not proposed	
F2.19.4 Activity table - Coastal marine area disturbance		Not proposed	
F2.19.5 Activity table - Planting in the coastal marine area		Not proposed	
F2.19.7 Activity table - Discharges to the coastal marine area		Refer to Chapter E8	
F2.19.8 Activity table - Use and activities		Not proposed	
F2.19.9 Activity table - Aquaculture activities		Not proposed	
F2.19.10 Activity table – Structures		Not proposed	

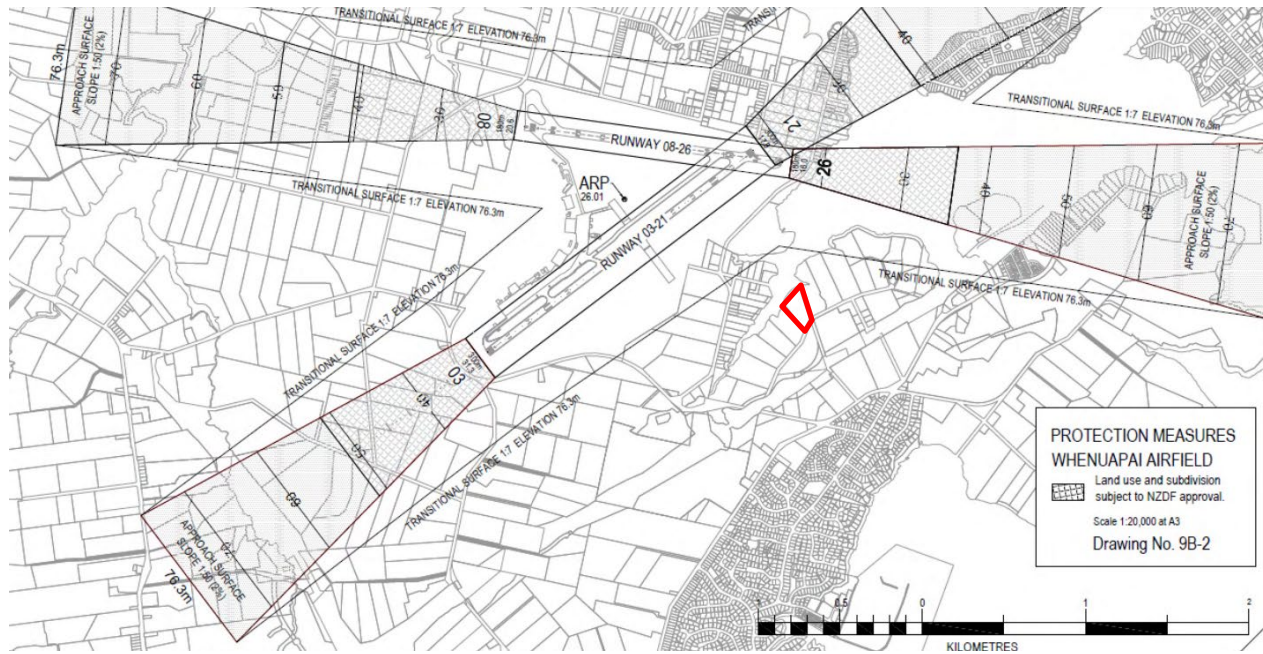
5.2. Chapter I Precincts

The site is not located within a Precinct.

5.3. Chapter K Designations

Rule	Comment	Resource Consent
Airspace Restriction Designation ID 4311 Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence		
Conditions - Restrictions Relating to Approach Paths	1. The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the areas of the designation shown on the planning maps as 'land use and subdivision subject to NZDF approval'. These areas are generally within 1,000 metres of the runways.	N/A – the site is not located within this area.
	2. No obstacle shall penetrate the approach and departure path obstacle limitation surfaces shown on the planning maps and explained by the text "Explanation of Protection Surfaces Whenuapai Airfield" and Diagram MD1A below without the prior approval in writing of the New Zealand Defence Force. This restriction shall not apply to any building being erected which has a height of not more than 9.0 metres above natural ground level.	Complies

Planning Assessment – 10 Sinton Road, Whenuapai



Explanation of Surfaces

The protection surfaces have been developed in accordance with NZ Civil Aviation Circulars (AC) 139-6 and AC 13910. Where two or more surfaces (whether take off, approach, transitional, horizontal or conical surfaces) coincide, the lower shall apply.

1. Takeoff, Approach and Transitional Surfaces

The Takeoff and Approach surfaces coincide and commence at 60 metres from the end of the runway threshold. The width of the start of the surface is 300 metres for Runways 03 and 21 and 180 metres for Runways 08 and 26. Each surface diverges in width each side at a rate of 1:6.6 (15%) and extends at a gradient of 1 in 50 (2%) for a total distance of 15 kilometres. As a result, maximum permitted building altitude increases with distance from the Airfield.

The Transitional Side Surfaces, which restrict building altitudes either side of the runway, are imposed either side of the aerodrome strip. The Transitional Side Surface slopes upward from the edge of the aerodrome strip at a gradient of 1:7 (14.3%) to the inner edge of the Inner Horizontal Surface at a height of 45 metres above the Aerodrome Elevation and at an elevation of 76.3 metres above mean sea level (AMSL). The effect of these surfaces on maximum building altitude is illustrated in Diagram MD1A.

Statutory Assessment

16 Sinton Road, Whenuapai – Site C

(yellow text indicates consent matter)

1. NES – Managing Contaminants

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NES – Contamination**”) will apply if the sites are likely to have been used in the past for an activity described in the Ministry for the Environment’s Hazardous Activities and Industries List (“**HAIL**”).

The site has been used for viticultural and horticultural purposes and a DSI is required to confirm the consent requirements pursuant to the NES-SC – **it is likely that Restricted Discretionary activity consent will be required.**

2. NES – Freshwater

Resource consent **may be required** under the National Environmental Standards for Freshwater) Regulations 2020 (“NES – Freshwater”).

Reference	Reference	Activity status / Reasons for consent	Location of proposed activity
NES - Freshwater			
<i>Restoration of Natural Wetland</i>			
Regulation 38 Permitted activities Restoration of natural wetlands	<p>(1) Vegetation clearance within, or within a 10 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>(3) The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland is a permitted activity if it—</p> <p>(a) is for the purpose of natural wetland restoration; and</p> <p>(b) complies with the conditions.</p> <p>Conditions</p> <p>(4) The conditions are that—</p>	<p>Permitted activity – restoration works may be undertaken within 10m of the coastal wetland.</p> <p>Consent will be required as a Restricted Discretionary activity under reg 39 if the conditions at clause (4) cannot be complied with.</p>	Rear boundary

Reference	Reference	Activity status / Reasons for consent	Location of proposed activity
	<p>(a) (the activity must comply with the general conditions on natural wetland activities in regulation 55; and</p> <p>(b) If the activity is vegetation clearance, earthworks, or land disturbance, the activity must not occur over more than 500 m² or 10% of the area of the natural wetland, whichever is smaller.</p> <p>(5) However, the condition in subclause (4)(b) does not apply if the earthworks or land disturbance is for planting.</p>		
Wetland			
Regulation 52 Non-complying activities	<p><i>Drainage of natural wetlands</i></p> <p>(1) <u>Earthworks outside, but within a 100 m setback from,</u> a natural wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	N/A - while earthworks are proposed within 100m of the coastal wetland, the Ecological Memo at Appendix 7 confirms these works will be designed so as <u>not to result in the complete or partial drainage</u> of the wetland.	Northern boundary

Reference	Reference	Activity status / Reasons for consent	Location of proposed activity
	<p>(2) The <u>taking, use, damming, diversion, or discharge of water outside, but within a 100 m setback from,</u> a natural wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A - while the discharge and diversion of stormwater are proposed within 100m of the coastal wetland, the Ecological Memo at Appendix 7 confirms these works will be designed so as <u>not to result in the complete or partial drainage</u> of the wetland.</p>	Northern boundary
Regulation 53 Prohibited activities	<p>Earthworks within a natural wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A – Ecology Memo at Appendix 7 confirms the proposal is not a prohibited activity.</p>	

Reference	Reference	Activity status / Reasons for consent	Location of proposed activity
	<p>The taking, use, damming, diversion, or discharge of water within a natural wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	N/A – Ecology Memo at Appendix 7 confirms the proposal is not a prohibited activity.	
Regulation 54 Non-Complying activities	<p>The following activities are non-complying activities if they do not have another status under this subpart:</p> <p>a) vegetation clearance within, or within a 10 m setback from, a natural wetland:</p>	Consent is <u>unlikely to be required</u> under reg 54 as no works are proposed within or within 10m of the coastal wetland except for restoration (which is permitted under reg 38).	Rear boundary
	<p>b) earthworks within, or within a 10 m setback from, a natural wetland:</p>	Consent is <u>unlikely to be required</u> under reg 54 as no works within or within 10m of the coastal wetland are proposed except for restoration (which is	Rear boundary

Reference	Reference	Activity status / Reasons for consent	Location of proposed activity
		permitted under reg 38).	
	c) the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland.	Non-complying activity consent	Rear boundary

3. Auckland Unitary Plan

Chapter D Overlays

No Chapter D rules relate to the following overlay:

- Significant Ecological Areas.
- Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Kumeu Waitemata Aquifer.

