CONTENTS OF SECTION TWO, PART 3 – RURAL PAPAKURA

Figures

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PART 3 General Rules

3.1 INTRODUCTION

This part of Section 2 of the Plan sets out the rules which apply to all activities in the rural zones of the District. These rules should be read in conjunction with the other parts of Section 2 of this Plan. A list of the matters covered by this part of Section 2 is set out in the Table of Contents.

3.2 CONTAMINATED SITES

3.2.1 Explanation

A contaminated site is defined by the Act as land of one of the following kinds:

"(a) if there is an applicable national environmental standard on contaminants in soil, the land is more contaminated than the standard allows; or

(b) if there is no applicable national environmental standard on contaminants in soil, the land has a hazardous substance in or on it that—

(i) has significant adverse effects on the environment; or

(ii) is reasonably likely to have significant adverse effects on the environment"

The contamination of land can occur through past and present uses of land where the discharge or spillage of hazardous substances occurs over a period of time. Contaminated sites present a risk to the natural environment through contamination of the land, watercourses and underground aquifers, but also to the health and safety of occupiers on the site and potentially in the vicinity of the site.

In order to avoid adverse effects on the health and safety of people, and to remedy or mitigate the adverse effects of contamination on land, water and air, the Council will require that any development of a known or potentially contaminated site will assess the level of contamination and outline the remediation (if any) so that the risks associated with contamination are managed to an acceptable industry standard.

Section 31 of the Act identifies the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land as one of the functions of territorial authorities.

The Council also has responsibilities for contaminated sites under Local Government Official Information Act 1987, the Building Act 1991 and the Health Act 1956.

The provisions for contaminated sites set out in the rules below seek to ensure that the redevelopment of any land which is contaminated is only undertaken following remediation of that land to an acceptable standard for the intended development.

3.2.2 Controlled Activities

1. Any activity involving the remediation and/or restoration of a contaminated site.

3.2.3 Restricted Discretionary Activities

The following are restricted discretionary activities:

1. Any activity involving the redevelopment, development, or use of a potentially or confirmed contaminated site.

Note: Resource consent may be required from the Auckland Regional Council for the remediation, use, or development of contaminated land.

3.2.4 Assessment Criteria – Controlled Activities

The following assessment criteria will be used in assessing applications for controlled activities to remediate or restore a contaminated site.

1. The extent to which any proposal for remediation and restoration of a contaminated site has regard to:
   a. the extent to which the site is contaminated.

b. health and safety standards covering the intended work.
c. the measures by which the site will be remediated and restored.
d. safety standards for the intended use of the site.
e. the means by which any adverse effects on the environment will be avoided or mitigated.

3.2.5 Restricted Discretionary Activities - Matters of discretion

The Council has restricted its discretion to the following matters:

1. The extent to which any proposal for the development, redevelopment or use of a contaminated site or a potentially contaminated site known to the Council meets the current best practice guidelines for the development or use of a contaminated site.
2. The extent to which any proposal for the development, redevelopment or use of a contaminated site known to the Council demonstrates that there will be no more than minor off-site adverse effects and that measures will be taken to ensure the safe operation of the proposal on the contaminated site.

3.2.6 Information Requirements for Resource Consent Applications

In addition to the general information requirements for resource consent applications set out in Section One, Rule 9.5 of the Plan, any application for resource consent for the development, redevelopment, or use of a known or potentially contaminated site must include the following information

1. Site Investigation Report

a. A Site Investigation Report prepared in accordance with Ministry for the Environment Contaminated Land Management Guideline No. 1 should be supplied and should include a conceptual model of the site which identifies sources of contamination, pathways for migration of contamination and receptors.

2. Remediation Action Plan

a. A Remediation Action Plan prepared in accordance with Ministry for the Environment Contaminated Land Management Guideline No. 1.

3.3 HAZARDOUS FACILITIES

3.3.1 Explanation

Hazardous facilities are those activities which use, store or transport hazardous substances. Hazardous substances include substances which have an explosive, oxidising or corrosive nature; are flammable; have acute and chronic toxicity, or are ecotoxic with or without bioaccumulation.

Legislatively, hazardous substances and facilities are managed under the Hazardous Substances and New Organisms Act (HSNO) 1996 and the Act. The HSNO Act sets out development standards for the use, storage, transportation and disposal of all hazardous substances on a nationwide basis while the Act requires councils to control the potential adverse effects of hazardous substances on a site by site basis.

Section 30 of the Act requires Territorial Authorities to control "any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards and the prevention or mitigation of the adverse effects of the storage, use, disposal, or transportation of hazardous substances"

In managing hazardous facilities and hazardous substances, Council is concerned with the likely risk of a hazard occurring. A hazard could be an explosion, a fire, or the release of toxic gas, while the risk is the likelihood of that hazard occurring. A hazard can have adverse effects on the environment, human health, and property.
Rules for hazardous facilities are based on controlling the location, design, construction, operation and management of hazardous facilities in a manner that avoids, remedies or mitigates risks and adverse effects to human health, property and sensitive environments. This will be achieved through the use of the Hazardous Facility Screening Procedure (HFSP), which determines the necessary level of scrutiny based on the risk and potential environmental effects presented by hazardous facilities, and through rules based on a series of development standards. For the avoidance of doubt, all rules pertaining to hazardous facilities apply to hazardous sub-facilities, unless otherwise stated.

3.3.2 Rules

The following rules shall be read in conjunction with the development standards of the applicable zone, and all other rules within the Papakura District Plan.

The activity status for the use or storage of hazardous substances is determined by the effects ratio as indicated in the Consents Status Matrix below. If an activity is a permitted activity following an assessment of the activity against the HFSP, compliance with all the development standards for Hazardous Facilities must also be achieved, otherwise consent for a restricted discretionary activity will be required.

3.3.2.1 Consent Status Matrix

Table 1: Consent Status Matrix

Zones	Effects Ratio Trigger Level for Permitted	Effects Trigger Level for Discretionary Activities

	Activities	
Rural Plains	<0.75	>0.75
Hunua Hills	<0.2	>0.2
Countryside Living	<0.5	>0.5
Karaka Centre Zone	<0.75	>0.75
Future Urban Zone	<0.75	>0.75
Hingaia Education Zone	<0.75	>0.75

3.3.2.2 Exemptions from the Hazardous Facility Screening Procedure

1. The following activities shall be exempted from compliance with the HFSP and do not require an effects ratio trigger level calculation. They are not exempt from other requirements relating to hazardous substances, including compliance with Permitted Activity Standards and may be identified as requiring a resource consent elsewhere in the provisions for Hazardous Facilities:

    a. The retail sale of liquid fuel, up to a storage of 100,000 litres of petrol in underground storage tanks and up to 50,000 litres of diesel, provided that the *"Code of Practice for the Design, Installation and Operation of Underground Petroleum Systems",* published by the Department of Labour – OSH, is adhered to.
    b. The retail sale of LPG, with a storage of up to 6 tonnes (single vessel storage) of LPG, provided that the most recent edition of the "Australian Standard (AS 1596:1997) – LP Gas Storage and Handling – Siting of LP Gas Automotive Retail Outlets" is adhered to.
    c. Existing facilities will not be subject to the HFSP unless they significantly expand or alter their operations. A significant alteration occurs when the effects of the use are not the same or similar in character, intensity or scale as previously, as defined in Sections 10, 10A and 20 of the Act.
    d. Teaching and research laboratories excluding any activities that are undertaken by such laboratories outside of the laboratory (including bulk hazardous substances storage facilities, field tests, etc).
    e. Radioactive substances.
    f. Milk or any organic liquid substances with the potential to deplete oxygen in receiving waters.

2. The following activities do not require an effects ratio trigger level calculation and do not have to comply with the development standards for Hazardous Facilities:
    a. Trade waste sewers, or waste treatment and disposal facilities (this exception does not apply to the storage of hazardous substances or waste associated with these facilities).
    b. Domestic storage and use of hazardous consumer products for domestic purposes.
    c. Retail outlets for the sale of hazardous substances for domestic use (e.g. supermarkets, hardware shops, pharmacies).
    d. Facilities using genetically modified organisms.
    e. Dust explosion.
    f. Gas or oil pipelines.

g. Fuel in motor vehicles, boats and small engines.

h. Developments that are or may be hazardous but do not involve hazardous substances (e.g. radio masts, electrical substations).

i. The occasional loading and unloading of hazardous substances on a site where this forms only a minor part of site operations.

3.3.2.3 Permitted Activities

The following activities are permitted activities provided they comply with the development standards in Rule 3.3:

1. Any hazardous facility which has been assessed as having an Effects Ratio (Quantity Ratio which is below the Effects Ratio (Consent Status Index) for Permitted Activities in the Consent Status Matrix in Table 1.
2. Any storage of milk or other organic liquids in quantities below 10,000 litres.
3. Any use or storage of radioactive materials with an activity below that specified as an exempt activity in the Radiation Protection Regulations 1982.

3.3.2.4 Controlled Activities

The following activities are Controlled Activities provided they comply with the development standards in Rule 3.3 and will be controlled in respect of the matters identified in Rule 3.4.1:

1. Teaching and research laboratories and the associated use, handling, storage and disposal of hazardous substances (not including bulk hazardous storage facilities).
2. Any use or storage of radioactive materials with an activity in excess of that specified as an exempt activity in the radioactive Protection Regulations 1982 and below 100 TeraBecquerel.
3. The retail sale of fuel, up to a storage of 100,000 litres of petrol and up to 50,000 litres of diesel in underground storage tanks, provided it can be demonstrated that the *"Codes of Practice for the Design, Installation and Operation of Underground Petroleum Systems"* published by the Department of Labour (Occupational Safety and Health) 1995 is adhered to.
4. The retail sale of LPG, with a storage of up to six tonnes (single vessel storage) of LPG, provided it can be demonstrated that the most recent edition of the *"Australian Standard (AS 1596–1997) for LP Gas Storage and Handling – Siting of LP Gas Automotive Retail Outlets"* is adhered to.

3.3.2.5 Restricted Discretionary Activities

The following are restricted discretionary activities:

1. Permitted or controlled activities which do not comply with one or more of the development standards in Rule 3.3 shall be considered to be restricted discretionary activities.

3.3.2.6 Discretionary Activities

The following activities are discretionary activities and shall be assessed against the criteria set out in Rule 3.4.4:

1. Any hazardous facility which has been assessed as having an Effects Ratio (Quantity Ratio) which is greater than the Effects Ratio (Consent Status Index) for Discretionary Activities, for the zone in which it proposes to locate, as indicated in the Consent Status Matrix, Rule 3.2.1 Table 1.
2. Any storage facility for milk or other liquid organic food produced in quantities above 10,000 litres.
3. Any use or storage of radioactive materials with an activity in excess of that specified as an exempt activity in the Radiation Protection Regulations 1982 and above 100 TeraBecquerel.
4. Any other hazardous facility that is not identified as a Permitted, Controlled, Restricted Discretionary or Non Complying Activity.

3.4 DEVELOPMENT STANDARDS

The following minimum development standards apply to all hazardous facilities and activities.

1. Hazardous Facilities Site Design

a. Any part of a hazardous facility which is involved in the manufacture, mixing, packaging, storage, loading, unloading, transfer, use or handling of hazardous substances must be designed, constructed and operated in a manner which prevents:

   i. the occurrence of any off-site adverse effects from the above listed activities on people, ecosystems, physical structures and/or other parts of the environment unless permitted by a resource consent.

   ii. the contamination of air, land and/or water (including groundwater, potable water supplies and surface waters) in the event of a spill or other type of release of hazardous substances.

2. Site Layout

a. The hazardous facility must be designed in a manner to ensure that separation between on-site facilities and the property boundary is sufficient for the adequate protection of neighbouring facilities, land uses and sensitive environments.

3. Storage of Hazardous Substances

a. The storage of any hazardous substances must be carried out in a manner that prevents:

   i. the unintentional release of the hazardous substance.

   ii. the accumulation of any liquid or solid spills or fugitive vapours and gases in enclosed off-site areas, resulting in potentially adverse effects on people, ecosystems or built structures.

Specific performance requirements for the storage of hazardous substances are covered by HSNO regulations.

4. Site Drainage Systems

a. Site drainage systems must be designed, constructed and operated in a manner that prevents the entry or discharge of hazardous substances into the stormwater and/or sewerage systems unless permitted by a network utility operator.

Suitable means of compliance include clearly identified stormwater grates and access holes, roofing, sloped pavements, interceptor drains, containment and diversion valves, oil-water separators, sumps and similar systems.

5. Spill Containment Systems

a. Any parts of the hazardous facility site where a hazardous substances spill may occur must be serviced by suitable spill containment systems that are:

i. constructed from impervious materials resistant to the hazardous substances used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled on the site; and for liquid hazardous substances:

1. able to contain the maximum volume of the largest tank present plus an allowance for stormwater or fire water.

2. for drums or other smaller containers, able to contain 50 percent of the maximum volume of substances stored plus an allowance for stormwater or fire water.

ii. able to prevent the entry of any spill or other unintentional release of hazardous substances, or any contaminated stormwater and/or fire water into site drainage systems unless permitted by a network utility operator.

iii. Able to prevent the spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated from discharging into or onto land and/or water (including drainage systems, groundwater and potable water supplies) unless permitted by a resource consent.

Suitable means of compliance include graded floors and surfaces, bunding, roofing, sumps, fire water catchments, overfill protection and alarms, and similar systems.

6. Hazardous Facilities Stormwater Drainage

a. All stormwater grates on the site shall be clearly labelled “Stormwater Only”

7. Washdown Areas

a. Any part of the hazardous facility site where vehicles, equipment or containers that are or may have become contaminated with hazardous substances are washed, must be designed, constructed and managed to prevent any contaminated wash water from:

i. entry or discharge into the stormwater drainage or the sewerage systems unless permitted by a network utility operator.

ii. discharge into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.

Suitable means of compliance include roofing, sloped pavements, interceptor drains, containment and diversion valves, oil-water separators, sumps and similar systems.

8. Underground Storage Tanks

a. Underground tanks for the storage of petroleum products must be designed, constructed and managed to prevent any leakage and spills and resulting adverse effects on people, ecosystems and property. Suitable means of compliance include:

i. using materials that are resistant to the hazardous substances concerned.

ii. using secondary containment facilities in areas of environmental sensitivity.

iii. providing leak detection or monitoring system which capable of detecting a failure or breach in the structural integrity of the primary containment vessel.

iv. adherence to the Code of Practice for "Design, Installation and Operation of Underground Petroleum Systems" (OSH, 1992).

b. In addition to complying with the above requirements for underground storage tanks, the Code of Practice for *"The Design, Installation and Operation of Underground Petroleum Systems – Department of Labour – Occupational Safety and Health (1995)"* shall also be adhered to.

9. Signage

a. Any hazardous facility must be adequately signposted to indicate the nature of the substances stored, used or otherwise handled.

Suitable means of compliance include adherence to the Code of Practice for *"Warning Signs for Premises Storing Hazardous Substances"*, the HAZCHEM signage system, or any other Code of Practice approved by the New Zealand Fire Service.

10. Waste Management

a. Any process waste or waste containing hazardous substances shall be managed to prevent:

i. the waste entering or discharging into the stormwater drainage system.

ii. the waste entering or discharging into the sewerage system unless permitted by the sewerage utility operator.

iii. the waste discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.

b. The storage and management of any process waste or waste containing hazardous substance on the site shall at all times comply with the development standards specified for hazardous substances.

c. All waste containing hazardous substances shall be disposed of to facilities holding the necessary consents, or be serviced by a registered waste disposal contractor.

3.5 ASSESSMENT CRITERIA

3.5.1 Controlled Activities

1. The council reserves control over the following matters:

    a. The proposed operation and site layout.
    b. Demonstration that safe routes have been selected and will be utilised for the transport of hazardous substances on and off-site.
    c. The sensitivity of the surrounding natural, human and physical environment.
    d. Separation distances and the type of environment/number of people potentially at risk from the proposed facility.
    e. Potential hazards and exposure pathways arising from the proposed facility.
    f. Potential cumulative hazards presented in conjunction with neighbouring facilities.
    g. Proposed fire safety and fire water management.
    h. Proposed spill contingency and emergency planning.
    i. Proposed monitoring and maintenance schedules.
    j. Proposed waste disposal management.
    k. Compliance with relevant Codes of Practice.
    l. Compliance with relevant standards for the use, storage and transport of hazardous substances by retail fuel outlets for petrol (up to 100,000 litres in underground tanks) and diesel (up to 50,000 litres in underground tanks), including adherence to the “Codes of Practice for the Design, Installation and Operation of Underground Petroleum Systems” published by the Department of Labour (Occupational Safety and Health) 1995.
    m. Compliance with relevant standards for the use, storage and transport of hazardous substances by retail fuel outlets for LPG, including adherence to the most recent edition of the “ Australian Standard (AS 1596–1997) for LP Gas Storage and Handling – Siting of LP Gas Automotive Retail Outlets”.
    n. Compliance with relevant standards for the use, storage and transport of hazardous substances by teaching and research laboratories, including the following:
        i. AS 2982.1:1997 (or more recent amendments/editions) – Laboratory Design and Construction
        ii. AS 2243.1:1997 (or more recent amendments/editions) – Safety in Laboratories – General
        iii. AS 2243.2:1997 (or more amendments/recent editions) – Safety in Laboratories – Chemical Aspects
        iv. AS 2243.3:1995 (or more recent amendments/editions) – Safety in Laboratories – Microbiology
        v. AS 2243.5:1993 (or more recent amendments/editions) – Safety in Laboratories – Nonionising Radiation
        vi. AS 2243.6:1990 (or more recent amendments/editions) – Safety in Laboratories – Mechanical Aspects
        vii. AS 2243.8:2001 (or more recent amendments/editions) – Safety in Laboratories – Fume Cupboards
        viii. AS 2243.9:1991 (or more recent amendments/editions) – Safety in Laboratories – Recirculating Fume Cabinets
        ix. AS 224310:1993 (or more recent amendments/editions) – Safety in Laboratories – Storage of Chemicals.

3.5.2 Restricted Discretionary Activities – Matters of discretion

Council will restrict its discretion to the performance standard with which the activity was unable to comply.

3.5.3 Notification requirements

Except as provided for by sections 94C(2) of the Act, applications for restricted discretionary activities for hazardous facilities will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (in accordance with section 94D(2) and (3) of the Act).

3.5.4 Discretionary Activities

Discretionary Activities will be assessed against, but not limited to, the assessment criteria below.

1. Assessment of environmental effects
    a. Impact assessment: all applications for discretionary activities will be assessed in respect of the Assessment of Environmental Effects prepared.
    b. Alternatives: for any discretionary activity the AEE must also contain an evaluation of alternatives (sites/locations, substances, quantities, processes/equipment, site management, etc.) to determine whether there are any alternatives to the proposal particularly where it is possible that the activity is likely to result in significant environmental effects.
    c. Risk assessment: for any discretionary activity the AEE must also contain a risk assessment that systematically addresses site hazards, likely accident scenarios, exposure pathways, receiving environments and potential environmental effects.

    The detailed hazard and risk analysis of installations, operations and processes involving hazardous substances is to be appropriate to the type and scale of the proposed facility.

    d. Risk mitigation and management: a qualitative or, in some cases, a quantitative risk assessment may be required, depending on the scale or potential effects of the proposed development. This assessment should place emphasis on the following issues:
        i. identification of potential hazards, failure modes and exposure pathways.
        ii. assessment of the probability and potential consequences of an accident leading to a release of a hazardous substance or loss of control, including, as applicable, cumulative and/or synergistic effects.
        iii. acceptability of the assessed risks, including cumulative risks.
        iv. proposed risk control and environmental mitigation measures, with emphasis on sensitive activities and environments, including, as applicable, fire safety and site management systems, engineered safety measures such as containment devices, spill contingency and

emergency plans, monitoring and maintenance schedules as well as training programmes.

2. Performance assessment

a. In assessing discretionary activities council will evaluate the following additional matters:

i. Whether a proposal complies with the performance standards outlined in Rule 3.2.

ii. The extent to which the proposed site design, construction and operation of hazardous facilities are appropriate to prevent the accidental release, or loss of control, of hazardous substances, and whether adequate emergency and spill contingency plans are provided.

iii. The extent to which the proposed site design, construction and operation of hazardous facilities are appropriate to prevent and mitigate any adverse effects resulting from activities on the site involving hazardous substances on people, property and environmentally sensitive areas.

iv. Whether off-site transport of hazardous substances has been adequately addressed.

v. The preparation of waste management plans for significant quantities of wastes containing hazardous substances, including procedures for disposal practices and use of waste contractors.

vi. Whether other alternatives have been considered adequately.

vii. Whether the risks presented by the hazardous facility to humans, the environment and property have been assessed fully and systematically, and whether they are able to be avoided, remedied and mitigated satisfactorily.

viii. Whether a suitable site management system has been proposed.

The Council will consider the use of a national or international site management standard and any subsequent amendments to these standards, such as the New Zealand Chemical Industry Council (NZCIC) responsible Care Programme, the ISO 9000 and ISO 14001 systems.

Appendix 3.A Hazardous Facilities Screening Procedure Strategy

Hazardous substances, by their very nature, present a number of complex issues. Council has adopted an approach to managing hazardous facilities that focuses on assessing potential adverse effects of three kinds:

1. Effects caused by fire and/or explosion.
2. Effects on human health.
3. Environmental effects.

Possible adverse effects of hazardous substances can be predicted by the hazard of the substance and the anticipated consequences of its release. Adverse effects include:

1. Contamination of water, soil and air.
2. Short and long term damage to ecosystems.
3. Damage to communities.
4. Accumulation of persistent substances in the bodies of humans and animals, resulting in chronic and/or long term damage to their health.
5. Acute damage to human health through exposure to substances affecting skin, mucous membranes, respiratory and digestive systems.
6. Damage to the environment, human health and property from fire or explosion events
7. Road accidents and traffic delays.

In order to assess the hazard posed by various substances and the risk they present, Territorial Authorities have adopted the Hazardous Facility Screening Procedures (HFSP) for use in assessing hazardous activities or facilities. The HFSP is a tool which assesses the site-specific effects of a hazardous facility within a given community or environment.

The Consent Status Matrix is the main link between the District Plan and the Hazardous Facility Screening Procedure. The matrix contains a range of numerical values. These values serve as trigger levels to determine the consent status of an activity involving hazardous substance in a specific land use zone.

They are effectively benchmarks against which the numerical values calculated by the Hazardous Facility Screening Consent Status Table vary in accordance with the sensitivity of the different land use zones, buffer areas and the types and quantities of hazardous substances which can be used or stored in these.

The HFSP has undergone extensive technical review and scrutiny by local and overseas experts and has been successfully tested in court.

The Consents Status Matrix provides a signal to the hazardous facilities operator as to which zones are best suited for a proposed development, what controls will apply and the likely outcome of the consent application. In addition, communities will be given some certainty over where hazardous facilities are likely to be located.

