

Chapter 17.3 — Mangere–Puhinui Rural Area

17.3.1 Introduction

[AM109]

The Mangere–Puhinui rural area is situated at the western extremity of the City. The area is defined by the urban limits of the City to the east and north, and by the Manukau Harbour to the west and south.

This rural area is identified in the *Auckland Regional Policy Statement* as being outside of the Metropolitan Urban Limits. A policy of the *Auckland Regional Policy Statement* is that urban development is permitted only within the metropolitan urban area as defined by the metropolitan urban limits. This policy seeks to achieve, amongst other things, the objectives of avoiding adverse effects on the environment and the effective and efficient use of natural and physical resources. Chapter 4 — City's Environment establishes the principles and strategies of urban containment and consolidation of the city within the urban limits, and restraints on urban development in the rural areas of the City, consistent with the *Auckland Regional Policy Statement*.

[AM89]

While the Mangere–Puhinui area lies outside the urban area, it does face considerable pressure for urbanisation. The area is broken up into relatively small pockets of rural lands which are each bordered by residential or business areas.

The area is significantly influenced by the presence of two large utility facilities, namely the Mangere Wastewater Treatment Plant and the Auckland International Airport. Both of these facilities are of regional significance and the Airport is of national importance.

A further major characteristic of the area is its proximity to the Manukau Harbour. Much of the area may be considered to be within the coastal environment, due to its proximity to the Manukau Harbour and its tributaries and the influence of the coast on the ecological, recreational, cultural and spiritual values and visual character of the area.

The patterns of land ownership and land activities, and the presence of features of ecological, natural, cultural and built heritage, or spiritual significance vary throughout the area, as discussed in the following paragraphs.

The Ihumatao area contains archaeological sites which are protected under the Historic Places Act.

The open nature of the land between the Otataua Stonefields and Oruarangi and Ihumatao Roads provides an important visual and cultural heritage context to the Stonefields.

Lands and waters in the Kirkbride Road area are designated by Watercare Services Ltd. for the Mangere Wastewater Treatment Plant. A major upgrading of the Plant has occurred, resulting in a significant enhancement of the coastal environment and consequential changes to its operational land requirements.

[AM109]

The Pukaki Road area is rural in character, generally in horticultural use with Pukaki Lagoon being a significant landscape feature with considerable spiritual significance to tangata whenua. The Pukaki area is a traditional settlement area for tangata whenua, with papakainga housing in the area being re-established in recent years.

The Puhinui Peninsula is rural in character, being generally in horticultural and pastoral farming use. The Puhinui Reserve is a large area of public open space which protects the coastal and ecological values of the end of the Peninsula, in addition to providing an area for recreational opportunities. The Papatoetoe

Cemetery and Crematorium located at the intersection of Puhinui Road with State Highway 20 is a notable activity with an open space character, and somewhat removed from the more sensitive coastal areas. The Puhinui Peninsula area as a whole, has come under considerable development pressure with the establishment of the Eastern Access route to the Auckland International Airport.

Puketutu Island is accessible by way of a causeway road. It is an isolated rural area, generally in farming and quarrying use, with a restaurant and conference venue. It is the intention of the owner of the land that quarrying be phased out of the site in or before the year 2010. As each area of quarrying is completed on the island, that land affected will be rehabilitated and developed and used for a variety of rural, forestry, heritage, tourist related, and recreational and open space activities. These developments are subject to any necessary resource consents and will respect the Island's heritage values and its unique Island character.

The Portage Road area is in pastoral farming use and part of the area is designated as a Council water reserve.

[AM13]

Two settlements of Papakainga housing are also located in the Mangere–Puhinui rural area. Chapter 2 — City's People details the issues, objectives and policies and methods for these settlements.

17.3.2 Resource Management Issues

Eight resource management issues related to the Mangere–Puhinui rural area have been identified, as described below. A summary of each issue precedes each issue statement.

Issue

17.3.2.1 Activities, particularly activities not associated with farming, have the potential to adversely affect the rural character of the area.

The Mangere–Puhinui area has a generally rural character, and is generally used for farming activities. The effects of urban activities on the rural character could be more than minor. These potential adverse effects relate to the qualities which make up the rural character as discussed below.

The rural character can be attributed in part to the small number of buildings which are scattered, rather than densely grouped, in the area. Building development is generally limited to farm buildings and household units on farming sites. The rural character is also formed by the activities which take place. These are mainly farming activities with the presence of vegetation associated with farming, such as pasture and crops and shelter belts. One exception to this is the former Villa Maria winery complex site which is located at the northern extremity of the Mangere-Puhinui area adjacent to the MUL within the Creamery Road Special Policy Area shown on Planning Map 6 and which contains a number of densely grouped warehouse type buildings.

[AM68]

The predominant absence of large-scale and high-intensity activities in the Mangere–Puhinui rural area contributes to that rural character, including the absence of characteristics such as large sealed areas and lighting which is associated with some urban activities, such as service stations.

[AM68]

The rural character is due also to the open space qualities derived from paddocks and fields which may be open or framed by shelter belt planting, and from outlooks and views to the distance, which are unimpeded by buildings. Such views include sight-lines to the Manukau Harbour from various locations, and to significant and notable landforms in and adjoining the area, such as McLaughlins Mountain and Mangere Mountain.

The quiet and tranquil nature of much of the rural area contributes to its character. Exceptions include road noise in those areas immediately adjacent to major roads and those parts of Puhinui which are subject to intermittent aircraft noise associated with the Auckland International Airport. [AM109]

Issue

17.3.2.2 Activities may adversely affect the visual amenity values of the area.

The visual amenity values of the area are largely due to its farming activities, and are generally those of an uncluttered rural area. There is an absence of buildings on the skyline and the modest number of buildings are of a small scale.

The visual impact of large-scale buildings, and buildings which are prominently sited, could be significant. The location, external appearance and screening of houses in some areas may be an issue if a significant visual impact is to be avoided.

Parts of the Mangere–Puhinui area are of a high visual quality which could be adversely affected by development; these parts include much of the Puhinui Peninsula and the Ihumatao and Otutataua area. This high quality visual amenity is a product of the farming land uses and the open spaces, the flat to gently undulating landform, and the homogeneous appearance of the land, and views to the coast. The visual amenity values of these parts may also be sensitive to modification and have limited capability for absorption of changes.

The visual amenity values of some parts of the area are affected by proximity to or views of urban facilities, such as Auckland International Airport, or the adjoining urban area, such as in the Kirkbride Road area. Special controls relating to development adjoining the Mangere Gateway Heritage Route are intended to maintain a high standard of amenity in that Area. [AM109]

Issue

17.3.2.3 Activities in the area may adversely affect the landscape amenity values.

The landscape amenity values of the Mangere–Puhinui area are generally of an area with a long history of human occupation, modified by farming and quarry activity. The landscape is a result of the cumulative effects of the physical and cultural processes in the area and includes the perceptual experience of an area. The area is, however, largely undeveloped.

The quality of the landscape in the Mangere–Puhinui area is a particular issue due to the location of the Auckland International Airport as the main entry and exit point for tourists and visitors to the country. The interpretation of the landscape in the area may particularly affect the perceptions of the City and the country by visitors. Leaving the International Airport and travelling east there are extensive views of the rural lands and the coastline towards Puhinui Reserve and beyond.

Parts of the area may be considered to be of a high landscape quality. Attributes contributing to a high quality of landscape include a number of outstanding and significant volcanic landforms. The Otutataua Stonefield has outstanding remains of pre-European Maori agricultural systems and is the last remaining area in the Auckland region in which the record of continuity of settlement over the last 600 to 1000 years is clearly visible on the surface of the land.

Puketutu Island is a significant volcanic landform in the City. The island is an isolated compound volcanic centre with tuff ring remnants, scoria cones and lava fields. Quarry activity has taken place on the western side of the island over a number of years, and much of the rest of the island may contain mineral resources. There is the potential risk therefore of further degradation of the landform and disturbance of archaeological sites.

Pukaki Lagoon is a circular explosion crater with a tuff ring breached on the seaward side by a narrow channel. The crater was tidal but the lagoon was drained in the 1920s, and is used for grazing along with the crater rim and surrounding area. The significance of the lagoon to tangata whenua is discussed in section 17.3.2.6. Crater Hill is a large tuff ring with a fresh water lake in the floor of its explosion crater. It is

unique in the Auckland Region in having evidence on the inner slopes of the tuff ring of a former lava lake that rose up inside the crater forming a cooled crust on top before retreating back down the throat.

The coastal margins of the area are particularly sensitive to change and are high in landscape quality. Sensitivity to land use change and landform modification results from the openness of the landscape in those areas.

Some areas which border urban land uses may be less sensitive to landscape modification due to the presence of the adjoining urban activities. Urban land uses in the area include the Auckland International Airport, the Mangere Wastewater Purification Works and the Papatoetoe Cemetery. The rural area adjacent to these urban activities and also to the fringe of the rural areas adjoining the residential and business areas of Mangere and Wiri, may be somewhat less sensitive to landscape modification.

The Creamery Road Special Policy Area applies to the site of the former Villa Maria winery and is also an area that may be less sensitive to landscape modification due to the presence of warehouse-type buildings on the site.

[AM68]

~~The narrow band of rural lands on Kirkbride and Oruarangi Roads lies outside the Metropolitan limits defined in the Auckland Regional Policy Statement.~~ However the rationale for this land being retained as rural has in the past been on the basis of a perceived need for a buffer between the Mangere Wastewater Purification Works and the built-up urban area. These rural lands have soils of high quality, but it may be appropriate that the future of the rural zoning be reconsidered if changes in operation of the Treatment Plant mean odour nuisance is contained within the boundaries of the designated site. [AM89]

~~The area north and west of Ihumatao Road and Oruarangi Road and next to the regionally significant Otuataua Stonefields has high landscape amenity values. This area is sensitive to landscape modification and is not suited to urban development.~~

[AM109] Additions and strike through text above represent changes proposed by Plan Change 14, and which are subject to appeals (ENV-2009-AKL-502/505, ENV-2010-AKL-031)

~~The area south of Ihumatao Road is influenced by the presence of the Ihumatao Quarry, which is expected to remain in production until about 2025. The area also adjoins the Manukau Harbour to the west and the Auckland International Airport to the south-east.~~

[AM109] Addition to text above represents changes proposed by Plan Change 14, and which are subject to appeal (ENV-2010-AKL-031)

Issue

17.3.2.4 Activities in the rural area can cause a reduction in the productive potential of the land and soil resources from subdivision, soil coverage and soil modification.

Soil resources, and in particular high quality soils are finite resources. Activities can diminish or remove their productive potential. A high proportion of the Mangere–Puhinui area is land with high quality soils. The terrain is generally flat to gently undulating. This is reflected in the fact that much of the land is used for horticulture and pastoral farming.

Areas with more moderate quality soils are found in the southern part of the Puhinui Peninsula, to the southwest of Prices Road including the Puhinui reserve. Pockets of land are of low quality soil, such as that encompassing volcanic features such as the remnants of Maungataketake, otherwise known as Ellet's Mountain, Pukeiti and Otuataua volcanic cones, and Pukaki Lagoon and Crater Hill explosion craters.