Chapter E Auckland-wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E8 – Natural Resources: Stormwater – Discharge and diversion			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E8.4.1 Activity table	(A4) Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.2.3.	Permitted activity Complies with standards E8.6.1 and E8.6.2.3	Site wide
	(A5) Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.4.1.	Restricted discretionary activity consent may be required - road area TBC.	Site wide – new internal roads
	(A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for.	Discretionary activity consent.	Site wide
E8.6 Standards			
E8.6.1 General standards	<p>(1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater matters.</p> <p>(2) The diversion and discharge must not cause or increase scouring or erosion at the point of discharge or downstream.</p>	Complies	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>(3) The diversion and discharge must not result in or increase the following:</p> <ul style="list-style-type: none"> (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). <p>(4) The diversion and discharge must not cause or increase nuisance or damage to other properties.</p> <p>(5) The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water:</p> <ul style="list-style-type: none"> (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. 		

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E8.6.2 Permitted activity standards			
E8.6.2.3. Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road...	(1) Any road ancillary area must not be used for: (a) storage of roading and building materials that are not inert for more than 30 days continuously; and works / building yards. (b) Works / building yards.	Complies	Site wide – new internal roads
E8.6.4.1. Diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m ² of road...	(1) Where stormwater runoff is directed to an existing stormwater network, including road side drainages, swales and catchpits, these must be managed and maintained to ensure effective operation and to prevent erosion, sediment generation and discharge. (2) Any road ancillary area must not be used for: (a) storage of roading and building materials that are not inert for more than 30 days continuously; (b) works / building yards. (3) Where stormwater runoff from an impervious area is discharged into a stream receiving environment, it must be managed by a stormwater management device to meet the hydrology mitigation requirements E10.6.3.1.1(1) specified for Stormwater	Complies	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	management area – Flow 1 in Table E10.6.3.1.1 Hydrology mitigation requirements, except as provided for in E10.6.3.1.1(2). (4) Stormwater management devices must be provided to reduce or remove contaminants from stormwater runoff.		
E9 – Natural Resources: Stormwater quality – High contaminant generating car parks and high use roads			
N/A – the proposed road does not meet the AUP definition of a “high contaminant generating high use road”, however runoff from all roads is proposed to be treated prior to discharge regardless.			
E10 – Natural Resources: Stormwater management area – Flow 1 and Flow 2			
N/A – the site is not located within a SMAF area.			
E11 – Natural Resources: Land disturbance – Regional			
Note: The AUP defines “Sediment Control Protection Area” as: <i>(a) 100m either side of a foredune or <u>100m landward of the coastal area</u> (whichever is the more landward of mean high water springs); or 50m landward of the edge of a lake, river or stream, or the edge of a wetland of 1,000m² or greater.</i>			
E11.4.1	General earthworks north otherwise listed in this table	Restricted discretionary activity consent.	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
Activity tables	<p>(A3) Up to 10,000m² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – permitted.</p> <p>(A2) Greater than 10,000m² up to 50,000m² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – controlled.</p> <p>(A6) Up to 2,500m² where land has a slope equal to or greater than 10 degrees – permitted.</p> <p>(A8) Greater than 2,500m² where land has a slope equal to or greater than 10 degrees – restricted discretionary.</p>		
E11.6 Standards	Standards (1)-(3)	Complies	
E11.6.1. Accidental discovery rule	Standards (1)-(8)	Complies	
E11.6.2. General standards	Standards relating to undertaking regional earthworks.	Complies	
E12 – Natural Resources: Land disturbance – District			
E12.4	<i>General earthworks not otherwise listed</i>	Restricted discretionary	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
Activity table	(A6) Greater than 2500m ² – restricted discretionary.	activity consent.	
	(A10) Greater than 2500m ³ – restricted discretionary.	Restricted discretionary activity consent.	Site wide
E12.6 Standards			
E12.6.1. Accidental discovery rule	Standards (1)-(3)	Complies	
E12.6.2. General standards	(1) Land disturbance within riparian yards and coastal protection yards are limited to: (b) less than 5m ² or 5m ³ for general earthworks;	Does not comply – Restricted discretionary activity consent required pursuant to C1.9.	Northern boundary
	Standards relating to undertaking district earthworks.	Complies	Site wide
E15 – Natural Resources: Vegetation management and biodiversity			
E15.4.1	(A18) Vegetation alteration or removal within 20m of a natural wetland	Restricted Discretionary activity consent may be	Northern boundary

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
Activity table		required to construct the pedestrian walkway within esplanade reserve and to undertake enhancement planting.	
	(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 ... Future Urban zone	Restricted Discretionary activity consent may be required to construct pedestrian walkway along coastal esplanade reserve.	Northern boundary
	(A22) 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, 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.	Restricted Discretionary activity consent may be required to construct pedestrian walkway along coastal esplanade reserve.	Northern boundary
E15.6 General Standards			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E15.6.3 Conservation Planting	Standards apply to significant ecological areas and ONF Overlays only.	N/A	
E17 – Natural Resources: Trees in roads			
E17.4.1 Activity table	(10) Tree removal of any tree greater than 4m in height or greater than 400mm in girth.	Restricted discretionary activity consent required to remove trees to construct road extension.	Southern road boundary to construct road extension in paper road.
E25 – Built Environment: Noise and vibration			
E25.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards.	Permitted Compliance expected to be achieved with permitted activity standards.	Site wide
E25.6 Standards			

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E25.6.1 General Standards	<p>(1) Noise levels must be measured and assessed in accordance with the New Zealand Standards NZS 6801:2008 and 6802:2008 Acoustics.</p> <p>(2) Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply.</p> <p>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.</p>	Compliance to be achieved.	
E25.6.3. Noise levels in rural and future urban zones	<p>The noise (rating) level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone below:</p>	Complies	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity							
	<table><tr><th>Time</th><th>Noise level</th></tr><tr><td>Monday to Saturday 7am-10pm</td><td rowspan="2">55dB L_{Aeq}</td></tr><tr><td>Sunday 9am-6pm</td></tr><tr><td>All other times</td><td>45dB L_{Aeq} 75dB L_{AFmax}</td></tr></table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	All other times	45dB L _{Aeq} 75dB L _{AFmax}		
Time	Noise level									
Monday to Saturday 7am-10pm	55dB L _{Aeq}									
Sunday 9am-6pm										
All other times	45dB L _{Aeq} 75dB L _{AFmax}									
E25.6.27 Construction noise levels	Construction noise levels must not exceed the levels in Table E25.6.27.1 when measured from the façade of any building that contains an activity sensitive to noise that is occupied during the works.	Compliance is likely due to separation distance from occupied buildings and standard construction methodologies proposed.								
E25.6.30 Vibration	Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed the German Industrial Standard DIN4150-3 (1999) and the limited in Table E25.6.30.1 of the AUP. Some exceedances for short durations are permitted.	Compliance is likely due to separation distance from occupied buildings and standard construction methodologies proposed.								
E26 – Infrastructure										

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E26.2.3.1 Activity Table - Network Utilities in residential zones / roads	(A56) Water, wastewater and stormwater outfalls and ancillary structures.	Permitted	Northern boundary to construct stormwater outfall.
	(A58) Stormwater treatment devices, erosion protection, culverts, measuring devices (flow structures).	Permitted	Northern boundary to construct stormwater outfall.
E26.2.5.3 Specific activities within zones	<i>Underground pipelines for gas, water, wastewater and stormwater</i> (24) Any above ground section of pipe...	N/A – pipes are underground	
E27 – Infrastructure: Transport			
E27.4.1 Activity table	(A2) Parking, loading and access which is an accessory activity and does not comply with the standards for parking, loading and access – restricted discretionary activity. (A3) Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 – restricted discretionary activity.	Restricted discretionary activity consent may be required subject to final design of road, access and parking, and trip generation.	Site wide – new vested road to be constructed, vehicle crossings to be provided from new road and JOALs.
E27.5	Subject to normal tests for notification.		