Appendix 3.B – Hazardous Facilities Screening Procedure – Step by Step Guide

Figure 1: Overview of the HFSP

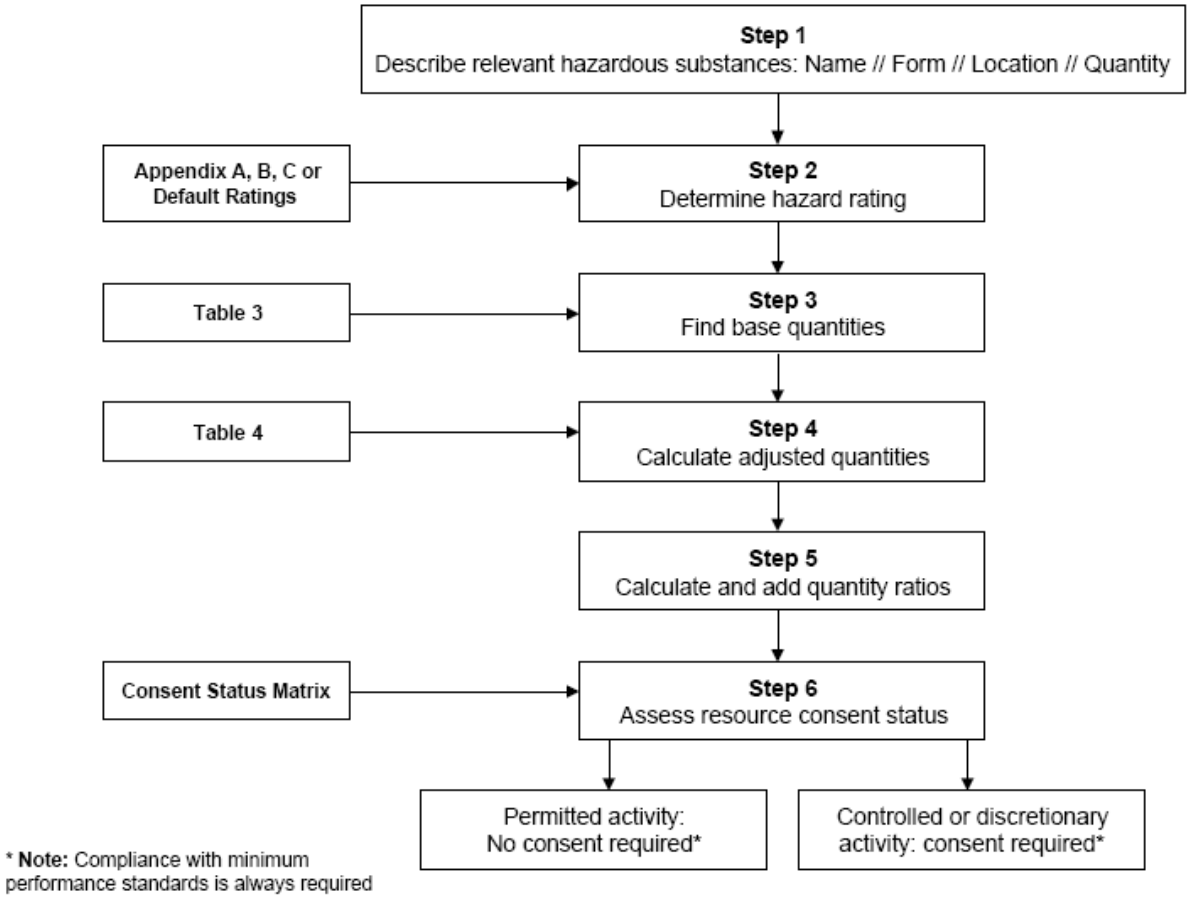


Table 2: The HFSP step-by-step guide

<table>
<tr><th>Steps</th><th colspan="4">HFSP Calculations</th><th>Explanation</th></tr>
<tr><td rowspan="3">1 Describe the hazardous facility
Prior to using the HFSP, it is necessary to compile a full description of the hazardous facility in question. This includes the creation of an inventory of hazardous substances held on the site, including:
• names of the hazardous substances
• quantities of the hazardous substances
• the physical form of the substances at 20oC and 101.3 kPa
• the location of use or storage on the site, including separation distances from the site boundary and neighbouring hazardous facilities (on-site and off-site).
The description should also include site-specific details, including neighbouring land uses and the surrounding environment, with a focus on sensitive land uses and receptors (e.g. retirement accommodation, aquifers or</td><td>Substance Name
Substance 1…
Substance 10</td><td>Substance Form
(liquid, solid or gas)</td><td>Location of Substances on Site</td><td>Proposed Quantity (P)
(Tonnes or m^3)</td><td rowspan="3">The HFSP uses standard units of tonnes (t) (for solids, liquids and liquefied gases) and cubic metres (m^3) (for compressed gases). In some cases, it may therefore be necessary to convert substance quantities to these units. In the case of liquids, specific gravity (or density) must be taken into consideration when converting litres or m^3 to tonnes (i.e.
volume of liquid (litres) x specific gravity
1000
= tonnes).
Adjustments to quantities are also necessary where a substance is diluted with water or mixed with another substance. In this instance, only the percentage quantity of the hazardous substance or product in the dilution or mixture is assessed for the purposes of HFSP calculations (unless a mixture is more hazardous than its components, in which case data on the mixture need to be used). An exception to this are products or brands that already constitute dilutions or mixtures of</td></tr>
<tr><td colspan="4">Example</td></tr>
<tr><td>Petrol</td><td>Liquid</td><td>< 30 metres</td><td>50 +</td></tr>
</table>

wetlands).					hazardous substances and which have been classified in terms of their hazardous properties as the 'whole' dilution or mixture for life cycle management purposes. Examples of this are corrosives, oxidising substances and pesticides, which are often sold commercially as standard solutions or strengths. In these cases, quantity adjustments are only applied when these commercially supplied concentrations are further diluted or mixed.

Steps					**Explanation**
	Substance Name	**Hazard Rating**			
2 Determine hazard rating For the purposes of the HFSP, the effects of substances are categorised into three Effect Types : Fire/Explosion Effect	Substance 1… Substance 10	Fire/ Explosion High (H) or Medium (M) or	Human Health High (H) or Medium (M) or Low (L)	Environ m-ent High (H) or Medium (M) or Low (L)	The HFSP rates hazardous substances in terms of each of the three Effect Types as having a high, medium or low hazard. The Hazard Rating of a substance

Type: addressing damage to the built environment and safety of people Human Health Effect Type: addressing adverse effects on the well-being, health and safety of people Environmental Effect Type: addressing adverse effects on ecosystems and natural resources. Each Effect Type is divided into three Hazard Rating Levels: ¨ High ¨ Medium ¨ Low The rating levels are based predominantly on the HSNO classification system.		Low (L)			is derived from: 1 The list of HFSP-rated hazardous substances in Appendix B of *'The Land Use Planning Guide for Hazardous Facilities'*, Ministry for the Environment, 2002. 2 The HSNO classification (refer Appendix A of *'The Land Use Planning Guide for Hazardous Facilities'*, Ministry for the Environment, 2002). Once a substance has been classified under HSNO, Hazard Ratings can be assigned for each Effect Type as shown in Appendix A. 3 Where a substance is neither found in Appendix B of *'The Land Use Planning Guide for Hazardous Facilities'*, Ministry for the Environment, 2002, nor the HSNO database on the ERMA website, the following default ratings should be used: • Fire/Explosion Effect Type: Medium • Human Health Effect Type: Medium • Environment Effect Type: High 4 The substance may be rated using Appendix C of *'The Land Use Planning Guide for Hazardous Facilities'*, Ministry for the Environment,
	Example				
	Petrol	High	Low	Medium	

					2002 as a guide.

<table>
<tr><th>Steps</th><th></th><th></th><th></th><th></th><th>Explanation</th></tr>
<tr><td rowspan="4">3 Find base quantities
The Base Quantity (B) is precalibrated. It is the amount of a substance that has been assessed as generating no significant off –site effects in a heavy industrial area before site- and substance-specific considerations have been taken into account (refer Step 4). Base Quantities for different hazardous properties and hazard ratings in each Effect Type are listed in Table 3.</td><td>Substance Name</td><td colspan="3">Base quantities</td><td rowspan="4">For example, in the Fire/Explosion Effect Type (Sub-category Flammables), non-significant off-site effects in a heavy industrial area are represented by a Base Quantity of:
• 100 tonnes of a HSNO Category D flammable liquid which has a low hazard level for the Fire/Explosion Effect Type.
• 30 tonnes of a HSNO Category C flammable liquid which has a medium hazard level for the Fire/Explosion Effect Type.</td></tr>
<tr><td>Substance 1…
Substance 10</td><td>Fire/ Explosion
B^1
B^2
…
B^{10}</td><td>Human Health
B^1
B^2
…
B^{10}</td><td>Environ m-e B^1
B^2
…
B^{10}nt</td></tr>
<tr><td colspan="4">Example</td></tr>
<tr><td>Petrol</td><td>10 t</td><td>30 t</td><td>30 t</td></tr>
<tr><td rowspan="4">4 Calculate Adjusted Quantity (A)
The precalibrated Adjustment Factors (FF, HF, EF) are multiplied with the Base Quantities (B) to account for substance properties and site-specific environmental circumstances. This multiplication yields the Adjusted Quantity (A).
Adjustment Factors differ for each of the Effect Types, and take into account the following considerations:
• the physical state of the substance
• the type of storage
• the type of activity</td><td colspan="4">Example</td><td rowspan="4">Different Adjustment Factors are applied for each Effect Type. For example, for the Fire/Explosion Effect Type, the temperature is relevant, while for the Human Health Effect Type, proximity to a potable water resource is important. In some instances, more than one Adjustment Factor within each Effect Type must be applied, which then need to be multiplied with each other to yield the total Adjustment Factor for the Effect Type. When the Adjustment Factors for each Effect Type have been calculated, they in turn are multiplied with the</td></tr>
<tr><td>Petrol</td><td>10 t</td><td>30 t</td><td>30 t</td></tr>
<tr><td>Substance name
Adjusted quantities (A)
Substance 1...
Substance 10</td><td>Fire/ Explosion
A1
A2
...
A10</td><td>Human Health
A1
A2
...
A10</td><td>Environment
A1
A2
…
A10</td></tr>
<tr><td colspan="4">Example</td></tr>
<tr><td>Petrol</td><td>100 t
(10 tonnes x 10)</td><td>300 t
(30 tonnes x 30)</td><td>(30 tonnes x 3)</td></tr>
</table>

or use • separation distances to the site boundary • the environmental sensitivity of the site location. The Adjustment Factors are listed in Table 4.					Base Quantity to yield the Adjusted Quantity). In the example given, the following parameters have been assumed: • <30m to site boundary • not adjacent to water body • underground storage.

<table>
<tr><th>Steps</th><th></th><th></th><th></th><th></th><th>Explanation</th></tr>
<tr><td rowspan="4">5 Calculate and add quantity ratios (FQ, HQ, EQ)
This step requires the calculation of the Quantity Ratio for each hazardous substance in question.
The Quantity Ratio is a dimensionless number. It is obtained by dividing the quantity of a substance that is proposed to be used or stored on a site, i.e. the Proposed Quantity (P) by the Adjusted Quantity (A).
If several hazardous substances are used or stored on a site, the Quantity Ratios calculated for each of these substances are added up for each Effect Type.
Note that FQ/HQ/EQTotal stands for the total sum of Quantity Ratio values from all assessed hazardous substances, within each Effect Type.</td><td>Substance Name
Substance 1…
Substance 10</td><td colspan="3">Quantity Ratios (FQ, HQ, EQ)</td><td rowspan="4">By using the dimensionless ration of the Proposed Quantity of a hazardous substance over the Adjusted Quantity, it is possible to aggregate the effects presented by multiple substances held on the same site. Hence, it becomes possible to assess the cumulative potential effects which may be created by several substances present on the same site.</td></tr>
<tr><td></td><td>Fire/ Explosion
FQ^1
FQ^2
…
FQ^{10}
FQ^{Total}</td><td>Human Health
FQ^1
FQ^2
…
FQ^{10}
HQ^{Total}</td><td>Environment
FQ^1
FQ^2
…
FQ^{10}
EQ^{Total}</td></tr>
<tr><td colspan="4">Example</td></tr>
<tr><td>Petrol</td><td>0.50
(50t / 100t)</td><td>0.1667
(50t / 300t)</td><td>0.5556
(50t / 90t)</td></tr>
<tr><td rowspan="4">6 Assess resource consent status of hazardous facility
When assessing the resource consent status of a particular hazardous facility, the added Quantity Ratios for each Effect Type are compared with relevant Consent Status Indices in the Resource Consent Matrix in the district plan. If they are exceeded, a resource</td><td>Substance name
Substance 1
Substance 2
...
Substance 10</td><td colspan="3">Does quantity ratio exceed consent status index?</td><td rowspan="4">When examining total Quantity Ratios against applicable Consent Status Indices, one or several substances may trigger a resource consent. This highlights the fact that when assessing hazardous facilities, it is often sufficient to assess just a few hazardous substances to start off with, mainly those that are either</td></tr>
<tr><td></td><td>Fire/ Explosion
Yes / No</td><td>Human Health
Yes / No</td><td>Environment
Yes / No</td></tr>
<tr><td colspan="4">Example</td></tr>
<tr><td>Petrol</td><td>No</td><td>No</td><td>No</td></tr>
</table>

consent is required.					highly hazardous or are used/stored in high quantities.

Appendix 3.C – Hazardous Facilities Screening Procedure – Tables

Table 3: Base Quantities

HSNO Category	UN class equivalent	Hazard level	Unit tonnes or cubic metres	Base quantity (B)		
				Fire/Explosion	Human health	Environment
Explosive Substances						
1.1	1.1	High	Tonnes	0.1	-	-
1.2	1.2	Medium	Tonnes	1	-	-
1.3	1.3	Low	Tonnes	3	-	-
1.5	1.5	Low	Tonnes	3	-	-
Flammable gases						
2.1.1A	2.1	High	m^3 tonnes	10,000* 10	-	-
2.1.2A	2.1	High	m^3 tonnes	10,000* 10	-	-
	LPG	Medium	tonnes	30	-	-
Flammable Liquids						
3.1A	3PGI	High	tonnes	10	-	-
3.1B	3PGII	High	tonnes	10	-	-
3.1C	3PGIII	Medium	tonnes	30	-	-
3.1D	Combustible liquids	Low	tonnes	100	-	-
Liquid desensitised explosives						
3.2A	3PGI	High	tonnes	1	-	-
3.2B	3PGII					
3.2C	3PGIII					
Flammable Solids						
4.1.1A	4.1(a) PGII	Medium	tonnes	10	-	-
4.1.1B	4.1(a) PGIII	Low	tonnes	30		
4.1.2 A 4.1.2 B	4.1 (b) PGII	High	tonnes	1		
4.1.2 C 4.1.2 D	4.1 (b) PGII	Medium	tonnes	10		
4.1.2 E 4.1.2 F 4.1.2 G	4.1 (b) PGII	Low	tonnes	30		

HSNO Category	UN class equivalent	Hazard level	Unit tonnes or cubic metres	Base quantity (B)		
				Fire/Explosion	Human health	Environment
4.1.3 A	4.1 (c) PGI	High	tonnes	1		
4.1.3 B	4.1 (c) PGII	High	tonnes	1		
4.1.3 C	4.1 (c) PGIII	High	tonnes	1		
4.2 A	4.2 PGI	High	tonnes	1		
4.2 B	4.2 PGII	High	tonnes	1		
4.2 C	4.2 PGIII	Medium	tonnes	10		
4.3 A	4.3 PGI	High	tonnes	1		
4.3 B	4.3 PGII	High	tonnes	1		
4.3 C	4.3 PGIII	Medium	tonnes	10		
Oxidising substances						
5.1.1 A	5.1 PGI	High	tonnes	1		
5.1.1 B	5.1 PGII	High	tonnes	1		
5.1.1 C	5.1 PGIII	Medium	tonnes	10		
5.1.2 A	2.2	High	m^3 tonnes	10,000 10		
5.2A	5.2	High	tonnes	1		
5.2B	Types A and B					
5.2C	5.2	Medium	tonnes	10		
5.2D	Types C and D					
5.2 E 5.2 F 5.2 G	5.2 Types E, F and G	Low	tonnes	30		
Toxic substances						
6.1A	6.1 PGI 2.3	High	tonnes m^3	-	1 50	-
6.1B	6.1 PGII 2.3	High	tonnes m^3	-	1 50	-
6.1C	6.1 PGIII 2.3	Medium	tonnes m^3	-	10 150	-
6.1D	Standard poison	Low	tonnes m^3	-	30 500	-
Corrosive substances						
8.2A	8 PGI	High	tonnes	-	1	-

HSNO Category	UN class equivalent	Hazard level	Unit tonnes or cubic metres	Base quantity (B)		
				Fire/Explosion	Human health	Environment
8.2B	8 PGII	Medium	tonnes	-	10	-
8.2C	8 PGIII	Low	tonnes	-	30	-
Ecotoxic substances						
9.1A	GHS	High	tonnes	-	-	3
9.1B	GHS	Medium	tonnes	-	-	30
9.1C	GHS	Low	tonnes	-	-	100
9.1D	GHS	Low	tonnes	-	-	100

*Base threshold in m^3 at 101.3 kPA and 20°C for permanent or compressed gases.

Table 4: Adjustment factors for all effect types

Fire/explosion	Human Health	Environment
FF1: Substance form	**FH1: Substance form**	**FE1: Substance form**
Solid = 1 Liquid, powder = 1 Gas (101.3 kPA and 20°C) = 0.1	Solid = 3 Liquid, powder = 1 Gas (101.3 kPA and 20°C) = 0.1	Solid = 3 Liquid, powder = 1 Gas (101.3 kPA and 20°C) = 0.1
FF2: Separation distance from site boundary (sub-facility)	**FH2: Separation distance from site boundary (sub-facility)** (gases only)	**FE2: Environmental sensitivity**
< 30 m = 1 > 30 m (>60 m)[1] = 3	< 30 m = 1 > 30 m (>60 m) = 3	Normal = 1 Adjacent to water resource[2]= 0.3
FF3: Type of activity	**FH3: Type of activity**	**FE3: Type of activity**
Use = 0.3 Above-ground storage = 1 Underground storage[3] = 10	Use = 0.3 Above-ground storage = 1 Underground storage[3] = 10	Use = 0.3 Above-ground storage = 1 Underground storage[3] = 3
Final fire/explosion adjustment factor **FF = FF1 x FF2 x FF3**	Final human health adjustment factor **FH = FH1 x FH2 x FH3**	Final environment adjustment factor **FE = FE1 x FE2 x FE3**

[1] If the facility is assessed as a sub-facility, the distance to the neighbouring sub-facility must be more than 60 metres (i.e. 2 x 30 metres) to qualify for an Adjustment Factor of 3.

[2] Water resources include aquifers and water supplies, streams, springs, lakes, wetlands, estuaries and the sea, but do not include entry points to the stormwater drainage network.

[3] Applicable to UN Class 3 substances (flammable liquids) only.

Appendix 3.D – Hazardous Facilities Screening Procedure – Worksheets

Applicant number	
Applicant	
Contact name	
Postal address	
Site address	
Phone number	
Fax number	
E-mail	
Comment	

Ref No.	Substances on this site	CAS no.	Effect type	Hazard rating	Base quantity	Form	Distance to boundary less than 30 m? Yes/No	Adjacent to water? Yes/No	Type of activity A/Ground B/Ground use	FF	FH	FE	Product of adjustment factors	Adjusted quantity A	Proposed quantity	Fire/ explosion quantity ratio FQ	Human health quantity ratio HQ	Environ-ment quantity ratio EQ
1			Fire/explosion Human health Environment															
2			Fire/explosion Human health Environment															
3			Fire/explosion Human health Environment															
4			Fire/explosion Human health Environment															
5			Fire/explosion Human health Environment															
6			Fire/explosion Human health Environment															
7			Fire/explosion Human health Environment															
8			Fire/explosion Human health Environment															
9			Fire/explosion Human health Environment															

Appendix 3.E – Hazardous Facilities Screening Procedure – Transportation Provisions

The legislation, regulations and Codes of Practice addressing the transport of hazardous substances include:

1. Civil Aviation Act 1964
2. Civil Aviation Regulations 1953
3. Dangerous Goods Act 1974 and associated regulations
4. Explosives Act 1957
5. Explosives Regulations 1959
6. Toxic Substances Act 1979
7. Toxic Substances Regulations 1983
8. Transport Act 1962 and Transport Amendment Act 1989
9. Traffic Regulations 1976
10. Truck Loading Code (Ministry of Transport, 1985)
11. Instructions for the Safe Carriage of Hazardous Goods Traffic (New Zealand Railways, 1980)
12. NZS 5417:1988: Transportation Labels for Hazardous Substances (New Zealand Standards Association)
13. NZS 5418:1983: Transportation Containers for Hazardous Substances (Parts 1 & 2) (New Zealand Standards Association)
14. NZS 5433:1999: Code of Practice for the Transport of Dangerous Goods on Land (New Zealand Standards Association)
15. Code of Practice for Vehicles Transporting LP Gas in Bulk by Road (Department of Labour)
16. Corrosive Tank Wagon Code (Department of Labour, 1986)
17. Flammable Tank Wagon Code (Department of Labour, 1986)
18. LPG Tank Wagon Code (Department of Labour, 1986)

These controls are mainly technically orientated and do not directly address risk-related aspects. It is therefore important that local authorities recognise the risk associated with the transport of hazardous substances and utilise such tools available to them to prevent or mitigate such risks.

3.6 EARTHWORKS

3.6.1 Explanation

Earthworks have the potential to give rise to a range of adverse effects on the environment. They can result in a dust nuisance, can contribute to or exacerbate instability, and can have adverse effects on watercourses by the release of sediment into waterways. They can also have adverse effects on landscape values of the District, particularly in those areas of the District that have sensitive landscape qualities such as the Hunua Foothills.

Certain parts of the rural areas of the District are more sensitive to the potential adverse effects of earthworks, and these include the riparian margins of waterways, coastal areas, and areas surrounding archaeological sites and geological features.

The provisions set out in the rules below seek to manage the adverse effects of earthworks by restricting the area of earth that may be disturbed by earthworks in sensitive areas, and setting out a suite of performance standards to ensure earthworks are undertaken in an appropriate manner.

Where proposed earthworks do not meet the permitted activity thresholds set out in the table below, or do not comply with the performance standards, a resource consent will be required. Details of the assessment criteria are set out in Rule 4.4 below. An application for resource consent for earthworks will need to detail the extent of the proposed earthworks, whether any staging is proposed, the erosion and sediment control measures to be employed to avoid, remedy or mitigate any adverse effects, and a detailed assessment of the likely adverse effects arising from the proposed works.

It is noted that cleanfill is a separate activity from earthworks and is a discretionary activity in all rural zones as set out in Section 2, Part 2, Table 1,of this Plan, and is not dealt with under the Earthworks rules set out below. Large scale earthworks proposals may also require consent from the Auckland Regional Council under the Auckland Regional Plan: Sediment Control.

3.6.2 Activities

1. All permitted activities listed in the table below must comply with the performance standards for Earthworks set out in Rule 4.2.

	Permitted	Restricted Discretionary
Within 20 metres of the bed of a river or stream	Earthworks which expose up to 20m^2 of earth and comply with the performance standards for Earthworks	Earthworks which expose up to 20m^2 of earth and do not comply with one or more of the performance standards for Earthworks
		Earthworks which expose more than 20m^2 of earth
Within 40 metres of MHWS	Earthworks which expose up to 40m^2 of earth and comply with the performance standards for	Earthworks which expose up to 40m^2 of earth and do not comply with one or more of the performance standards for

<table>
<tr><th></th><th>Permitted</th><th>Restricted Discretionary</th></tr>
<tr><td rowspan="2"></td><td rowspan="2">Earthworks</td><td>Earthworks</td></tr>
<tr><td>Earthworks which expose more than 40m^2 of earth</td></tr>
<tr><td>Notable/Significant Trees/Vegetation</td><td></td><td>Earthworks within 20 metres of any individual trees or groups of trees identified in Section 2, Part 3, Schedule C of this Plan – Trees and Vegetation (refer to Section 2, Part 3, Rule 5.4 of this Plan – Scheduled Trees)</td></tr>
<tr><td>Geological Features</td><td colspan="2">Refer Section 2, Part 3, Rule 5.3 (Geological Features) of this Plan.</td></tr>
<tr><td>Heritage/Archaeological Sites</td><td colspan="2">Refer to Section 2, Part 3, Rule 5.5 (Archaeological Features) of this Plan.</td></tr>
<tr><td rowspan="3">All other Sites</td><td rowspan="3">Earthworks which comply with the performance standards for Earthworks provided that the earthworks:
Do not expose more than 250m^2 of earth; and
Have a volume less than 500m^3
Any disturbance of soil associated with cultivation land preparation (including establishment of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops and forestry.
Maintenance of facilities for permitted farming and forestry activities including existing farm/forestry tracks, roads, silage pits, farm drains, farm effluent ponds, fencing and sediment control measures.
Soil conservation, river and erosion control works including any works immediately necessary to avoid any actual or potential damage to the life, health or property of the people of the area.</td><td>Earthworks which do not comply with one or more of the performance standards for Earthworks</td></tr>
<tr><td>Earthworks which expose an area of earth greater than 250m^2 of earth.</td></tr>
<tr><td>Earthworks with a volume exceeding 500m^3</td></tr>
</table>

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZCEP 34:2001) limits how close to power lines any earthworks and excavation can be undertaken.

Note: The gas provider should be consulted with prior to any earthworks near transmission gas pipelines.

Note: It is an offence to destroy damage or modify any archaeological site defined under the Historic Places Act 1993 irrespective of whether or not the site is scheduled in the District Plan.

3.6.3 Performance Standards

1. Sediment and Erosion Control Measures

a. Appropriate sediment and erosion control measures shall be installed prior to the commencement of earthworks in accordance with the ARC's Technical Publication 90.

2. Stabilisation of Earthworked Surfaces

a. All areas of bare earth shall be re-vegetated or re-grassed as soon as practicably possible following the completion of earthworks.

3. Dust

a. Earthworks shall not result in a dust nuisance.

4. Removal of Material from Site

a. Any surplus material not used on site shall be disposed of legally.

b. Contaminated material shall be disposed of to an appropriately licensed facility.

5. Stability

a. No cut or fill shall exceed a depth or height of 0.5 metres.

b. Earthworks shall not result in the subject site or any neighbouring site becoming unstable.

6. Overland Flow Paths

a. Earthworks shall not be undertaken in overland flow paths.

7. Archaeological Sites

a. Where evidence of an archaeological site is discovered whilst undertaking earthworks, works shall cease immediately and the Council and the New Zealand Historic Places Trust shall be notified.

3.6.4 Restricted Discretionary Activities - Matters of Discretion

The council has restricted its discretion to the following matters:

1. The extent to which the proposed earthworks comply with the performance standards for earthworks.

2. Adverse effects on trees and vegetation, significant natural features, heritage features (including archaeological sites), or sites of cultural significance.

3. The extent and effectiveness of the proposed mitigation measures.

4. The extent of adverse effects on landscape qualities and amenity values.

5. The extent to which any proposed earthworks will result in the alteration or removal of vegetation on the subject site.

6. The extent of adverse effects on any scheduled features identified in Schedule A, heritage features or sites of cultural significance.

7. The extent to which the proposed earthworks may exacerbate instability, erosion, sediment discharge or flooding of the subject site and adjoining sites.

