



12.8.16	<b>SPECIAL 16 (OMAHA SOUTH DEVELOPMENT) ZONE</b>
12.8.16.1	<b>Zone issues, Objectives, Policies and Description</b>
12.8.16.1.1	<b>Issues</b> Refer to section 12.2.
12.8.16.1.2	<b>Objectives</b>
<i>Objective</i> 12.8.16.1.2.1	To provide for coastal residential and small scale local commercial development in a manner that recognises the social, environmental and cultural values apparent in Omaha South.
<i>Objective</i> 12.8.16.1.2.2	To recognise, respect and protect all cultural values and the relationship of Tangata Whenua with the Omaha Spit and its coastal environs.
<i>Objective</i> 12.8.16.1.2.3	To ensure that the natural environment at Omaha South, particularly the coastline, Kahikatea forest/wetland and Omaha aquifer, is protected from potential adverse effects which could arise as a result of residential/commercial development.
<i>Objective</i> 12.8.16.1.2.4	To maintain and enhance amenity values within neighbourhoods and residential areas in the Omaha South Development Zone.
<i>Objective</i> 12.8.16.1.2.5	To preserve the existing level of natural character associated with the coastal environment of Omaha South.
<i>Objective</i> 12.8.16.1.2.6	To ensure that development within the Omaha South Development Zone does not generate new or worsen existing natural hazards, and that development is not susceptible to natural hazards.
<i>Objective</i> 12.8.16.1.2.7	To maintain public access to and along the coastal edge of Little Omaha Bay in a manner that will not detract from the functioning of the coastal environment, the dune system, and the associated ecosystems.
<i>Objective</i> 12.8.16.1.2.8	To ensure that the subdivision of land is appropriate for the development proposed and the nature of the land being subdivided.
<i>Objectives from other chapters</i>	Readers should note that Objectives from the following chapters are also relevant: <i>Chapter 5 - Natural Hazards</i> <i>Chapter 17 - Cultural Heritage</i> <i>Chapter 18 - Urban Land Modification and Vegetation Protection</i> <i>Chapter 19 - Utilities</i> <i>Chapter 20 - Hazardous Substances and Contaminated Sites</i> <i>Chapter 21 - Transportation and Access</i> <i>Chapter 22 - Financial Contributions and Works</i> <i>Chapter 23 - Subdivision and Servicing</i>



12.8.16.1.3

*Policy*

12.8.16.1.3.1

**Policies**

- (a) Development should not destroy, alter or damage any site that is identified as being of significance to Tangata Whenua.
- (b) Development should comply with an agreed protocol between Tangata Whenua and development interests.
- (c) Development and subdivision should be designed to protect and enhance sites, historic resources, and taonga which are identified as being significant.

***Explanation and Reasons***

*This policy seeks to achieve Objective 12.8.16.1.2.1 and 12.8.16.1.2.2.*

*Omaha South accommodates several sites and values of significance to Tangata Whenua. The policies seek to ensure that the significant sites and values identified by Maori are protected from the effects associated with development, and that an appropriate protocol/agreement is established between Tangata Whenua and the developer to ensure site development practices meet the concerns raised by Iwi.*

*Policy*

12.8.16.1.3.2

- (a) Development and subdivision should be designed to:
  - (i) protect and enhance the kahikatea forest/wetland; and
  - (ii) protect and enhance the significant coastal landscapes and landforms within Omaha South; and
  - (iii) not accelerate, worsen or generate any natural hazards;
  - (iv) protect the quantity and quality of water in the Omaha aquifer.
- (b) Development and subdivision should be designed and constructed to ensure that all adverse effects on the items listed in (a)(i) to (iv) above and the remaining environmental values of local significance are avoided, remedied or mitigated.
- (c) Stormwater collection, reticulation and discharge should maintain the volume of groundwater existing within Omaha South.
- (d) The Omaha aquifer should be protected from all significant adverse environmental effects associated with the supply of water and the collection and discharge of stormwater.
- (e) Sewage collection, treatment and discharge should not result in contamination of the environment.