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
Notification			
E27.6. Standards			
E27.6.1. Trip generation	<p>(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:</p> <p>(a) a new development in Table E27.6.1.1;</p> <p>(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; or</p> <p>(c) a proposed subdivision of land which has capacity under this Plan to accommodate more than 100 dwellings resource consent for a restricted discretionary activity is required.</p>	Trip generation to be confirmed.	Site wide
E27.6.2(4) Number of parking spaces	Deleted	N/A	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity								
E27.6.2(6) Bicycle parking	1 per 20 short-stay 1 per dwelling without a dedicated garage	Design to comply.	Site wide								
E27.6.2(7) End of trip facilities	End of trip facilities to be provided for office, education or hospital facilities.	N/A									
E27.6.2(8) Number of loading spaces	<table><tr><td>Up to 5000m²</td><td>No loading required</td></tr><tr><td>Greater than 5000m² up to 20,000m²</td><td>1</td></tr><tr><td>Greater than 20,000m² up to 90,000m²</td><td>2</td></tr><tr><td>Greater than 90,000m²</td><td>3 spaces plus space 1 for every additional 40,000m²</td></tr></table>	Up to 5000m ²	No loading required	Greater than 5000m ² up to 20,000m ²	1	Greater than 20,000m ² up to 90,000m ²	2	Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²	No loading space required.	
Up to 5000m ²	No loading required										
Greater than 5000m ² up to 20,000m ²	1										
Greater than 20,000m ² up to 90,000m ²	2										
Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²										
E27.6.3. Design of parking and loading spaces											
E27.6.3.1. Size and location of parking spaces	Defines the size, use and location of parking spaces.	Complies All spaces are located within the same site, will not be used for any other purpose and will always be available.	Site wide								

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E27.6.3.2. Size and location of loading spaces	None required	N/A	
E27.6.3.3. Access and manoeuvring	<p>(1) Access and manoeuvring for vehicles must meet the 85 percentile tracking curves in Figure E27.6.3.3.1.</p> <p>(2) For every loading space accommodating heavy vehicles, the access and manoeuvring areas associated with that loading space must comply with the tracking curves set out in the NZTA guidelines RTS 18: NZ on-road tracking curves (2007).</p> <p>(3) Where a dwelling provides more than one parking space, these may be stacked.</p>	N/A	
E27.6.3.4. Reverse manoeuvring	N/A	No restrictions given local roads.	
E27.6.3.5. Vertical clearance	2.1m clearance required for residential activities.	N/A	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E27.6.3.6. Formation and gradient	(1) Parking and manoeuvring to be formed in all weather surface. (2) N/A (3) Parking space gradient of 1 in 25 for accessible spaces and 1 in 20 for other spaces. (4) Manoeuvring area gradient of 1 in 8 required.	Compliance can be achieved due to relatively flat topography and size of site.	Site wide
E27.6.3.7. Lighting	Lighting required for 10 more parking spaces.	Compliance to be achieved.	
E27.6.4. Access			
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.	N/A – No VAR applies.	
E27.6.4.2(T146) Width and number of vehicle crossings	<ul style="list-style-type: none"> Maximum number of vehicle crossings per road frontage of the site: 1 crossing per 25m of frontage or part thereof. Minimum separation from crossings serving adjacent sites: 2m provided that two crossings on adjacent sites can be combined where they do not exceed a 	Complies to Sinton Road, internal road compliance to be confirmed – Restricted discretionary activity consent required	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity									
	<p>total width of 6m at the property boundary.</p> <ul style="list-style-type: none">• Minimum separation between crossings serving the same site: 6m.	pursuant to C1.9 if compliance is not achieved.										
E27.6.4.3(T148) Width of vehicle access and queuing requirements	Length of access must not exceed 50m and width of access must not exceed 5.5m.	Complies	Site wide									
E27.6.4.3(T149) Width of vehicle access and queuing requirements	In the residential zone serving one or two parking spaces, the minimum width of the crossing at the site boundary must be 2.75m and the maximum width 3m, with a minimum formed access width being 2.5m.	Complies	Site wide									
E27.6.4.4(T157) Gradient of vehicle access	<table><tr><th colspan="2">Access type</th><th>Maximum gradient</th></tr><tr><td>(T156A)</td><td>Vehicle access serving one residential rear site</td><td>1 in 4 (25 per cent)</td></tr><tr><td>(T157)</td><td>Vehicle access serving any other residential activities (including rear sites)</td><td>1 in 5 (20 per cent)</td></tr></table>	Access type		Maximum gradient	(T156A)	Vehicle access serving one residential rear site	1 in 4 (25 per cent)	(T157)	Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)	Compliance is likely to be achieved due to reasonably flat topography and size	Site wide
Access type		Maximum gradient										
(T156A)	Vehicle access serving one residential rear site	1 in 4 (25 per cent)										
(T157)	Vehicle access serving any other residential activities (including rear sites)	1 in 5 (20 per cent)										

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
		of site.	
E30 – Environmental Risk: Contaminated land			
E30.4.1 Activity table	(A2) Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants.	Restricted discretionary activity consent likely - DSI required to confirm.	Site wide
E30.6.1 Permitted activity standards			
E30.6.1.2 Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of	(1) The volume of soil disturbed must not exceed: (a) 200m ³ per site; or (b) 200m ³ per project for sites or roads with multiple concurrent land disturbance projects, where the cumulative total volume of soil disturbance associated with each given project will be used when determining activity status; or	DSI required to confirm consent requirements.	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
contaminants	<p>(c) an average depth and width of 1m for linear trenching by network utilities in the road or rail corridor. For the purpose of this rule the railway corridor does not include land more than 10m from the rail tracks.</p> <p>(2) Prior to the activity commencing:</p> <p>(a) the Council must be advised of the activity in writing if the volume of soil disturbed on land containing elevated levels of contaminants exceeds 25m³, including details of the measures and controls to be implemented to minimise discharges of contaminants to the environment, and such controls are to be effective for duration of the activity and until the soil is reinstated to an erosion-resistant state; and</p> <p>(b) controls on linear trenching must be implemented to manage discharges to the environment from trenches acting as migration pathways for contaminants.</p> <p>(3) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons.</p> <p>(4) The duration of soil disturbance on a site must not exceed two months.</p>		

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	(5) Any contaminated material removed from the site must be disposed of at a facility or site authorised to accept such materials.		
E36 – Environmental Risk: Natural hazards and flooding			
E36.4.1 Activity Table	<i>Activities on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1 m sea level rise area – N/A</i>	N/A - No works are proposed within the overlay which is wholly situated within the esplanade reserve.	Northern boundary
	<i>Activities in overland flow paths</i> (A39) Fences and walls located within or over an overland flow path do not obstruct the overland flow path.	Permitted activity	Various across site
	(A41) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path.	N/A – the entry and exit location and capacity of the overland flow paths will be retained.	Various across site