8. Whether the proposed earthworks are located in an overland flow path, and if so, the extent to which the proposed earthworks will result in the diversion or obstruction of the overland flow path, and the extent to which sediment and erosion control measures are implemented to avoid, remedy or mitigate the adverse effects that may be caused by undertaking earthworks in an overland flow path.

9. The extent to which potential adverse effects on watercourses are avoided, remedied or mitigated.

10. The extent of any adverse effects on visual amenity arising from the proposed earthworks.

11. The extent to which the earthworks alter any natural landforms.

12. The likely traffic generation of the proposed earthworks, and the extent to which any adverse effects arising from this traffic will be avoided, remedied or mitigated.

13. The depth of any cut, the height of any fill, and any stability methods proposed.

14. Where earthworks are proposed adjacent to transport infrastructure, such as the state highway or rail network, the extent to which any proposed earthworks could potentially adversely affect the safe functioning and structural integrity of the infrastructure.

15. Where earthworks are proposed adjacent to transport infrastructure, whether consultation with the infrastructural provider has been undertaken and the outcome of that consultation.

16. The extent to which the works are necessary to support the reasonable operational, maintenance and minor upgrade requirements of network utilities.

3.7 HERITAGE

3.7.1 Introduction

The protection of historic heritage from inappropriate subdivision, use, and development is a matter of national importance under Section 6 of the Act. Historic heritage is defined in the Act as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities, archaeological, architectural, cultural, historic, scientific, and technological features. It includes historic sites, structures, places, and areas, archaeological sites, sites of significance to Maori and surroundings associated with the natural and physical resources.

The Historic Places Act 1993 sets out the legislative context to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.

It is important to recognise that there may be statutory requirements under the Historic Places Act for work affecting archaeological sites. Archaeological sites are defined by the Historic Places Act as any place which was either associated with human activity that occurred before 1900, or is the site of the wreck of any vessel where the wreck occurred before 1900, and which may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Some archaeological sites are recorded in the heritage schedule of the District Plan and in associated maintained inventories (such as the ARC's Cultural Heritage Inventory). Rules relating to archaeological sites in general are set out in the District Plan. However, it is important to recognise that the schedule is not a complete list of all archaeological sites in the rural zones of this District, and compliance with the rules relating to archaeological sites may require specialist archaeological assessment.

It should also be noted that compliance with the rules in this Plan relating to archaeological sites does not absolve the responsibilities of any person under the Historic Places Act 1993, which states that it is unlawful to modify, damage or destroy archaeological sites without authority from the New Zealand Historic Places Trust.

The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is a matter of national importance under the Act. The Plan must therefore recognise and provide for that relationship. These sites may include waahi tapu, tauranga waka, urupa, kauhanga riri, mahinga maataitai, wai tapu and other taonga. Council will consult with iwi in relation to resource consent applications to ensure that Maori heritage sites are recognised and provided for in accordance with the requirements of the Act.

The rules set out in this section apply to those items which are set out in Schedules A, B, C and D.

3.7.2 Scheduled Buildings

A list of the buildings that are scheduled for protection in the rural zones of the District is set out in Section 2, Part 3, Schedule A of this Plan.

3.7.2.1 Permitted Activities

The following activities are permitted in relation to any scheduled buildings.

1. Any of the following works undertaken with similar materials and appearance (including colours) to when the scheduled building was established:
   a. redecoration
   b. maintenance
   c. repair

2. Any change of use otherwise permitted on the site.

3. In relation to the interior of a building (where this is specifically protected), routine maintenance including all normal work required to use, maintain and enjoy the existing fittings, decoration, trim, surfaces, materials or structures and to make minimal modifications or additions to these (excluding demolition or substantial new work).

3.7.2.2 Discretionary Activities

1. Any alteration or modification to a scheduled building where the work does not amount to demolition of the scheduled item.

3.7.2.3 Non Complying Activities

1. The demolition of a scheduled building.

3.7.2.4 Assessment Criteria for Discretionary Activities – Scheduled Buildings

1. The extent to which the removal of later unsympathetic additions will detract from the heritage values of the building.

2. The nature, form and extent of the proposed development, alteration or change and the effect of the proposal on the heritage values of the scheduled building.

3. Whether any alternative methods were considered to achieve the applicant's objectives.

4. Whether the application is consistent with the provisions of the ICOMOS NZ Charter.

5. The conservation plan or heritage assessment and more particularly the stated conservation policies and strategies for the item. These policies and strategies will form the basis of the council's heritage approach.

6. The balancing of heritage objectives with other resource management issues.

7. The extent to which the form, mass, scale, proportion and materials of new work will be compatible with the original building and not ignore, detract from, compete with or dominate the character of the scheduled building.

8. The degree to which the colour and texture of new work detracts from, competes with or dominates the character of the scheduled item.

9. Whether any evidence has been provided as to the consequences to the owners of the scheduling, or other compelling reasons indicating why the work is necessary.

3.7.3 Scheduled Geological Sites and Natural Features

Geological sites and Natural Features that have been scheduled for protection are listed in Section 2, Part 3, Schedule B of this Plan.

3.7.3.1 Permitted Activities – Scheduled Geological Sites and Natural Features

1. Routine maintenance and repair of existing lawns, gardens and existing structures.
2. The carrying out of minor works which will not damage, endanger, destroy or detract from the values for which the site or feature has been scheduled.

3.7.3.2 Discretionary Activities – Scheduled Geological Sites and Natural Features

1. An application for the excavation, damage, alteration, reconstruction or destruction of any scheduled geological site or natural feature will be considered as a discretionary activity. This includes the removal of soil, rock, geological remains, structure or trees, the reconstruction of any feature, or any other activity.

3.7.3.3 Assessment Criteria for Discretionary Activities – Scheduled Geological Sites and Natural Features

1. The nature, form and extent of the proposed modification and its effect on the feature or features for which the item was scheduled.
2. The extent to which the modification is necessary.
3. Alternative methods and locations are available to the applicant for carrying out the work or activities that do not involve a scheduled item.
4. The purpose of the proposed works or activity and whether it has specific connections or relevance to the scheduled item.

3.7.4 Scheduled Trees

A list of the trees and groups of trees that have been scheduled for protection is set out in Section 2, Part 3, Schedule C of this Plan.

3.7.4.1 Permitted Activities – Scheduled Trees or Stand of Bush

1. Minimal trimming or maintenance of any scheduled tree or stand of bush identified in Section 2, Part 3, Schedule C undertaken with hand operated secateurs.

3.7.4.2 Discretionary Activities – Scheduled Trees or Stand of Bush

1. The alteration or removal of any scheduled tree or any vegetation in an identified stand of bush identified in Section 2, Part 3, Schedule C unless otherwise provided for as a permitted activity.

3.7.4.2.1 Assessment criteria for Discretionary Activities – Scheduled Trees or Stand of Bush

1. The extent of the effects on the tree's heritage values.
2. The necessity of the works.
3. Visual and amenity effects.
4. The habitats of indigenous fauna and flora.
5. Effects on slope instability and erosion issues.
6. Mitigation planting and maintenance.
7. The consideration of alternatives.
8. Whether or not the proposed activities in the root zone are likely to damage the tree or endanger its health.

3.7.5 Scheduled Archaeological Sites

A list of the archaeological sites that have been scheduled for protection in the rural zones of the District is set out in Section 2, Part 3, Schedule D of this Plan. It is noted that this schedule is not a complete list of all archaeological sites in the rural zones of the District, and that all archaeological sites are protected under the Historic Places Act 1993 as well as any protection that may be afforded under the District Plan. Any consent granted for the modification or destruction of an archaeological site does not absolve the responsibilities of the consent holder under the Historic Places Act 1993 with regards to archaeological sites.

3.7.5.1 Discretionary Activities – Archaeological Sites

1. Any activity which results in the modification or destruction of an archaeological site listed in Section 2, Part 3, Schedule D of this Plan is a discretionary activity. This includes (but is not limited to) the following:

    a. Erection of buildings or structures.
    b. Earthworks.
    c. Works or activities within the scheduled site surrounds.
    d. Archaeological investigation.
    e. The construction or modification of roading and/or footpaths.
    f. The construction of fences or walls.
    g. The construction, replacement or upgrading of utility services by trenching, underground thrusting or directional drilling.
    h. Planting any vegetation on the scheduled site.

3.7.5.2 Assessment criteria for Discretionary Activities – Archaeological Sites

1. The extent to which the proposal is consistent with the objectives and policies of the Plan.
2. Whether the applicant has provided an archaeological assessment of the proposed works.

3. The extent to which the proposal is consistent with the provisions of the ICOMOS NZ Charter.
4. The extent to which alternatives have been considered, and why the proposed works are necessary.

3.7.6 Schedules

Schedule A - Buildings

Sch Id	NZAA NO	CHI ID	Site Name	Type	Description	Easting	Northing
A1		2785	Ardmore Church - St James Anglican	Building - Ecclesiastical	Historic/architectural value. Includes interior	1777808.462	5899207.804
A2	R11_2068	3060	Christ Church Anglican Church	Building - Ecclesiastical	Historic/architectural value. Includes interior	1773316.331	5901901.233
A3		2455	Paymasters House (Aroha Cottage)	Building - Dwelling	Category II under s22 HPA 1993	1771685.359	5891102.305
A4	R11_2065	13560	Alfriston Hall	Building - Hall	Historic - includes interior	1772600	5901457
A5		0	House C1920 141 Park Estate Rd	House		1771766.936	5893962.665
A6		14211	Site of the Clotworthy House	House		1770096.215	5894693.708
A7		14214	Molloy House	House		1769896.195	5894308.48
A8		14218	Vela House	House	Hinau Road	1771274.827	5894942.672

Schedule B – Geological Features and Natural Features

Sch Id	NZAA NO	CHI ID	Site Name	Type	Description	Easting	Northing
B1		0	Takanini Pumicite	Natural Formation	National significance	1770636.514	5897278.552
B2		0	Red Hill Scenic Reserve	Reserve (Recreation)	Complex volcanic centre	1776121.241	5895668.824
B3		0	Ponga Road Volcanic Core		Vulnerable to complete	1776156.38	5893082.231

					destruction or modification		
B4		0	Mt Calm Volcanic Centre		Poorly defined and vulnerable to destruction	1776398.426	5894624.209
B5		0	Papakura Reservoir (Hunua Rd Dam)		Open Water with limited swampland margins.	1779224.689	5895205.872
B6		0	Pahurehure Inlet West of M'way & Drury Creek		Estuarine habitat. Most below mean high water	1771543.701	5892933.442

Schedule C – Trees and Groups of Trees

Sch Id	NZAA NO	CHI ID	Site Name	Type	Description	Easting	Northing
C1		0	Magnolia Grandiflora	Tree	Magnolia Grandiflora - requires protection	1772181.432	5900286.809
C2		1873		Trees	Kahikateas adjoining Sutton Rd	1773932.14	5892982.839
C3		0	Rimu Clotworthy House	Trees		1770169.698	5894613.498
C4		0	Oak Clotworthy House	Trees	3 specimens front of property	1770189.245	5894626.022
C5		0	Totora Clotworthy House	Trees		1770192.968	5894641.112
C6		0	Norfolk Island Pine Clotworthy House	Trees	2 Specimens west side of property	1770130.507	5894614.126
C7		0	Norfolk Island Pine Hayfield Way	Trees	South side of Road. 5 Specimens on this road	1769494.93	5894792.363
C8		0	Tree Fern Kopuahingahinga Island	Trees	Western side of island	1769592.934	5896001.281

Schedule D – Archaeological Features

Sch Id	NZAA NO	CHI ID	Site Name	Type	Description	Easting	Northing
D1	R12_4	6857	Pukekiwiriki/ Redhill	Pa (Hill)		1776118.022	5895690.125
D2	R12_65	0	Between Hunua Road and Hays Stream	Pits		1775939.546	5895150.326
HINGAIA							
D5	R12_167	7115	Orona	Settlement	On small stack to east of Pararekau Island	1770310.904	5896728.971
D6	R12_171	6903		Pa	On Knoll 150m to west of motorway	1772199.276	5893414.543
D7	R12_191	6192		Midden (Shell)	Pararekau Island	1769511.294	5897563.435
D8	R12_192	6193		Middens (Shell)	Pararekau Island	1769329.061	5896123.078
D9	R12_193	6194		Midden (Shell)/Hangi	Pararekau Island	1769431.573	5896377.276
D10	R12_194	6195		Midden (Shell)	Pararekau Island	1770090	5896781
D11	R12_195	8769		Midden (Shell)/Pit (Hangi)	Pararekau Island	1770061.035	5896658.489
D12	R12_196	6196		Midden (Shell)	Pararekau Island	1770061.035	5896658.489
D13	R12_197	7577		Pit	Pararekau Island	1769961.131	5896608.294
D14	R12_198	9371		Pits	Pararekau Island	1769562.244	5896027.527
D15	R12_203	6200		Midden	Hingaia	1769217	5893727
D16	R12_679	16018		Midden	Hingaia	1769613	5895478
D17	R12_680	16019		Midden	Hingaia	1779564	5895397
D18	R12_681	16020		Midden	Hingaia	1769203	5895427

D19	R12_682	16021		Midden	Hingaia	1769214	5895027
D20	R12_683	16022		Midden	Hingaia	1769134	5895007
D21	R12_684	16023		Midden	Hingaia	1769065	5894327
D22	R12_685	16024		Midden	Hingaia	1769236	5894107
D23	R12_686	16025		Midden	Hingaia	1769916	5894028
D24	R12_687	16026		Midden	Hingaia	1769866	5893978
D25	R12_688	16027		Midden	Hingaia	1770817	5893580
D26	R12_689	13622		Midden (Shell)	Hingaia	1771081.2	5893444.406
D27	R12_692	4081		Midden (Shell)	Hingaia	1769611.095	5896627.624
D28	R12_693	4479		Midden (Shell)/Pit	Hingaia	1769910.903	5896728.202
D29	R12_694	4082		Midden (Shell)	Hingaia	1769910.903	5896728.202
D30	R12_737	10872		Midden (Shell)	Hingaia	1769242.34	5893884.903
D31	R12_738	10873		Midden (Shell)	Hingaia	1768994.082	5894020.429
D32	R12_739	10874		Midden (Shell)	Hingaia	1768964.906	5894113.372
D33	R12_743	13623		Midden (Shell)	Hingaia	1771817.808	5893131.809
D34	R12_744	13624		Midden (Shell)/Depressions	Pararekau Island	1769646.611	5896357.691
D35	R12_745	13625		Midden (Shell)	Kopuahingahinga Island	1769427.342	5895977.266
D36	R12_746	13626		Midden (Shell)	Kopuahingahinga Island	1769642.02	5896145.681
KARAKA							
D37	R12_8	6860		Pa	West of M'way junction Slippery	1772699.127	5892447.472

					Crk/Ngakaroa Strm		
HILLS							
D38	R12_278	10206	Karearea/Te Maketu	Burials/Stonework/Earthworks	Karearea / Te Maketu / Ballards Road Cone	1776986.91	5889485.509
D39	R12_331	9284		Pits/Midden (Shell) (Reported)/?Te	Farmland east of Drury Hills Rd	1776381.055	5892025.481
D40	R12_332	9381		Pits/Terraces/Midden/Stonework	Farmland east of Drury Hills Rd	1776160.694	5891686.046
D41	R12_334	6906		?Pa	Farmland east of Drury Hills Rd	1776818.898	5892641.345
D42	R12_335	9710		Pit/Terrace/Midden (Shell)	Farmland east of Drury Hills Rd	1775997.571	5891744.735
D43	R12_336	8093		Terrace/Midden (Shell)	Farmland east of Drury Hills Rd	1775978.483	5891792.7
D44	R12_337	8094		Pit/Terrace	Farmland east of Drury Hills Rd	1775973.504	5891779.694

Note: Some scheduled items may be located below Mean High Water Springs (MHWS) or on the bed of a watercourse and are therefore outside the jurisdiction to which this Plan applies. Areas below MHWS or on the bed of a watercourse fall within the jurisdiction of the Auckland Regional Council and are shown for information purposes only.

3.8 NATURAL HAZARDS

3.8.1 Explanation

Section 31 of the Act sets out the functions of Territorial Authorities, which include the control of any actual or potential effects of the use, development or protection of land, including for the purpose of the avoidance or mitigation of natural hazards.

A natural hazard is defined by the Act as *"any atmospheric or earth or water related occurrence (including earthquake, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property or other aspects of the environment."*

The most commonly occurring natural hazards in the Auckland Region are flooding, both in rural and urban areas, and erosion and land instability. The coastal environment is particularly susceptible to natural hazards arising from coastal processes which include erosion, inundation of low lying areas, land instability and tsunami. Predicted rising sea levels as a result of global climate changes will further exacerbate these hazards. In the Papakura District, the plains area is susceptible to flooding while parts of the Hunua foothills are subject to instability.

The identification and recording of sites subject to natural hazards within the Papakura District varies depending on the nature of the hazard and the availability of information on the hazard. The extent of flood hazards within the District is shown on the Planning Maps. However, the most up to date information regarding natural hazards may be derived from a variety of sources, such as Integrated Catchment Management Plans. It is important that this information is included within the decision making process. Where the exact extent of the likely effects of a natural hazard is not known, a precautionary approach is taken to avoid adverse effects on human life, property, and the environment. This applies to the issue of the effects of rising sea levels on the coastal margins of the District. Provisions of the Plan seek to ensure that the construction of permanent structures in the coastal margins is discouraged to avoid adverse effects on those buildings.

The Council seeks to manage development in areas of known and suspected risk from natural hazards so as to avoid the risk of harm to human life, property and the environment. Where development in particular areas subject to natural hazards may result in harm to human life, property, and the environment, it will be discouraged. The use of hazard protection measures to protect new development from natural hazards will be discouraged, rather, development should avoid areas that may be susceptible to harm from natural hazards.

3.8.2 Activities

1. All activities shall comply with the Development Standards for Natural Hazards set out in Rule 6.2.
2. Any activity which does not comply with one or more of the Development Standards for Natural Hazards shall require consent for a Discretionary Activity.

3.8.3 Development Standards

1. Minimum Floor Levels – Buildings and Structures

a. No building or structure shall be constructed within the 1% AEP Flood Plain unless:

i. The finished floor level of the building or structure is at least 500mm above the 1% AEP Flood Plain or higher as required by the relevant Catchment Management Plan or specific flood risk assessment report by a Chartered Professional Engineer.

ii. The building or structure does not result in the diversion of flood waters onto adjoining properties; and

iii. The building or structure does not impede the flow of overland flow paths.

2. Storage of Goods and Materials

a. No goods or materials which can be mobilised by flood water shall be stored within the 1% AEP Flood Plain.

b. No goods or materials shall be stored in overland flow paths which may deflect overland flows onto adjacent property or cause a damming of flood water at the upstream properties.

3. Building Setbacks

a. All buildings and structures shall comply with the setbacks from streams, rivers, and the coast set out in the Development Standards for the relevant zone.

4. Development on Land Subject to Instability

a. No person shall undertake development on land that is subject to instability.

5. Earthworks in 1% AEP Flood Plain

a. No fill shall be placed in the 1% AEP Flood Plain unless a specific risk assessment by a Chartered Professional Engineer has identified that the fill will not increase flood risk on or off site.

3.8.4 Assessment Criteria for Discretionary Activities

Discretionary Activities will be assessed against but not limited to, the assessment criteria below:

1. The extent to which any adverse effects arising from development on land subject to flooding or instability are avoided, remedied, or mitigated.
2. The extent to which the proposed development will worsen, accelerate, or result in, inundation of other property.
3. The extent to which the proposed development is likely to necessitate the construction of hazard protection structures.
4. Whether, and the extent to which, the proposed development results in the obstruction or diversion of overland flow paths.

3.8.5 Information Requirements for Resource Consent Applications

In addition to the general information requirements for resource consent applications set out in Section One, Rule 9.5, any application for resource consent for development in an area subject to natural hazards must include the following information:

1. Land Subject to Flooding

a. Where an application for development in a flood hazard area is made, a flood assessment report prepared by a suitably qualified professional that outlines the likelihood of flooding, the level of risk at which the development will be placed by being constructed in the flood hazard area, any mitigating measures proposed, and the potential effects that the development will have on adjacent and downstream properties.

2. Land Subject to Instability

a. Where an application is made for a development on land that is subject to instability, the applicant shall provide a geotechnical assessment prepared by a suitably qualified person that describes the nature of the ground conditions, the suitability of the proposed development having regard to these ground conditions, and any mitigation measures proposed.

3. Overland Flow Paths

a. Where an application is made for a development on land that is subject to natural hazards, the applicant shall provide information identifying any overland flow paths on the subject site, and the extent to which the proposed development will obstruct or divert these overland flow paths.

3.9 NETWORK UTILITIES

3.9.1 Activities

1. All network utilities that are a permitted activity in the table below (except existing network utilities) must comply with the Development Standards set out in Rule 7.2.
2. Permitted network utility activities (except existing network utilities) that do not comply with one or more of the Development Standards set out in Rule 7.2 shall require consent for a restricted discretionary activity.
3. Matters of discretion for restricted discretionary activities are outlined in Clause 7.4.
4. The construction and operation of nuclear power stations shall be a prohibited activity.

	Permitted	Controlled	Discretionary
Existing Network Utilities	Any network utility in existence at the date of public notification of the plan and their operation and maintenance.		
Network Utilities in the Road Reserve	Any network utility situated on a road or within the road reserve.		
Underground Network Utilities (Excluding Network Utilities in the Road Reserve)	Any underground network utility for the purposes of electricity services or telecommunications which is **not** located: • Within 10 metres of the bed of any river or stream • within 20 metres of MHWS • Within a Significant Natural Area Any other underground network utility which is not located: • Within 20 metres of the bed of any river or stream • within 40 metres of MHWS • Within a Significant Natural Area	Any underground network utility for the purposes of electricity services or telecommunications located: • Within 10 metres of the bed of any river or stream • within 20 metres of MHWS Any other underground network utility located: • Within 20 metres of the bed of any river or stream • within 40 metres of MHWS	Any underground network utility located: • Within a significant Natural Area

	Permitted	Controlled	Discretionary
Above ground Network Utilities (Excluding Network Utilities in the Road Reserve)	Any overhead network utility line (excluding poles or other supporting structures fixed to the ground) which is not located: • Within a Significant Natural Area. Any above ground network utility for the purposes of electricity services or telecommunications which is **not** located: • Within 10 metres of the bed of any river or stream • within 20 metres of MHWS • Within a Significant Natural Area • On any building listed in Schedule A. Any other above ground network facility which is **not** located: • Within 20 metres of the bed of any river or stream • within 40 metres of MHWS • Within a Significant Natural Area • On any building listed in Schedule A.		Any above ground network utility (including poles and other supporting structures) for the purposes of electricity services or telecommunications which is located: • Within 10 metres of the bed of any river or stream. • within 20 metres of MHWS • Within a Significant Natural Area • On any scheduled heritage item listed in Schedules A, B, C and D. Any other above ground network utility which is located: • Within 20 metres of the bed of any river or stream. • within 40 metres of MHWS • Within a Significant Natural Area • On any scheduled heritage item listed in Schedules A, B, C and D.
Network Utilities not otherwise			Any network utility that is not a prohibited activity, and is not otherwise

	Permitted	Controlled	Discretionary
provided for			provided for in this table.

3.9.2 Development Standards

The following controls apply to all network utilities in the Rural Zones of the District. Controls contained within other parts of the Plan do not apply to activities covered by this part unless specifically stated.

1. Maximum Height

a. The maximum height of any above ground network utility structure (excluding support structures for telecommunication antennas and overhead lines) shall be 7.5 metres.

b. The maximum height of any above ground network utility structure for the support of electricity and telecommunication lines shall be 20 metres.

c. The maximum height of any freestanding above ground network utility structure for the support of radiocommunication and telecommunication antennas shall be 25 metres.

d. The maximum height of any above ground network utility structure for the support of radiocommunication and telecommunication antennas on existing buildings shall be 5 metres.

e. Notwithstanding Rules 7.2.1(a)-(d) above, no part of any network utility structure shall exceed the height limits which are implicit in Planning Map "Auckland Gliding Club Approach Surface Height Restriction". This map illustrates the approach surface gradient on each end of the runway and the height of the origin of the surface. From this the permitted building height at any point on the approach surface can be calculated.

f. Notwithstanding Rules 7.2.1(a)-(d) above, no part of any network utility structure shall exceed the height limits illustrated in Planning Map "Ardmore Airport Height Surfaces" and in Section 2, Part 2, Appendix A of this Plan.

2. Maximum Area

a. The maximum area of any individual above ground network utility structure (excluding support structures for antennas and lines) shall be 20m^2

3. Antennas

a. Radiocommunication and telecommunication antennas shall have a maximum length of 2.2 metres; and

b. The maximum area of any face of the radiocommunication or telecommunication antenna shall not exceed 1.2m^2; and

c. Where radiocommunication and/or telecommunication antennas are to be attached to an existing building, there shall be no more than 6 antennas per building excluding any GPS antenna where:

- The GPS antenna has a maximum height above point of attachment to building of 700mm.
- The GPS antenna has a maximum diameter of 120mm.