Soil modification is a concern to individual land owners if they wish to sustain the productive use of the land, as well as to the wider community. Little is known about the loss of soil structure and fertility, or chemical contamination in Manukau, or the exact extent of soil erosion. However, awareness of the issues can be enhanced, and care taken to ensure that rural activities do not create problems in these areas, particularly soil erosion which can also have the added effects beyond the site on water quality.

The construction of buildings and other structures, such as roads, covers the soil and make it unusable. Although it can be argued that structures can be removed at the end of their economic life, the soils which they cover are effectively unusable for very long periods of time depending on the extent of the capital investment in the structures. Therefore, activities of an urban and capital-intensive nature such as industry, commercial activities and housing, if widespread would clearly make the soil resource unusable.

Activities which perceive a rural location desirable because of the space or amenity provided by rural areas, such as outdoor recreation, do not reduce the productive potential of the soil resource except for buildings associated with such activities.

Fragmentation of the land through subdivision can lead to foreclosure of certain land use options. The strong desire in the community to create opportunities for countryside living results in the fragmentation of the land, thus reducing access to the soil resource for activities requiring large lots. Conversely, if all land was held in large lots the potential for land to be used would also be restricted because some activities require small lots. It is therefore important to ensure that a mix of lot sizes is available so that the productive potential of the land and soil resources can be realised.

Issue

17.3.2.5 Natural heritage features may be damaged or destroyed when development of land occurs.

There are significant natural heritage features in the area, many of which are to be protected through public ownership and reserve classification. Natural heritage features and areas include native bush areas and habitats.

The Puhinui Peninsula adjoins the Puhinui Creek which is a wildlife refuge comprising a variety of bird habitats. Maintenance of the water quality of the creek through stormwater management of the catchment has been identified in the *Puhinui Stream Catchment Study* and the *Puhinui Stream Management Plan*. The potential effects of modification, development and use of land on the natural heritage features of Puhinui Peninsula need to be recognised.

The native bush on the Puhinui Reserve is protected by public ownership and through the reserve zoning. This bush area is important for shelter for the wading bird population of the adjacent salt marsh habitat, in the coastal marine area administered by the Auckland Regional Council. There is also a gazetted wildlife refuge located at the south end of the Peninsula on tidal lands.

The intertidal reefs which extend in to the sea on the western side of Puketutu Island are of value for coastal bird species, and is noted in the *Auckland Regional Plan: Coastal* Schedule 3 as a regionally important feature.

Issue

17.3.2.6 Activities may have an adverse effect on the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

The Mangere–Puhinui area has been occupied for many generations by Wai-o-Hua, in particular Wai-o-Hua te Akitai and Wai-o-Hua Te Ahi Waru of Tainui. Wai-o-Hua have strong ancestral associations with the whole area including lands, waahi tapu and waters.

Historically, a pa of the Wai-o-Hua people was established on the shores of the Puhinui Peninsula, at Papaahinu (Chapel Point Pa). This was located adjacent to the Waokauri creek. A further settlement was located later, in the mid 1860s, on the opposite shore of the Waokauri Creek at Pukaki. This was to become the main pa of the Wai-o-Hua Te Akitai. The family urupa stood above the Pukaki Tapu Lagoon and the Awa Tio stream. Another settlement in the area was at Ihumatao.

Much of this historic pattern of settlement was disturbed by the land wars of the 1860s and subsequent alienation of land through confiscation by the Crown. Under the New Zealand Land Settlements Act 1863,

1300 acres at Mangere, 1300 acres at Pukaki, and 110 acres at Ihumatao were confiscated by the Crown. Small areas of land were later returned as Native Reserves.

Given the strong ancestral associations and spiritual significance of the land to tangata whenua it is essential that their interests be recognised and provided for in the management of the area. Of particular concern is the effect of major developments on the relationship of tangata whenua with their marae and papakainga areas. Tangata whenua interests need to be afforded appropriate priority and respect in any potential siting of major works on or near Maori land, particularly so that the enjoyment of the land is not limited.

A further issue is the potential destruction of waahi tapu through site development. Waahi tapu in the area relate to the long occupation and association of the Wai-o-hua iwi in the area. Physical remnants of past Maori settlement in the area are present in a number of locations, such as Papaahinu (Chapel Point Pa), and the Otuataua Stonefields. Extensive visible evidence of settlement is also present along the Puhinui Stream and Puhinui Creek, associated with the historic Matukuturua Pa on the eastern side of the Puhinui Creek. These waahi tapu are at risk of disturbance from development.

Tangata whenua are the kaitiaki of the Manukau Harbour and adjoining lands. Following the recommendation of the Waitangi Tribunal on the Manukau Claim that the Pukaki Creek and tributaries be reserved for the exclusive use of the hapu of Pukaki marae, the Crown gazetted the creek as Maori reservation. The Auckland Regional Council's *Regional Plan: Coastal* recognises the cultural significance of this coastal area to tangata whenua, and the tangata whenua kaitiaki of the creek through a tangata whenua management area and relevant policies. The Tangata Whenua Management Area in the Pukaki Creek recognises the Maori reservation status of the Creek, for the purpose of a landing place, and place of historic, spiritual and cultural significance for the use and benefit of the hapu of te Akikai and Te Ahiwaru o Wai-o-hua. The Council has a duty under the Resource Management Act 1991 to not be inconsistent with the *Regional Plan: Coastal*.

[AM89]

The whole of the Pukaki crater, Tapuwae O Mataaho ki Pukaki, is ancestral Maori land of particular spiritual value to the tangata whenua. The lagoon is one of the sacred footsteps of Mataaho, the volcano god. The central lagoon and urupa situated on the southern rim were returned tangata whenua from the Council and private ownership respectively, to be held by the Pukaki Maori Marae Committee, following the recommendations of the Waitangi Tribunal on the Manukau Claim. The ownership of the lagoon had been transferred to the Manukau City Council from the Auckland Harbour Board in 1989 as part of the Boards residual assets. The Council sought and obtained empowering legislation to enable it to transfer the land to the Pukaki Maori Marae Committee at no cost.

Two papakainga housing areas and marae are located adjacent to the Mangere–Puhinui area, at Pukaki and Ihumatao. These areas are addressed in other Chapters of the District Plan. Activities neighbouring these settlements may give rise to adverse effects on the residential settlements, such as visual intrusion, noise, and air quality degradation.

Issue

17.3.2.7 The natural coastal environment of the Manukau Harbour may be adversely affected by activities taking place in proximity to the coastline.

Land modification and stormwater disposal associated with urban development may adversely affect water quality and the ecological, cultural, spiritual and cultural values of coastal areas. Building development in the coastal environment can detract from the visual amenity values of the area, and compromise ecological and cultural values. Development on land adjoining the coast also has the potential to remove public access to the coast.

Specific ecological values are present in the coastal environment of the Mangere–Puhinui area, as discussed in the following paragraphs. The area adjoins the Manukau Harbour and borders streams which flow into the Harbour. The coastal environment encompasses the coastal marine area, administered by the Auckland Regional Council, and the landward side above mean high water spring.

Much of the coastal marine area immediately adjoining the Mangere–Puhinui land area is identified in the ARC's *Regional Plan: Coastal* as Coastal Protection Area 1 and Coastal Protection Area 2. These are areas which have regional, national or international significance due to their ecological, landform or geological values.

[AM89]

The Pukaki–Waokauri Creek is identified in the ARC's *Regional Plan: Coastal* as a Tangata Whenua Management Area, in addition to the provisions of the Coastal Protection Area 2 applying in recognition of the high ecological values of the Creek.

[AM89]

The Puhinui Stream drains to the Puhinui Creek in the upper reaches of the Manukau Harbour. This area has special significance in that it is identified as a Coastal Protection Area 1 zone in recognition of the habitat values of the area, and it has also been declared a Wildlife Refuge (NZ Gazette 1964, p.1587).

The rural lands surrounding the Manukau Harbour at Puhinui, Pukaki and Ihumatao also contribute to the open space character of the coastal environment which is of a high visual amenity.

Issue

17.3.2.8 Cultural heritage resources may be damaged or destroyed by development.

European cultural features in the Mangere–Puhinui area include a number of historic buildings, particularly in the Oruarangi Road, Ihumatao and Westney Road area. The objectives, policies and methods relating to these heritage features are discussed in Chapter 6 — Heritage.

Issue

17.3.2.9 The operation of the Auckland International Airport may be adversely affected by the development of Activities Sensitive to Airport Noise within the Mangere–Puhinui Rural Area.

The Auckland International Airport and its flight paths are identified in the Auckland Regional Policy Statement as regionally significant infrastructure. The Policy Statement recognises that regionally significant infrastructure can be adversely affected if sensitive uses are allowed to develop nearby and that restrictions on the establishment of sensitive land uses may be required.

Most of the Mangere–Puhinui Rural Area is likely to be exposed to varying levels of aircraft noise in future and it is important that additional activities sensitive to aircraft noise do not establish within the area in a manner and to an extent that undermines the sustainable management of the physical resource represented by the Airport.

17.3.3 Objectives

Objective

17.3.3.1 To maintain the rural character of the Mangere–Puhinui area. [AM68] [AM109]

This objective relates to Issue 17.3.2.1

Objective

17.3.3.2 To protect the visual amenity values of the Mangere–Puhinui area.

This objective relates to Issue 17.3.2.2

Objective

- 17.3.3.3** To protect those landscape features, areas of high landscape quality, and areas with high levels of sensitivity to landscape modification which contribute to the amenity values of the Mangere–Puhinui area.

This objective relates to Issue 17.3.2.3

Objective

- 17.3.3.4** To manage the rural land and soil resources in such a way that they retain their productive potential.

This objective relates to Issue 17.3.2.4

Objective

- 17.3.3.5** To protect the natural and cultural heritage resources in the Mangere–Puhinui area.

This objective relates to Issue 17.3.2.5

Objective

- 17.3.3.6** To recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

This objective relates to Issue 17.3.2.6

Objective

- 17.3.3.7** To ensure that the natural coastal environment of the Manukau Harbour coastline is preserved.

This objective relates to Issue 17.3.2.7.

Objective

- 17.3.3.8** To protect Auckland International Airport from the adverse effects of the establishment of Activities Sensitive to Aircraft Noise within the Mangere–Puhinui Rural Area.

This objective relates to issue 17.3.2.9.

17.3.4 Policies

Policy

- 17.3.4.1** Non-farming activities located in the Mangere–Puhinui area should be those which require a rural location or which occupy sites already utilised by major non-farming activities which are identified in the District Plan through a Special Policy Area method. [AM68]

Explanation/Reasons

This policy seeks to achieve Objectives 17.3.3.1, 17.3.3.2 and 17.3.3.3.

The entire Mangere–Puhinui area is in close proximity to the City's urban area. In the urban area non-farming activities, such as business and social and cultural facilities, meet the needs of the urban and neighbouring rural populace with only minor adverse environmental effects. The same activities in the Mangere–Puhinui area have the potential to have major adverse effects, particularly on the rural character of the area. Any new non-farming activities, or extensions of existing non-farming activities, will therefore need to be carefully managed.

Special Policy Area

The Mangere-Puhinui rural zone includes a special policy area which has been applied to 4 hectares of land located on the corner of Kirkbride and Creamery Roads. The land has been used for winemaking since 1949 and is predominately surrounded by non residential activities.

Most of the land is occupied by the former Villa Maria Winery, which first established in the area in 1961, but which is relocating to a new site on Oruarangi and Montgomery Roads.