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	(A42) Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path.	Restricted discretionary activity consent required – buildings will be located in the flow path as shown on Geomaps, however the flow path will be redirected within the site (and retain the same exit location).	Various across site
	<i>Infrastructure</i> (A56) All other infrastructure in the 1% AEP Flood plain and overland flow paths not otherwise provided for.	N/A – no infrastructure proposed in overland flow path.	OLFP at north western corner
E36.6 Standards			
E36.6.1.10 Fences and walls within or over an overland flow path	(1) Any ponding of floodwater caused by any fence or wall must not extend beyond (upstream of or adjacent to) the site. (2) Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.	Complies	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39 – Subdivision: Subdivision – Rural (including Future Urban zone)			
E39.4.1 Subdivision for specified purposes	(A5) Subdivision establishing an esplanade reserve.	Restricted discretionary activity – coastal esplanade reserve proposed.	North western boundary
	(A8) Subdivision of land within any of the following natural hazard areas: <ul style="list-style-type: none"> • 1 per cent annual exceedance probability floodplain; • coastal storm inundation 1 per cent annual exceedance probability (AEP) area; • <u>coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area;</u> • <u>coastal erosion hazard area;</u> or • land which may be subject to land instability. 	Restricted discretionary activity – the inundation overlay is wholly located within the proposed coastal esplanade reserve; coastal erosion hazard area located within esplanade reserve.	North western boundary
	(A9) Any subdivision not meeting the standards in E39.6.1 General standards for subdivision.	Discretionary activity consent.	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39.4.3 Subdivision in Future Urban Zone	(A28) Subdivision for open spaces, reserves or road realignment.	Discretionary activity consent.	Site wide – roads, reserves
	(A29) Any other subdivision not provided for in Table E39.4.1 or E39.4.3.	Non-complying activity consent.	Site wide
E39.5 Notification	Subject to normal tests for notification.		
E39.6 Standards			
E39.6.1 General standards for subdivision			
E39.6.1.1 Specified building area	(1) A specified building area must be clearly identified on every site on a subdivision scheme plan on which a building is to be constructed.	Complies	Site wide
	(2) Where the site contains an existing dwelling at the time the subdivision application is made, the specified building area must include ...	Not applicable	

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	<p>(3) The specified building area must meet all of the following:</p> <p>(a) include a single area of at least 2,000m² clear of all of the following:</p> <ul style="list-style-type: none"> (i) all yards; (ii) one per cent annual exceedance probability floodplain areas; (iii) coastal storm inundation 1 per cent annual exceedance probability (AEP) area; (iv) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; (v) coastal erosion hazard area; (vi) land which may be subject to land instability; (vii) access to all proposed building platforms or areas; and (viii) on-site private infrastructure required to service the intended use of the site. <p>(b) be able to be linked by adequate and appropriate vehicle access to a formed public road;</p> <p>(c) be identified as the only place within the site where dwellings, any accessory buildings, and related parking and manoeuvring areas can be located; and</p> <p>(d) be located outside of the Quarry Buffer Area Overlay.</p>	<p>Does not comply – Discretionary activity consent required pursuant to (A5).</p>	<p>Site wide</p>

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39.6.1.2 Access and entrance strips	<p>All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:</p> <p>(a) are being created for reserves, network utilities or road closure; or</p> <p>(b) will be amalgamated with another site that already has legal and physical access to a road.</p>	Complies – all sites will be provided with vehicle crossings.	Site wide
E39.6.1.3 Services	<p>(1) For all proposed sites capable of containing a building...each lot must be designed and located so that provision is made for the following services:</p> <p>(a) collection, treatment and disposal of stormwater;</p> <p>(b) collection, treatment and disposal of wastewater;</p> <p>(c) water supply;</p> <p>(d) electricity supply; and</p> <p>(e) telecommunications.</p> <p>(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 SNZPAS 4509:2008 must be provided.</p>	Complies	Site wide

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39.6.1.4 Staging	<p>(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:</p> <p>(a) the time period over which the development is likely to take place;</p> <p>(b) the areas of land subject to the proposed stages; and</p> <p>(c) the balance area of the site remaining after the completion of each stage.</p>	N/A - Staging not proposed	
E39.6.1.5 Overland flow paths	<p>(1) All subdivision must be designed to incorporate overland flow paths on the site.</p> <p>(2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.</p>	Complies	Various across site
E39.6.1.6 Existing vegetation	<p>(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:</p> <p>(a) any areas identified as Significant Ecological Area in the Significant</p>	Compliance to be achieved as (b) applies. No SEA present.	North western boundary

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
	Ecological Areas Overlay; or (b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.		
E39.6.4 Standards – restricted discretionary activities			
E39.6.4.1 Subdivision establishing an esplanade reserve	<p>(1) Any subdivision involving the creation of sites less than 4 hectares and the proposed <u>site adjoins the line of mean high water springs</u> or the bank of a river or stream 3 metres or more in width or any lake, <u>must provide a minimum 20 metre wide esplanade reserve</u> in accordance with section 230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.</p> <p>(2) The width of any esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water spring, or the bank of a river or stream or margin of any lake.</p> <p>(3) Standards E38.7.3.2(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20 metres has been set aside under the Conservation Act 1987.</p>	Complies Coastal esplanade proposed.	North western boundary

Reference	Rule	Activity status / Reasons for consent	Location of proposed activity
E39.6.4.3 Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area	(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in (a) to (c) below are located outside of any land subject to coastal erosion or coastal storm inundation: 	N/A – no proposed sites on land within the inundation overlay.	North western boundary

5.1. Chapter H Zones

The site is zoned Future Urban and General Coastal Marine under the AUP; each are addressed in turn.

Rules

Reference	Rule	Activity status / Reason for consent	Location of proposed activity
H18 Future Urban zone			
H18.4. 1 Activity table	(A1) Demolition of buildings	Permitted	
	(A2) New buildings	Non-complying activity - Same activity status as the proposed activity (A28).	
	(A27) Dwellings	Permitted	
	(A28) Dwellings that do not comply with Standard H18.6.8	Non-complying activity consent.	Site wide
H18.5 Notification	<p>(1) Any application for resource consent for an activity listed in Table 18.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.</p> <p>(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).</p>		
H18.6 Standards			

Reference	Rule	Activity status / Reason for consent	Location of proposed activity
All activities in Table H18.4.1 Activity table must comply with the relevant applicable standards in H18.6.1 to H18.6.16.			
H18.6.2 Building height	15m	Complies	
H18.6.3 Yards	Front yards: 10m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Southern boundary (Sinton Road)
	Side or rear yard: 6m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	Eastern and western side boundaries
	Riparian yard: 20m from the edge of permanent and intermittent streams	N/A – no stream	
	Coastal protection yard or as otherwise specified for the site in Appendix 6 Coastal protection yard: 50m	Does not comply in all locations - Restricted Discretionary activity consent required pursuant to C1.9.	North western boundary
H18.6.8 Dwellings	(1) A proposed dwelling must not be located on a closed road or road severance allotment. (2) No more than one dwelling is permitted on any site.	Does not comply – more than one dwelling proposed, Non-complying activity consent required pursuant to (A28).	Site wide