Note: Rules 7.2.3 (c), (d) and (e) shall not apply to antennas on support structures provided for under Rule 7.2.1(c).

d. Where radiocommunication and/or telecommunication antennas are to be attached to an existing building, the maximum height of the support structure and the associated antenna(s) shall not exceed the maximum height limit of the zone by more than 5 metres.

e. Where radiocommunication and/or telecommunication antennas are to be attached to an existing building, and the existing building exceeds the maximum height limit for the underlying zone by more than 5 metres, the support structure and the associated antenna(s) shall not protrude beyond the highest part of the building to which they are attached.

f. Radio and television aerials for residential purposes are excluded from these provisions.

4. Reinstatement

a. Where the construction or maintenance of a network utility involves disturbance to the ground, at the completion of the work the ground shall be reinstated as far as practicable to the condition existing prior to commencement of the work.

5. Electricity Voltage

a. New lines or additions to lines for conveying electricity shall have a maximum nominal voltage up to and including 110kV with a design capacity up to and including 100 MVA per circuit.

6. Gas

a. The transmission of gas using high pressure gas lines shall not exceed a gauge pressure of more than 2000 kilopascals.

7. Earthworks

a. Refer to Section 2, Part 3, Rule 4 of this Plan.

8. Yards

a. Except as provided in Rule 7.2.8(b) below, no building shall be sited closer than 1.5 metres to a site boundary of a residential zoned site or closer than 3 metres from a building used for residential purposes. This rule shall not apply to network utilities situated within any part of a dedicated road.

b. No electricity zone sub-station shall be constructed closer than 3m to any site boundary. This yard shall be planted with trees and shrubs which will achieve substantial screening of the electricity zone sub-station while not compromising electrical security and/or safety.

c. Yards are not required in respect of electricity distribution substations or freestanding support structures for lines or antennas.

9. Stormwater Control and Pollution Prevention

a. All drainage from sites, other than roof water, shall be directed through a staged interceptor or other system designed to remove 75 percent of dirt and grit and as far as practicable petroleum products from the stormwater.

b. All areas where petroleum products are used or stored shall be separately bunded with bunds of sufficient capacity to contain the largest volume of

petroleum product in any one item of equipment or storage unit within that area.

10. Noise

a. Except as provided for in 7.2.10(b) below and in the operation of roads, the noise standards applicable to the relevant zone shall apply to network utility activities.

b. Noise generated by telecommunication cabinets located in the road reserve shall comply with the following standards as measured from 3m within the boundary of the site under consideration:

Note, pursuant to section 326 of the Resource Management Act 1991, the meaning of excessive noise does not include any noise emitted by a vehicle being driven on a road.

Zoning of adjacent land: All Residential, Rural Plains, Future Urban, Countryside Living, Hunua Hills & All Reserves Zones	
All days	**Noise Limit**
Daytime (07:00 – 22:00)	50dBA $L_{Aeq\ (5\ min)}$
Night-time (22:00 – 07:00)	40dBA $L_{Aeq\ (5\ min)}$ 65dBA L_{max}
Zoning of adjacent land: All Commercial and Industrial Zones	
All days	**Noise Limit**
Daytime (07:00 – 22:00)	60dBA $L_{Aeq\ (5\ min)}$
Night-time (22:00 – 07:00)	60dBA $L_{Aeq\ (5\ min)}$

Noise shall be measured in accordance with NZS 6801:2008 *Acoustics – Measurement of Environmental Sound*, and the basis for assessment shall be NZS 6802:2008 – *Assessment of Environmental Sound*.

11. Radiofrequency Radiation

a. Telecommunications and radiocommunications facilities shall comply with the provisions of NZS 2772:1999 *Radiofrequency Radiation*.

12. Subdivision

a. Refer to Section 2, Part 4, of this Plan.

3.9.3 Matters of Control

The matters over which Council has limited its control with relation to Network Utilities are as follows:

1. The proposed method of undergrounding of the network utility.
2. The extent of any adverse effects on water quality.

3.9.4 Restricted Discretionary Activities - Matters of Discretion

The Council has limited its discretion to the following matters:

1. Visual Impact

a. The extent of the likely visual effects of the network utility on:
   i. Any residential or recreational use of land in the vicinity of the proposed facility;
   ii. Sensitive ridge lines and view planes from public places including roads;
   iii. Design elements in relation to the locality, with reference to the existing character of the locality and amenity values.

b. In making the assessment of visual impact regard will be had to:
   i. The design and scale of the Network Utility.
   ii. Height of structures.
   iii. Separation of structures to site boundaries.
   iv. Site location – in terms of the general locality, topography, geographical features, adjoining land uses.
   v. Except in the case of overhead lines and support structures, planting, fencing and other amenity treatment.

2. Noise

a. The extent to which the proposed network utility will have adverse noise effects, having particular regard to the existing noise environment of the locality in which it is proposed to site the facility and the noise sensitivity of the receiving environment.

3. Lighting

a. The extent to which the intensity of lighting when viewed from a distance contrasts with the environment in which the installation is situated.

b. The extent to which the direction and positioning of lights may adversely affect the use and enjoyment of adjoining properties.

4. Pollution by Petroleum Products

a. The extent to which the installation has been designed and will be maintained to prevent as far as practicable the pollution or contamination of land or water. The extent of measures necessary will be determined after having regard to the sensitivity of the receiving environment and the nature of risk to the environment inherent in the facility.

5. Access and Parking

a. Extent to which access and parking to the proposed facility will be required, and the extent to which this is provided for.

6. Telecommunication Facilities

a. The potential for visual dominance of any mast and attachments will be assessed having regard to its scale and visual appearance in the wider landscape.

b. The design, colours and amenity treatment should, to the extent that is commensurate with civil aviation and other requirements, minimise the visual impact of structures on residential neighbourhoods or landscapes of high scenic quality.

3.10 TREES AND VEGETATION

3.10.1 Explanation

Trees play an important role in contributing to the ecological and landscape characteristics and amenity values of the rural zones of the District. This part of the Plan sets out rules relating to the planting and protection of trees and vegetation throughout the Rural Zones of the District. The provisions provide for the general protection of trees where their height, or the measurement of the girth of their trunks, exceeds limits specified in the rules below. Trees on land within proximity to watercourses or the coast are subject to more stringent controls, as are trees on land within the Hunua Hills Zone.

It is recognised that certain types of trees should not be subject to the general tree protection rules, and exceptions for orchard trees, shelterbelts, farm forestry, forestry, invasive species, and trees on urban environment allotments are made in the rules below.

Any trees or groups of trees which are scheduled for protection in Section 2, Part 3, Schedule C of this Plan are not subject to the rules set out below, but are subject to the rules set out in Section 2, Part 3, Rule 3.7.4 of this Plan.

Section 2, Part 3, Rule 3.11 of this Plan contains rules relating to trees and vegetation that are located within Significant Natural Areas.

3.10.2 Permitted Activities

3.10.2.1 The following activities are Permitted Activities within the rural zones of the District:

1. The alteration or removal of any indigenous tree that has a height of less than 6 metres above ground level and a girth of less than 600mm measured at 1.4 metres above the ground.

2. The alteration or removal of any exotic tree that has a height of less than 8 metres above ground level and a girth of less than 800mm measured at 1.4 metres above the ground.

3. The alteration or removal of any exotic tree in the Rural Plains Zone.

4. The alteration or removal of any pest plant species. Pest plant species are those species identified in the Auckland Regional Pest Management Strategy 2007-2012.

5. Rules 3.10.2.1.1 and 3.10.2.1.2 do not apply to the following:
   a. Trees on land which is within the Hunua Hills Zone (refer Rule 3.10.2.2);
   b. Trees or vegetation on land which is within 20m of any watercourse (refer Rule 3.10.2.3);
   c. Trees or vegetation on land which is within 40m of MHWS; (refer Rule 3.10.2.3);

d. Trees or vegetation on land which is within a Significant Natural Area (refer Section 2, Part 3, Rule 3.11 of this Plan – Significant Natural Areas);

e. Individual trees or groups of trees identified in Section 2, Part 3, Schedule C of this Plan – Trees and Vegetation (refer to Section 2, Part 3, Rule 3.7.4 of this Plan – Scheduled Trees);

f. Trees or vegetation which meet the criteria in Section 2, Part 4, Subdivision, Rule 4.13.2 Significance Criteria.

6. The planting and maintenance of non-invasive native plant species throughout all rural zones of the District is a Permitted Activity (including within the ARPA).

7. The alteration of trees adjacent to the road reserve where such trees are likely to cause adverse safety effects on the safe operation of the road subject to:
   a. The alteration is consistent with recommendations of an arborist.

8. The alteration or removal of any trees or vegetation where such a tree conflicts with the installation, operation and maintenance of network utilities, provided that:
   a. The tree or group of trees is/are not located within a Significant Natural Area (refer to Section 2, Part 3, Rule 3.11 of this Plan – Significant Natural Areas); and
   b. The tree or group of trees is/are not identified in Section 2, Part 3, Schedule C of this Plan – Trees and Vegetation (refer to Section 2, Part 3, Rule 3.7.4 of this Plan – Scheduled Trees); and
   c. The alteration or removal is consistent with recommendations of an arborist.

9. The alteration or removal of any trees or vegetation where such work is required to ensure compliance with the Electricity (Hazards from Trees) Regulations 2003 provided that.
   a. The tree or group of trees is/are not located within a Significant Natural Area (refer to Section 2, Part 3, Rule 3.11 of this Plan – Significant Natural Areas); and
   b. The tree or group of trees is/are not identified in Section 2, Part 3, Schedule C of this Plan – Trees and Vegetation (refer to Section 2, Part 3, Rule 3.7.4 of this Plan – Scheduled Trees).

3.10.2.2 The following activities are Permitted Activities within the Hunua Hills Zone:

1. The alteration or removal of any indigenous tree that has a height of less than 4 metres above ground level.

2. The alteration or removal of any exotic tree that has a height of less than 8m above ground level and a girth of less than 800mm measured at 1.4 metres above the ground.

3. The alteration or removal of any pest plant species. Pest plant species are those species identified in the Auckland Regional Pest Management Strategy 2007-2012.

3.10.2.3 The following activities are Permitted Activities within 20m of any watercourse or within 40m of MHWS:

1. The alteration or removal of any pest plant species. Pest plant species are those species identified in the Auckland Regional Pest Management Strategy 2007-2012.

3.10.3 Restricted Discretionary Activities

3.10.3.1 The following activities are Restricted Discretionary Activities throughout the rural zones of the District:

1. The alteration or removal of any indigenous tree that has a height equal to or greater than 6 metres above ground level or a girth equal to or greater than 600mm measured at 1.4 metres above ground level.

2. The alteration or removal of any exotic tree that has a height equal to or greater than 8 metres above ground level or a girth equal to or greater than 800mm measured at 1.4 metres above ground level.

3. Rules 3.10.3.1.1 and 3.10.3.1.2 do not apply to the following:
   a. Trees on land which is within the Hunua Hills Zone (refer Rule 3.10.3.2);
   b. Trees or vegetation on land which is within 20m of any watercourse (refer Rule 3.10.3.3);
   c. Trees or vegetation on land which is within 40m of MHWS (refer Rule 3.10.3.3);
   d. Trees or vegetation on land which is within a Significant Natural Area (refer Section 2, Part 3, Rule 3.11 of this Plan – Significant Natural Areas);
   e. The alteration or removal of any tree or vegetation which meet the criteria in Section 2, Part 4 Subdivision, Rule 4.13.2 Significance Criteria.

3.10.3.2 The following activities are Restricted Discretionary Activities within the Hunua Hills Zone

1. The alteration or removal of any indigenous tree that has a height equal to or greater than 4 metres in height above ground level and is located on land within the Hunua Hills Zone.

2. The alteration or removal of any exotic tree that has a height equal to or greater than 8 metres in height above ground level or has a girth equal to or greater than 800mm as measured at 1.4m above ground level, and is located on land within the Hunua Hills Zone.

3.10.3.3 The following activities are Restricted Discretionary Activities within 20m of any watercourse or within 40m of MHWS:

1. The alteration or removal of any indigenous or exotic tree from within 40 metres of MHWS is a restricted discretionary activity.
2. The alteration or removal of any indigenous or exotic tree from within 20 metres of the bank of a watercourse is a restricted discretionary activity.
3. The introduction or planting of pest plant species within 40 metres of MHWS or within 20 metres of the bank of any watercourse is a restricted discretionary

activity. Pest plant species are those species identified in the Auckland Regional Pest Management Strategy 2007-2012.

3.10.4 Exclusions

1. Rules 3.10.2 and 3.10.3 do not apply to the following:
    a. Unless specified, any tree(s) identified as a pest plant species in the Auckland Regional Pest Management Strategy 2007-2012.
    b. Any tree species grown primarily for its edible fruit.
    c. Any tree planted for farm forestry or forestry purposes.
    d. Shelterbelts.
    e. The removal of trees that are dead, dying or in a dangerous condition.
    f. The maintenance or trimming of protected trees with hand operated secateurs.
    g. Urban environment allotments. The alteration or removal of any tree that is not identified in Section 2, Part 3, Schedule C of this Plan on an urban environment allotment is a permitted activity.

3.10.5 Restricted Discretionary Activities - Matters of Discretion

Council has restricted its discretion to the following matters:

1. With regards to any proposed alteration or removal of vegetation:
    a. The applicants need to obtain a practicable building site, access, parking area, or install services to land.
    b. The quantity, quality and extent of the vegetation.
    c. The extent of the proposed alteration or removal.
    d. The ecological values of the area of vegetation being damaged, modified or removed.
    e. The reasons for the alteration or removal.
    f. Whether any alternatives to the damage, alteration or removal have been considered.
    g. Whether any replacement planting is proposed.
    h. Visual and amenity effects associated with the damage, alteration or removal.
    i. Effects on slope stability and erosion.

2. With regards to the introduction of any invasive plant species:
    a. The reason for the introduction of the plant species.
    b. The type of plant being introduced.
    c. The nature of other existing species in the vicinity of the proposed planting.

3.11 SIGNIFICANT NATURAL AREAS

3.11.1 Explanation

The Papakura District has a range of areas of high ecological value, some of which face threats from subdivision and development. A number of these areas have been formally protected, but large areas remain unprotected and vulnerable to development. Those areas which are unprotected have been identified on the Planning Maps as Significant Natural Areas and are priority areas for formal protection. Council has provided provisions in this plan to enable the voluntary protection of these areas, as well as subdivision provisions to encourage the protection of these areas.

It is important that certain activities that have the potential to adversely affect these areas are appropriately managed, and these activities include the alteration and removal of vegetation, the construction of buildings or structures within these areas, and the establishment of impermeable surfaces.

3.11.2 Permitted Activities

1. The removal of invasive plant species within a Significant Natural Area is a permitted activity. Invasive plant species are those species identified by the Auckland Regional Council in the Auckland Regional Pest Management Strategy.
2. The planting of non-invasive native plant species within a Significant Natural Area that are indigenous to the relevant Ecological District is a Permitted Activity.
3. The felling of trees that are dead, dying or in a dangerous condition within a Significant Natural Area is a Permitted Activity where supported by an arborist report to Council confirming the condition of trees.

3.11.3 Discretionary Activities

1. The removal or alteration of vegetation (excluding pest plants as identified by the Auckland Regional Council in the Auckland Regional Pest Management Strategy 2007-2012 in a Significant Natural Area is a Discretionary Activity.
2. The construction of any building and the establishment of any impermeable surfaces in a Significant Natural Area.
3. The undertaking of earthworks in a Significant Natural Area.
4. Except that Rule 9.2 shall not apply once vegetation has been removed in the Quarry Zone in accordance with Resource Consent 8730 (PDC) and 32151 (ARC – Earthworks & Sediment Control).

3.11.4 Discretionary Activities – Specific Matters of Discretion

Without limiting the exercises of its discretion, council will have regard to the following matters.

1. The extent and reason for any proposed removal or alteration of indigenous vegetation and/or earthworks from within the Significant Natural Area.

2. The extent of any adverse effects on fauna and flora, having regard to the ecological qualities of the Significant Natural Area identified in Section 4, Part 2.
3. Whether it is proposed to undertake replacement planting within the Significant Natural Area, and if so, the extent to which the planting:
    a. Is of ecologically sourced species; and
    b. Will be undertaken in accordance with an appropriate planting and management plan.
4. The extent to which earthworks in Significant Natural Areas:
    a. Comply with the performance standards in the general rules for earthworks.
    b. Would result in the damage or destruction of any habitat of indigenous fauna.
    c. Would result in the damage or removal of indigenous vegetation.
    d. Would affect the physical or biological integrity of a Significant Natural Area.
5. Consistency with District Plan Objectives and Policies, noting those specific to ecological issues in Section 2, Part 1: 2 Ecology.
6. The matters of discretion specified for earthworks activities in the general rules for earthworks.

3.12 SIGNS

3.12.1 Explanation

Signs are an important mechanism to identify and locate roads, buildings, places of interest and businesses, among other features, in the rural area. Signs which are inappropriately located, or which are out of context with the surrounding area can lead to adverse effects on the character of the rural area and road safety. In providing for signs, Council is seeking to ensure that they do not significantly alter the physical appearance of buildings and other structures, they do not detract from or dominate the surrounding environment, and they do not cause obstruction or reduce sightlines or visibility for road users.

Signs which are located in areas of high amenity, for example on scheduled items and in public open spaces will be subject to greater restrictions than signs in other parts of the District. The controls on signs apply to the whole rural area of the District.

3.12.2 Permitted Activities

The following are permitted activities in all rural zones, subject to compliance with the General Rules set out in Section 2, Part 3 of this Plan and the development controls for the relevant zone as set out in Section 2, Part 2 of this Plan.

1. Directional signs for vehicular and pedestrian traffic, including street and road name signs.
2. Any sign which is not visible from any public road, state highway, or any other land, or any other building beyond the site on which it is located.
3. Any temporary sign which is not a blimp or balloon which is advertising the lease, sale, or letting of the whole or part of the land or premises on which it is situated.
4. Any temporary sign which is not a blimp or balloon which is advertising a forthcoming community, cultural, religious or sporting event; provided that:
    a. The sign shall be displayed for not more than 21 days before the event; and
    b. Shall be removed within 3 days after the event.
5. Any temporary sign which is not a blimp or balloon which is for electioneering purposes provided that:
    a. The sign shall be displayed for no more than 2 calendar months
6. Any temporary sign which is not a blimp or balloon erected at the site of a construction project for the purpose of identifying the project provided that:
    a. The sign shall be removed on completion of the project
7. Any temporary sign which is not a blimp or balloon used in conjunction with emergencies.
8. One sign for any purpose in connection with the occupation, trade, profession or business of an owner or occupier of premises, or in connection with the function of the premises, provided that:
    a. The total area of the sign does not exceed 1.0m^2.
    b. Where more than one owner or occupier operates from a site, one sign per owner or occupier may be erected provided that the cumulative area of the signs does not exceed 1.0m^2.
    c. The maximum height of the sign above ground level is 4 metres.

9. No sign attached to a building shall be affixed to the building or incorporated within the structure of a building in such a manner that any part of the sign protrudes above the line of the eaves of the building to which it is attached.
10. No sign shall be attached or affixed to a scheduled item.
11. No sign shall be located closer than 0.5 metres from the legal boundary of the property on which it is situated unless it is part of an existing structure.
12. Temporary directional signs may be located other than on sites to which they relate.
13. No sign shall incorporate flashing or moving elements.
14. Signs may be floodlit or illuminated in accordance with the Lighting Standards for the applicable zone

3.12.3 Restricted Discretionary Activities

The following are restricted discretionary activities:

1. Any sign that does not comply with the permitted activity requirements in Rule 10.1 – Permitted Activities – Signs.

3.12.4 Restricted Discretionary Activities – Matters of Discretion

The Council has restricted its discretion to the following matters:

1. The extent to which the proposed sign detracts from the external appearance of the development on the subject site.
2. The extent to which the proposed sign adversely affects the rural character of the area.
3. Whether the sign is likely to detrimentally affect traffic safety or traffic control by:
    a. obstructing passing motorists' vision; or
    b. causing confusion or distraction for passing motorists; or
    c. creating a situation hazardous to the safe movement of traffic; or
    d. not being easily legible to passing motorists
4. The extent to which the sign complies with the permitted activity standards for signs.
5. The extent to which the sign is likely to have an adverse impact on the safe and efficient operation of roads.

Note: The New Zealand Transport Agency may be an affected party in respect of any application for resource consent for a sign that potentially affects the safe operation of the State Highway.

3.12.5 Notification requirements

Except as provided for by sections 95A(2) and (4), 95B(3) and 95C(4) of the Act, applications for resource consent for the construction and relocation of buildings as a Restricted Discretionary Activity for signage will be considered without notification.

3.13 TEMPORARY ACTIVITIES

3.13.1 Explanation

The Plan recognises that events and functions are an important part of community life and may not readily fit within the standard controls applying to a zone. The Plan therefore provides specific rules which enable events, functions and other temporary activities to occur in a controlled manner. Controls placed on the start and finishing times of performances, events or functions on private or public land and restrictions on their duration will limit their adverse effects including the amount of noise produced.

3.13.2 Permitted Activities

The following temporary activities are permitted in all rural zones:

1. Offices, storage sheds, portable toilets, builders' workshops and site offices, scaffolding and falsework, and other buildings or structures of a similar character and the storage of construction materials where such buildings or materials are:
    a. Required for a construction project; and
    b. Limited to the duration of the project or to 12 months (whichever is the lesser).
2. Except in the Aggregate Resource Protection Area, events, including performances, meetings, private or public functions, parades, sporting events, exhibitions, film shoots, markets and fairs and activities of a similar character, including associated parking, buildings or other structures, provided that:
    a. The events and temporary buildings or other temporary structures do not occupy a venue for more than five days, including the time required for establishing and removing all temporary buildings and structures associated with the event.
    b. The event does not occur for more than three days.
    c. Any associated electronically amplified entertainment complies with all of the following:
        i. It starts no earlier than 10am.
        ii. It finishes no later than 10.30pm between Sunday and Thursday, 11pm on Fridays and Saturdays and 1am on New Years Day.
        iii. It does not exceed five hours in duration.
    d. Sound testing and balancing of all sound systems including vocal checks by performers complies with all of the following:
        i. It does not cumulatively exceed two hours.
        ii. It does not commence before 9am on any day.
        iii. It is completed by 7pm on the day of the performance.
    e. Noise arising from the event should not exceed the relevant noise standard for the applicable zone.
    f. The outdoor use of the venue does not exceed six events which use electronically amplified entertainment in any 12 month period.
3. Any display suites or show homes (except in the Aggregate Resource Protection Area), temporary storage, stacks of goods or materials (other than construction materials provided for in (1) above) for a period not exceeding six months.

4. Temporary structures which are not inside a permanent building, for the purpose of constructing a boat, caravan or other object associated with private leisure time which is not intended in any way as a commercial venture, provided that such temporary structures:
    a. Must not occupy any site for more than 36 months.
    b. Must meet all of the yard requirements applying in the zone within which they are located.
5. Temporary activities are required to demonstrate compliance with the General Rules in Section 2, Part 3 and the Development Controls for the relevant zone contained in Section 2, Part 2.

3.13.3 Restricted Discretionary Activities

a. Any temporary activity which is of a non-repetitive and short term nature and is not otherwise provided for as a permitted activity is a restricted discretionary activity.
b. Any events, including performances, meetings, private or public functions, parades, sporting events, exhibitions, film shoots, markets and fairs and activities of a similar character, including associated parking, buildings or other structure in the Aggregate Resource Protection Area.
c. Any display suites or show homes in the Aggregate Resource Protection Area.

3.13.4 Restricted Discretionary Activities - Matters of Discretion

The council has restricted its discretion to the following matters:

1. Any adverse effects of temporary buildings or structures on visual amenity values including through physical dominance or overshadowing on adjacent sites.
2. The proposed hours of operation and duration of the activity.
3. Adverse effects from noise or lighting.
4. The location, scale and intensity of the activity.
5. Traffic and parking.
6. Any earthworks or vegetation clearance on the site.
7. Within an Aggregate Resource Protection Area, the potential reverse sensitivity effects of the temporary activity on quarry operations.

3.14 TRANSPORTATION

3.14.1 Explanation

Off road, all weather parking and loading spaces must be provided at all times in respect of any activity which is permitted in the rural area, sufficient to ensure that there is no need for vehicles associated with that activity to be parked on the road. Parking areas shall be provided on the site close enough to the activity which generates the need for them to ensure the ready use of such parking areas.

Access to any property must be designed and located in such a way as to minimise any actual or potential danger to road users and to avoid the need for vehicles entering or leaving the property to use the grass berm on the opposite side of the road in the process of turning into or out of the property.

These provisions seek to ensure that the safety of rural roads is not adversely affected by land use and subdivision of land in the rural area.

3.14.2 Activities

1. All activities shall comply with the Development Standards for Transportation set out in Rule 12.2.
2. Any activity which does not comply with the Development Standards for Transportation shall require consent for a Restricted Discretionary Activity.

3.14.3 Development Standards

1. Parking Provision

a. Parking shall be provided for all activities in accordance with Table 5 – Parking Requirements.

b. Parking shall be provided for all activities in accordance with Table 6 – Parking Dimensions and Figure 2 – Total Depth of Parking Spaces.

c. Parking must be located on the same site as the activity to which it relates, be available at all times and have adequate useable access to the activity or building.

d. In determining the extent of an area required for manoeuvring space the clearances identified in Figure 5 – Minimum Radius Tracking Curve for 90 Percentile Car and Figure 6 – Minimum Radius Tracking Curve for 90 Percentile Truck shall apply.