Applying a special policy area to the former Villa Maria site acknowledges the special circumstances of the site, including existing built development and historical land uses.

The building coverage on the land is a total of approximately 6,810m² of processing, storage, office, sales and other ancillary floor space which collectively constitute a valuable physical resource in the area. In order to sustainably manage this resource, the land has been specifically identified in the plan as the Creamery Road Special Policy Area, which includes as a controlled activity, a list of activities of the same or similar character to the existing winery. Depending on how these are managed, their effects may differ to those currently undertaken at the site. The special policy area will enable the site to be used beyond the existing use rights that might otherwise be applicable, while ensuring that the scale and intensity of the use remains appropriate to the rural zoning of the site and its location outside of the Metropolitan Urban Limits. Existing building coverage is approximately 17% and the Special Policy Area provisions would enable building coverage to increase to 25% of the total area of the Special Policy Area.

The name has been given to the area in recognition of its location on Creamery Road. The special policy area recognises the existing non rural character, and the expectation that similar business activities would continue at the site (in addition to those activities allowed elsewhere in the Mangere - Puhinui Rural Zone).

[AM68]

Methods

- Zones
- Rules — Activity Table

Policy

17.3.4.2 Development in the Mangere–Puhinui area should be compatible with the prevailing low intensity and small scale of building development in the Mangere–Puhinui area.

Explanation/Reasons

This policy seeks to achieve Objectives 17.3.3.2 and 17.3.3.3

Potential detractor from the visual amenity values of the area may be avoided by managing development so that the scale and intensity is compatible with the visual qualities and character of the area. Avoidance may be achieved by limiting the degree to which the area may be developed and managing the range of activities so that large scale activities will not establish in the area.

Methods

- Zones
- Rules — Activity Table
- Rules — Development and Performance Standards

Policy

- 17.3.4.3** Buildings should be sited, designed and screened by planting so as to avoid or mitigate any potential adverse effects on the rural character and visual amenity values of the Mangere–Puhinui area.

Explanation/Reasons

This policy seeks to achieve Objectives 17.3.3.1 and 17.3.3.2

Potential detracting from the visual amenity values and rural character of the area may be mitigated by managing the siting and design of buildings, including the siting and design of household units in areas of high visual quality.

Methods

- Rules — Development and Performance Standards

Policy

- 17.3.4.4** Development should avoid any potential adverse effects on the landscape amenity values of the area, particularly in areas of high quality landscapes.

Explanation/Reasons

This policy seeks to achieve to Objective 17.3.3.3

Intensive or widespread development, including household development, would compromise the rural character of the area, in particular the open space qualities that make up the area's amenity values.

Policy

- 17.3.4.5** Development should avoid, remedy or mitigate any adverse effects on the landscape amenity values along motor vehicle approach and departure routes to and from Auckland International Airport.

Explanation and Reasons

This policy seeks to achieve to Objective 17.3.3.4

Expansive views of rural open space are gained travelling east from the Airport. Further along the eastern route the farmland and tree planting provides a sense of enclosure. Travelling to the north from the Airport the open landscape in pastoral use is sensitive to modification.

Methods

- Zones
- Rules — Activity Table
- Rules — Development and Performance Standards

Policy

- 17.3.4.6** The land and soil resource should remain in a title structure that enables a range of activities to occur and operate in a way which efficiently and effectively utilises the soil and land resources.

Explanation/Reasons

This policy seeks to achieve to Objective 17.3.3.4

To sustainably manage the land and soil resources, the effects of subdivision need to be considered. Control of the subdivision of land is necessary to ensure that land fragmentation does not occur in a manner which prevents the efficient and effective use of the resources. Excessive fragmentation of the land holdings and the subsequent increase in financial value which generally occurs with the construction of buildings can make this difficult to achieve.

Methods

- Zones
- Subdivision controls

Policy

- 17.3.4.7** Buildings, structures and activities in the rural area should not compromise the future productive potential of the land and soil resources of the City, particularly high quality soils.

This policy seeks to achieve to Objective 17.3.3.4.

Explanation/Reasons

Buildings and structures should be encouraged to locate on soils of lower productivity. This will help to ensure that high quality soils are available for primary production.

Methods

- Zones
- Subdivisional controls
- Provision of information
- Matters for control and discretion and assessment criteria

Policy

- 17.3.4.8** Potential adverse effects on natural heritage resources should be avoided, remedied or mitigated.

Explanation/Reasons

This policy seeks to achieve to Objective 17.3.3.5

Natural heritage resources in the Mangere–Puhinui area include native bush and habitats for birds and other animals. These areas are at risk of destruction or damage by development and use of land.

Methods

- Zones
- Rules — Development and Performance Standards

Policy

17.3.4.9 Potential adverse effects of the use or development of land on the relationship of tangata whenua with their lands in or near the Mangere–Puhinui area should be avoided, remedied or mitigated.

Explanation/Reasons

This seeks to achieve relates to Objective 17.3.3.6

Development proposals need to take into account the relationship of tangata whenua with the area, and in particular the need to avoid any potential adverse effects on the ability of tangata whenua to enjoy the use of the lands in and adjoining the Mangere–Puhinui area.

Methods

- Zones
- Rules — Development and Performance Standards

Policy

17.3.4.10 Proposed development should avoid any adverse effects on any sites of historic, cultural or spiritual significance to tangata whenua.

Explanation/Reasons

This policy seeks to achieve to Objective 17.3.3.6

Development proposals need to take into account the relationship of tangata whenua with the area, and particularly with sites of special historic, cultural or spiritual significance. Known waahi tapu are recorded in the District Plan, Chapter 7 — Heritage. Other waahi tapu and culturally and spiritually significant sites may exist. Tangata whenua should be consulted in the early stages of any proposal which may affect these sites.

Methods

- Rules — Development and Performance Standards
- Matters for Control and Discretion
- Assessment Criteria

Policy

17.3.4.11 Adverse effects on the natural coastal environment in the Mangere–Puhinui area from development should be avoided, remedied or mitigated.

Explanation/Reasons

This policy seeks to achieve to Objective 17.3.3.7

The potential adverse effects on the natural coastal environment which can arise with development include adverse effects on ecological values, such as the destruction of habitats, and visual impacts of large scale development.

Methods

- Rules — Development and Performance Standards

Policy

17.3.4.12 Subdivision and development on Puketutu Island for visitor purposes should be limited to defined areas that are capable of accommodating development with minimal adverse effects on the heritage and open space values of the Island.

Explanation/Reasons

This policy seeks to achieve Objectives 17.3.3.2, 17.3.3.3, 17.3.3.5, 17.3.3.6 and 17.3.3.7.

Puketutu Island has a special island character, and significant cultural and heritage values. Therefore subdivision and development activities arising by way of future applications or plan changes would be expected to locate in areas where such values are best protected.

[AM13]

Policy

17.3.4.13 Locational limitations of mineral resources require protection of the Quarry Zone and lawfully established mineral extraction sites from the encroachment of sensitive activities that could create ongoing conflicts.

Explanation and Reasons

This policy relates to objective 17.3.3.4

This policy is designed to ensure that the siting and design of buildings proposed to be used for accommodation activities will avoid significant adverse effects on occupants from lawfully operating mineral extraction activities in the vicinity, to the extent that such effects may pressure extraction activities to unreasonably alter operating practices or even to close entirely. Each case will be evaluated on an individual basis, and will include consideration of the likely nature and level of effects generated by a mineral extraction activity, and any mitigation measures proposed, including any by the relevant mineral extraction activity. (Refer also to Policy 17.8.4.2 – Special Areas and Activities)

Methods

- Density controls
- Controls on siting activities and buildings

- Matters for control and discretion and assessment criteria
- Identification of mineral extraction buffer area.

[AM36]

Policy

17.3.4.14 Activities Sensitive to Aircraft Noise should be avoided or their adverse effects remedied or mitigated in the Mangere–Puhinui Rural Area.

Explanation/Reasons

This policy seeks to achieve Objective 17.3.3.8

The establishment of Activities Sensitive to Aircraft Noise within the Mangere-Puhinui Rural Area where exposure to aircraft noise is high has the potential to compromise the sustainable management of the nearby Auckland International Airport. Where exposure to aircraft noise is moderate within the Area, such activities should meet acoustic insulation and ventilation performance standards to ensure that a satisfactory internal acoustic environment is available to inhabitants and that their potential adverse effects on the operation of the Airport are mitigated.

Methods

- Rule 5.21 — activities
- Rule 5.21 — development and performance standards
- Matters for control and discretion
- Assessment criteria

17.3.5 Strategy for the Mangere–Puhinui Area

The strategy for the Mangere–Puhinui rural area summarises the overall approach to managing the natural and physical resources in the area in order to promote sustainable management. The strategy results from the objectives and policies for the area.

The strategy for managing the resources of the Mangere–Puhinui rural area is a precautionary one, which recognises that the rural community needs to be able to provide for their social, economic and cultural wellbeing.

A key element of the strategy for the Mangere–Puhinui area is the anticipated city-wide environmental result of containing urban development. The outcome is aimed at, among others set out in Chapter 2, to avoid the adverse effects of urban expansion on the Mangere–Puhinui rural area. These include the degradation of significant landscapes, rural character, amenity values, loss of productive potential of soils and damage to natural and cultural resources and sensitive coastal environments. The higher sensitivity of some parts of the Mangere–Puhinui area to these potential adverse effects are also recognised.

To achieve the avoidance or mitigation of the potential adverse effects described above, urban activities should be prevented from locating in the Mangere–Puhinui rural area. The Mangere–Puhinui rural area has a limited ability to absorb activities of an urban nature if its resources and character are not to be adversely affected.

Therefore it is desirable to limit the range of activities which can occur in the rural area to those which require a location in proximity to the rural resource base. In some situations certain activities may be able to locate in the area, subject to careful design and siting and assessment of their environmental effects. Through such limitations the cumulative effect of activities will be better able to be managed. This is of considerable importance because while the site-specific effects of a wide range of activities may be able to be avoided or mitigated, it is their cumulative effect which could have a detrimental effect on the rural resources.

17.3.6 Implementation

17.3.6.1 Regulatory Methods

17.3.6.1.1 Zones

Two zones apply to the Mangere–Puhinui Rural area in recognition of the particular resources and resource management issues relating to the area.

The Mangere–Puhinui Rural zone and the Mangere–Puhinui Heritage zone

[AM10]

17.3.6.1.2 Activity Types

17.3.6.1.2.1 Permitted Activities

Within the Mangere–Puhinui Rural and Heritage Zones activities are permitted, subject to compliance with development and performance standards, where it is considered that the activity will not cause adverse environmental effects. Such activities include farming and single household units on approved subdivisions.

17.3.6.1.2.2 Controlled Activities

Those activities which, with regard to the amenity values of the areas in which they are allowed, have the potential to have adverse effects which can be addressed by conditions are assessed as controlled activities.

17.3.6.1.2.3 Restricted Discretionary Activities

Activities which may have significant adverse effects are subject to an assessment against specified criteria. The restricted discretionary consent procedures apply to those activities which the Council has reserved its discretion over only certain specified matters for discretion.

17.3.6.1.2.4 Discretionary Activities

A resource consent and assessment of effects on the environment of activities which have the potential to have adverse effects on the environment is required. In particular non-farming activities such as outdoor recreation in the Mangere–Puhinui Heritage zone have the potential to cause significant adverse effects. Certain intensive farming activities also have the potential to have adverse effects. These farming activities include intensive farming and production forestry. The Council therefore reserves the right of discretion as to whether the activity is appropriate and the conditions to which any resource consent may be subject.