***Explanation and Reasons***

*This policy seeks to achieve Objectives 12.8.16.1.2.1, 12.8.16.1.2.2, 12.8.16.1.2.4, 12.8.16.1.2.5 and 12.8.16.1.2.6.*





Policy  
12.8.16.1.3.3

*Omaha South contains several natural features and values which require protection and, where possible, enhancement. While mechanisms can be implemented to ensure that the various values are afforded protection (such as the use of protective covenants and the adoption of a coastal hazards protection strategy) it is essential that such measures are supplemented by a commitment to avoid, remedy or mitigate adverse effects which development may generate. The above policies seek to ensure that all development and subdivision occurring within Omaha South recognises the areas where care must be taken and implements measures to address any environmental effects which may be generated.*

- (a) Developments and subdivisions should contribute to the amenity of Omaha South by:
  - (i) incorporating identifiable neighbourhood edges and boundaries; and
  - (ii) optimising access to community facilities, the coastal environment of Little Omaha Bay and public open space; and
  - (iii) maintaining and enhancing identifiable linkages with the existing development in Omaha North.
- (b) Buildings should be designed and sited to:
  - (i) prevent overshadowing of adjacent outdoor living areas and buildings; and
  - (ii) maintain the level of visual and aural privacy currently experienced within adjacent properties.
- (c) All activities should be sited, designed and operated to avoid, remedy or mitigate adverse noise and/or lighting effects on the health of people and amenity values of the area.
- (d) Commercial and residential subdivision and development should be designed, sited and arranged to minimise any adverse effects on the wider neighbourhood and residential areas; in particular by:
  - (i) retaining significant trees and ensuring space is available to plant new trees;
  - (ii) achieving an overall compatibility in building scale and design.
- (e) The form and layout of residential and commercial areas should promote a safe and secure environment for residents and the public in general.

**Explanation and Reasons**

*This policy seeks to achieve Objective 12.8.16.1.2.4.*

*A well designed development/subdivision not only needs to address the natural and physical constraints of a site, it must also ensure that the requirements of the occupants and, to a lesser extent, the greater public are provided for. To promote this type of design at Omaha South, the above policies seek to protect the essential elements of an area's amenity while ensuring that facilities provided within both Omaha North and Omaha South may be easily accessed.*

Policy  
12.8.16.1.3.4

- (a) Residential and commercial development should be designed and located in a manner that does not detract from the level of natural character experienced on the beach in Little Omaha Bay.



- (b) In order to preserve the natural character of the coastal environment development should not interfere with the functioning of the coastal processes of either Little Omaha Bay or the Whangateau Harbour.

**Explanation and Reasons**

*This policy seeks to achieve Objective 12.8.16.1.2.5.*

*Development on sensitive coastal areas can adversely affect the level of natural character applying to a site or area. This is particularly true for remote areas where human interference has been kept to a minimum. While the natural character of Omaha South is affected by the existence of development to the north and south, that which remains should be protected. The above policies promote the retention of the level of natural character which exists within Little Omaha Bay and the Whangateau Harbour by ensuring that buildings are not visually intrusive and do not interfere with the existing coastal processes.*

Policy  
12.8.16.1.3.5

- (a) Development or subdivision should avoid locating in areas susceptible to natural hazards.
- (b) The stability of the dunes in areas susceptible to coastal hazards should be maintained through the augmentation and/or provision of vegetative ground cover, and through the implementation of beach care programmes.

**Explanation and Reasons**

*This policy seeks to achieve Objective 12.8.16.1.2.6.*

*The Omaha Spit has been subject to significant coastal erosion. While coastal hazards can significantly damage natural and physical resources, many possible remedies can adversely affect the environment to an unacceptable degree. Hence, avoidance of areas where the risk posed by natural hazards is high (such as the foredune/foreshore of Little Omaha Bay to the east of the Coastal Hazard Line) is advocated. This avoidance should also be augmented by measures aimed at retaining/enhancing the naturally occurring protection systems, such as vegetative plantings of the dune systems and the implementation of beach care programmes.*

Policy  
12.8.16.1.3.6

- (a) Development and subdivision should maintain or enhance public access to the coastal marine area of Little Omaha Bay at predetermined localities.
- (b) Where public access is to be provided to the coastal edge of Little Omaha Bay, measures should be implemented to prevent the degradation of the dune environment, including the dynamic processes of the dune system and the associated flora and fauna.