2. Access to Sites

a. Any access way shall be designed in accordance Table 7 – Access Standards.

b. The gradient of any access way shall not exceed a gradient of 1 in 5 and shall be in accordance with Figures 3 – Access Standards and 4 – Standards for Vehicles for Public and Private Parking Areas.

c. No vehicle crossing shall result in the removal of a street tree, traffic signals, street light, bus shelter, traffic sign, or street furniture without the consent of Council first being obtained.

d. Any access to sites from a State Highway, or any of the following roads shall be in accordance with Rule 12.4:

- Airfield Road
- Cosgrave Road
- Hingaia Road
- Hunua Road
- Mill Road
- Mullins Road
- Opaheke Road
- Papakura-Clevedon Road
- Porchester Road
- Sutton Road
- Walters Road

Note: Approval must be sought from Transit New Zealand before any work is carried out within the State Highway in relation to access construction.

3. Reverse Sensitivity Standards

Permitted Activity

a) For any new dwellings and any alteration(s) to existing dwellings constructed within 80 metres (measured from the nearest painted edge of the carriageway) of a State Highway or land that is subject to a notice of requirement or designation for a State Highway;

- Prior to the construction of any habitable building(s) on the site, an acoustic design certificate from a qualified acoustic engineer is to be provided to Council demonstrating that the above internal sound levels of Australia New Zealand Standard AS/NZS2107:2000 "Recommended design sound levels and reverberation times for building interiors" will be achieved.

The NZTA will be considered an affected party for any application for resource consent where there is non-compliance with this rule.

3.14.4 Restricted Discretionary Activities - Matters of Discretion

Council has restricted its discretion to the following matters:

1. The extent to which the proposed activity will provide for adequate parking.
2. The extent to which any parking provided for the proposed activity is designed in accordance with Tables 5 and 6.
3. Where an activity is unable to provide for the required amount of parking as set out in Table 5, the extent to which the proposed parking provision is likely to meet the requirements of the proposed activity.
4. Where a proposed access way has a gradient of more than 1 in 5:

a. Whether the access way involves the removal or alteration of vegetation.
b. Whether the access way requires earthworks, and the extent to which these earthworks comply with Section 2, Part 3, Rule 4 - Earthworks of this plan.
c. Whether the access way will have geotechnical or stability issues.
d. Whether the access way will result in adverse visual or landscape effects.

5. Whether the proposed access to the subject site provides for the safe and efficient movement of vehicles into, from and within the subject site, having regard to the following matters:
   a. Whether the proposed access to the subject site is consistent with Council's requirements set out in Rule 12.2.
   b. Whether adequate sight distances are maintained to enable the safe egress and ingress of vehicles to and from the subject site.
   c. Whether the location of the accessway will generate adverse noise effects on adjacent sites.
   d. Whether the location of the proposed accessway will result in congestion on the roading network from the ingress and egress of vehicles.
   e. The extent to which pedestrian access is separated from vehicle access to the subject site.
   f. The safe and efficient movement of vehicles and pedestrians within the subject site.
6. The extent to which on-site reverse manoeuvring is provided for the proposed activity.
7. Whether vehicles entering and exiting the site will conflict with pedestrian and cycle safety on the road network.
8. The extent to which pedestrian movement is separated from vehicle circulation areas within the subject site.

Table 5: Parking Requirements

The table below sets out the parking requirements for a range of activities. For any activity that is not provided for in the table below for which a resource consent is required, a traffic impact assessment will be required to be supplied with the application, detailing the anticipated parking requirements for the proposed activity.

Activity	Parking Requirement
Bed and Breakfast Accommodation	1 space for each bedroom that is used for the accommodation of paying guests.
Breeding and boarding of domestic pets	1 space for animal drop off/pick up purposes for every 20 animals the facility is designed to accommodate. 1 space for every two non-resident employees.
Camping grounds	1 space for every two camp sites. 1 space for every two non-resident employees. 1 space for any managers unit.
Churches	1 space for every four people a church is designed to have capacity for.
Childcare centres	1 space for every ten children or people the facility is

Activity	Parking Requirement
	designed to have capacity for. 1 space for every two employees.
Community facilities	1 space for every four people a community facility is designed to have capacity for.
Dwellings	2 spaces per dwelling
Educational Facilities	2 spaces for every three staff members plus 1 space for every thirty pupils aged 15 years and over.
Garden centres	1 space for every 20m^2 of gross floor area that the facility is designed to accommodate and 1 space for every 100m^2 of outdoor area used for display purposes.
Health Professional Rooms	1 space for every professional person employed plus 1 space for every consulting room or surgery or interview room plus 1 space for every additional 40m^2 of gross floor area of building.
Home enterprise	1 space for every one non-resident employee.
Horse riding clubs and riding schools	1 space for every two non-resident employees. 1 space for every four people the facility is designed to have capacity for.
Marae	1 space for every four people a marae is designed to have capacity for.
Residential Activities	1 space for every accommodation unit
Restaurants and cafes	1 space for every six customers the premises is designed to have capacity for. 1 space for every two staff employed at the site or operating at the site at any one time.
Rural Industry and Services	1 space for every 40m^2 of gross floor area of buildings:plus 1 space for every 100m^2 of open yard area used for rural service activities.
Travellers Accommodation	1 space for every bedroom, 1 space for every 2 employees, 1 space for every 10m² of GFA of restaurant and 1 space for every 8m² of conference facility.
Veterinary clinics	1 space for every 20m^2 of gross floor area. 1 space for every two staff employed at the site or operating at the site at any one time.

Table 6: Parking Dimensions

Type of Parking		Stall Width *(see Figure 2)* (a)	Stall Depth		Manoeuvre Aisle Width *(see Figure 2)* (d)	Total Depth *(see Figure 2)* (e)
			From Wall *(see Figure 2)* (b)	From Kerb *(see Figure 2)* (c)		
Parking Angle	**Type**	**ALL MEASUREMENTS ARE IN METRES**				
90º	Nose in: Left Turn	2.5 2.6 2.8	4.9	3.9	7.7 7.0 6.6	12.6 11.9 11.5
90º	Nose in: Right Turn	2.5 2.6 2.8	4.9	3.9	8.4 7.9 7.5	13.3 12.8 12.4
75º	Nose in	2.5 2.6 2.8	5.2	4.2	6.3 5.2 4.1	11.5 10.4 9.3
60º	Nose in	2.5 2.6 2.8	5.2	4.2	4.1 3.5 3.2	9.3 8.7 8.4
45º	Nose in	2.5 2.6 2.8	4.9	4.1	2.6 2.4 2.3	7.5 7.3 7.2
30º	Nose in	2.5 2.6 2.8	4.0	3.4	2.4 2.4 2.3	6.4 6.4 6.3
0º	Parallel	2.5	Stall length 6.1m		3.7	

Note: Ministry of Transport recommends a minimum manoeuvre aisle width of 3.7m.

Figure 2: Total Depth of Parking Space

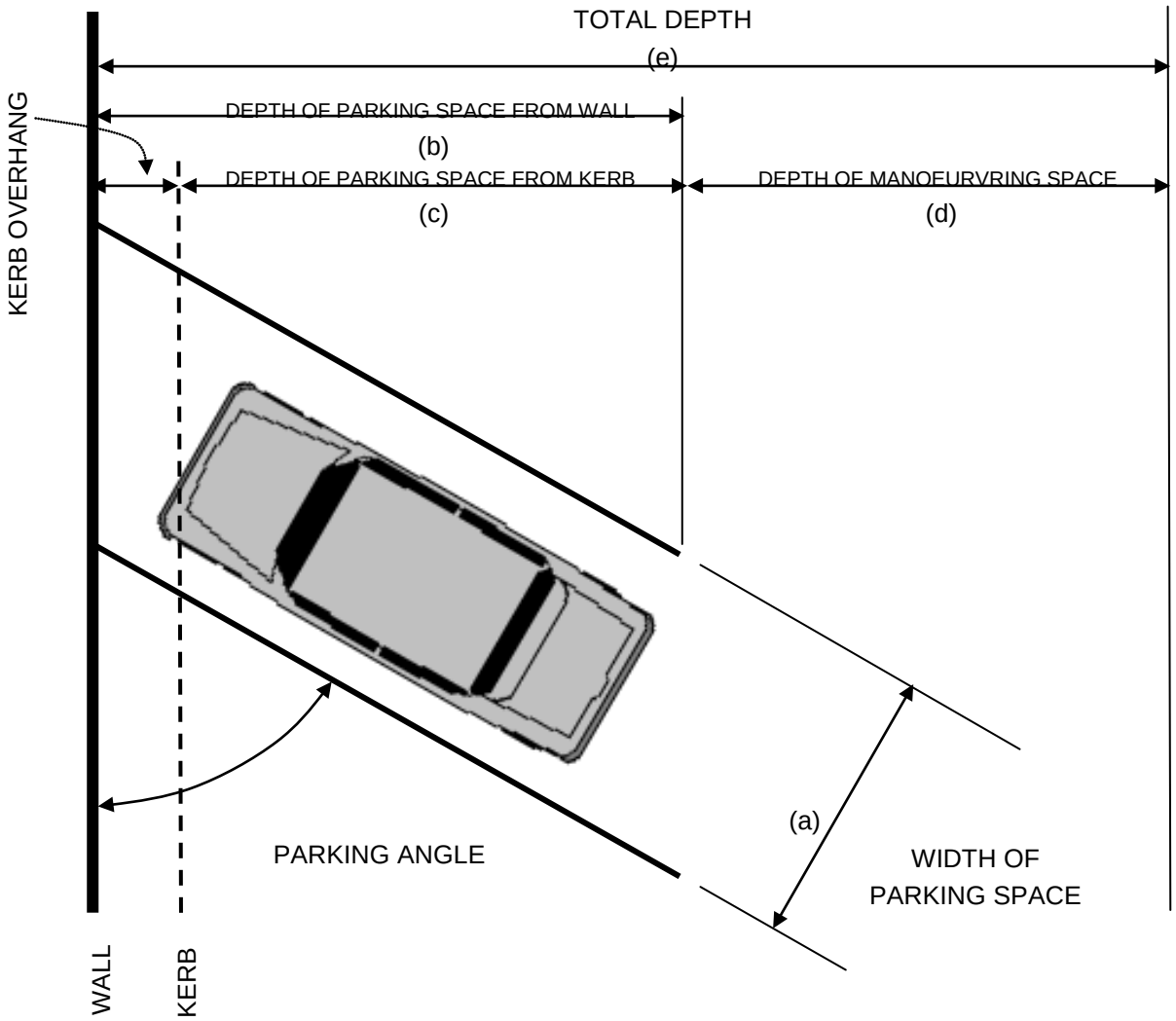


Table 7: Access Standards

Number of lots served	Type of access required	Minimum legal width of access way (Distance A on Figure 3)	Minimum width of carriageway (Distance C on Figure 3)	Shoulder width (Distance B on Figure 3)
1 lot	Private Way	6 metres	N/A	N/A
2 lots	Private Way	6 metres	3 metres unsealed	N/A
3-8 lots	Private Way	8 metres	4 metres seal	0.5 metres metal
9 lots or greater	Public Road	20 metres	6.6 metres seal	1 metre metal

Note: *If it is proposed to provide a public road to serve less than 9 lots, the standards for a public road as set out in Table 7 for 9 lots or greater will apply.*

Figure 3: Access Standards

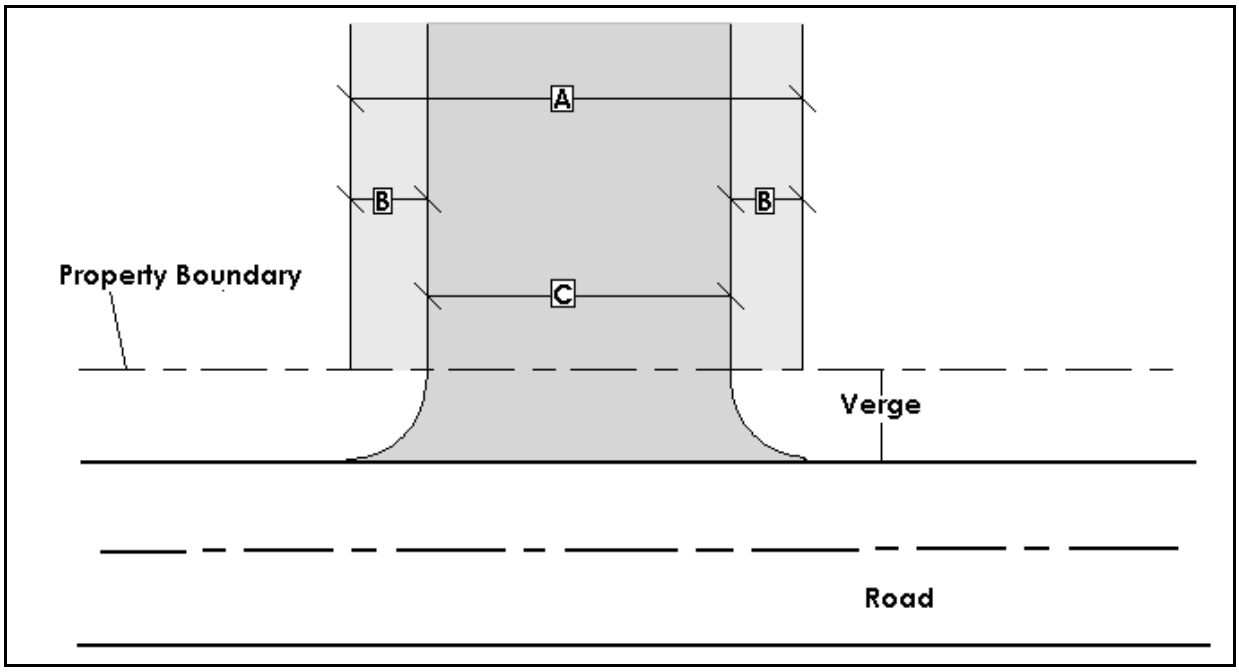
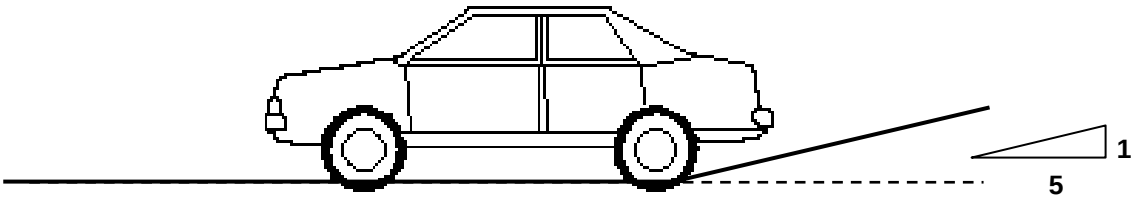
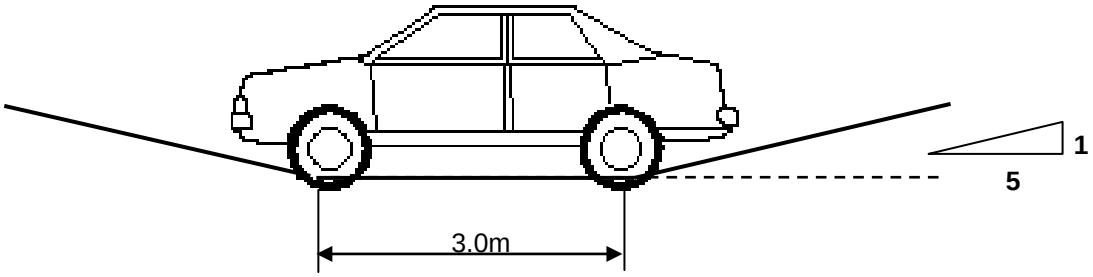


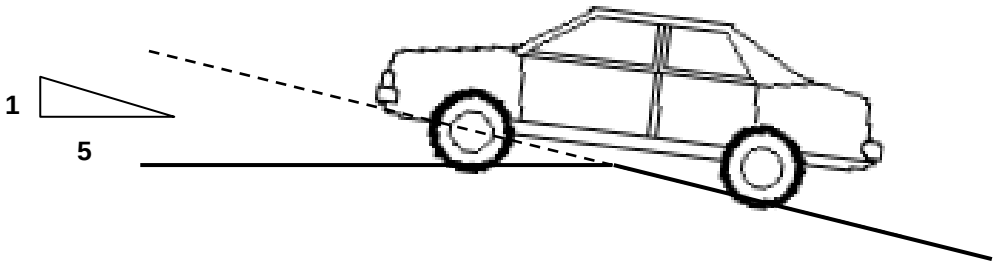
Figure 4: Standards for Motor Vehicle Access for Public and Private Parking Areas



DEPARTURE ANGLE AND GRADIENT OF
DRIVEWAY 1 IN 5 MAXIMUM



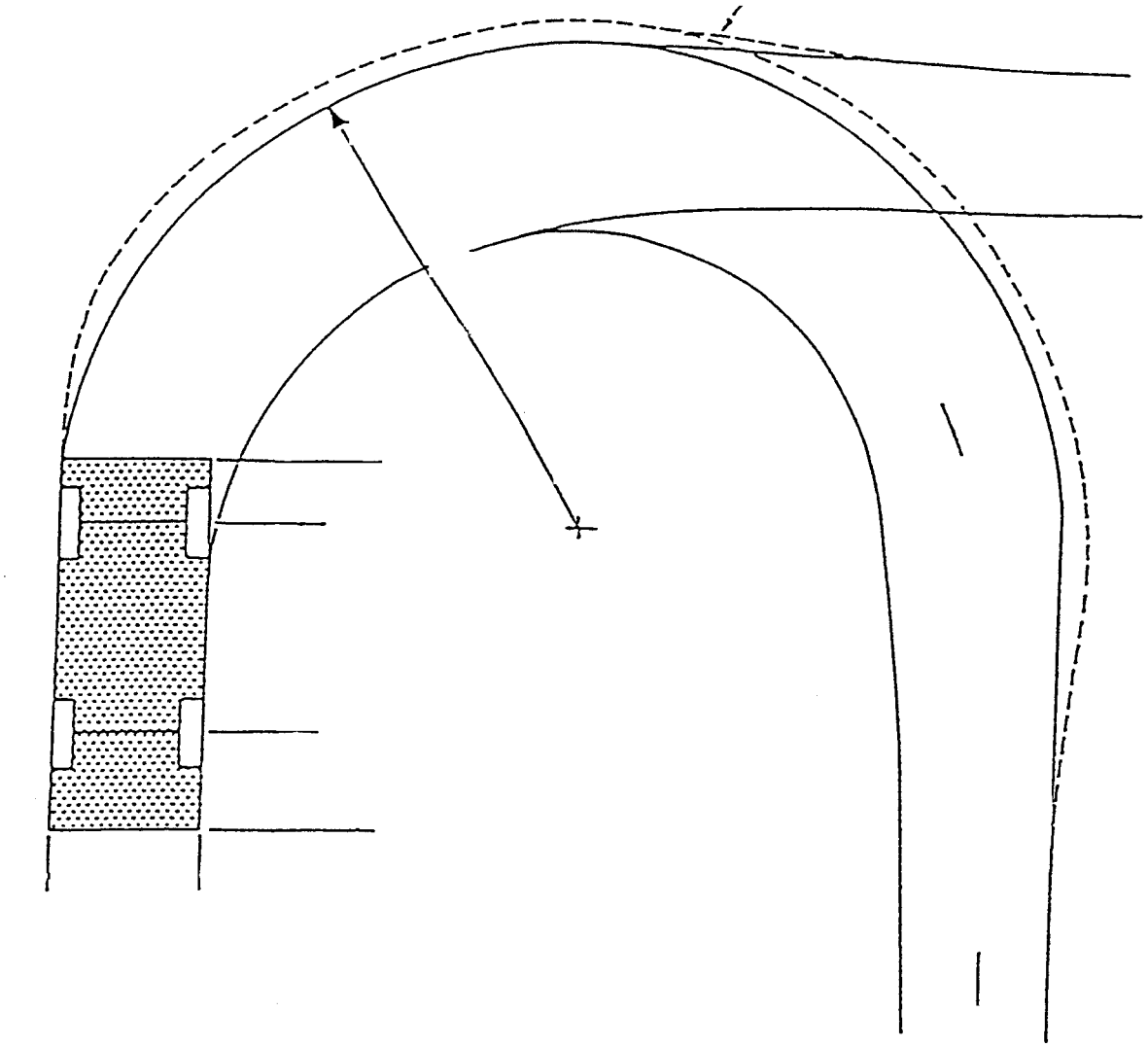
ACCESS DRIVE AND GRADE CHANGE 1 IN 5 MAXIMUM
AT 3.0m MINIMUM DISTANCE FROM KERB



BREAKOVER ANGLE AND GRADIENT OF DRIVEWAY
1 IN 5 MAXIMUM

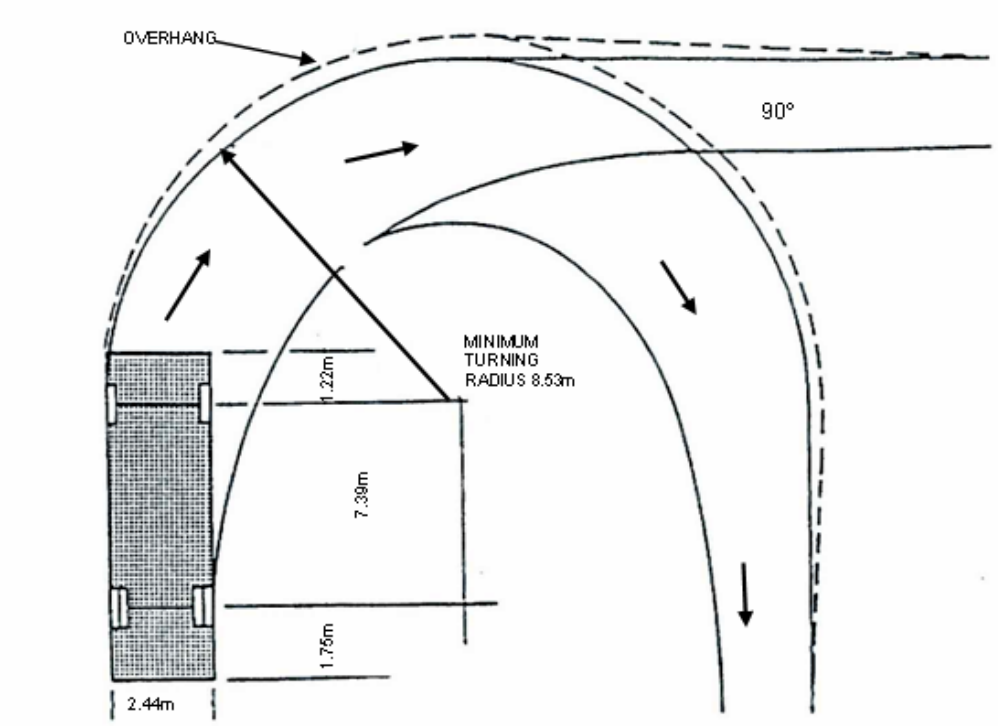
NOT TO SCALE

Figure 5: Minimum Radius Tracking Curve for 90 Percentile Car



SCALE 1:100

Figure 6: Minimum Radius Tracking Curve for 90 Percentile Truck



Scale – 1:200

3.14.5 Access design for State Highways or the roads listed in Rule 12.2

The following rules relate to access onto the State Highway network and the roads listed in Rule 12.2.2. All accesses directly onto a rural state highway or the roads listed in Rule 12.2.2 require design appropriate to the highway or road they are connecting to avoid, remedy or mitigate any adverse effects. Figures 7 - 16 and Tables 8 to 10 below have been taken directly from the Transit New Zealand Planning Policy manual.

3.14.4.1 Minimum Sight Distances

1. The minimum sight distance for any access to the State Highway network or any of the roads listed in Rule 12.2.2 shall be in accordance with Table 8 – Minimum Sight Distances and Figures 7 and 8.

3.14.4.2 Minimum Access Separation

1. The minimum access separation for any access to the State Highway network or any or the roads listed in Rule 12.2.2 shall be in accordance with Table 9 and Figures 9 and 10.

3.14.4.3 Access Formation

1. The formation of any access to the State Highway network or any of the roads listed in Rule 12.2.2 shall be in accordance with Table 10 and Figures 11 – 16 as applicable.