Those non-farming activities which would have adverse effects which cannot be avoided, remedied or mitigated are non-complying in the Mangere–Puhinui Heritage zone.

17.3.6.1.3 Development and Performance Standards

Development standards are the rules which apply to the establishment of buildings and structures, for example height limits and yard requirements.

Performance standards are conditions that apply to activities to ensure that amenity values and the quality of the natural environment is maintained and enhanced within the zone. Performance standards relate to matters such as noise and dust.

17.3.6.2 Non Regulatory Methods

Council will also use methods outside the Plan such as advocacy in relation to issues such as future reclamations on the Manukau Harbour, which would compromise the values of the coastal environment which this section identifies as being of importance.

Council will also use methods such as the provision of information, education and incentives (such as rates relief and financial contributions) where appropriate. These methods are often supported by rules.

Issues of the public acquisition of, and reserve status for, various coastal lands and outstanding and significant heritage features will be addressed through Council's public open space strategy in conjunction with the strategies of the Auckland Regional Council and the Department of Conservation. The Council's approach to land acquisition for public open space purposes is set out in Chapter 15 at 15.5 and 15.6.

17.3.7 Anticipated Environmental Results

From the identification of the resource management issues for the Mangere–Puhinui area and the objectives, policies and methods, the expected environmental outcomes may be identified.

- A predominantly rural character in the Mangere–Puhinui area.
- A high standard of visual amenity in the Mangere–Puhinui area.
- The retention of landforms and areas of high landscape quality.
- A high level of amenity values for papakainga areas adjoining the Mangere–Puhinui area.
- A high level of visual and landscape amenity for the motor vehicle approach and departure routes for Auckland International Airport.
- a stock of high quality soils that are accessible and usable.

17.3.8 Procedures for Monitoring

In order to assess the suitability and effectiveness of the objectives, policies and methods in achieving the anticipated environmental results for the Mangere–Puhinui area, the Council will develop a monitoring programme (see Chapter 1.7.3) which may include the following monitoring procedures:

- Periodic surveys of activities in the area.
- Monitoring of subdivision and lot sizes in the area.

- Monitor complaints and enforcement actions regarding the nuisance aspects of activities in and adjoining the area.
- A survey of the landscape character and quality of the area.
- Monitoring resource consents within the area including the number of applications granted consent, compliance with consent conditions, and the effectiveness of those conditions.
- Monitoring plan changes initiated in the area.

17.3.9 Description and Explanation of Zones

17.3.9.1 Mangere–Puhinui Rural Zone

The intention of the Mangere–Puhinui zone is that it will protect the rural character of the Mangere–Puhinui area. The zone is also intended to avoid adverse effects on amenity and landscape values, although the area concerned is generally less sensitive to landscape modification than the more sensitive area identified by the Mangere–Puhinui Heritage Zone (discussed below in 17.3.9.2). The landscape values of parts of this area have already been compromised to a degree by existing development, and may be further compromised by future expansion of designated urban facilities such as the Auckland International Airport. The area also does not generally have a high concentration of significant natural and cultural heritage features, and where they do occur, are generally located in the coastal margins.

[AM10]

The provisions of the Mangere–Puhinui Rural zone are designed to protect the resources of the area from the potentially significant adverse effects of development. The Mangere–Puhinui Rural zone is distinguished from the main areas of the rural part of the City to the east of the urban area (zoned Rural 1) by the range of issues discussed in section 17.3.2. The proximity of the Mangere–Puhinui area to the urban area of the City means there is considerable pressure for business activity development, rather than the pressures largely for countryside living which the eastern rural area faces. This pressure raises issues relating to the protection of the features of particular note in the Mangere–Puhinui area.

Farming activity is the main land use in the area. Soils in the area are generally of a high quality, and the provisions of the zone seek to encourage the productive use of the area. Household unit development in association with farming is permitted, but is controlled in the zone through the minimum lot size and by controlling the circumstances in which household units may establish. The maximum number of houses permitted on each lot will also be controlled in order to implement objectives and policies relating to maintenance of the open space rural character of the area.

A limited range of non-farming activities, which it is anticipated will cause no more than minor adverse effects on the environment, are controlled or discretionary activities in the zone. The range of non-farming activities in the zone is somewhat more limited than that in the standard rural zone applying to the majority of the rural area of the City, the Rural 1 zone. This is due to the close proximity of the whole of the Mangere–Puhinui area to the urban area, and thus the ability for people living, working and visiting the area to provide for their service needs within the urban area. Non-farming activities which are discretionary in the area include outdoor recreation and travellers' accommodation. These activities, if appropriately located and designed, are anticipated to have no significant adverse effects on the environment.

17.3.9.2 Mangere–Puhinui Heritage Zone

The Mangere–Puhinui Heritage Zone encompasses those rural areas which, in addition to the general values of the Mangere–Puhinui area of soils generally of high quality, have high landscape values, and significant natural and/or cultural heritage values. The areas identified are parts of the Puhinui Peninsula, parts of Puketutu Island and the Otuataua area.

In recognition of the generally high quality of soils, farming of any kind is a permitted activity. Certain non-farming activities which are permitted, controlled or discretionary activities in the Mangere–Puhinui Rural Zone, are not accorded the same consent status in the Mangere–Puhinui Heritage Zone or are subject to a more rigorous assessment.

This special assessment is due to the greater potential for those activities to have adverse effects of more than minor significance on the environment in the Heritage Zone. These activities are to be assessed against criteria set out in the Plan.

The Mangere–Puhinui Heritage Zone seeks in particular to signal that urban activities which may seek to establish in the area, due to its proximity to Auckland International Airport and access routes to the Airport, are unlikely to be able to meet the outcomes sought for the area as identified in the objectives and policies. Urban activities such as, but not limited to, service stations, warehouses, industry, restaurants, takeaway food premises, offices, general advertising, and retailing are considered to have a high probability of generating effects of more than minor significance and are therefore unlikely to achieve the desired environmental outcomes for the zone.

[AM10]

17.3.10 Rules – Activities

17.3.10.1 Activities in the Mangere–Puhinui Rural Zone and the Mangere–Puhinui Heritage Zone shall comply with the following:

- (a) All permitted activities in Rule 17.3.10.2 Activity Table shall comply with Rule 17.3.11.1 General Development and Performance Standards and Rule 17.3.11.2 Additional Development and Performance Standards for Specified Activities.
- (b) All controlled activities in Rule 17.3.10.2 Activity Table shall comply with Rule 17.3.11.1 General Development and Performance Standards and Rule 17.3.11.2 Additional Development and Performance Standards for Specified Activities and Council shall exercise control over those matters specified in Rule 17.3.12.
- (c) All restricted discretionary activities in Rule 17.3.10.2 Activity Table shall be assessed against those matters for discretion specified in Rule 17.3.13.
- (d) All discretionary activities in Rule 17.3.10.2 Activity Table will be assessed against 17.3.14 Assessment Criteria — Discretionary Activities, together with the relevant matters set out in Section 104 of the Act.
- (e) Any activity not listed in Rule 17.3.10.2 Activity Table is deemed to be a non-complying activity.
- (f) For notification procedures under the Resource Management Act 1991 see Rules 5.2.2, 5.2.3, 5.2.4 and 5.3.3.1 of Chapter 5 General Procedures and Rules.

Note: Activities Sensitive to Aircraft Noise in the Mangere–Puhinui Zones

Any Activity Sensitive to Aircraft Noise (“ASAN”) and certain additions to an ASAN for which provision is made in this zone as a permitted, controlled, restricted discretionary or discretionary activity:

- are subject to Rule 5.21, and
- may also become a controlled, restricted discretionary, discretionary or non-complying activity by reason of Rule 5.21

if the subject site is located within the High Aircraft Noise Area or the Moderate Aircraft Noise Area. Therefore, in the case of an ASAN and certain additions to an ASAN in this zone, reference should be made to Rule 5.21.

(Refer to Chapter 18 for the definition of “Activity Sensitive to Aircraft Noise”)

17.3.10.2 Activity Table [AM67]

In the table below the terms used have the following meanings:

P = Permitted Activity;

C = Controlled Activity;

(R)D = Restricted Discretionary Activity;

D = Discretionary Activity;

N/C = Non complying Activity.

ACTIVITY	MANGERE– PUHINUI HERITAGE ZONE	MANGERE– PUHINUI RURAL ZONE
Activities listed as Permitted or Controlled in Activity Table 17.3.10.2 that do not comply with the development and performance standards of 17.3.11.1.1–17.3.11.1.3 Note: ASAN's within the HANA and the MANA and within Ldn57 dbA area (shown on Appendix 2E to the Planning Maps) are subject to 5.21	(R)D	(R)D
Buildings accessory to any permitted activity	P	P
Buildings accessory to any controlled activity	C	C
Accessory buildings, except those listed in 17.3.10.2 as a permitted or controlled activity	D	D
Cemeteries and urupa	D	D
A Single household unit on land which was held in a separate Certificate of Title on 5 June 1989 or on a lot which was approved as a subdivision where no additional lots were created Note: within the HANA and the MANA and within Ldn57 dbA area (shown on Appendix 2E to the Planning Maps) subject to Rule 5.21	P	P
A Single household unit on Horticultural or Rural Residential lots complying with Rule 17.3.11.1.7.2 or 17.3.11.1.7.3 including on a residual lot Note: within the HANA and the MANA and within Ldn57 dbA area (shown on Appendix 2E to the Planning Maps) subject to Rule 5.21	P	P
Household Units or Farmstay Accommodation within a Mineral Extraction Buffer Area shown on the Planning Maps. [AM36]	(R)D	(R)D
A Temporary household unit complying with Rule 17.3.11.2.5 Note: within the HANA and the MANA and within Ldn57 dbA area (shown on Appendix 2E to the Planning Maps) subject to Rule 5.21	P	P
The repair to, and alteration of, an existing household unit Note: within the HANA and the MANA and within Ldn57 dbA area (shown on Appendix 2E to the Planning Maps) subject to Rule 5.21	P	P
Carparking loading and access	Refer Chapter 8 — Transportation	
Clean fill activities involving the depositing of less than 200 cubic metres of material per site complying with 17.3.11.2.8	D	P