**Explanation and Reasons**

*This policy seeks to achieve Objective 12.8.16.1.2.7.*

*While public access to and along the coastal marine area is a matter of national importance (refer to section 6(d) of the Resource Management Act 1991), unrestricted access can, in some instances, induce adverse environmental effects. Hence, while the above policies promote public access, they acknowledge that such access should only be provided where it does not adversely affect the environment.*



Policy  
12.8.16.1.3.7

- (a) Vehicular and pedestrian access from a formed legal road should be provided to all lots created for residential and commercial purposes.
- (b) Environmentally appropriate infrastructure should be provided to all new lots created for residential and commercial purposes including sewage collection, treatment and disposal facilities; stormwater collection treatment and disposal facilities; electricity supply, and telecommunications facilities.
- (c) New lots created within the recreation land unit should seek to formalise the reserve boundaries on the Structure Plan at Appendix 3 to the Planning Maps and be adequate to accommodate recreation (both active and passive) activities.
- (d) All lots created for residential and commercial purposes should be of a size and shape which enables them to fulfil their intended function without generating adverse effects on the environment.

**Explanation and Reasons**

*This policy seeks to achieve Objectives 12.8.16.1.2.1 and 12.8.16.1.2.2.*

*To ensure that all new lots can accommodate the land uses/developments provided for within the zone in an environmentally appropriate manner it is necessary to set "bottom lines" for subdivision. By requiring that vehicular access and basic infrastructure is provided to all new lots, and that steps are taken to minimise the above policies are establishing the bottom lines needed to avoid, remedy or mitigate adverse environmental effects. Without such requirements the creation of lots which cannot accommodate the needs of the resulting land/resources users would be possible. Such an outcome is not in accordance with the Resource Management Act.*

Policy  
12.8.16.1.3.8

Development within the Zone should be consistent with the Structure Plan in Appendix 3 to the Planning Maps.

**Explanation and Reasons**

*This policy seeks to achieve Objective 12.8.16.1.2.1.*

*In order to achieve an integrated development which will achieve the objectives and policies in a sustainable manner an overall plan of development is necessary.*

Policy  
12.8.16.1.3.9

Policies from the following Chapters are also relevant:

- Chapter 5 - Natural Hazards*
- Chapter 17 - Cultural Heritage*
- Chapter 18 - Urban Land Modification and Vegetation Protection*
- Chapter 19 - Utilities*
- Chapter 20 - Hazardous Substances and Contaminated Sites*
- Chapter 21 - Transportation and Access*
- Chapter 22 - Financial Contributions and Works*
- Chapter 23 - Subdivision and Servicing*





#### 12.8.16.1.4

#### Description

This Zone applies to land south of Broadlands Drive, Omaha, which is to be developed for residential purposes. The land is located in a sensitive coastal environmental and the Zone provisions enable comprehensive residential development to occur in a manner that is sustainably and complimentary to the coastal location. This will be achieved through:

- (a) Recognising the dynamic nature of the landform by clearly defining a coastal hazard line and including a requirement that all development and subdivision occur inland of the defined coastal hazard line.
- (b) Requiring the appropriate planting of foreshore areas by the developer, and limiting access across the dunes to defined points with appropriately constructed access structures (paths/boardwalks).
- (c) Enabling a range of residential subdivision development types (from cluster housing the large lot development), with an upper limit on the proportion of each type that can occur, and an absolute limit of 600 household units specified for the entire Zone.
- (d) Requiring the provision of substantial areas of open space, including the vesting of an extensive area of kahikatea forest/wetland in the Crown as reserve, vesting of a recreation reserve in Council (for the purpose of providing an additional nine golf holes), and the vesting of areas for neighbourhood reserves and pedestrian access, to ensure a high degree of public access to the foreshore.
- (e) Requiring the provision of buffer planting around the eastern edge of the kahikatea forest, between the forest and the golf course area.
- (f) Retaining control over the visual impact of development, to protect the broad landscape values of Omaha and to ensure compatibility between the variety and form of coastal residential development.
- (g) Ensuring that development occurs in accordance with the broad outline of the Structure Plan and requiring that subdivision and landuse consents generally be sought only for the whole of a neighbourhood unit or series of units as defined on the Structure Plan. Consent for each neighbourhood unit as a Restricted Discretionary Activity must be granted before development/subdivision can occur.
- (h) Limiting commercial development to an area identified for that purpose on the Structure Plan.