Table 8: Minimum Sight Distances

Posted Speed Limit (km/h)	Minimum Sight Distance (m)
50	113
60	140
70	170
80	203
90	240
100	282

Table 9: Minimum Access Separation Distances

Posted Speed Limit (km/h)	Minimum distance between access and nearest intersection (m)	Minimum distance between local road access and intersection (m)	Minimum distance between accesses (m)	Minimum access spacings on state highways carrying over 10,000 vehicles per day (m)
50	30	20	-	160
60	30	20	-	220
70	100	45	40	305
80	100	45	100	400
90	200	60	200	500
100	200	60	200	500

Table 10: Access Formation

Type of Traffic using accessway (more than one slow, heavy or long vehicle movements per week)	Volume of traffic using accessway (ecm/day[4])	Volume of traffic using State Highway or road listed in Rule 12.2.2 (vpd)	Accessway type
No	1-30	<10,000	Figures 11 and 12
		>=10,000	Figures 13 and 14
	31-100	<10,000	Figures 13 and 14
		>=10,000	Figures 15 and 16
Yes	1-30	All	Figures 13 and 14
	31-100	All	Figures 15 and 16

[4] Equivalent car movements per day (averaged over a year) is defined as follows:

- 1 car to and from the property = 2 equivalent car movements
- 1 truck to and from the property = 6 equivalent car movements
- 1 truck and trailer to and from the property = 10 equivalent car movements

A single residential dwelling is deemed to generate 9 equivalent car movements per day (ecm/d)

Figure 7: Accessway Sight Lines

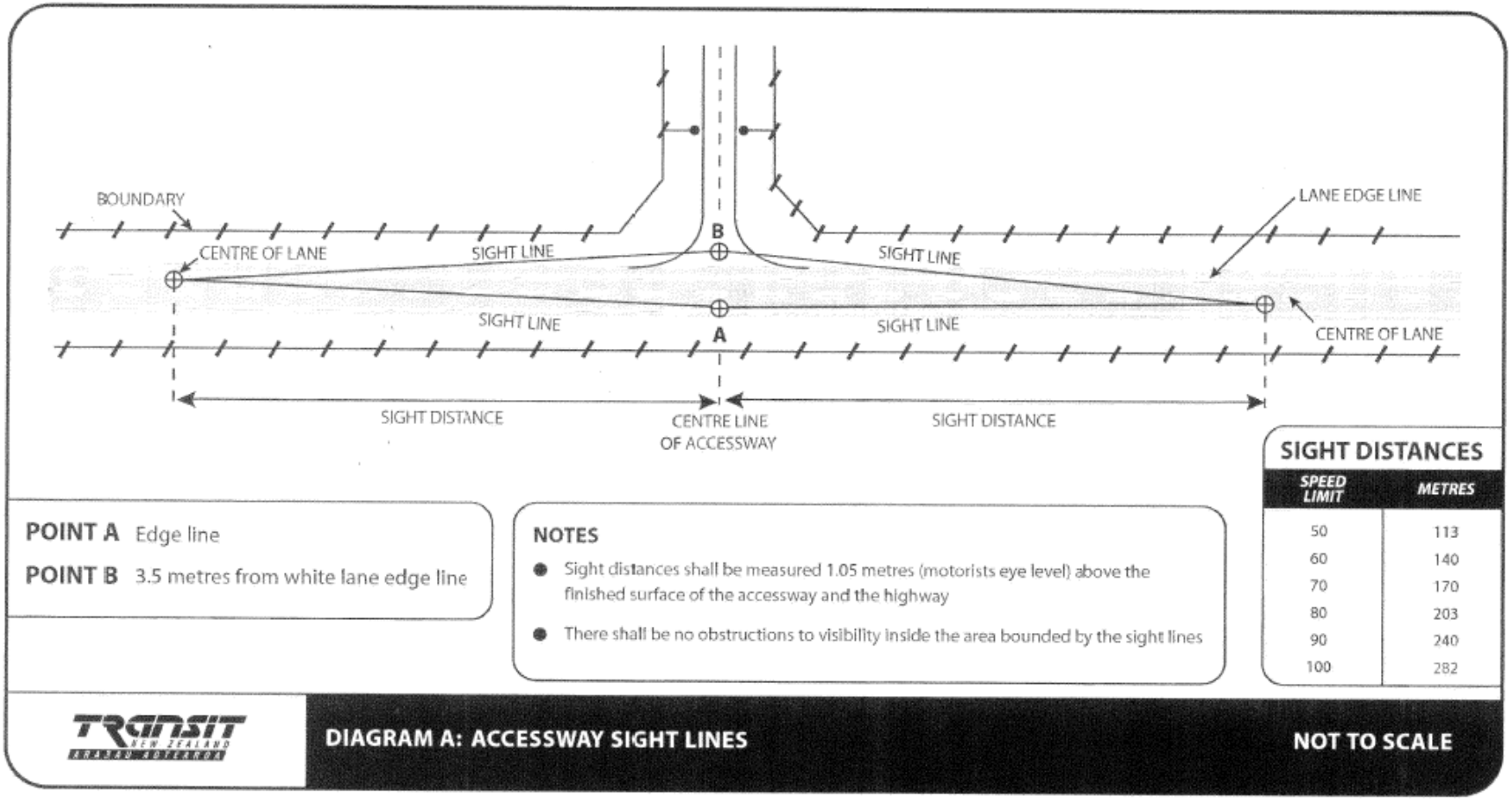


Figure 8: Accessway Sight Lines - Perspective

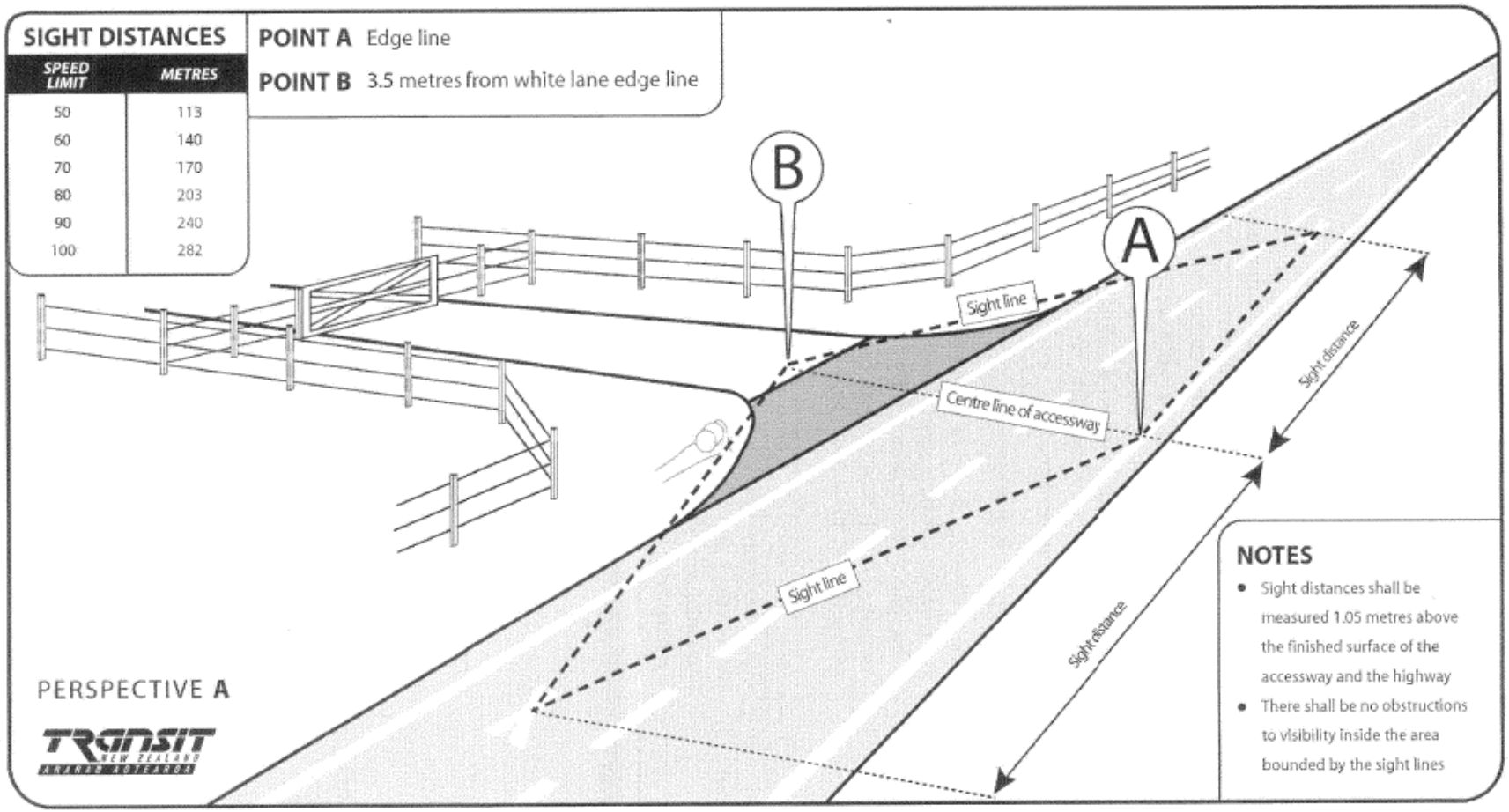


Figure 9: Accessway Separation

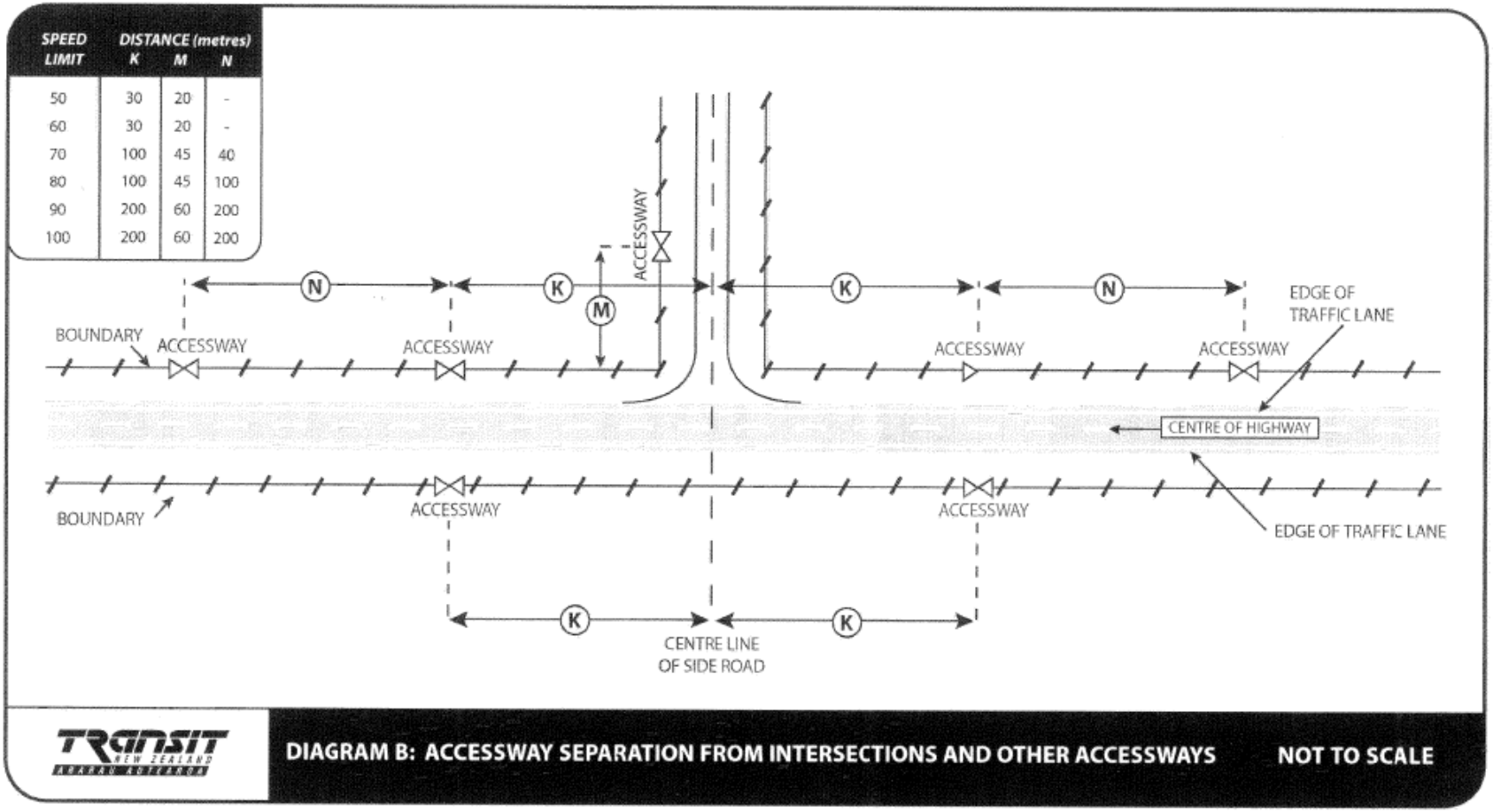


Figure 10: Accessway Separation – Perspective

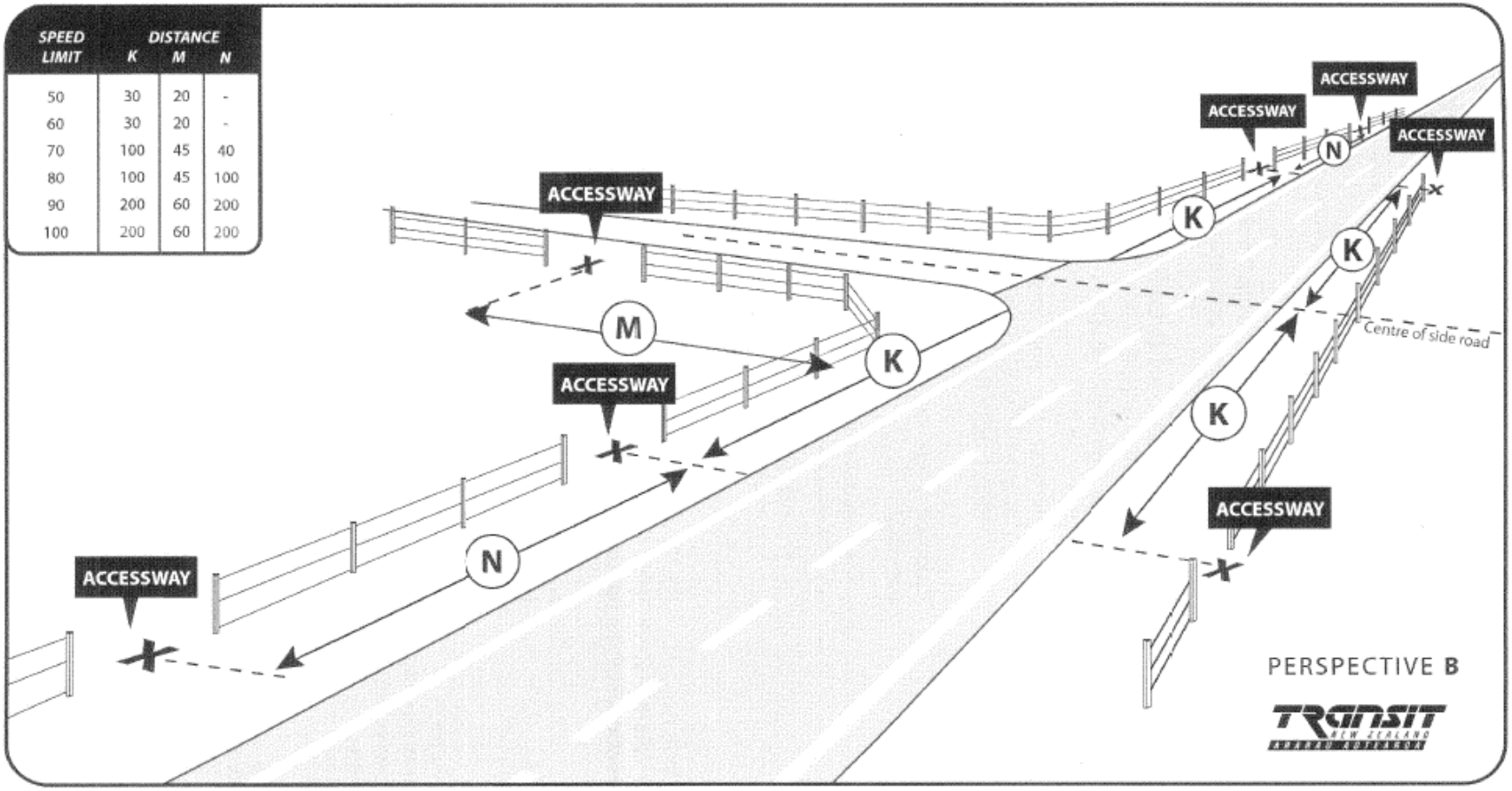


Figure 11: Accessway Design

Note: refer to Table 10 for when this accessway type should be applied.

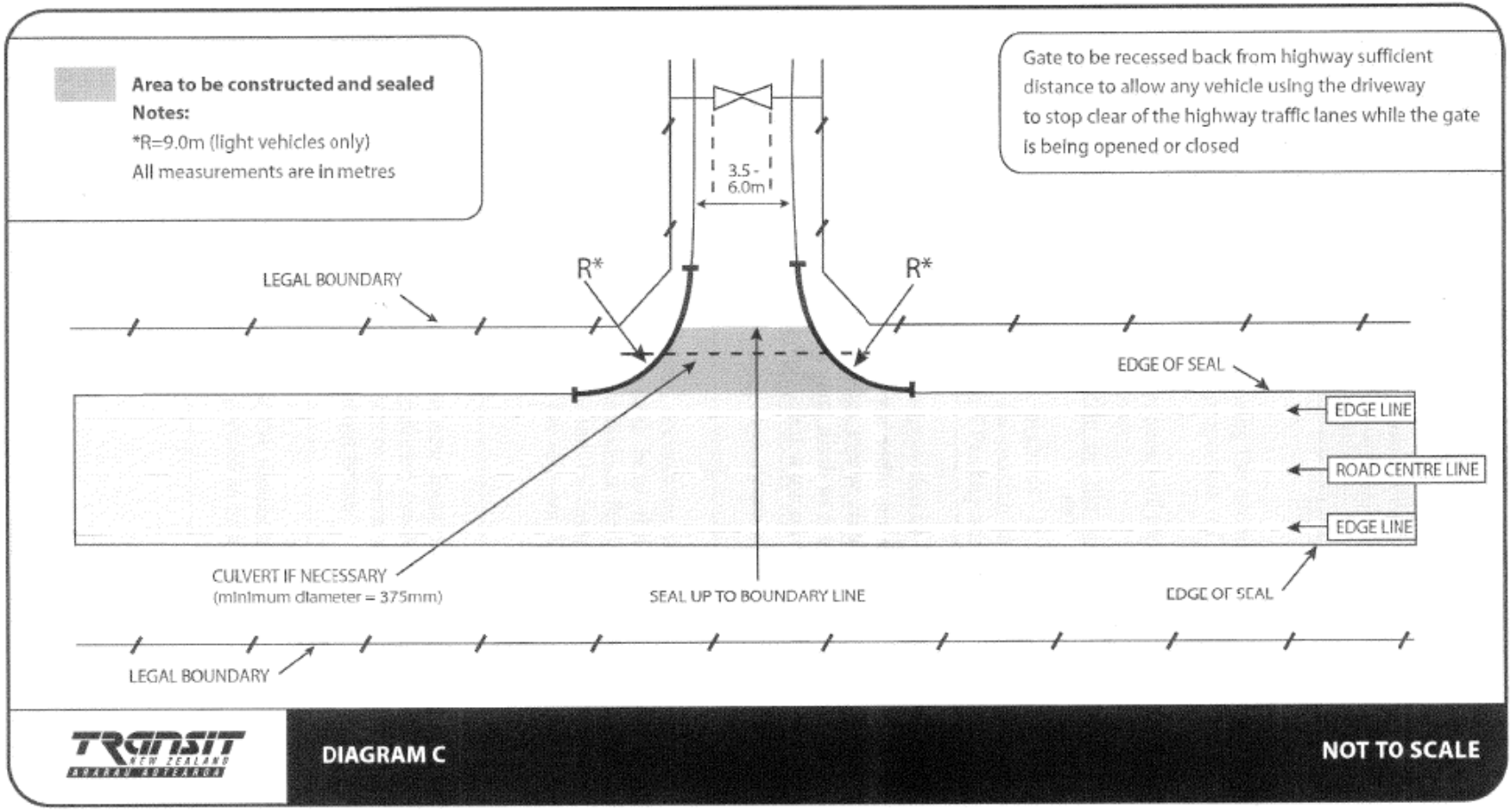


Figure 12: Accessway Perspective

Note: refer to Table 10 for when this accessway type should be applied.

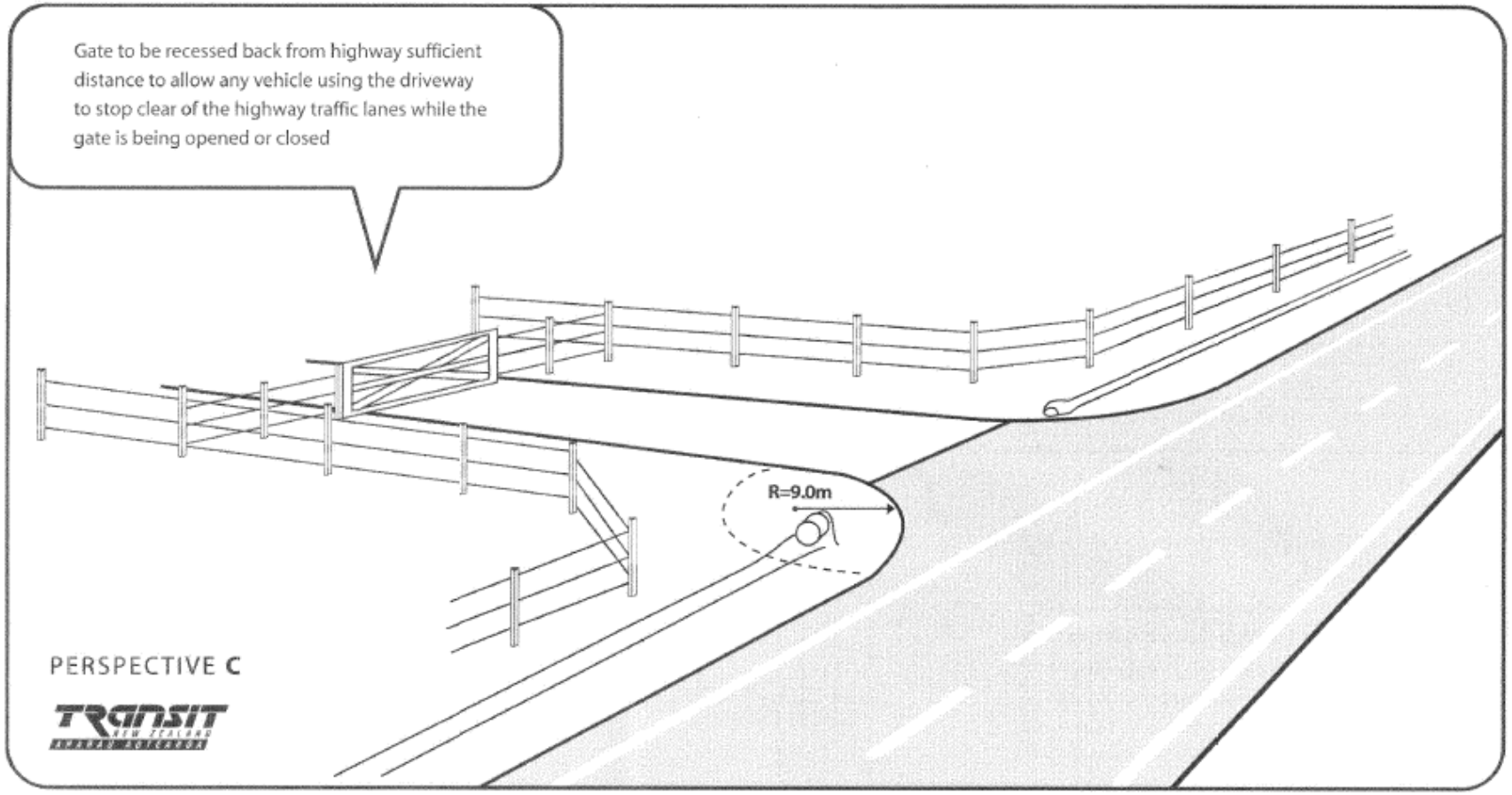


Figure 13: Accessway Design

Note: refer to Table 10 for when this accessway type should be applied.