ACTIVITY	MANGERE– PUHINUI HERITAGE ZONE	MANGERE– PUHINUI RURAL ZONE
Clean fill activities involving the depositing of more than 200 cubic metres but less than 500 cubic metres of material per site	D	C
Clean fill activities (except mineral extraction activities) involving the depositing of more than 500 cubic metres of material per site, except within the Waahi Tapu Special Site Rule area on Puketutu Island. [AM13]	N/C	D
Clean fill activities (except mineral extraction activities) involving the depositing of more than 500 cubic metres of material per site, for land restoration within the Waahi Tapu Special Site Rule area on Puketutu Island. [AM13]	D	N/A
Erection of buildings or structures for non-farming commercial or business purposes within 250 metres of Puhinui Road	N/C	N/C
Establishments for breeding or boarding domestic pets and breeding training dogs and an ancillary household unit complying with Rule 17.3.11.2.3	D	P
Farming	P	P
Farmstay accommodation complying with Rule 17.3.11.2.1	P	P
Greenhouses	P	P
Home enterprises [AM61]	Refer Section 5.18.5, Chapter 5 — General Procedures and Rules	
Horse riding clubs and riding schools on sites greater than 2 ha in area and an ancillary household unit	C	P
Marae Complex	D	D
Mineral Extraction excluding topsoil <i>for areas other than Puketutu Island</i>	N/C	D
Mineral Extraction Activities are discretionary activities up to 31 December 2010 within the Waahi Tapu Special Site Rule area on Puketutu Island, and from 1 January 2011, Mineral Extraction Activities within the Waahi Tapu Special Site Rule area on the island shall be noncomplying [AM13]	D — until 31.12.2010 N/C — from 01.01.2011	N/A
Papakainga Housing on Maori Land up to a maximum of 4 dwelling units at a density of not more than 1 unit per hectare	C	C
Papakainga Housing on Maori Land up to a maximum of 8 dwelling units at a density of not more than 1 unit per hectare	D	D
Pig Keeping on sites greater than 1 hectare complying with Rule 17.3.11.2.2	P	P
Pig Farming and Factory Farming complying with Rule 17.3.11.2.2	D	D
Produce stalls not exceeding 15m ² in floor area for the direct sale of farm produce grown on the farm or holding on which the produce stall is located	P	P
Produce stalls either exceeding 15m ² in floor area for the direct sale of farm produce grown on the farm or holding on which the stall is located; or for the co-operative sale of farm produce grown on nearby properties	D	D
Production Forestry within 500 metres of Mean High Water Springs or Puhinui Road	N/C	D
Production Forestry beyond 500 metres of Mean High Water Springs or Puhinui Road	N/C	P
Outdoor Recreation, including the use of land and buildings and an ancillary household unit	D	D
Relocated Buildings	Refer Chapter 5 – General Procedures and Rules	
Rural Services	N/C	D

ACTIVITY	MANGERE– PUHINUI HERITAGE ZONE	MANGERE– PUHINUI RURAL ZONE
Signs	Refer Chapter 5 – General Procedures and Rules	
Subdivision listed in Rule 17.3.11.1.7	C	C
The development of Public Open Space	P	P
The production of alcoholic and non alcoholic beverages, juices, oils and cheeses including - processing; bottling; packaging; storage; ancillary display; associated sales areas which do not exceed a combined area of 250m ² ; and function areas which are ancillary and incidental to the foregoing within the Creamery Road Special Policy Area. [AM68]		C
Warehousing, packaging, storage, and ancillary activities within the Creamery Road Special Policy Area. [AM68]		C
Erection of new buildings and reconstruction of existing buildings within the Creamery Road Special Policy Area provided that the total building coverage does not exceed: 30% of Pt Lot 1 DP 16117; and 20% of Lot 2 DP 16117 [AM68]		C
Travellers' Accommodation complying with Rule 17.3.11.2.6	D	D
Travellers' Accommodation not complying with Rule 17.3.11.2.6	N/C	D
Tearooms complying with Rule 17.3.11.2.7	D	D
Tearooms not complying with Rule 17.3.11.2.7	N/C	D
One household unit on Part Allot 170 Parish of Manurewa	N/C	C
The subdivision of Part Allot 171 and Part Allot 177 Parish of Manurewa into 2 lots, one of which must be a minimum of one hectare. One household unit may be sited on each of the new lots. [AM4]	N/C	C
Temporary Activities	Refer to Chapter 5 — General Procedures and Rules	
Activities which may have an adverse effect on any Scheduled Heritage Item	Refer to Chapter 6 — Heritage	
Hazardous Substances and Facilities	Refer to Chapter 10.1 — Hazardous Facilities and Substances	
Network Utility Services	Refer Chapter 7 — Network Utility Services	
Land Modification, development and subdivision	Refer to Chapter 9 — Land Modification, Development and Subdivision	

17.3.11 Development and Performance Standards

Rule

17.3.11.1 General Development and Performance Standards

Rule

17.3.11.1.1 Height

- (i) No building or structure shall exceed a height of 9 metres.
- (ii) Building Height in relation to Boundary.

Refer to Rule 5.18.1, Chapter 5 — General Procedures and Rules

Explanation/Reasons

The primary purpose of the height control is to protect the amenity values of adjoining properties, and the wider area.

Rule

17.3.11.1.2 Yards

(a)

	Mangere — Puhinui Rural Zone	Mangere–Puhinui Heritage Zone
FRONT	10m	10m
SIDE	3m	3m
REAR	3m	3m
COASTAL	30m	40m

(b) Yard Exceptions

(i) Yards Fronting the Primary Road Zone

The yard fronting a primary road zone shall be 20m.

(ii) Coastal Protection Yards

Buildings shall not be erected or any clean fill undertaken or native vegetation cleared or removed within the Coastal Protection Yard.

Earthworks involving more than a cumulative total of 200m³ in a coastal protection yard shall be a restricted discretionary activity in terms of Rule 9.8.2.

(iii) Yards Adjoining Business Zones

The minimum yard for a household unit on a site adjoining a business zone shall be 10m along such adjoining boundary.

Explanation and Reasons

The yard requirements will ensure that the amenity values of the area are maintained.

Activities within the coastal environment have the potential to have significant visual impact and detrimentally affect the coastal ecosystem.

Rule

17.3.11.1.3 Building Coverage

For lots less than 5000m² the maximum building coverage shall be 10%.

Explanation/Reasons

Because rural residential sites can be smaller than 5000m² a maximum coverage will ensure no detracting from the visual amenity values of the area. It will also ensure that a sufficient area of the site is available for waste water disposal.

Rule**17.3.11.1.4 Removal of Top Soil**

No activity shall involve the removal of topsoil from any property provided that nothing herein shall prevent the removal of topsoil in the course of the extension or initiation of any existing or permitted activity.

Explanation/Reasons

Top soil is a finite resource and its productive potential should not be jeopardised by its removal from a site.

Rule**17.3.11.1.5 Noise**

- (a) To ensure noise in the Mangere–Puhinui Rural zone and the Mangere–Puhinui Heritage zone is maintained at a reasonable level, the following noise performance standards shall not be exceeded at the notional boundary of any site zoned Mangere–Puhinui Rural zone or Mangere–Puhinui Heritage zone:

ACTIVITY	AVERAGE MAXIMUM LEVEL			MAXIMUM
	L ₁₀ dBA			L _{MAX} dBA
	MONDAY TO SATURDAY 7.00AM–6.00PM (0700–1800)	MONDAY TO SATURDAY 6.00PM–10.00PM (1800–2200) SUNDAY AND PUBLIC HOLIDAYS 7.00AM–10.00PM (0700–2200)	AT ALL OTHER TIMES	10.00PM–7.00AM (2200–0700)
Household units only (at or within the notional boundary)	45	40	35	65 (or the background plus 30, whichever is the lower)
Business and Recreational Activities (at or within the notional boundary)	50	45	40	70 (or the background plus 30, whichever is the lower)

(b) Bird Scare Devices

- (1) To ensure that noise from the operation of bird scare devices (which includes gas guns and firearms) does not exceed a reasonable level, the following noise

performance standard shall not be exceeded at the notional boundary of any site zoned rural or any residential zone boundary.

TIME PERIOD	L _{PEAK}
0700–2200	75

- (2) Bird scare devices shall not operate between 10.00 pm and 7.00 am.
- (3) The time interval between discrete soundings of the bird scare device shall not be less than 6 minutes.

Explanation/Reasons

Noise limits are imposed to ensure that noise occurring for a continuous duration does not damage public health or have an adverse effect on the amenity of the receiving environment. Noise limits set at site boundaries should also assist in preventing the City's overall background noise level from rising, thereby maintaining a reasonable acoustic environment within the area.

Rule

17.3.11.1.6 Odour

No activity shall create objectionable odour which is able to be detected at the boundary of the property that is not consistent with the rural character.

Explanation/Reasons

Odour from activities can detract from the amenities of an area. However, rural activities can create odours which contribute to the rural character. While these should be mitigated as far as practicable they probably can not be eliminated and need to be accepted as being part of the rural area.

Rule

17.3.11.1.7 Subdivision in the Mangere–Puhinui Rural Zone and the Mangere–Puhinui Heritage Zone

Rule

17.3.11.1.7.1 The following listed subdivision activities are controlled activities, and shall comply with any relevant Rules in Chapter 9 Land Modification, Development and Subdivision.

- (a) Pastoral farm units with a minimum area of 120 ha.
- (b) Horticultural lots complying with Rule 17.3.11.1.7.2
- (c) A rural-residential lot complying with Rule 17.3.11.1.7.3
- (d) A lot for one of the following activities where a resource consent for the activity has been obtained;
 - (i) outdoor recreation
 - (ii) tearooms
 - (iii) marae
 - (iv) cemeteries and urupa

- (v) Network Utilities see Chapter 7, Utility Services, Rule 7.8
- (e) Subdivision to enable the creation of a public open space, and for the definition of land for any purpose under the Reserves Act 1977, or
- (f) A boundary adjustment complying with Chapter 9, Land Modification, Development and Subdivision.
- (g) A boundary alteration between two allotments where no additional Certificate of Title is created and the subdivision complies with 12.15.5.3 and Chapter 9, Land, Modification, Development and Subdivision.

Rule**17.3.11.1.7.2 Horticultural Lots**

- (i) Horticultural lots shall have a minimum net useable area of 12 hectares and where there are 2 or more lots, an average net useable area of 16 hectares.
- (ii) The minimum net useable area shall exclude a nominated area for a dwelling, farm building and septic tank soakage (not less than 2000m²).
- (iii) Useable area in the context of this Rule shall be land:
 - (a) not required for access strips or esplanade reserves;
 - (b) not steeper than 8°;
 - (c) comprised of a soil recognised as being suitable for horticulture;
 - (d) free from flooding or ponding after rainfall;
 - (e) capable of being drained for horticultural use so as to maintain the water table at a satisfactory level;
 - (f) where an adequate water supply is available or can be made available for horticultural purposes (evidence of an appropriate water resource consent or a water availability letter from the Auckland Regional Council may be required before subdivision consent is granted).
- (iv) Each lot shall be able to be planted with shelter belts to adequately protect the proposed crop.
- (v) No contouring or soil stripping to make land comply with the standard shall be carried out without the prior approval of Council.
- (vi) In all cases a detailed report verifying compliance with the above provisions shall accompany the application. A report on land suitability prepared by a person qualified and with experience in horticulture shall include reference to:
 - (a) slope
 - (b) soil types (areas shown as suitable for horticulture)
 - (c) drainage outlets
 - (d) description of limitation on suitable soils (wetness, clay pans, etc)
 - (e) plan of shelter belts

- (f) feasible management options to correct any limitations.
- (vii) The balance or residue area remaining from the parent lot following a horticultural lot subdivision shall be a minimum of ten hectares.

Rule**17.3.11.1.7.3 Rural – Residential Lots**

- (i) The existing site must be 20 hectares or more in area and held in a separate Certificate of Title on 5 June 1989.
- (ii) One lot only will be approved under this Rule for each 20 hectare minimum existing lot.
- (iii) Each new Rural-Residential site created shall be of the range of 0.15 to 1.0 hectares in area excluding any access strip or esplanade reserve.
- (v) Where a property is comprised of more than one certificate of title, lots created under this rule can be located anywhere within the boundaries of the property provided that all the titles are held together by legal agreement and a legal covenant is entered on the titles of those lots forfeiting any further subdivision under this Rule or Rule 17.3.10.2 allowing household units permitted on a separate Certificate of Title on 5 June 1989.
- (vi) The use of the site as a result of the subdivision shall comply with the Section 8.24 in Chapter 8, Transportation and Rules in Chapter 9, Land Modification, Development and Subdivision.