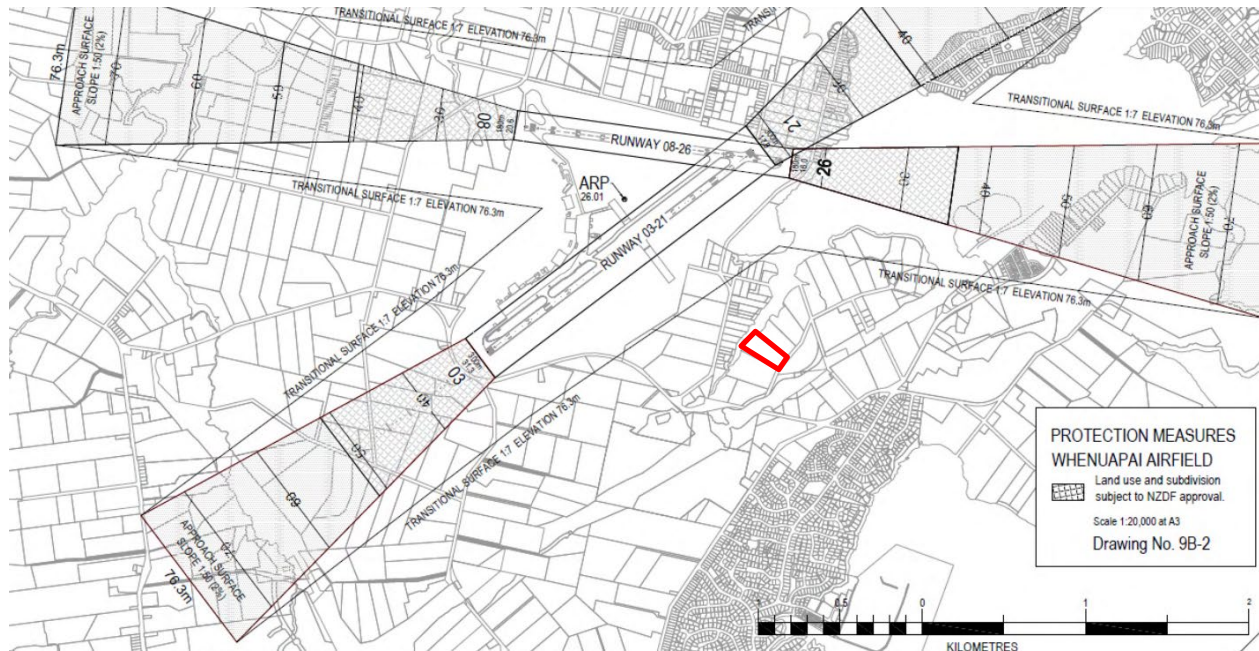
Reference	Rule	Activity status / Reason for consent	Location of proposed activity
F2 Coastal – General Coastal Marine zone			
F2.19.1 Activity table - Drainage, reclamation and declamation		Not proposed	
F2.19.2 Activity table - Depositing and disposal of material		Not proposed	
F2.19.3 Activity table – Dredging		Not proposed	
F2.19.4 Activity table - Coastal marine area disturbance		Not proposed	
F2.19.5 Activity table - Planting in the coastal marine area		Not proposed	
F2.19.7 Activity table - Discharges to the coastal marine area		Refer to Chapter E8	
F2.19.8 Activity table - Use and activities		Not proposed	
F2.19.9 Activity table - Aquaculture activities		Not proposed	
F2.19.10 Activity table – Structures		Not proposed	

5.2. Chapter I Precincts

The site is not located within a Precinct.

5.3. Chapter K Designations

Rule	Comment	Resource Consent
Airspace Restriction Designation ID 4311 Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence		
Conditions - Restrictions Relating to Approach Paths	1. The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the areas of the designation shown on the planning maps as 'land use and subdivision subject to NZDF approval'. These areas are generally within 1,000 metres of the runways.	N/A – the site is not located within this area.
	2. No obstacle shall penetrate the approach and departure path obstacle limitation surfaces shown on the planning maps and explained by the text "Explanation of Protection Surfaces Whenuapai Airfield" and Diagram MD1A below without the prior approval in writing of the New Zealand Defence Force. This restriction shall not apply to any building being erected which has a height of not more than 9.0 metres above natural ground level.	Complies



Explanation of Surfaces

The protection surfaces have been developed in accordance with NZ Civil Aviation Circulars (AC) 139-6 and AC 13910. Where two or more surfaces (whether take off, approach, transitional, horizontal or conical surfaces) coincide, the lower shall apply.

1. Takeoff, Approach and Transitional Surfaces

The Takeoff and Approach surfaces coincide and commence at 60 metres from the end of the runway threshold. The width of the start of the surface is 300 metres for Runways 03 and 21 and 180 metres for Runways 08 and 26. Each surface diverges in width each side at a rate of 1:6.6 (15%) and extends at a gradient of 1 in 50 (2%) for a total distance of 15 kilometres. As a result, maximum permitted building altitude increases with distance from the Airfield.

The Transitional Side Surfaces, which restrict building altitudes either side of the runway, are imposed either side of the aerodrome strip. The Transitional Side Surface slopes upward from the edge of the aerodrome strip at a gradient of 1:7 (14.3%) to the inner edge of the Inner Horizontal Surface at a height of 45 metres above the Aerodrome Elevation and at an elevation of 76.3 metres above mean sea level (AMSL). The effect of these surfaces on maximum building altitude is illustrated in Diagram MD1A.

Statutory Assessment

90 Trig Road, Whenuapai – Site D

(yellow text indicates consent matter)

1. NES – Managing Contaminants

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NES – Contamination**”) will apply if the sites are likely to have been used in the past for an activity described in the Ministry for the Environment’s Hazardous Activities and Industries List (“**HAIL**”).

Historic aerial photographs indicate the site has historically been used for pastoral activity however Auckland Council’s Geomaps indicate HAIL activities have occurred on the site. A DSI is required to confirm the consent requirements pursuant to the NES-SC – it is likely that Restricted Discretionary activity consent will be required.

2. Auckland Unitary Plan

2.1. Chapter D Overlays

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
D24 – Infrastructure: Aircraft Noise Overlay			
D24.4 Activity table for North Shore Airport, Kaipara Flats Airfield and Whenuapai Airbase	<i>Development between the 55dB Ldn and 65dB Ldn noise boundaries (including Lot 3 DP 104718)</i>		
	(A1) New activities sensitive to aircraft noise (ASAN) Chapter J defines ASAN as: <i>Any dwellings, boarding houses, marae, papakāinga, integrated residential development, retirement villages, supported residential care, care centres, education facilities, tertiary education facilities, hospitals, and healthcare facilities with an overnight stay facility.</i>	N/A – no ASAN are proposed	
	(A2) New activities sensitive to aircraft noise that do not comply with Standard D24.6.1(1)	N/A – no ASAN are proposed	
	(A3) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise	N/A – there are no existing ASAN	
	(A4) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise that do not comply with Standard D24.6.1(1)	N/A – there are no existing ASAN	
	<i>Development within the 65dB Ldn noise boundary (excluding Lot 3 DP 104718)</i>		
	(A5) New activities sensitive to aircraft noise	N/A the site is not within the 65dB Ldn noise boundary	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	(A6) Alterations or additions to existing buildings accommodating activities sensitive to aircraft	N/A the site is not within the 65dB Ldn noise boundary	
	<i>Subdivision</i>		
	(A7) Subdivision of land for activities sensitive to aircraft noise to create a new site within the 65dB Ldn noise boundary	N/A – the site is not within the 65dB Ldn noise boundary	
	(A8) Subdivision of land for <u>activities sensitive to aircraft noise</u> to create a new site between the 55dB Ldn and 65dB Ldn noise boundaries	N/A – no ASAN proposed	
D24.5. Notification	(1) Any application for resource consent for an activity listed in Table D24.4.1, Table D24.4.2 and Table D24.4.3 above will be subject to the <u>normal tests</u> for notification under the relevant sections of the Resource Management Act 1991.		
	(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in <u>Rule C1.13(4)</u> .	Rule C1.13(4), refer clause (f) - in relation to an overlay to manage reverse sensitivity effects, the operator of the activity which is protected by the overlay from such effects will require specific consideration	
D24.6.1. North Shore Airport, Kaipara Flats, and Whenuapai	<p>(1) The following activities:</p> <ul style="list-style-type: none"> D24.4.1(A1) New activities sensitive to aircraft noise; and D24.4.1(A3) Alterations or additions to existing buildings accommodating activities sensitive to aircraft noise 	N/A – the proposal does not involve either activity	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>must provide sound attenuation and related ventilation and/or air conditioning measures:</p> <ul style="list-style-type: none"> (a) to ensure the internal noise environment of habitable rooms does not exceed a maximum noise level of 40dB Ldn; (b) that are certified by a person suitably qualified and experienced in acoustics to the Council's satisfaction prior to its construction; and (c) so that the related ventilation and/or air conditioning system(s) satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed. 		