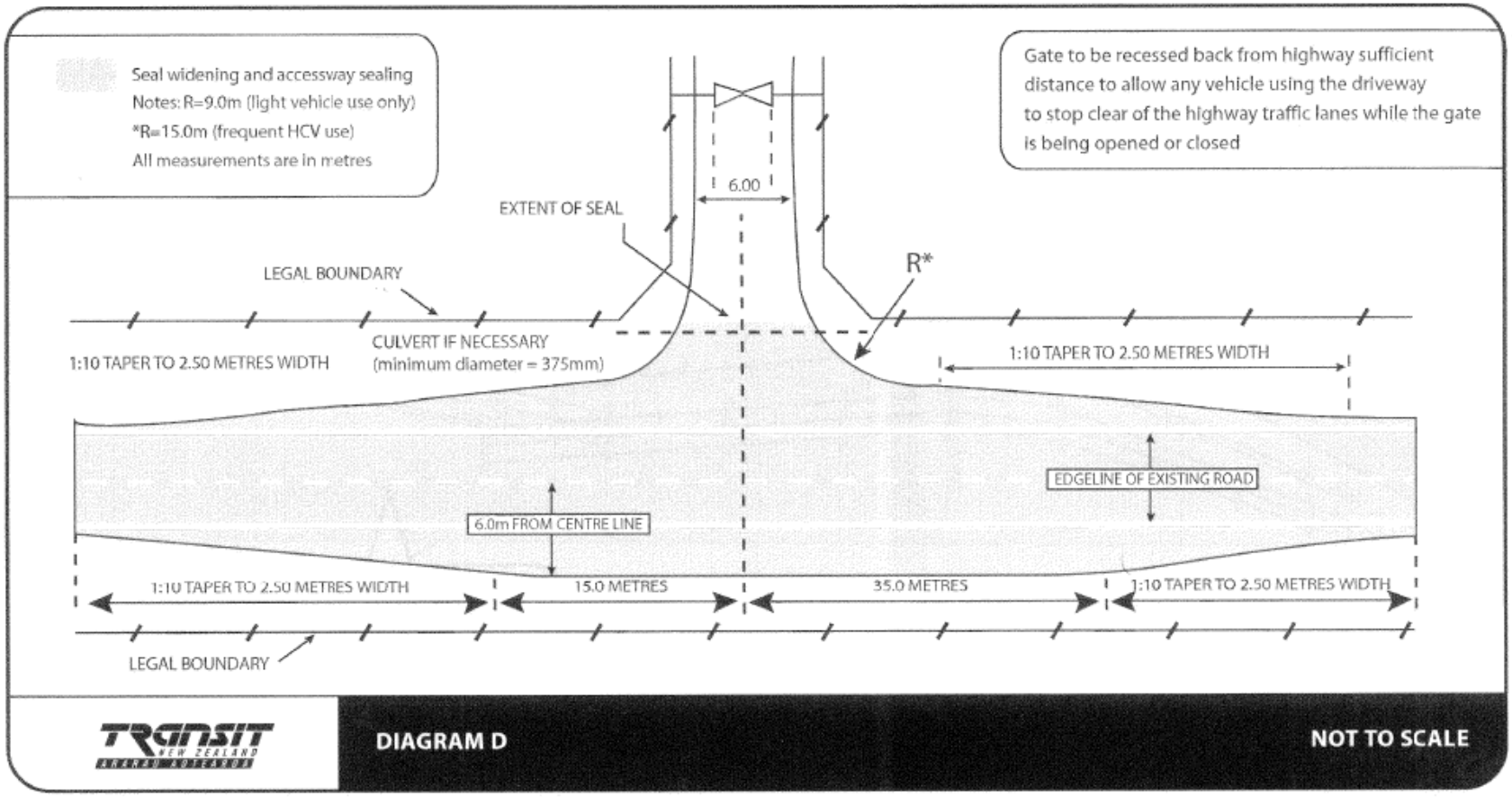


Figure 14: Accessway Perspective

Note: refer to Table 10 for when this accessway type should be applied.

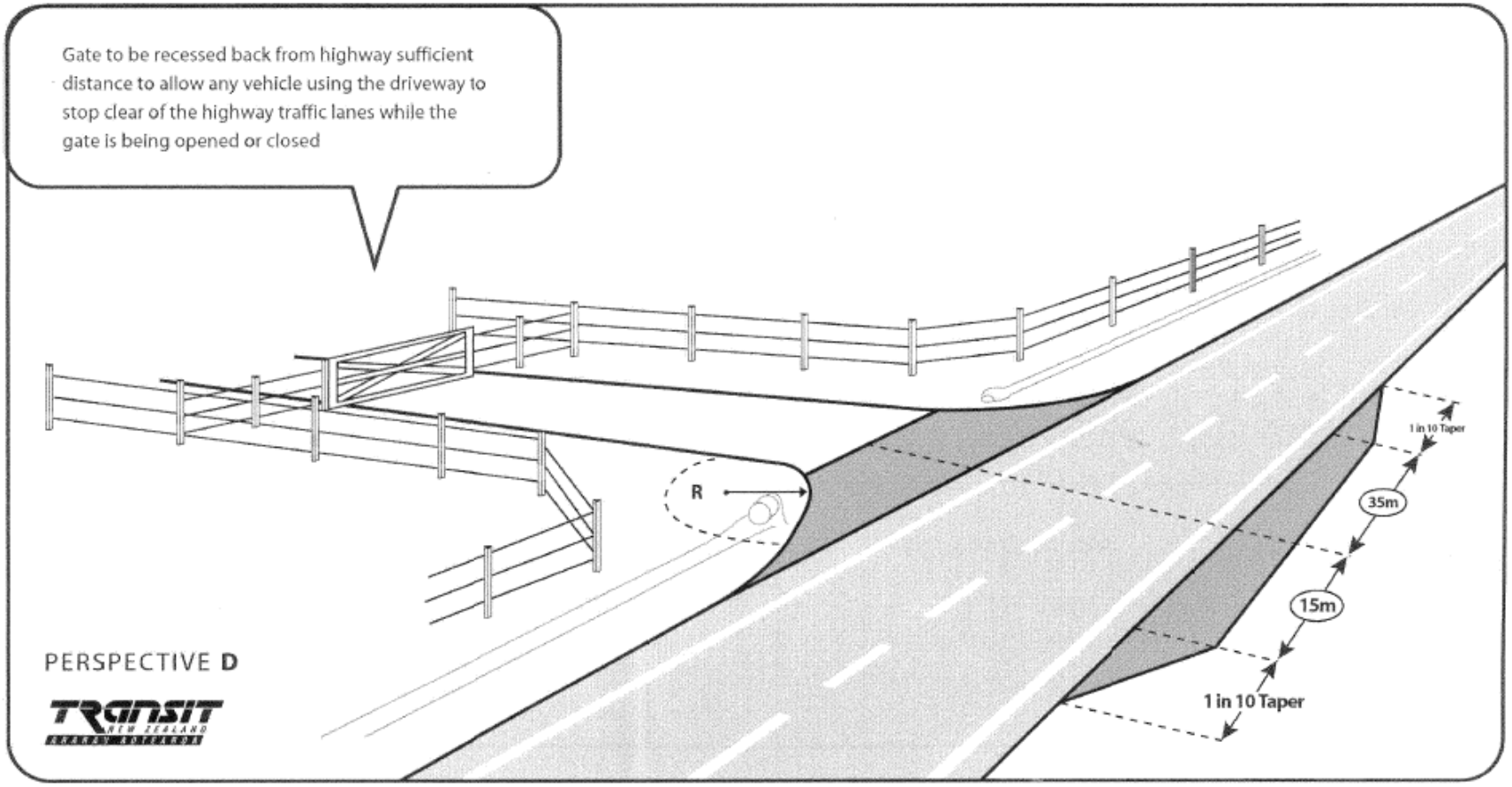


Figure 15: Accessway Design

Note: refer to Table 10 for when this accessway type should be applied.

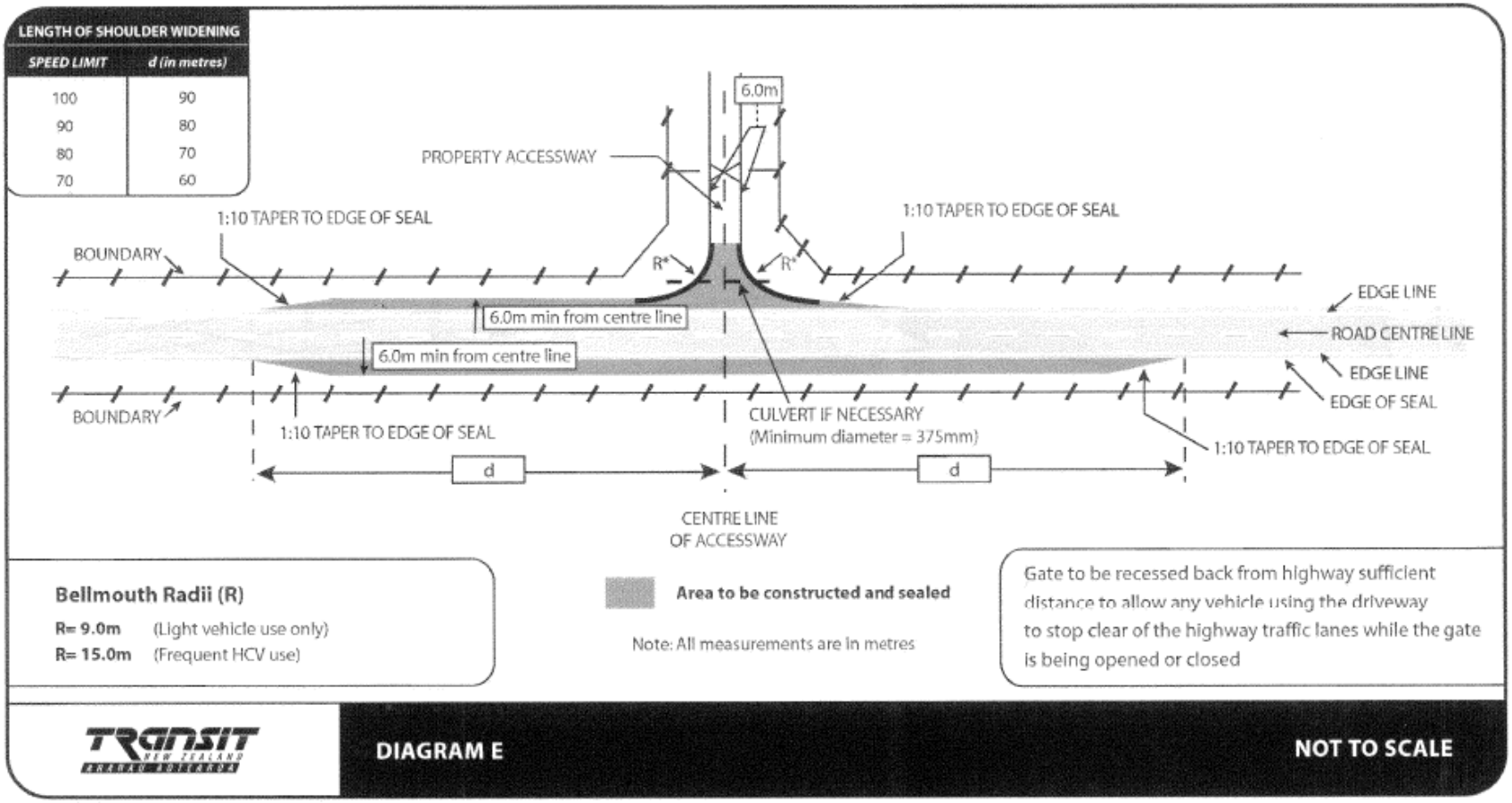
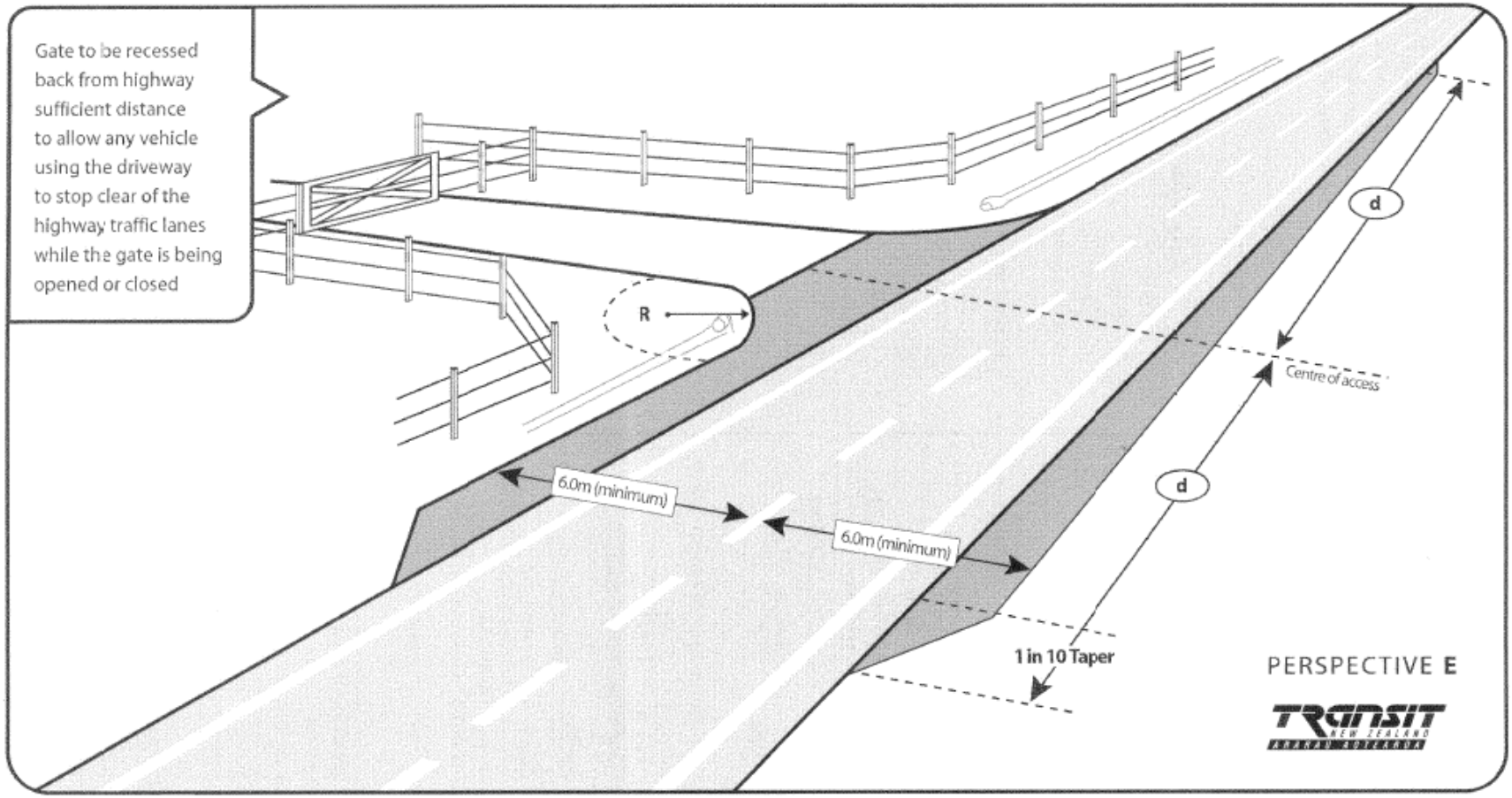


Figure 16: Accessway Perspective

Note: refer to Table 10 for when this accessway type should be applied.



3.15 ARDMORE AERODROME LAND USE COMPATIBILITY PLANNING

3.15.1 Rule - Restrictions on ASAN on land within the Air Noise Boundary Area (ANB)

Within the Air Noise Boundary Area (ANB) shown on the Maps and notwithstanding the provisions of any other Rule in this Plan the following Rules apply:

3.15.1.1 ASAN within the ANB shall be a Prohibited Activity with the exception of:

i Household units that were legally established under the Act and existing at 17 October 2007 on any lot, irrespective of the date the lot was created.

ii Additions and alterations of habitable rooms and rooms for sleeping, convalescing and learning to an existing ASAN that was legally established under the Act and existing at 17 October 2007 provided that consent as a Discretionary Activity shall be required and Rule 13.5 shall apply (refer Rule 13.1.2).

iii A single household unit on a site where the Certificate of Title for the site was issued prior to 17 October 2007 provided that consent as a Discretionary Activity shall be required and Rule 13.5 shall apply (refer Rule 13.1.3).

3.15.1.2 Additions and alterations of habitable rooms and rooms for sleeping, convalescing and learning to an existing ASAN that was legally established under the Act and existing at 17 October 2007 within the ANB that comply with Rule 13.5 shall be a Discretionary Activity.

3.15.1.3 A single household unit on a site within the ANB where the Certificate of Title for the site was issued prior to 17 October 2007 that comply with Rule 13.5 shall be a Discretionary Activity.

3.15.1.4 Additions and alterations of habitable rooms and rooms for sleeping, convalescing and learning to an existing ASAN within the ANB that was legally established and existing at 17 October 2007 and a single household unit on a site where the Certificate of Title for the site was issued prior to 17 October 2007 that do not comply with Rule 13.5 shall be a Prohibited Activity.

3.15.1.5 ASAN that are partially within the ANB and partially within the ICB shall be a Prohibited Activity, with the exception of:

i Household units that were legally established under the Act and existing at 17 October 2007 on any lot, irrespective of the date the lot was created.

ii Additions and alterations of habitable rooms and rooms for sleeping, convalescing and learning to an existing ASAN that was legally established and existing at 17 October 2007 provided that the additions and alterations are within the ICB, consent as a Discretionary Activity shall be required, and Rule 13.2 shall apply.

iii A single household unit on a site where the Certificate of Title for the site was issued prior to 17 October 2007 provided that consent as a Discretionary Activity shall be required and Rule 13.5 shall apply (refer Rule13.1.3)

Explanation of Rule

The impacts of aircraft noise for Ardmore Aerodrome have been assessed using the methodology of the New Zealand Standard 6805:1992 - Airport Noise Management and Land Use Planning ("the Standard"). The Standard recommends land use planning for areas within an air noise boundary prohibit activities sensitive to aircraft noise. The purpose of Rule 13.1 is to give effect to the Standard.

Under the Resource Management Act 1991 no resource consent application may be made for any activity that is a prohibited activity in a Plan. An exception is made to exempt houses existing as at the date of the notification of the Variation (17 October 2007) that introduced these provisions, in order to avoid all doubt that these activities may remain if legally established under the Act.

The exceptions also provide for additions or alterations to ASAN existing at the date of the introduction of the Ardmore Aerodrome land use compatibility planning provisions, subject to a Discretionary Activity resource consent and meeting the noise attenuation rules of Rule 13.5. Additions or alteration to an existing ASAN that would add a habitable room (refer definitions) or a room for sleeping, convalescing or learning in the ANB and that would not meet the noise attenuation standards of Rule 13.5 are a prohibited activity, in order to ensure that the potential adverse effects of aircraft noise are not unmitigated, and in order to protect the Aerodrome from the potential adverse effects of reverse sensitivity. Additions and alterations to an existing ASAN in the ANB that are not for habitable rooms, or rooms for sleeping, convalescing and learning are not subject to these restrictions.

The aim of the land use compatibility planning is to minimise the number of people and the degree to which they are affected within what is considered to be a high noise area. An application for Discretionary Activity resource consent will be assessed under the assessment criteria of 13.8.

An exemption from the Prohibited Activity status for ASAN in the ANB is provided for lots that existed at the time of the introduction of the Ardmore Aerodrome land use compatibility provisions, so that owners may apply to construct a single house on that lot. Such applications will be assessed under the assessment criteria of 13.8.

For the sake of clarity, the rule states that ASAN that would be partially within the Air Noise Boundary and partially within the Inner Control Boundary are subject to the rules for ASAN within the Air Noise Boundary Area.

3.15.2 Rule - Land Use Restrictions on land within the Inner Control Boundary Area

Within the Inner Control Boundary Area (ICB) shown on the Maps and notwithstanding the provisions of any other Rule in this Plan the following Rules apply:

3.15.2.1 ASAN within the ICB that comply with Rule 13.5 shall be a Discretionary Activity with the exception of:

i ASAN that were legally established under the Act and existing at 17 October 2007 on any lot, irrespective of the date the lot was created.

ii Additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning within the ICB, provided that Rules 13.2.2 and 13.2.3 shall apply.

3.15.2.2 Additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning within the ICB that comply with Rule 13.5 shall be a Restricted Discretionary Activity and shall be subject to the matters for discretion of Rule 13.7.

3.15.2.3 Additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning within the ICB that do not comply with Rule 13.5 shall be a Discretionary Activity.

3.15.2.4 ASAN, within the ICB that do not comply with Rule 13.5 shall be a Non Complying Activity.

3.15.2.5 ASAN that are partially within the ICB and partially within the OCB shall be a Discretionary Activity and shall be subject to Rules 13.2.1 and 13.2.4.

3.15.2.6 Additions and alterations to habitable rooms and rooms for sleeping, convalescing and learning to existing ASAN that are partially within the ICB and partially within the OCB shall subject to Rules 13.2.2 and 13.2.3).

Explanation of Rule

The effects of aircraft noise within the area defined by the L_{dn} 60 dBA – L_{dn} 65 dBA contours, the Inner Control Boundary Area, are somewhat less than within the Air Noise Boundary Area, but are still so significant as to necessitate measures to manage how many people are affected and to ensure that where an ASAN is located within the ICB it is subject to appropriate attenuation of aircraft noise. The aim of the land use compatibility planning is to minimise the number of people and the degree to which they are affected within what is considered to be a moderately high noise area near an airport. An application for Discretionary Activity resource consent will be assessed to determine whether it would result in an increase in the number or the severity of the effects of airport noise on people. Additions that will add or alter any habitable room or rooms that will be used for sleeping, convalescing or learning will also need to meet the requirements of Rule 13.5. However, it is also recognised that there may be circumstances where it would be inappropriate or unreasonable to require the noise reduction measures of Rule 13.5 to be carried out for a minor addition or a minor alteration in a habitable room of an ASAN within the ICB. Examples where it may be unreasonable or impracticable to require compliance with Rule 13.5 may include where the ASAN being added to or altered was constructed or consented to prior to the introduction of the landuse compatibility planning provisions of the Plan in October 2007 and the requirement for complying with Rule 13.5 for the addition or alteration only will not achieve any appreciable noise reduction for the ASAN or the habitable room or room for sleeping, convalescing or learning, due to the existing absence of noise reduction measures either throughout the ASAN or the rooms that are to be altered or added to.

3.15.3 Rule – Land Use Restrictions on land within the Outer Control Boundary Area

Within the Outer Control Boundary Area (OCB) shown on the Maps and notwithstanding the provisions of any other Rule in this plan the following rules apply:

3.15.3.1 ASAN and additions to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning within the OCB that comply with Rule 13.5 shall be a Permitted Activity.

3.15.3.2 ASAN within the OCB that do not comply with Rule 13.5 shall be a Non Complying Activity.

3.15.3.3 Additions and alterations of habitable rooms and rooms for sleeping, convalescing and learning to existing ASAN within the OCB that do not comply with Rule 13.5 shall be a Discretionary Activity.

Explanation of Rule

The effects of aircraft noise within the L_{dn} 55 dBA – L_{dn} 60 dBA noise contours, the Outer Control Boundary Area, are somewhat less again than those experienced within the Inner Control Boundary Area or the Air Noise Boundary Area, but these moderate levels of aircraft noise are still so significant as to necessitate measures to minimise the effects on people and to ensure that where ASAN are located within the OCB they are subject to appropriate noise reduction measures. The aim of the airport land use compatibility planning applied to Ardmore Aerodrome is to minimise the number of people and the degree to which they are affected within what is considered to be a high or moderate noise area near an aerodrome. For that reason, ASAN that do not comply with the noise reduction measures specified in Rule 13.5, are a non-complying activity. However, it is also recognised that there may be circumstances where it would be inappropriate or unreasonable to require the noise reduction measures of Rule 13.5 to be carried out for a minor addition or a minor alteration in a habitable room of an ASAN within the ICB. Examples where it may be unreasonable or impracticable to require compliance with Rule 13.5 may include where the ASAN being added to or altered was constructed or consented to prior to the introduction of the landuse compatibility planning provisions of the Plan in October 2007 and the requirement for complying with Rule 13.5 for the addition or alteration only will not achieve any appreciable noise reduction for the ASAN or the habitable room or room for sleeping, convalescing or learning, due to the existing absence of noise reduction measures either throughout the ASAN or the rooms that are to be altered or added to.

3.15.4 Activities other than ASAN

3.15.4.1 Rule – Activities other than ASAN and additions of habitable rooms, and rooms for sleeping, convalescing and learning to ASAN within the ANB, ICB and OCB that are permitted activities, controlled activities, restricted discretionary and discretionary activities retain their current status.

Explanation of Rule

The intention of Rule 13.4.1 is to ensure that it is clear that the activity status of activities other than ASAN within the noise contours remain unchanged.

To assist in understanding the Ardmore Aerodrome land use compatibility rules, a summary table sets out in summary the effect of the rules above. The Rules of 13 in full should be referred to in all instances.