Explanation/Reasons

Subdivision, and thus the households which inevitably result, for countryside living is limited in the rural area to retain rural character, landscape quality, to minimise incidents of conflicts between rural activities and countryside residents, and protect the productive potential of the soil resource.

17.3.11.1.8 Other General Development and Performance Standards

Refer the following Chapters for general rules and provisions relating to:

- Building Height in relation to Boundary 5.18.1 Chapter 5, General Procedures and Rules
- Artificial lighting, Chapter 5, General Procedures and Rules
- Signs, Chapter 5, General Procedures and Rules
- Hazardous Facilities and Substances, Chapter 10.1, Hazardous Facilities and Substances:
- Land Development, Modification and Subdivision, Chapter 9, including:
 - Waste Water and Storm Water Disposal;
 - Roading;
 - Water Supply
 - Earthworks including Clean Filling
- Transportation, Chapter 8

- Heritage Resources, Refer Chapter 6 — Heritage

17.3.11.2 Additional Development and Performance Standards for Specified Activities

Rule

17.3.11.2.1 Farm Stay Accommodation

- (i) Farm stay accommodation is allowed only within a permitted household unit on the site.
- (ii) The owner or occupier lives on the property.
- (iii) Farm stay accommodation is limited to six guests for each household unit on the site used for farm stay accommodation.

Explanation/Reasons

The rules relating to farm stay accommodation are intended to minimise the effects of the activity. This is achieved by limiting the scale of the activity and number of guests and confining it to households on the site.

Rule

17.3.11.2.2 Pig Keeping, Pig Farming and Intensive Farming

- (i) Pig keeping, pig farming and intensive farming are not permitted on any site less than 1 hectare in area, unless the site forms and is used as part of a larger farm.
- (ii) Pig keeping is permitted on sites greater than 1 hectare in area provided it complies with clauses (iii), (iv) and (v) below.
- (iii) Pig keeping, pig farming and intensive farming facilities shall be so designed having regard to compatibility with existing and other proposed uses, siting of buildings and protection of the amenities of the neighbourhood. Adequate provision must be made for effluent disposal and the siting of this and any buildings must be situated, constructed and maintained so as to prevent nuisance to neighbours.
- (iv) All permanent buildings, pens or areas used for intensive farming, and any effluent disposal system (which shall include any area on which effluent is being disposed of by way of spray irrigation or any treatment plant or ponds) and composting area shall be situated at least:
 - 1200 metres from the boundary of any residential zone
 - 250 metres from any household unit on the same property other than the owner's and from any household units on adjoining properties
 - 20 metres from any boundary of the property on which they are situated. Provided that where a household unit has been erected on a neighbouring property after the date the farming operation had been established and the intensive farming operation has been in regular operation, then the 250 metres shall not apply as a standard to determine the activity status.
- (v) Intensive Pig Farming shall be subject to the following buffer distances as indicated in Table A and Table B:

Table A

INTENSIVE PIG FARMING BUFFER ZONE DISTANCES			
DESCRIPTION	MINIMUM DISTANCE IN METRES		
(NUMBER OF PIGS (P))	(0–500)	(501–2000)	(2001–5000)
Piggery to a residential zone	1200	2000	P x 1.00
Piggery to a Rural 2,3 or 4 zone, Rural 1 Special Policy Area, marae, public hall, church, school, recreation area	900	1500	P x 0.75
Piggery to a rural residence on another site	250	500	P x 0.25

Table B

PIGGERY EFFLUENT BUFFER ZONE DISTANCES FROM LAND SPREADING AND TREATMENT LAGOONS			
DESCRIPTION	MINIMUM DISTANCE IN METRES		
	LAND SPREADING ANAEROBIC LAGOON		
(Type of System)	(i) Effluent for surface spreading, not stored more than 48 hours	(ii) Effluent for surface spreading, stored anaerobically without treatment more than 48 hours	Subsoil Injection Aerobic Lagoon
From a residential zone	1500	2000	500
From a rural residential zone, Rural 1 Special Policy area, marae, public hall, church, school, recreation area	500	1000	200
From a rural residence on another site	250	500	150

- (vi) Free range pigs shall be securely fenced from rivers, streams and the coastal marine area.

Explanation/Reasons

Pig farming and intensive farming have the potential to generate significant adverse effects on the environment. The main effects are from odour and potential discharges from the on-site disposal of liquid waste. The rules are intended to ensure that sites are of a sufficient size to accommodate all aspects of the operation. Buffer distances will avoid and mitigate the adverse effects. Resource consents will also be required from the Auckland Regional Council for any liquid waste disposal system. The Pork Industry Board Code of Practice — Pig Farming will also assist those wishing to pursue this activity to address the adverse environmental effects.

Rule

17.3.11.2.3 Establishments for Breeding or Boarding Pets and Breeding and Training Dogs

- (i) Sites shall be greater than 2000m² in area except for the boarding of dogs where the minimum area is 1 hectare.

- (ii) No accommodation for the boarding of dogs shall be located within 500m of any land zoned residential, papakainga or Maori purposes.
- (iii) All boarding establishments will be designed and managed generally in accordance with the Guidelines for Minimum Standards and Conditions in Pet Boarding Establishments prepared by the Boarding Kennel and Cattery Association of NZ (Inc)

Explanation and Reasons

These rules are intended to manage the adverse effects of noise, odour and waste disposal.

Discharge of contaminants to ground and or water is an important issue that needs to be addressed in establishing Pet or Dog establishments. In addition to a consent from Manukau City Council, applicants will also need to obtain discharge consents from the Auckland Regional Council.

Rule

17.3.11.2.4 Home Enterprises [Deleted by AM61 See Plan Change No. 10]

Rule

17.3.11.2.5 Temporary Household Units

- (i) The premises shall be occupied only by those persons described in the definition of Temporary Household Units in Chapter 18, Definitions.
- (ii) The building may remain for a period of ten years with the right of the applicant to apply to Council for an extension of that period.
- (iii) The building shall be removed from the site when no longer required for the accommodation of the qualifying person(s).
- (iv) The applicant shall not dispose of the property unless the temporary building is removed from the site.
- (v) The applicant shall execute such deeds, bonds or documents as are considered necessary to secure the performance of the conditions (i)–(iv) inclusive.
- (vi) The applicant shall pay all legal expenses incurred by Council in the preparation, signing, sealing and registering the documents referred to in (v) above.
- (vii) Should the applicant abandon the project before completion of the procedure referred to in (v) the applicant shall pay all legal expenses incurred up to the time of notification to Council of the abandonment of the project.

Explanation/Reasons

The definition and rules seek to ensure that the environmental effects of a temporary household unit are minor, by limiting the scale of the units and ensuring they are in fact temporary by requiring the removal of the unit when it is no longer required.

Rule

17.3.11.2.6 Travellers' Accommodation

- (i) Travellers' accommodation shall not establish on a lot of less than 40 ha in area;

Explanation/Reasons

Travellers' accommodation in the Mangere–Puhinui area has the potential to have significant effects on the environment. The minimum site area will ensure that any proposal will be located in a manner which avoids significant visual impact and which will address the potential cumulative adverse effects of a intensive grouping of such activities.

Rule**17.3.11.2.7 Tea rooms in the Mangere–Puhinui Heritage Zone**

- (i) Only one tea room may establish on a site. The existing site must be 10 hectares or more in area and held in a separate Certificate of Title on 1 August 1995.

Explanation/Reasons

Tea rooms are expected to be of a relatively small scale, but the siting and potential cumulative effects of the activities on the visual and landscape amenity values and rural character are addressed by the minimum site area and yard standards.

Rule**17.3.11.2.8 Cleanfill**

On completion of filling the site shall be rehabilitated by revegetation in a manner compatible with the rest of the site.

Explanation and Reasons

The clean fill site should be rehabilitated to be in keeping with the character of the area and to mitigate the effects of sediment run-off.

17.3.11.2.9 Additional Subdivisional Standards

- (i) Frontage and access shall be not less than 6 metres provided that up to six sites may gain frontage over a joint access strip or reciprocal right-of-way, the aggregate width which shall not be less than 6m;
- (ii) Access shall be of maximum length 200 metres *provided that* it may be able to be extended beyond 200 metres (where the Council is satisfied that stability, topography and amenity aspects are acceptable). The construction of entrance strips may be required as a condition of subdivision consent;
- (iii) Where no minimum lot size is specified no lot shall be less than 1500m² in area except for a subdivision for any purpose under the Reserves Act 1977;
- (iv) The area and dimensions of lots for tearooms shall relate to existing fencelines and topography wherever possible, having regard to the proposed activity and no lot for these activities shall be greater than 5000m² in area;
- (v) Where no minimum area is stated, no lot for farming activities shall be less than 1 ha in area;

Explanation and Reasons

Control is placed on frontage to ensure practicable access and to manage stormwater runoff. Access length is limited to avoid the adverse visual effects of earthworks on the landscape.

Lot size controls are to ensure that sufficient area is available for waste water disposal and to minimise the adverse effect on the productive potential of rural land.

17.3.12 Rule — Matters for Control: Controlled Activities

All controlled activities shall be subject to Rule 5.21 where applicable.

Rule**17.3.12.1 Clean Fill Activities involving the depositing of more than 200 cubic metres but less than 500 cubic metres of material per site****Rule****17.3.12.1.1** Applications for such clean fill activities shall be non-notified and written consent of affected parties shall not be required.**Rule****17.3.12.1.2** Council reserves control over the following matters when assessing an application for the above activity 17.3.12.1 and may impose conditions in respect of each:

- (a) Noise and dust
- (b) Visual amenity
- (c) Design and appearance
- (d) Site layout
- (e) Site rehabilitation
- (f) Traffic generation and routes

17.3.12.1.3 When assessing an application for a resource consent for the above activity 17.3.12.1 the Council shall have regard to the following assessment criteria and section 104 of the Act:

- (i) Whether measures to mitigate potential noise and dust nuisance and the visual impact will retain the rural character and amenity values of the area.
- (ii) The appropriateness of the clean fill regarding design and appearance of the activity and the site layout including location of the clean fill on the site and site access.
- (iii) Whether the clean fill in its completed state will be sensitive in terms of appearance, form and location to the existing amenity values of the neighbourhood.
- (iv) Whether a rehabilitation plan for the clean fill has been prepared for implementation at the completion of the clean fill taking account of visual and soil stability effects.
- (v) The degree to which traffic generated by the clean fill and access to the site will adversely affect any adjacent residential amenity values and whether measures to avoid, remedy or mitigate such potential adverse effects are proposed (see also Section 8.24 Chapter 8, Transportation).

Explanation and Reasons

Clean fill activities have the potential to have significant adverse effects on the environment such as traffic generation, noise, dust and a visual impact. Council has reserved control over the above matters to ensure that the adverse effects are addressed, and appropriate conditions placed on the resource consent to protect the amenity values and rural character of the area.