The Rules of the proposed Zone are designed to ensure that all potential adverse effects of residential development within Omaha South, such as those associated with stormwater generation, are dealt with in a manner that does not adversely affect the coastal environment or the kahikatea forest/wetland. This is achieved through a series of controls requiring on-site water storage for water supply and on-site soakage areas. There is also a requirement that the developer upgrade the existing sewage treatment plant to provide for the additional sewage generated along with that for the full development of Omaha North and Point Wells, and dispose of the effluent in accordance with any consent obtained from the Auckland Regional Council.





**Rule 12.8.16.2**

**Zone Methodology**

Development and subdivision within the Special 16 Zone shall comply with the broad outline of the development set out on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps. For the purposes of the Table of Activities and Subdivision and the Rules in the Special 16 Zone, the Recreation Land Unit and Neighbourhood Units 1A, 1B, 2, 3, 4 and 5 are those land areas identified on the Omaha South Development Structure Plan at Appendix 3 to the Planning Maps.

**Rule 12.8.16.3**

**Activity and Subdivision Rules**

**Rule 12.8.16.3.1**

Activities, developments and subdivisions listed as Restricted Discretionary Activities and Discretionary Activities in the Table in Rule 12.8.16.3.4 shall comply with the General Rules in Rule 12.8.16.4 and the Development and Subdivision Controls in Rule 12.8.16.5, and any other relevant Rules in the Plan.

**Rule 12.8.16.3.2**

- (a) Any activity or subdivision not listed in the Activity and Subdivision Rules is a Non-complying Activity.
- (b) Any activity or subdivision which complies with the General Rules in Rule 12.8.16.4 but which does not comply with the Development Controls in Rule 12.8.16.5, is a Discretionary Activity.
- (c) All Discretionary Activities in the Zone will be assessed against the criteria set out in 12.8.16.8, any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters in section 104 of the Act.

**Rule 12.8.16.3.3**

**Activity and Subdivision Table**

**Activity and Subdivision Table**

In the following table:

- RD = Restricted Discretionary Activity**
- D = Discretionary Activity**
- NC = Non-complying Activity**
- NA = Not Applicable**



Landuse / Subdivision	Recreation Land Unit		Neighbourhood Unit	Neighbourhood Unit	Neighbourhood Unit	Neighbourhood Unit	Neighbourhood Unit	Neighbourhood Unit
	A*	B*	1A	2	3	4	5	1B
	Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification
Type A (Large Lot) Residential DEVELOPMENT/Subdivision	NC	NC	RD	RD	RD	RD	RD	RD
Type B (Medium Lot) Residential DEVELOPMENT/Subdivision	NC	NC	RD	RD	RD	RD	RD	RD
Type C (Small Lot) Residential DEVELOPMENT/Subdivision	NC	NC	RD	RD	D	D	D	RD
Type D (cluster Housing) Residential DEVELOPMENT/ Subdivision	NC	NC	RD	RD	RD	RD	RD	RD
RESERVES	RD	RD	RD	RD	RD	RD	RD	RD
Car Parks	D	RD	RD	RD	RD	RD	RD	RD
Public Toilets/Changing Facilities	RD	RD	D	D	D	D	D	RD
Travellers accommodation instead of, or in conjunction with Type D Residential DEVELOPMENT/ Subdivision	NC	NC	RD	RD	RD	RD	RD	RD
Walkways and Beachwalks	RD	RD	RD	RD	RD	RD	RD	RD
Amenity, observation and viewing areas	RD	RD	RD	RD	RD	RD	RD	RD
OUTDOOR RECREATION and entertainment facilities	NC	RD	RD	RD	RD	RD	RD	RD
Passive recreation	RD	RD	RD	RD	RD	RD	RD	RD
Golf Courses, not including clubrooms	RD	NC	NC	NC	NC	NC	NC	NC
Managed WETLANDS for STORMWATER detention and treatment purposes	RD	RD	D	D	D	D	D	D
STORMWATER detention ponds	RD	RD	RD	RD	RD	RD	RD	D
RESTAURANTS within Neighbourhood Unit 1B	NA	NA	RD	NA	NA	NA	NA	RD