2.2. Chapter E Auckland-wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E8 – Natural Resources: Stormwater – Discharge and diversion			
E8.4. Activity table	<i>Diversion and discharge of stormwater runoff from impervious areas onto or into land or into water or to the coastal marine area pursuant to sections 14 and 15 of the Resource Management Act 1991 [rcp/rp]</i>		
	(A4) Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road (which include road ancillary areas that are part of a road, motorway or state highway operated by a road controlling authority) or rail corridor that complies with Standard E8.6.1 and Standard E8.6.2.3	Permitted activity Complies with standards E8.6.1 and E8.6.2.3	Site wide - road
	(A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for	Discretionary activity consent	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E8.5 Notification	Normal tests for notification apply		
E8.6. Standards			
E8.6.1. General standards	<p>All activities listed in Table E8.4.1 must meet the standards in E8.6.1.</p> <ol style="list-style-type: none"> (1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater matters – N/A (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 flooding (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: <ol style="list-style-type: none"> (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; (e) any significant adverse effects on aquatic life; (f) Where the diversion and discharge is to ground soakage, groundwater recharge or peat soil areas any existing requirements for ground soakage, 	Complies	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	including devices to manage discharges or soakage, must be complied with – N/A		
E8.6.2 Permitted activity standards			
E8.6.2.3 Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² of road...	(1) Any road ancillary area must not be used for: (a) storage of roading and building materials that are not inert for more than 30 days continuously; and (b) works / building yards.	Complies	Site wide - roads
E9 – Stormwater quality – High contaminant generating car parks and high use roads			
E11.4 Activity table	(A6) Development of a new or redevelopment of an existing high contaminant generating car park greater than 5,000m ²	Restricted discretionary activity consent	Site wide
E10 – SMAF			
N/a			
E11 – Natural Resources: Land disturbance – Regional			
E11.4 Activity table	(A3) Up to 10,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – permitted (A2) Greater than 10,000m ² up to 50,000m ² where land has a slope less than 10 degrees outside the Sediment Control Protection Area – controlled	Controlled activity consent	Site wide
E11.5 Notification	Normal tests for notification apply		
E11.6 Standards			

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E11.6 1 Accidental discovery rule	Accidental discovery protocols apply	Complies	
E11.6.2 General standards	Standards for undertaking regional earthworks	Complies – earthworks modelling is to be undertaken considering the overland flow path etc to ensure compliance with engineering requirements including GD05, and the Road design code of practice for example	Site wide
E12 – Natural Resources: Land disturbance – District			
E12.4 Activity table	(A6) Greater than 2500m ² – restricted discretionary (A10) Greater than 2500m ³ – restricted discretionary	Restricted discretionary activity consent	Site wide
E12.5 Notification	Normal tests for notification apply		
E12.6. Standards			
E12.6.1. Accidental discovery rule	Accidental discovery protocols apply	Complies	
E12.6.2. General standards	Standards for undertaking regional earthworks	Complies	Site wide
E24 – Built Environment: Lighting			

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E24.4 Activity table	(A1) Activities that comply with all relevant permitted activity standards	Permitted	Site wide
E24.5 Notification	Normal tests for notification apply		
E24.6 Standards	Refer plan	Lighting to be designed to comply	
E25 – Built Environment: Noise and vibration			
E25.4. Activity table	(A1) Activities that comply with all relevant permitted activity standards	Permitted	Site wide
E25.5 Notification	Normal tests for notification apply		
E25.6. Standards	<p>(1) Noise levels must be measured and assessed in accordance with the New Zealand Standards NZS 6801:2008 and 6802:2008 Acoustics.</p> <p>(2) Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply.</p> <p>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.</p>	Complies	
E25.6.3. Noise levels in rural and	The noise (rating) level arising from any activity in the Future Urban zone measured within the boundary of any other site in that zone must not exceed:	Compliance likely to be achieved given yard activity and/or warehouse	

Reference	Rule		Activity status / reasons for consent	Location of proposed activity							
future urban zones	<table><tr><th>Time</th><th>Noise level</th></tr><tr><td>Monday to Saturday 7am-10pm</td><td rowspan="2">55dB L_{Aeq}</td></tr><tr><td>Sunday 9am-6pm</td></tr><tr><td>All other times</td><td>45dB L_{Aeq} 75dB L_{AFmax}</td></tr></table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	All other times	45dB L _{Aeq} 75dB L _{AFmax}		activity internal to buildings	
Time	Noise level										
Monday to Saturday 7am-10pm	55dB L _{Aeq}										
Sunday 9am-6pm											
All other times	45dB L _{Aeq} 75dB L _{AFmax}										
E25.6.27 Construction noise	Construction noise levels must not exceed the levels in Table E25.6.27.1 when measured from the façade of any building that contains an activity sensitive to noise that is occupied during the works.		Compliance likely to be achieved given separation distance from occupied buildings and limited scope of construction works required.								
E25.6.30 Vibration	Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed the German Industrial Standard DIN4150-3 (1999) and the limited in Table E25.6.30.1 of the AUP Some exceedances for short durations are permitted		Compliance likely to be achieved given separation distance from occupied buildings and limited scope of construction works required.								
E27 – Infrastructure: Transport											
E27.4. Activity table	(A1) Parking, loading and access which is an accessory activity and complies with the standards for parking, loading and access – permitted (A2) Parking, loading and access which is an accessory activity but which does not comply with the standards for parking, loading and access – restricted discretionary		Restricted Discretionary activity consent may be required subject to final design of road, access and parking	Site wide – access points at Trig and Spedding Road frontages							

Reference	Rule	Activity status / reasons for consent	Location of proposed activity													
	(A3) Any activity which exceeds the trip generation standards set out in Standard E27.6.1	Restricted discretionary activity	Road access located at Spedding Road, and one vehicle crossing at Trig Road													
E27.5 Notification	Normal tests for notification apply															
E27.6. Standards																
E27.6.1. Trip generation	Where a proposal exceeds 20,000m ² GFA of warehousing and storage activity, restricted discretionary activity consent is required	Does not comply - Restricted discretionary activity consent required pursuant to E27.4.1(A3)	Road access located at Spedding Road, and one vehicle crossing at Trig Road													
E27.6.2(4) Number of parking spaces	Deleted	N/A														
E27.6.2(6) Bicycle parking	1 visitor short stay bike park plus 1 space per 750m ² GFA of office space. 1 long stay secure bike park per 300m ² GFA of office	Design to comply with standard	Site wide													
E27.6.2(7) End of trip facilities	End of trip facilities to be provided for office, education or hospital facilities	N/A														
E27.6.2(8) Number of loading spaces	<table border="1"> <tr> <td>(T112)</td><td rowspan="4">All other activities, except for activities within rural zones</td><td>Up to 5000m²</td><td>No loading required</td></tr> <tr> <td>(T113)</td><td>Greater than 5000m² up to 20,000m²</td><td>1</td></tr> <tr> <td>(T114)</td><td>Greater than 20,000m² up to 90,000m²</td><td>2</td></tr> <tr> <td>(T115)</td><td>Greater than 90,000m²</td><td>3 spaces plus space 1 for every additional 40,000m²</td></tr> </table>	(T112)	All other activities, except for activities within rural zones	Up to 5000m ²	No loading required	(T113)	Greater than 5000m ² up to 20,000m ²	1	(T114)	Greater than 20,000m ² up to 90,000m ²	2	(T115)	Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²	Design to comply with standard	Site wide
(T112)	All other activities, except for activities within rural zones	Up to 5000m ²		No loading required												
(T113)		Greater than 5000m ² up to 20,000m ²		1												
(T114)		Greater than 20,000m ² up to 90,000m ²		2												
(T115)		Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²													