Table 1.0 Ardmore Aerodrome Noise Contours – Summary of Activity Status for Explanatory Purposes Only**(5)**

Activity	**Air Noise Boundary Area L_{dn} 65 dBA+**	**Inner Control Boundary Area L_{dn} 60-65 dBA**	**Outer Control Boundary Area L_{dn} 55-60dBA**
Activities sensitive to aircraft noise which meet sound attenuation rules(1)	Prohibited	Discretionary Activity	Permitted Activity(4)
Additions to existing activities sensitive to aircraft noise of habitable rooms(2) and rooms for sleeping, convalescing and learning which meet sound attenuation rules of 13.5	Discretionary Activity	Restricted Discretionary	Permitted Activity
Existing households lawfully established under the Act	Permitted Activity(3)	Permitted Activity	Permitted Activity
A single household on a site where a title was issued prior to 17 October 2007 that complies with the sound attenuation rules of 13.5	Discretionary Activity	Discretionary Activity	Permitted Activity(4)
Activities sensitive to aircraft noise that do not comply with the sound attenuation rules of 13.5	Prohibited	Non Complying	Non Complying
Additions and alterations to an existing activity sensitive to aircraft noise of habitable rooms(2) and rooms for sleeping or convalescing or learning that do not comply with the sound attenuation rules of 13.5	Prohibited	Discretionary	Discretionary

(1) Refer Definition of Activities Sensitive to Aircraft Noise

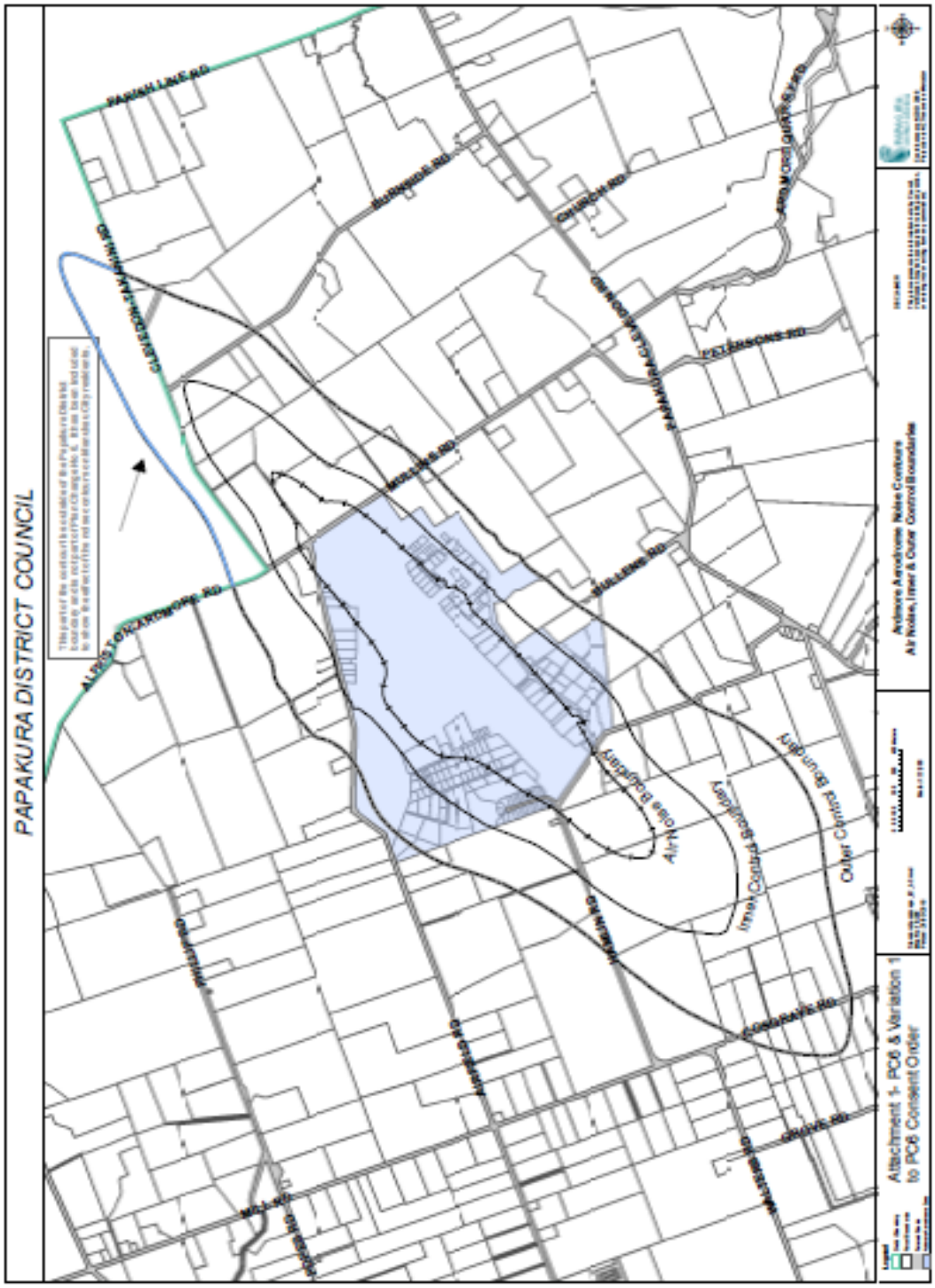
(2) Refer Definition of Habitable Room

(3) Refer Section Three, Rule 6.14.9.9 Affected Dwellings

(4) Subject to compliance with Rule 13.5 noise attenuation

(5) If any contradiction exists between this explanatory table and the Rules the Rules shall prevail

Figure 1.0 Ardmore Aerodrome Noise Contours, Air Noise, Inner and Outer Control Boundaries illustrates the Air Noise Boundary, Inner Control Boundary and Outer Control Boundary Areas. The Maps should be referred to for actual definition of the location of the Boundaries and Areas. [1]



([1]) Figure 1 is for explanatory purposes only, and the Maps of the District Plan show the locations of the ANB, ICB and OCB.

3.15.5 Rule – Noise Attenuation

3.15.5.1 ASAN and additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the ANB, ICB and OCB shall provide sound attenuation and related ventilation and/or air-conditioning measures to ensure that:

i the internal noise environment of habitable rooms and rooms for sleeping, convalescing and learning does not exceed a maximum of L_{dn} 40 dBA; and

ii the related ventilation and /or air conditioning system(s) satisfy the requirements of New Zealand Building Code Clause G4 with all external doors of the building and all windows of the habitable rooms closed.

3.15.5.2 ASAN and additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the OCB shall:

i be constructed from materials and using construction methods so as to achieve at least a 25dBA noise reduction in all habitable rooms and rooms for sleeping or convalescing or learning (with all external doors of the building and all windows of these rooms closed) and be certified by an acoustical consultant as meeting that standard to the Council's satisfaction prior to construction and provide a ventilation system that:

a. complies with the mechanical ventilation requirements of Part G4 of the New Zealand Building Code for buildings where all external windows and doors are closed; and

b. creates no more than L_{eq} 40 dBA in the principal living room, no more than L_{eq} 30 dBA in the other habitable rooms, and no more than L_{eq} 40 dBA in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser; and

c. Does not compromise compliance with Rule 13.5.1

3.15.5.3 ASAN and additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping or convalescing or learning in the ICB shall:

i be constructed from materials and using construction methods and insulation such as to achieve at least a 30dBA noise reduction in all habitable rooms and rooms for sleeping or convalescing or learning (with all external doors of the building and all windows of these rooms closed) and be certified by an acoustical consultant as meeting that standard to the Council's satisfaction prior to construction and provide a ventilation system that:

a. complies with the mechanical ventilation requirements of Part G4 of the New Zealand Building Code for buildings where all external windows and doors are closed; and

b. creates no more than L_{eq} 40 dBA in the principal living room, no more than L_{eq} 30 dBA in the other habitable rooms, and no more than L_{eq} 40 dBA in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser; and

c. Does not compromise compliance with Rule 13.5.1

3.15.5.4 Additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the ANB and A single household unit on a site where the Certificate of Title for the site was issued prior to 17 October 2007 in the ANB shall:

i be constructed from materials and using construction methods and insulation such as to achieve at least a 30dBA noise reduction in all habitable rooms and rooms for sleeping, convalescing and learning (with all external doors of the building and all windows of these rooms closed) and be certified by an acoustical consultant as meeting that standard to the Council's satisfaction prior to the assessment as a Discretionary Activity and provide a ventilation system that:

a. complies with the mechanical ventilation requirements of Part G4 of the New Zealand Building Code for buildings where all external windows and doors are closed; and

b. creates no more than L_{eq} 40 dBA in the principal living room, no more than L_{eq} 30 dBA in the other habitable rooms, and no more than L_{eq} 40 dBA in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser; and

c. Does not compromise compliance with Rule 13.5.1

3.15.5.5 Educational facilities, schools, and other educational facilities and additions to existing educational facilities, schools, and other educational facilities in the OCB and ICB shall be constructed and maintained so as to achieve an interior noise environment in classrooms and all other places of learning not exceeding 35 L_{eq} dBA 0830 - 1530 Monday to Friday (inclusive). Compliance with all other relevant Rules of Rule 13.5 is also required.

3.15.5.6 Opening Windows in ASAN in ANB, ICB and OCB

i Opening windows are permissible in ASAN and additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the ANB, ICB and OCB.

ii Where non-opening windows are used in ASAN and additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the ANB, ICB and OCB an early warning smoke detection system shall be installed and maintained within the premises, including in rooms for sleeping and exit ways, in accordance with an approved New Zealand Code or Standard or AS3786:1993. Where mechanical ventilation is provided, devices shall be installed to shut down or close off the system to prevent the travel of fire and smoke products.

3.15.5.7 Upon the completion of construction to meet Rules 13.5. the owner shall provide the Council with certificates:

i prepared by a suitably qualified and experienced acoustical consultant certifying that the acoustic treatment and sound attenuation measures are sufficient to achieve compliance with Rules 13.5 and have been undertaken in accordance with Rules 13.5; and

ii prepared by a suitably qualified and experienced ventilation engineer certifying that the ventilation measures are sufficient to achieve compliance with Rules 13.5 and have been undertaken in accordance with Rules 13.5.

3.15.5.8 Noise Reduction Performance Standard

i A post-construction demonstration of compliance with the sound attenuation required in Rules 13.5 shall be a condition of occupancy of ASAN in the ANB, ICB and OCB and shall be provided to Council prior to occupancy. Compliance with the sound attenuation Rules 13.5 shall be achieved in the absence of any absorptive surface finishes such as carpeting or furnishings. This performance standard shall be required for each room within the residential building that is typically occupied, such as bedrooms, living rooms, dining rooms and dens. All building systems should be off during the testing to minimize background noise, including appliances and forced-air ventilation systems.

ii The post-construction performance test shall be conducted in accordance with ASTM E966–04 "Standard Guide for Field Measurements of Airborne Sound Insulation of Building Facades and Façade Elements" in order to obtain proportionate bandwidth spectra (e.g., octave band) for the exterior and interior locations based on actual aircraft events with appropriate corrections for background noise. The term outdoor-indoor level reduction (OILR) is equivalent to the term noise reduction in these rules. The exterior microphone shall be situated at least 2 meters from reflective exterior surfaces and shall be situated as far as possible from such surfaces in order to obtain a representative outdoor noise level for the residence under test.

iii The noise reduction that is obtained via the application of this test standard and approaches described above shall be "normalized" with regard to a representative spectrum for aircraft operations from Ardmore Aerodrome and not restricted to the results that are obtained for a limited number of aircraft events.

3.15.5.9 ASAN in the ICB and OCB that do not comply with Rules 13.5 shall be non complying.

Note: Consultation should be carried out with the Airport Authority for Ardmore Aerodrome before seeking resource consent for an ASAN in the ICB and OCB that does not comply with Rules 13.5, as the Airport Authority may be considered to be an affected person in relation to any such proposal.

3.15.5.10 Additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping or convalescing or learning in the ICB and OCB that do not comply with Rules 13.5 shall be a Discretionary Activity.

Note: Consultation should be carried out with the Airport Authority for Ardmore Aerodrome before seeking resource consent for additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the ANB, ICB and OCB that do not comply with Rules 13.5, as the Airport Authority may be considered to be an affected person in relation to any such proposal.

3.15.5.11 Additions and alterations to an existing ASAN of habitable rooms and rooms for sleeping, convalescing and learning in the ANB and A single household unit on a site

where the Certificate of Title for the site was issued prior to 17 October 2007 in the ANB that do not comply with Rules 13.5 shall be prohibited.

3.15.5.12 The cost and responsibility for any works required to achieve compliance with the standards and terms listed in Rule 13.5 shall be borne by the consent holder and do not alter the Airport Authority's responsibilities under Rule 6.14.9.9 of Part 6, Section 3 – Urban Papakura.

Explanation of Rule

The operational noise emitted by aircraft using the Ardmore Aerodrome has the potential to cause adverse effects on people, including annoyance, communication disruption and sleep disturbance. These potential adverse effects are avoided by the prohibition on new ASAN within the Air Noise Boundary area, and are mitigated by the rules requiring new ASAN in the Inner Control Boundary and Outer Control Boundary areas and additions or alteration to an existing ASAN located within the defined ANB, ICB and OCB to provide an appropriate level of noise attenuation.

L_{dn} accounts for the loudness of aircraft events, duration of the events, total number of the events and diurnal variation of the events correlates well with the cumulative effects of aircraft noise on humans. Single event noise also has the potential to disrupt human activities, including adverse effects on communication and sleep. Short term annoyance and cumulative effects are related in that it is the repeated exposure to short term annoyance that determines cumulative effects. Single event noise from aircraft using Ardmore Aerodrome is mitigated by rules requiring a 30dBA noise reduction for ASAN in the ICB and a 25dBA noise reduction for ASAN in the OCB, in addition to achieving the L_{dn}40dBA performance standard.

International research has indicated that increasing levels of aircraft noise exposure may be significantly related to poorer reading comprehension in schools. World Health Organisation guidance is that the interior noise levels for schools should not exceed 35 L_{eq} dBA and based upon these guidelines, acceptable classroom environments can be maintained within a range of exterior noise environments provided the interior noise environment can be maintained at 35 dBA L_{eq} averaged over the class session. Higher noise levels may periodically occur. Classrooms and other interior places where learning takes place (such as libraries and auditoriums) in educational facilities, schools, and other educational facilities and additions of classrooms or other interior places where learning takes place to existing educational facilities, schools, and other educational facilities in the OCB and ICB are required to achieve an interior noise level not exceeding 35 L_{eq} dBA in classrooms and other places where learning takes place, in order to ensure that disruption to learning inside any school located within the noise contours for the Aerodrome does not occur.

It should be noted that in order to ensure that responsibility for mitigation of this aircraft operational noise does not rest solely with property owners within the ANB, ICB and OCB, specific noise mitigation requirements have also been imposed on operational activities within the Ardmore Aerodrome (refer Part 6 Of Section 3 – Urban Papakura).

Certification that construction will achieve the required noise reduction, being 25dBA within the OCB, and 30dBA within the ICB and ANB, is required so that Council can be satisfied that compliance has been achieved, and potential adverse noise effects on occupants and the potential reverse sensitivity effects on Ardmore Aerodrome are avoided, remedied or mitigated. Council will produce a guideline for construction, which

will be available to owners and builders to provide guidance as to the materials and methods of construction that will achieve compliance with the noise reduction rules.

A noise reduction of 20 dBA or greater cannot be achieved for residential construction that meets typical egress requirements for occupants when windows are open. As such, it is essential that a forced-air ventilation system be incorporated into the design of new buildings to allow for sufficient fresh air while allowing for windows to be closed at the discretion of the occupants. The design of the forced-air ventilation system itself should not compromise the noise reduction by allowing excessive exterior noise into the structure.

If non-opening windows are used in any space then an early warning smoke detection system will provide early warning and time for occupants to action a plan of escape by using alternative means.

Owners are reminded that all building work must comply with the Building Act 2004 and the associated New Zealand Building Code, of which parts G4 and G5 are particularly relevant and that nothing in these rules is to be taken as limiting any obligations under that Act. It is noted that the Building Industry Authority of New Zealand has published, and updates from time to time, "Acceptable Solutions to the New Zealand Building Code" which outlines acceptable methods of complying with the New Zealand Building Code.

These rules are designed to ensure acoustical mitigation and minimum ventilation needs are met simultaneously. The New Zealand Building Code requires mechanical or natural ventilation that will be sufficient to ensure minimum indoor air quality, which will necessitate additional measures such as silencers in order to ensure compliance with the Ldn40 dBA internal noise environment and the 30 dBA or 25dBA noise reduction requirements of Rule 13.5. However, some building owners and users may desire higher levels of summertime cooling with all doors and windows closed and may therefore desire higher ventilation rates or an air conditioning system. In addition, where buildings are non standard buildings, such as dwellings with large glazed areas, or in the case of buildings used for community purposes, owners and users may also desire higher ventilation rates or air conditioning.

The specified noise levels (L_{eq}) from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

3.15.6 Rule – Matters for Discretion – Restricted Discretionary Activities.

3.15.6.1 When considering an application for resource consent for a restricted discretionary activity under Rules 13.1 to 13.3 the Council reserves discretion over the following matters and may impose conditions in respect of each of those matters:

i Any matters for discretion applicable to the activity under any other part of the district plan.
ii The internal noise environment of the proposed and any existing structure.
iii The internal air quality of the proposed or any existing structure.
iv Measures for or relating to the attenuation of aircraft noise arising in connection with Ardmore Aerodrome.

v The imposition of an obligation not to remove any required acoustic treatment measures without the Council's consent.

vi The registration of a covenant on the title pursuant to section 108(2)(d) of the Act to secure any conditions of consent imposing an obligation of the kind described in (v) above.

vii The nature, size and scale of the proposed development.

3.15.6.2 When assessing the application, the Council will have regard to the assessment criteria applicable to the activity under any other part of the District Plan and the assessment criteria referred to in 13.7.

3.15.6.3 Except as provided for by Section 95A(2) and (4), 95B(3) and 95C(4) of the Act applications for Restricted Discretionary Activity under Rule 13.1 to 13.3 shall be considered without notification or the need to obtain approval from affected persons and notice of such applications does not need to be served.

Explanation of Rule

The matters for discretion, together with the relevant assessment criteria in 13.7, are intended to ensure that resource consent applications for new ASAN or additions and alterations to existing ASAN are assessed in terms of the degree to which the effects of aircraft noise can be attenuated. The matters for discretion for restricted discretionary activities are intended to also ensure that an assessment is carried out as to whether the nature, size and scale of the proposed development is such that it might lead to conflict with and adverse effects upon Ardmore Aerodrome.

3.15.7 Assessment Criteria – Restricted Discretionary Activities

When assessing applications for restricted discretionary activity resource consent under Rules 13.1 to 13.3 Council will consider the following assessment criteria:

i Any assessment criteria applicable to the activity under any other part of the district plan.

ii Whether the internal noise environment of the proposed and any existing structure will provide satisfactorily levels of health, safety and amenity values to occupants.

iii Whether the internal air quality of the proposed or any existing structure will provide satisfactory health, safety and amenity values to occupants.

iv Whether the proposed measures for attenuation of aircraft noise arising in connection with Ardmore Aerodrome will satisfactorily avoid remedy or mitigate those effects.

v Whether mechanisms are proposed which will place an obligation on owners to ensure that required acoustic treatment measures are not removed without the Council's prior consent.

vi Whether the registration of a covenant on the title pursuant to section 108(2)(d) of the Act to secure any conditions of consent imposing an obligation of the kind described in (v) above are proposed.

vii Whether, having regard to all the circumstances (including location in relation to the Aerodrome, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated), the nature, size and scale of the proposed activity is likely to lead to potential conflict with and adverse effects upon the operation of the Aerodrome.

viii Any other relevant matter set out in section 104 of the Resource Management Act 1991.

3.15.8 Assessment Criteria – Discretionary Activities

Internal Noise Environment

i. The need to achieve an acceptable internal noise environment for habitable rooms and rooms for sleeping, convalescing and learning, whether the proposal provides for the relevant noise reduction in Rule 13.5 -; and whether the nature or degree of any failure to meet the acoustic standards in Rule 13.5 is insignificant.

ii. Without limiting the generality of 13.8 (i), whether or not the design, construction and materials of any structure to be used would achieve an acceptable internal noise environment for habitable rooms and rooms for sleeping, convalescing and learning with all external doors and windows of the building(s) closed.

iii. Whether or not other measures are proposed to achieve an acceptable internal noise environment for all such rooms.

Internal Air Quality

iv. Whether adequate ventilation as part of any acoustic treatment measures is to be provided.

Acoustic Treatment Measures in Additions and Alterations

v. The reasonableness of requiring acoustic treatment measures (including measures for internal air quality purposes) in existing rooms, or whether such measures should be limited to the addition.

vi. Whether any circumstances exist that would make compliance with the noise reduction standards in Rule 13.5 impracticable. The assessment of the practicality of compliance with the noise reduction standards will take into account whether it is practicable for the noise reduction standards of Rule 13.5 to be achieved in the addition or alteration, regardless of whether the remainder of the existing ASAN has achieved this noise reduction standard.

vii. Whether the ASAN being added to or altered was constructed or consented to prior to the introduction of the landuse compatibility planning provisions of the Plan in October 2007 and the requirement for complying with Rule 13.5 for the addition or alteration only will not achieve any appreciable noise reduction for the ASAN and /or the habitable room or room for sleeping, convalescing or learning, due to the existing absence of noise reduction measures either throughout the ASAN or the rooms that are to be altered or added to.

viii. Whether the level of noise reduction by the proposed activity can be less than the level required by Rule 13.5 without compromising the overall health and amenity of the occupants within the room(s).

ix. Whether the level of noise reduction by the proposed activity can be less than the level required by Rule 13.5 without creating or having the potential to create reverse sensitivity effects on Ardmore Aerodrome.

Removal of Acoustic Treatment Measures

x. The desirability of ensuring required acoustic treatment measures are not removed without consent.

Nature, Size and Scale of Development

xi. Whether having regard to all the circumstances, including location in relation to Ardmore Aerodrome and the ANB, ICB, OCB, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated, the nature, size and scale of the development is likely to lead to potential conflict with and adverse effects upon Ardmore Aerodrome activities.

xii. Any other relevant matter set out in s.104 of the Resource Management Act 1991.

3.15.9 Rule - Subdivision Within the ANB, ICB and OCB

3.15.9.1 Notwithstanding any rules to the contrary elsewhere in the District Plan subdivision within the ANB, ICB and OCB, with the exception of boundary adjustments that do not create any additional lots, shall be subject to the following Rules:

a. Subdivision within the ANB shall be a discretionary activity and:

i applications for subdivision within the ANB shall provide a description of the nature, scale and intensity of the proposed use of the site(s) to be created; plans identifying the location of activities; and an assessment of the potential effects of the proposed use(s) of the site(s) on the operations of Ardmore Aerodrome, and the identification of legal mechanisms on any land title(s) to permanently avoid the establishment of any additional ASAN; and

ii where any application for subdivision fails to identify legal mechanisms for any title(s) that shall permanently avoid the establishment of ASAN, it shall require non-complying consent and be assessed as a non-complying activity.

b. Subdivision within the ICB and OCB area shall require a restricted discretionary resource consent and applications for subdivision consent shall provide a description of the nature, scale and intensity of the proposed use of the site(s) to be created; plans identifying the location of any proposed ASAN; and an assessment of the potential effects of the proposed use(s) of the site(s) on the operations of Ardmore Aerodrome.

3.15.9.2 Matters for Discretion – Subdivision within the ICB and OCB

a. When considering an application for resource consent for a restricted discretionary activity under Rules in Part 13.9 the Council reserves discretion

over the following matters and may impose conditions in respect of each of those matters:

i Any matters for discretion applicable to the activity under any other part of the district plan.
ii Measures for or relating to the attenuation of aircraft noise arising in connection with Ardmore Aerodrome.
iii The imposition of an obligation not to remove any required acoustic treatment measures without the Council's consent.
iv The registration of a covenant on the title pursuant to section 108(2)(d) of the Act to secure any conditions of consent imposing an obligation of the kind described in (iii) above.
v The nature, scale and intensity of the proposed development.
vi The location of proposed activities, including ASAN.
vii Potential effects on Ardmore Aerodrome.

b. When assessing the application, the Council will have regard to the assessment criteria applicable to the activity under any other part of the district plan and the assessment criteria referred to in 13.10

c. Except as provided for by Section 95A(2) and (4), 95B(3) and 95C(4) of the Act applications for Restricted Discretionary Activity under Rule 13.9 shall be considered without notification or the need to obtain approval from affected persons and notice of such applications does not need to be served.

Explanation of Rule

Subdivision within the ANB and ICB areas has the potential to increase the number of people adversely affected by aircraft noise, and the management of this effect is necessary to ensure the protection of Ardmore Aerodrome from calls for curtailment of activities.

3.15.10 Assessment Criteria

3.15.10.1 When assessing applications for restricted discretionary activity resource consent under Rules in Part 13.9 Council shall consider the following assessment criteria:

i Any assessment criteria applicable to the activity under any other part of the district plan.
ii Whether mechanisms are proposed which will place an obligation on owners to ensure that required acoustic treatment measures are not removed without the Council's prior consent.
iii Whether the registration of a covenant on the title pursuant to section 108(2)(d) of the Act to secure any conditions of consent imposing an obligation of the kind described in (ii) above are proposed.
iv Whether, having regard to all the circumstances (including location in relation to the Aerodrome, likely exposure of the site to aircraft noise, likely exposure of the proposed location of buildings to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated), the nature, size and scale of the proposed activity is likely to lead to potential conflict with and adverse effects upon the operation of the Aerodrome.
v Any other relevant matter set out in section 104 of the Resource Management Act 1991.

3.15.10.2 When assessing applications for discretionary activity resource consent under Rule 13.9 Council will consider the following assessment criteria in addition to any relevant matters under the Act:

i Any assessment criteria applicable to the activity under any other part of the district plan.

ii Whether mechanisms are proposed which will place an obligation on owners to ensure that required acoustic treatment measures are not removed without the Council's prior consent.

iii Whether the registration of a covenant on the title pursuant to section 108(2)(d) of the Act to secure any conditions of consent imposing an obligation of the kind described in (ii) above are proposed.

iv Whether, having regard to all the circumstances (including location in relation to the Aerodrome, likely exposure of the site to aircraft noise, likely exposure of the proposed location of buildings to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated), the nature, size and scale of the proposed activity is likely to lead to potential conflict with and adverse effects upon the operation of the Aerodrome.

v Any other relevant matter set out in section 104 of the Resource Management Act 1991.

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