Rule

17.3.12.2 Papakainga Housing on Maori land up to a maximum of 4 Dwelling Units at a Density of Not More than 1 Unit per Hectare

Rule

17.3.12.2.1 Applications for the above activity 17.3.12.2 shall be non-notified and consent of affected parties shall not be required.

Council reserves control over the following matters when assessing an application for the above activity 17.3.12.2 and may impose conditions in respect of each:

- (a) design and external appearance of buildings
- (b) intensity of development
- (c) access and parking
- (d) site servicing
- (e) amenity values

17.3.12.2.2 When assessing an application for a resource consent for the above activity 17.3.12.2 the Council shall have regard to the following assessment criteria and section 104 of the Act:

- (i) Whether the design and external appearance of any building is appropriate to the rural and/or coastal environment.
- (ii) The appropriateness of the intensity of development, including site coverage and whether it is sensitively designed and sited in the local environment.
- (iii) The protection of the amenity values of the area including vegetation, landscape and coastal amenity values.
- (iv) Whether access and parking are appropriately designed (see Section 8.24, Chapter 8, Transportation).
- (v) Whether sufficient area is available to accommodate an adequate sewage and wastewater disposal system together with a stormwater drainage system which will not create an erosion or instability problem or water pollution.
- (vi) Whether the development can be appropriately serviced as required by Rules in Chapter 9, Land Modification, Development and Subdivision.

Explanation and Reasons

Groups of dwellings such as papakainga housing have the potential to have adverse effects on the environment such as traffic generation and visual impact. Council has reserved control over the above matters to ensure that the housing is sited, designed and serviced in a way that protects the amenity values and rural character of the area.

Rule**17.3.12.3 Horticultural Lot Subdivision**

17.3.12.3.1 Refer Chapter 9, Land Modification, Development and Subdivision for Matters for Control for the Horticultural lot subdivision activity.

Explanation and Reasons

While the objective is to minimise the fragmentation of rural land, for some rural activities it is desirable that smaller lots are able to be created. These rules ensure that such subdivision only occurs on land where its productive potential can be realised and protected with smaller lots.

Rule**17.3.12.4 Rural - Residential Lot Subdivision****Rule**

17.3.12.4.1 Council reserves control over the following matters for Rural — Residential lot subdivision and may impose conditions in respect of each:

- (a) soil quality
- (b) site layout

17.3.12.4.2 When assessing an application for Rural — Residential lot subdivision activity the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Soil Quality

Whether the soil is of high quality taking into account other compelling circumstances such as the presence of an existing dwelling.

(b) Site Layout

Whether the location of lots and households under Rule 17.3.11.1.7.3 (v) minimises any adverse effect on rural character, landscape quality or amenity values of the area.

Rule

17.3.12.4.3 Council reserves control over the following matters: one household unit on Part Allot 170 Parish of Manurewa, and the subdivision of Part Allot 171 and Part Allot 177 Parish of Manurewa into 2 lots, one of which must be one hectare. One household unit may be sited on each of the new lots.

- (a) Site and Household Layout and DesignRule

[AM4]

17.3.12.4.4 When assessing applications for either, one household unit on Part Allot 170 Parish of Manurewa, or; the subdivision of Part Allot 171 and Part Allot 177 Parish of Manurewa into 2 lots, (one of which must be one hectare), one household unit may be sited on each of the new lots, the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act.

- (a) Site and Household Layout and Design

Whether the location of lots and households under these activities minimises any adverse effects on rural character, landscape quality or amenity values of the area, i.e.

whether the households and garages are sited and designed so that they are a recessive feature on the landscape.

Explanation and Reasons

Subdivision, and thus the households which inevitably result, for countryside living is limited in the rural area to retain rural character, landscape quality, to minimise incidents of conflicts between rural activities and countryside residents, and protect the productive potential of the soil resource.

Rule

17.3.12.5 A Boundary Alteration Between Two Allotments Where No Additional Certificate of Title is Created

Rule

17.3.12.5.1 Council reserves control over the following matters for controlled activity resource consent applications for boundary alteration between two allotments where no additional certificate of title is created and may impose conditions in respect of each:

- (i) number of dwellings
- (ii) previous consents
- (iii) number of lots

When assessing an application for boundary alteration between two allotments where no additional certificate of title is created the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Whether the number of dwellings on the land will be increased;
- (b) Whether the alteration changes or contravenes the basis of any previous consent by the Council
- (c) Whether the number of lots permitted to be created under the provisions of the District Plan will be increased.

Rule

17.3.12.6 Creamery Road Special Business Policy Area

Rule

17.3.12.6.1 Council reserves control over the following matters for the controlled activities listed in rule 17.3.10.2 for the Creamery Road Special Policy Area and may impose conditions in respect of each.

(a) Landscaping and Visual

Whether the development is screen planted in a manner which softens hard structures, minimises or reduces potential conflicts of scale, and contributes to the visual screening of buildings as viewed from public areas.

Whether the landscaping provides an appropriate visual screening of car parking from the adjoining road frontages and whether the landscaping maintains continuity of planting along the street frontages.

Whether the combined scale, and intensity of building development, and landscaping on the site is appropriate and will not detract to any significant extent from the surrounding amenities and nearby rural character.

Whether any new buildings are proposed to be finished in visually recessive colours and if not whether it would be desirable to include such a requirement as a condition of consent.

(b) Site Layout

The extent to which the existing building resources would be utilised in any new development on the land. (Since the primary reason for classifying the land as Creamery Road Special Business Policy Area is to enable the continued sustainable management of the existing valuable building resources thereon, it is desirable that these resources be substantially retained in any expansion or redevelopment proposals that may eventuate).

Whether the site layout will mitigate potential adverse effects on any nearby rural and residential areas. In particular the site layout should seek to reduce or mitigate visual and noise effects from open storage areas, and provide safe and convenient vehicle access which has regard to the efficient operation of the adjoining roads and nearby activities.

(c) Noise

Whether the proposed activities will meet the Residential noise performance standards in rule 13.11.1 applying to the land on the northern side of Creamery Road and eastern side of Kirkbride Road and rule 17.3.11.1.5 which applies to the land within the Mangere — Puhinui Rural Zone.

(d) Hours of operation

Whether the proposed hours of operation and nature of the activity on the site are likely to avoid or minimise disturbance to residential areas.

(e) Traffic

Whether the volume and nature of the traffic generated by the proposed activity is likely to avoid or minimise disturbance to residential areas.

[AM68]

17.3.13 Rules — Matters for Discretion: Restricted Discretionary Activities

All restricted discretionary activities shall be subject to Rule 5.21 where applicable.

Rule

17.3.13.1 Activities listed as Permitted or Controlled in Activity Table 17.3.10.2 which do not comply with Rule 17.3.11.1.1 Height

Rule

17.3.13.1.1 Council restricts the exercise of its discretion to the following matters for a restricted discretionary activity resource consent for an activity listed as Permitted or Controlled in Activity Table 17.3.10.2 which does not comply with Rule 17.3.11.1.1 Height and may impose conditions in respect of each:

- (i) Scale of development
- (ii) Amenity values

17.3.13.1.2 In assessing an application for a restricted discretionary resource consent for an activity listed as Permitted or Controlled in Activity Table 17.3.10.2 that does not comply with Rule 17.3.11.1.1 Height the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Whether the scale of the development is in keeping with the rural character of the area;
- (b) Whether any potential adverse effects of the amenity values can be avoided, remedied or mitigated.

Rule

17.3.13.2 Activities listed as Permitted or Controlled in Activity Table 17.3.10.2 which do not comply with Rule 17.3.11.1.2 Yards

Rule

17.3.13.2.1 Council restricts the exercise of its discretion to the following matters for a restricted discretionary activity resource consent for an activity listed as Permitted or Controlled in Activity Table 17.3.10.2 that does not comply with the Rule 17.3.11.1.2 Yards and may impose conditions in respect of each:

- (i) Site layout and amenity values
- (ii) Coastal environment

17.3.13.2.2 In assessing an application for a restricted discretionary resource consent for an activity listed as Permitted or Controlled in Activity Table 17.3.10.2 that does not comply with the development and performance standards of 17.3.11.1.2 Yards the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

(a) Site Layout

Whether the site layout and design and external appearance of development avoids adverse effects on amenity landscape and amenity values.

(b) Coastal Environment

Whether the development will cause any adverse effects on the natural coastal environment, including adverse effects on ecological, cultural, spiritual, recreational and visual values of the natural coastal environment.

Rule

17.3.13.3 Activities listed as Permitted or Controlled in Activity Table 17.3.10.2 which do not comply with Rule 17.3.11.1.3 Coverage

Rule

17.3.13.3.1 Council restricts the exercise of its discretion to the following matters for a restricted discretionary activity resource consent for an activity listed as Permitted or Controlled in Activity Table 17.3.10.2 which does not comply with Rule 17.3.11.1.3 Coverage and may impose conditions in respect of each:

- (i) Scale and intensity of development
- (ii) Visual and landscape Amenity values

17.3.13.3.2 In assessing an application for a restricted discretionary resource consent for an activity listed as Permitted or Controlled in Activity Table 17.3.10.2 that does not comply with Rule

17.3.11.1.3 Coverage the Council will have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

- (a) Whether the scale and intensity of development on the site will avoid any potential detractor from the rural character of the area;
- (b) Whether the site layout and design and external appearance of development avoids adverse effects on amenity landscape and amenity values.

Rule

17.3.13.4 Household Units or Farmstay Accommodation within a Mineral Extraction Buffer Area

Rule

17.3.13.4.1 Council restricts the exercise of its discretion to the following matter and may impose conditions in respect of it:

- (i) The adequacy of means to avoid adverse effects on mineral extraction activity.

Rule

17.3.13.4.2 When assessing an application for a resource consent for the above activity 17.3.13.4 Council shall have regard to the following assessment criteria and any relevant matters set out in Section 104 of the Act:

Whether a proposal which will result in the establishment of either short term or permanent accommodation will result in adverse effects on the mineral extraction activity (e.g. pressure to change operational characteristics of a site due to complaints over noise, vibration or dust), in particular within the Mineral Extraction Buffer Area shown on the Planning Maps (including Appendix 9 of the Planning Maps), applying to a Quarry Zone or a lawfully established mineral extraction site having particular regard to the following mitigating factors:

- (a) Geographical, climatic, and development conditions
 - (i) Whether the potential for sensitive uses to locate close to a quarry operation is low.
- (b) Noise
 - (i) Whether the quarry operates within acceptable hours.
 - (ii) Whether there is no blasting.
 - (iii) Whether there is limited machinery operation.
 - (iv) Whether low levels of distribution truck traffic are confined to industrial or main roads.
 - (v) Whether topography does not require use of low gears and heavy braking by truck traffic.
 - (vi) Whether there is a sound barrier (e.g. mounding) established between noise source and sensitive uses.
 - (vii) Whether noise sources are able to be orientated away from sensitive uses.
- (c) Dust
 - (i) Whether there is minimal dust distribution by climatic conditions.

- (ii) Whether material is less susceptible to wind erosion (e.g., rubble).
 - (iii) Whether stockpiles are stabilised and not exposed to wind erosion.
 - (iv) Whether low levels of equipment movement on stabilised pavements are less sensitive to wind erosion.
 - (v) Whether transport of material has loads covered and wash down facilities provided.
- (d) Vibration (Blasting)
 - (i) Whether there is limited impact due to geological conditions.
- (e) Safety
 - (i) Whether geographical conditions provide a natural barrier to public access or fencing prevents access.
- (f) Visual Impact
 - (i) Whether screening and rehabilitation effectively minimises visual impacts.
- (g) Stormwater
 - (i) Whether detention, filtration, and settling facilities are provided to improve water quality and minimise flooding potential during peak flows.
- (h) Mitigation
 - (i) Whether any proposed mitigation will satisfactorily avoid any more than minor adverse effects on the proposed short term or permanent accommodation.