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E27.6.3. Design of parking and loading spaces			
E27.6.3.1. Size and location of parking spaces	Defines the size, use and location of parking spaces	Design to comply	Site wide
E27.6.3.2. Size and location of loading spaces	11m x 3.5m	Design to comply	
E27.6.3.3. Access and manoeuvring	(1) Access and manoeuvring for vehicles must meet the 85 percentile tracking curves in Figure E27.6.3.3.1 (2) For every loading space accommodating heavy vehicles, the access and manoeuvring areas associated with that loading space must comply with the tracking curves set out in the NZTA guidelines RTS 18: NZ on-road tracking curves (2007) (1) (3) Where a dwelling provides more than one parking space, these may be stacked.	All spaces are anticipated to have dedicated access aisles to accommodate B85 vehicle tracking	Site wide
E27.6.3.4. Reverse manoeuvring	N/A	No reverse manoeuvring required	
E27.6.3.5. Vertical clearance	2.1m clearance required for residential activities	Buildings designed to comply	Two warehouse buildings in western part of the site
E27.6.3.6. Formation and gradient	(1) Parking and manoeuvring to be formed in all weather surface (2) N/a	All parking areas will be formed, drained, with all-	Site wide

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
	<p>(3) Parking space gradient of 1 in 25 for accessible spaces and 1 in 20 for other spaces</p> <p>(4) Manoeuvring area gradient of 1 in 8 required</p>	<p>weather surfaces – complies</p> <p>All other parking spaces will be formed on a gradient no steeper than 1 in 20 (5%) – complies</p> <p>Manoeuvring areas for all lots will have a gradient not exceeding 1 in 8 (12.5%) – complies</p>	
E27.6.3.7. Lighting	Lighting required for 10 more parking spaces	Suitable lighting will be provided along the accessway and rear private lanes	Site wide
E27.6.4. Access			
E27.6.4.1. Vehicle Access Restrictions	<p>(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:</p> <p>(a) is located within 10m of any intersection as measured from the property boundary</p> <p>(b) is subject to the following types of VAR as identified on the planning maps listed in Table E27.6.4.1.1</p> <p>(c) has frontage to an arterial road</p> <p>(d) is located closer than 30m from a railway level crossing limit line</p>	No access to an arterial road is proposed. All proposed vehicle crossings are located more than 10m from the nearest intersection	

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
E27.6.4.2. Width and number of vehicle crossings	(T146) – 1 per 25m of frontage or part thereof; 2m minimum separation distance between crossings serving adjacent sites; 6m minimum separation distance between crossings serving same site All vehicle crossings must be designed and constructed to maintain the level, colour, and materials of the footpath	Design to comply	Trig and Spedding Road frontages
E27.6.4.3 Vehicle crossing and vehicle access widths	Serving 1 or 2 parking spaces – min width of crossing at boundary 2.7m; max width 3m Serving 3 – 9 parking spaces – min width of crossing at boundary 3m (one way); max width 3.5m (one way) Serving 10 or more parking spaces – min width of crossing at boundary 5.5m (two way); max width 6m (two-way)	Design to comply	Trig and Spedding Road frontages
E27.6.4.4. Gradient of vehicle access	(T157) Vehicle access servicing any other residential properties – 1 in 5 (20%)	Design to comply	
E30 – Environmental Risk: Contaminated land			
E30.4.1 Activity table	(A2) Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants	Restricted discretionary activity consent likely - DSI required to confirm	Site wide
E30.6.1 Permitted activity standards			

<p>E30.6.1.2</p> <p>Discharges of contaminants into air, or into water, or onto or into land from disturbing soil on land containing elevated levels of contaminants</p>	<p>(1) The volume of soil disturbed must not exceed:</p> <p>(a) 200m³ per site; or</p> <p>(b) 200m³ per project for sites or roads with multiple concurrent land disturbance projects, where the cumulative total volume of soil disturbance associated with each given project will be used when determining activity status; or</p> <p>(c) an average depth and width of 1m for linear trenching by network utilities in the road or rail corridor. For the purpose of this rule the railway corridor does not include land more than 10m from the rail tracks.</p> <p>(2) Prior to the activity commencing:</p> <p>(a) the Council must be advised of the activity in writing if the volume of soil disturbed on land containing elevated levels of contaminants exceeds 25m³, including details of the measures and controls to be implemented to minimise discharges of contaminants to the environment, and such controls are to be effective for duration of the activity and until the soil is reinstated to an erosion-resistant state; and</p> <p>(b) controls on linear trenching must be implemented to manage discharges to the environment from trenches acting as migration pathways for contaminants.</p> <p>(3) Any discharge from land containing elevated levels of contaminants must not contain separate phase liquid contaminants including separate phase hydrocarbons.</p>	<p>DSI required to confirm compliance or consent requirements</p>	
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	(4) The duration of soil disturbance on a site must not exceed two months. (5) Any contaminated material removed from the site must be disposed of at a facility or site authorised to accept such materials.		
E36 – Environmental Risk: Natural hazards and flooding			
E36.4.1 Activity table	<i>Activities in overland flow paths</i> (A39) Fences and walls located within or over an overland flow path do not obstruct the overland flow path	Permitted activity	Various across site
	(A41) Diverting the entry or exit point, piping or reducing the capacity of any part of an overland flow path	Restricted discretionary activity consent may be required - yet to be confirmed	Diversion location to be confirmed, if required
	(A42) Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path	Restricted discretionary activity consent may be required - yet to be confirmed	Warehouse buildings appear to be located outside of the overland flow paths however detailed design is required to confirm
E36.6 Standards			
E36.6.1.10 Fences	(1) Any ponding of floodwater caused by any fence or wall must not extend beyond	Complies	Various across site

and walls within or over an overland flow path	(upstream of or adjacent to) the site. (2) Standard E36.6.1.10(1) above does not apply where the fence and wall design is controlled by a rule or standard elsewhere in the Plan.	Fencing will be designed to comply in locations where overland flow paths exist.	
E39 – Subdivision: Subdivision – Rural (including Future Urban zone)			
E39.4.1 Subdivision for specified purposes	(A9) Any subdivision not meeting the standards in E39.6.1 General standards for subdivision	Discretionary activity	Site wide
E39.4.3 Subdivision in Future Urban Zone	(A29) Any other subdivision not provided for in Table E39.4.1 or E39.4.3	Non-complying activity	Site wide
E39.5 Notification	Subject to normal tests for notification.		
E39.6 Standards			
E39.6.1 General standards for subdivision			
E39.6.1.1 Specified building area	(1) A specified building area must be clearly identified on every site on a subdivision scheme plan on which a building is to be constructed.	Complies	

	(2) Where the site contains an existing dwelling at the time the subdivision application is made, the specified building area must include ...	N/A	
	<p>(3) The specified building area must meet all of the following:</p> <p>(a) include a single area of at least 2,000m² clear of all of the following:</p> <ul style="list-style-type: none"> (i) all yards; (ii) one per cent annual exceedance probability floodplain areas; (iii) coastal storm inundation 1 per cent annual exceedance probability (AEP) area; (iv) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise area; (v) coastal erosion hazard area; (vi) land which may be subject to land instability; (vii) access to all proposed building platforms or areas; and (viii) on-site private infrastructure required to service the intended use of the site. <p>(b) be able to be linked by adequate and appropriate vehicle access to a formed public road;</p> <p>(c) be identified as the only place within the site where dwellings, any accessory buildings, and related parking and manoeuvring areas can be located; and</p> <p>(d) be located outside of the Quarry Buffer Area Overlay.</p>	<p>Does not comply – Discretionary activity consent required pursuant to (A5).</p>	<p>Western part of the site – two warehouse buildings</p>

E39.6.1.2 Access and entrance strips	<p>All proposed sites must be provided with legal and physical access to a road, unless they meet one of the following:</p> <p>(a) are being created for reserves, network utilities or road closure; or</p> <p>(b) will be amalgamated with another site that already has legal and physical access to a road.</p>	Complies – all sites will be provided with a vehicle crossing	Site wide
E39.6.1.3 Services	<p>(1) For all proposed sites capable of containing a building...each lot must be designed and located so that provision is made for the following services:</p> <p>(a) collection, treatment and disposal of stormwater;</p> <p>(b) collection, treatment and disposal of wastewater;</p> <p>(c) water supply;</p> <p>(d) electricity supply; and</p> <p>(e) telecommunications.</p> <p>(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 SNZPAS 4509:2008 must be provided</p>	Complies	Site wide
E39.6.1.4 Staging	<p>(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:</p>	N/A - Staging not proposed	