Landuse / Subdivision	Recreation Land Unit		Neighbourhood Unit 1A	Neighbourhood Unit 2	Neighbourhood Unit 3	Neighbourhood Unit 4	Neighbourhood Unit 5	Neighbourhood Unit 1B
	A* Activity Classification	B* Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification	Activity Classification
SHOPS within Neighbourhood Unit 1B	NA	NA	RD	NA	NA	NA	NA	RD
OFFICES within Neighbourhood Unit 1B	NA	NA	RD	NA	NA	NA	NA	RD
BUILDINGS and structures ancillary to the above land uses	RD	RD	RD	RD	RD	RD	RD	RD
Subdivision (excluding unit title subdivision) for the creation of commercial lots	NC	NC	RD	RD	RD	RD	RD	RD
Unit title subdivision for the creation of commercial lots	NC	NC	RD	RD	RD	RD	RD	RD
Subdivision (fee simple) for the creation of public reserves	RD	RD	RD	RD	RD	RD	RD	RD
Surf lifesaving towers within the recreation land unit	NC	RD	D	D	D	D	D	D

KEY: \*A = Golf Course Development Area (as defined on the Omaha South Development Structure Plan); \*B = In all areas outside of the Golf Course Development Area.



**Rule 12.8.16.4  
General Rules**

**General Rules**

Rule 12.8.16.4.1

All development and subdivision shall be undertaken generally in accordance with the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps.

Rule 12.8.16.4.2

The total number of household units constructed within the Special 16 (Omaha South Development) Zone shall not exceed 600.

Rule 12.8.16.4.3

The mix of household units constructed within Omaha South shall not exceed the percentages prescribed in the Table below.

Maximum Residential Yield in Omaha South by Development and Subdivision Type	
Residential Development/ Subdivision Type	Maximum Percentage of Household Units in the Special 16 Zone
Type A (Large Lot)	60%
Type B (Medium Lot)	50%
Type C (Small Lot)	40%
Type D (Cluster Housing)	50%

*NOTE: The Development and Subdivision Controls which follow in section 12.8.16.5 and section 3 Definitions define the four Residential Development and Subdivision Types listed in the Table above.*

Rule 12.8.16.4.4

The mix of household units constructed in each neighbourhood unit within Omaha South shall not exceed the percentages prescribed in the Table below.

Residential Development/ Subdivision Type	Maximum Percentage of Household Units in each Neighbourhood Unit				
	1A & 1B	2	3	4	5
Type A (Large Lot)	25%	50%	50%	50%	25%
Type B (Medium Lot)	25%	75%	75%	75%	50%
Type C (Small Lot)	75%	25%	0	0	0
Type D (Cluster Housing)	50%	25%	25%	25%	75%

Rule 12.8.16.4.5

No residential or commercial subdivision and/or development shall be undertaken to the east (or seaward) of the Coastal Hazard Line defined on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps.

Rule 12.8.16.4.6

Land use and subdivision consent applications (for a Restricted Discretionary Activity) shall be lodged only for the whole of a Neighbourhood Unit, or a series of Neighbourhood Units (as defined on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps), except that any subsequent applications relating to individual sites, within a neighbourhood unit that has been granted a neighbourhood-wide consent, do not have to relate to the whole neighbourhood unit. For the avoidance of doubt, Neighbourhood Unit 1A (residential) and Neighbourhood Unit 1B (commercial) are separate neighbourhood units.

Rule 12.8.16.4.7

Land use and subdivision consent applications (for a Restricted Discretionary Activity) may be submitted for the staged development and/or subdivision of a whole Neighbourhood Unit.