This may include the acceptance of a caveat or covenant on the certificate of title that the proposed accommodation is located in proximity to an activity which may generate adverse effects and that such effects are accepted.

Advice Note:

For the guidance of the Council when assessing an application for resource consent the Council will request the quarry owner or operator to provide an assessment of the level of effects of quarrying activities received or likely to be received at the proposed site for which the resource consent is sought. This assessment will be provided at the cost of the quarry owner or operator.”

[AM36]

17.3.14 Assessment Criteria: Discretionary Activities

17.3.14.1 General Assessment Criteria

For all discretionary activity resource consent applications in the Mangere–Puhinui Rural Zone and the Mangere–Puhinui Heritage Zone Council will have regard to the following assessment criteria and relevant matters set out in Section 104 of the Act and will consider Rule 5.21 where it is applicable.

(a) Effects on People and Communities

- (i) Whether the proposal has the potential to adversely affect the mana of marae and papakainga housing in the vicinity;
- (ii) Whether the proposal has the potential to have an adverse effect on the amenity values of marae and papakainga housing in the vicinity;
- (iii) Whether regard has been given by the applicant to the cultural, historical and spiritual significance of the area to tangata whenua;
- (iv) Whether the proposal has the potential to adversely affect sites and features of cultural, historical and spiritual significance;
- (v) Whether the proposed activity is likely to have any effects on the physical and natural environment or community such that some form of financial contribution for public services is necessary and should be imposed as a condition of consent.
- (vi) Whether the activity is an intensive traffic generator and whether a large number of people would normally be attracted to the site to the extent that detracts from the amenity values of the area.

(b) Landscape and Visual Effects

- (i) Whether the proposal will adversely affect the open space character of the surrounding area;
- (ii) Whether the proposal modifies landscapes which are sensitive to modification;
- (iii) Whether the proposal will detract from high quality landscapes;
- (iv) Whether the proposal will have adverse effects on the visual character of the area;
- (v) Whether the proposal promotes a high quality visual amenity for motor vehicle approaches and departures to and from Auckland International Airport;
- (vi) Whether the proposal has the potential to detract from significant landforms in the area.
- (vii) Whether the proposed building or activity is sympathetic to and compatible with the surrounding landscape qualities and characteristics and sensitivity to modification.
- (viii) Whether the activity is an intensive traffic generator and whether a large number of people would normally be attracted to the site to the extent that the amenity values of the area are detracted from.

(c) Effects on Ecosystems

- (i) Whether the proposal will result in the damage or removal of significant areas of indigenous vegetation;
- (ii) Whether the proposal will result in the damage or destruction of any habitats in the vicinity;

- (iii) Whether the proposal will have an adverse effect on the natural coastal environment and on public access to the coast;
- (iv) Whether measures have been taken to ensure that potential adverse effects on the ecosystems will be avoided, remedied or mitigated.

(d) Effects on Natural and Physical Resources with Aesthetic, Recreational, Scientific, Historical, Spiritual or Cultural Value

- (i) Whether the proposal will have an adverse effect on the recreational and natural values of Puhinui Reserve;

(e) Discharge of Contaminants to the Environment

- (i) Whether the proposal will generate unreasonable levels of noise, which may be noise levels which exceed the limits stated in Rule 17.3.11.1.5.
- (ii) Whether the proposal will generate dust, smoke, fumes or other discharges to air which potentially would detract from the amenity values of the area.

(f) Risk of Hazards

- (i) Whether the proposal will expose people to high levels of risk from existing hazardous facilities;
- (ii) Where a development proposal is likely to lie over a gas or fuel pipeline the likely effect of the proposed development on the safety and security of the pipelines.

(g) Effects on Mineral Extraction Activities

Whether a proposal which will result in the establishment of either short term or permanent accommodation will result in adverse effects on the mineral extraction activity (e.g. pressure to change operational characteristics of a site due to complaints over noise, vibration or dust), in particular within the Mineral Extraction Buffer Area shown on the Planning Maps (including Appendix 9 of the Planning Maps), applying to a Quarry Zone or a lawfully established mineral extraction site having particular regard to the following mitigating factors:

- (a) Geographical, climatic, and development conditions
 - (i) Whether the potential for sensitive uses to locate close to a quarry operation is low.
- (b) Noise
 - (i) Whether the quarry operates within acceptable hours.
 - (ii) Whether there is no blasting.
 - (iii) Whether there is limited machinery operation.
 - (iv) Whether low levels of distribution truck traffic are confined to industrial or main roads.
 - (v) Whether topography does not require use of low gears and heavy braking by truck traffic.

- (vi) Whether there is a sound barrier (e.g., mounding) established between noise source and sensitive uses.
 - (vii) Whether noise sources are able to be orientated away from sensitive uses.
- (c) Dust
 - (i) Whether there is minimal dust distribution by climatic conditions.
 - (ii) Whether material is less susceptible to wind erosion (e.g., rubble).
 - (iii) Whether stockpiles are stabilised and not exposed to wind erosion.
 - (iv) Whether low levels of equipment movement on stabilised pavements are less sensitive to wind erosion.
 - (v) Whether transport of material has loads covered and wash down facilities provided.
- (d) Vibration (Blasting)
 - (i) Whether there is limited impact due to geological conditions.
- (e) Safety
 - (i) Whether geographical conditions provide a natural barrier to public access or fencing prevents access.
- (f) Visual Impact
 - (i) Whether screening and rehabilitation effectively minimises visual impacts.
- (g) Stormwater
 - (i) Whether detention, filtration, and settling facilities are provided to improve water quality and minimise flooding potential during peak flows.
- (h) Mitigation
 - (i) Whether any proposed mitigation will satisfactorily avoid any more than minor adverse effects on the proposed short term or permanent accommodation.

This may include the acceptance of a caveat or covenant on the certificate of title that the proposed accommodation is located in proximity to an activity which may generate adverse effects and that such effects are accepted.

Advice Note:

For the guidance of the Council when assessing an application for resource consent the Council will request the quarry owner or operator to provide an assessment of the level of effects of quarrying activities received or likely to be received at the proposed site for which the resource consent is sought. This assessment will be provided at the cost of the quarry owner or operator.

[AM36]

17.3.14.2 Additional Assessment Criteria for Particular Discretionary Activities

In addition to the General Assessment Criteria in 17.3.14 the Council will have regard to the following assessment criteria for the specified discretionary activities:

17.3.14.2.1 Clean fill activities in the Mangere Puhinui Heritage Zone and clean fill activities involving the depositing of more than 500m³ of material per site in the Mangere Puhinui Rural Zone.

- (a) Whether a management plan has been supplied with the application and the degree to which it adequately addresses the following matters:
 - A plan of the property showing the area to be filled.
 - The approximate quantity of material to be deposited, the type of material, the timing and progress of the operation, its operating times and the clean fills completion date.
 - An investigation into the stability of the underlying land and its ability to remain stable under increased loadings in all conditions.
 - Proposals to ensure the prevention of mass movement of the filled material itself. This will include details on benching, method of compaction, etc.
 - A final landscape plan showing proposals for rehabilitation of the surface of the fill to prevent surface erosion such as sheet, rill and gully erosion. This will include details on topsoiling and grassing, planting etc.
 - Details of traffic generation, size of trucks, vehicle trips per day, position of access points, likely routes to be taken to the clean fill and possible effects on public roads, location of adjacent dwellings.
 - Proposals to deal with noise, dust, smoke and other detractors from the amenities of the area.
 - Proposals to ensure security of the site to prevent public dumping.
 - Drainage proposals. How gullies would be drained in order to prevent excessive saturation of the fill.
 - Proposals for control of silt which discharge from bare earth areas during operations. Such proposals may include installation of a silt pond, in which case specification of the pond's dimensions would need to be provided.
 - Comment on the quality of material to be deposited. If leachate was discharged from the fill, how it would be contained.
 - Signage
- (b) Within the Waahi Tapu Special Site Rule Area on Puketutu Island:
 - (i) whether the landform is restored to a state that complements and enhances the existing surrounding volcanic landform and whether the final landform is in sympathy with the previous volcanic landform that existed immediately prior to large scale quarrying commencing between 1951 and 1954;
 - (ii) whether tangata whenua have been consulted, and the extent to which tangata whenua concerns, interests, and desire to be involved, in exercising their role as

Kaitiaki, have been taken into account.

[AM13]

17.3.14.2.2 Pig Farming and Intensive Farming

- (a) whether the site is able to accommodate waste disposal facilities and in this regard any application for a water resource consent required must be made before any land use consent is issued;
- (b) whether the scale of the activity is appropriate for the size of the site
- (c) whether potential adverse effects on the character and landscape amenity values of the area can be avoided, remedied or mitigated.

17.3.14.2.3 Produce Stalls

- (a) Whether the scale and location of the building is in keeping with the rural character of the area.
- (b) The extent to which traffic flows will be created and whether there would be detrimental effects on the roading network and road safety, and whether the activity complies with Rules in Chapter 8, (Parking, Access and Circulation).

[AM49]

17.3.14.2.4 Production Forestry

- (a) Whether landscaping of the edge of the production forest provides sufficient relief of the potentially monotonous visual character of the forest.
- (b) Whether the production forest is within areas identified as having regional significance in terms of landscape values or sensitivity, and the extent to which views or vistas to the Harbour, estuaries and streams will be reduced.
- (c) Whether production forestry will adversely impact on archaeological or heritage values of sites.
- (d) Whether production forestry will adversely impact on water quality of the adjoining harbour, estuaries or streams.

17.3.14.2.5 Travellers' Accommodation

- (a) Whether the site contains an adequate area of land which will enable the effects of the proposed activity to be substantially contained within the site.
- (b) Whether any balance of land not to be used for the proposed development will be put to productive use.
- (c) Whether the proposal facilitates the enjoyment of natural resources such as coastal views or rural vistas and which the site and the proposed development has some particular locational advantage.
- (d) Whether the development will be consistent with the Objectives and Policies of Chapter 11, Coastal Environment.

- (e) Whether the development will be attractively landscaped, including screening from the road.
- (f) Whether the design and external appearance of the development maintains and enhances the rural amenity values of the area.
- (g) Whether the proposed buildings are located within the air noise boundaries for the Auckland International Airport and can comply with district plan noise standards.
- (h) Whether the location of the activity will pose an increased risk in terms of potential for aircraft bird strike.
- (i) Whether the proposed buildings are located within areas defined to have regional landscape significance or sensitivity as defined in the Auckland Regional Policy Statement or Regional Plan: Coastal, or will impact on scheduled heritage features, values or locations.

17.3.14.2.6 Tea Rooms or Rural Services

- (a) Whether the development will generate high volumes of traffic.
- (b) Whether the development will have detrimental effects on the roading network and road safety.
- (c) Whether the development will have an adverse effect on the visual amenity values of the area.

17.3.14.2.7 Mineral Extraction

- (a) Assessment criteria in 17.8.13.1 will be considered.