	<p>(a) the time period over which the development is likely to take place;</p> <p>(b) the areas of land subject to the proposed stages; and</p> <p>(c) the balance area of the site remaining after the completion of each stage.</p>		
E39.6.1.5 Overland flow paths	<p>(1) All subdivision must be designed to incorporate overland flow paths on the site.</p> <p>(2) Stormwater must exit the site in a location that does not increase the risk of hazards to downstream properties.</p>	Complies	Various
E39.6.1.6 Existing vegetation	<p>(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:</p> <p>(a) any areas identified as Significant Ecological Area in the Significant Ecological Areas Overlay; or</p> <p>(b) any other areas of indigenous vegetation, wetlands, waterways, streams, rivers and lakes.</p>	N/A – no features exist.	
E39.6.4 Standards – restricted discretionary activities			
E39.6.4.1 Subdivision establishing an esplanade	<p>(1) Any subdivision involving the creation of sites less than 4 hectares and the proposed site adjoins the line of mean high water springs or the bank of a river or stream 3 metres or more in width or any lake, must provide a minimum 20 metre wide esplanade reserve in accordance with section</p>	N/A	

reserve	<p>230 of the Resource Management Act 1991. This must be shown on the application plan and the subsequent land transfer plan.</p> <p>(2) The width of any esplanade reserve must be measured in a landward direction at 90 degrees to the line of mean high water spring, or the bank of a river or stream or margin of any lake.</p> <p>(3) Standards E38.7.3.2(1) and (2) do not apply to the subdivision of Treaty Settlement Land where a marginal strip of at least 20 metres has been set aside under the Conservation Act 1987.</p>		
<p>E39.6.4.3</p> <p>Subdivision of land in the coastal erosion hazard area; or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area</p>	<p>(1) Each proposed site on land in the coastal erosion hazard area or the coastal storm inundation 1 per cent annual exceedance probability (AEP) area must demonstrate that all of the relevant areas/features in (a) to (c) below are located outside of any land subject to coastal erosion or coastal storm inundation:</p> <p>....</p>	N/A – no sites with hazards	

2.3. Chapter H Zones

The site is zoned Future Urban Zone under the AUP.

Rules

Reference	Rule	Activity status / reasons for consent	Location of proposed activity
H18 Future Urban zone			
H18.4. 1 Activity table	(A1) Demolition of buildings - permitted (A2) New buildings – same activity status as the proposed activity	Activities not provided for require consent as a Discretionary activity pursuant to C1.7.	Warehouse buildings in western part of site
H18.5 Notification	(1) Any application for resource consent for an activity listed in Table 18.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991. (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).		
H18.6 Standards			
All activities in Table H18.4.1 Activity table must comply with the relevant applicable standards in H18.6.1 to H18.6.16.			
H18.6.2 Building height	15m	Complies	
H18.6.3 Yards	Front yards: 10m Side or rear yard: 10m	Does not comply – Restricted discretionary	Unit A within Lot 9 will be located around 2m from the northern front yard.

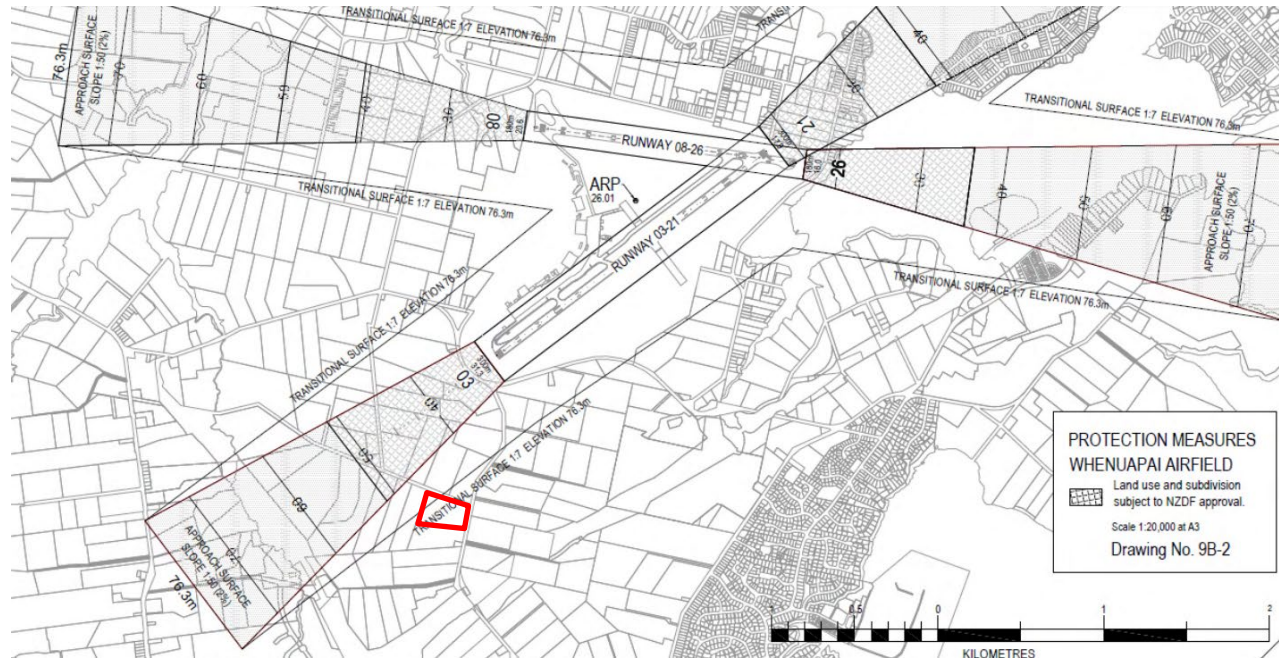
Reference	Rule	Activity status / reasons for consent	Location of proposed activity
		activity consent required pursuant to C1.9.	Unit B within Lot 8 will be located around 1m from the western side yard.

2.4. Chapter I Precincts

The site is not located within a precinct.

2.5. Chapter K Designations

Reference	Rule	Activity status / reasons for consent
Airspace Restriction Designation ID 4311 Defence purposes – protection of approach and departure paths (Whenuapai Air Base), Minister of Defence		
Conditions - Restrictions Relating to Approach Paths	1. The approval in writing of the New Zealand Defence Force is required prior to the erection of any building, change in use of any land or building, or any subdivision of land, and prior to any building or resource consent application for such works/activities, within the areas of the designation shown on the planning maps as 'land use and subdivision subject to NZDF approval'. These areas are generally within 1,000 metres of the runways.	N/A – the site is not located within this area
	2. No obstacle shall penetrate the <u>approach and departure path obstacle limitation surfaces</u> shown on the planning maps and explained by the text "Explanation of Protection Surfaces Whenuapai Airfield" and Diagram MD1A below without the prior approval in writing of the New Zealand Defence Force. This restriction shall not apply to any building being erected which has a height of not more than 9.0 metres above natural ground level.	Buildings will be designed to comply with the obstacle limitation surfaces.



Explanation of Surfaces

The protection surfaces have been developed in accordance with NZ Civil Aviation Circulars (AC) 139-6 and AC 13910. Where two or more surfaces (whether take off, approach, transitional, horizontal or conical surfaces) coincide, the lower shall apply.

1. Takeoff, Approach and Transitional Surfaces

The Takeoff and Approach surfaces coincide and commence at 60 metres from the end of the runway threshold. The width of the start of the surface is 300 metres for Runways 03 and 21 and 180 metres for Runways 08 and 26. Each surface diverges in width each side at a rate of 1:6.6 (15%) and extends at a gradient of 1 in 50 (2%) for a total distance of 15 kilometres. As a result, maximum permitted building altitude increases with distance from the Airfield.

The Transitional Side Surfaces, which restrict building altitudes either side of the runway, are imposed either side of the aerodrome strip. The Transitional Side Surface slopes upward from the edge of the aerodrome strip at a gradient of 1:7 (14.3%) to the inner edge of the Inner Horizontal Surface at a height of 45 metres above the Aerodrome Elevation and at an elevation of 76.3 metres above mean sea level (AMSL). The effect of these surfaces on maximum building altitude is illustrated in Diagram MD1A.