Rule 12.8.16.4.8	The archaeological sites recorded on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps shall not be disturbed, modified, altered or destroyed by development.
Rule 12.8.16.4.9	The archaeological sites recorded on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps shall be subject to protective covenants which attach to the Certificate of Title within which they are to be located. The covenants shall prevent disturbance, modification, alteration or destruction of the archaeological sites. They shall also require that all sites are appropriately demarcated (by way of vegetative planting and/or fences).
Rule 12.8.16.4.10	No building or structure located within a lot which is crossed by, or to the east of the Beach Amenity Protection line defined on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, shall exceed six metres in height. Buildings and structures located to the west of this line shall not exceed the height limits prescribed in Rules 12.8.16.5.2 and 12.8.16.5.3.
Rule 12.8.16.4.11	Earthworks shall be limited to those directly associated with: <ul style="list-style-type: none"><li>(a) the construction, maintenance and upgrading of public and network utilities and reserves, provided that, in the access reserve between Neighbourhood Units 4 and 5, the earthworks shall not result in any more than minor modification of the sand ridges present on the reserve;</li><li>(b) the construction of buildings or structures allowed as Restricted Discretionary or Discretionary Activities in Rule 12.8.16.3.3;</li><li>(c) the provision of vehicular access, parking and loading spaces to buildings, structures or activities allowed as Restricted Discretionary or Discretionary Activities in Rule 12.8.16.3.3;</li><li>(d) the construction and maintenance of up to 9 golf holes within the "Golf Course Development Area", as defined on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, provided that such earthworks maintain intact as far as is practicable, the existing landform of the golf course development area;</li><li>(e) excavation/construction of stormwater detention ponds and/or managed wetlands.</li></ul>
Rule 12.8.16.4.12	Where public pedestrian access to Little Omaha Bay is to be provided across the foredune, the points of access shall be clearly defined upon any land use consent application lodged, and boardwalks or similar approved pathways shall be constructed to provide the required access.
Rule 12.8.16.4.13	No alteration shall be made to a landform, tree or bush, or any physical feature which involves: <ul style="list-style-type: none"><li>(a) The destruction of, or irreparable damage to, native trees exceeding 3 metres in height;</li><li>(b) The destruction of, or irreparable damage to, exotic trees exceeding 10 metres in height.</li></ul>



Rule 12.8.16.4.14

Except that this Rule shall not apply to the removal of vegetation previously approved by Council (as a resource consent for a Restricted Discretionary Activity) for the development of a whole Neighbourhood Unit.

Rule 12.8.16.4.15

All outdoor lighting of recreational areas, car parks, shops, offices and restaurants shall be directed away from surrounding residential areas, to minimise spill of light and glare to nearby properties.

Rule 12.8.16.4.16

All water shall be supplied using on site tanks.

Where on site tanks are to be used to supply potable water, the following minimum storage capacities must be supplied:

- (a) Every shop, office or restaurant shall have storage capacity equal to or exceeding 56.8m<sup>3</sup> (or 12,500 gallons);
- (b) Where travellers' accommodation is proposed, 68.16m<sup>3</sup> (or 15,000 gallons) of storage shall be provided for every building forming part of the complex which provides overnight accommodation;
- (c) Every household unit shall have storage capacity equal to or exceeding:
  - (i) 22.72m<sup>3</sup> (or 5,000 gallons) where the individual household units roof catchment does not exceed 100m<sup>2</sup>;
  - (ii) 45.44m<sup>3</sup> (or 10,000 gallons) where the household units individual roof catchment is between 100m<sup>2</sup> and 200m<sup>2</sup>;
  - (iii) 68.16m<sup>3</sup> (or 15,000 gallons) where the household units individual roof catchment exceeds 200m<sup>2</sup>.

Rule 12.8.16.4.17

On site soakage areas equal to or exceeding the following requirements shall be provided where household units are to be developed:

- (a) An on site soakage area of 38m<sup>2</sup> per household unit shall be provided in Residential A Subdivision/Development;
- (b) An on site soakage area of 21m<sup>2</sup> per household unit shall be provided in Residential B Subdivision/Development;
- (c) An on site soakage area of 17m<sup>2</sup> per household unit shall be provided in Residential C Subdivision/Development;
- (d) An on site soakage area of 10m<sup>2</sup> per household unit shall be provided in Residential D Subdivision/Development;

Provided that this provision shall not apply to household units in Neighbourhood Unit 5 and those in the southern third (measured along the main access road frontage) of Neighbourhood Unit 4.

Rule 12.8.16.4.18

Any earthworks conducted within the area that extends from the Coastal Hazard Line to a parallel line drawn 75 metres inland (or westward) of the Coastal Hazard Line (as defined by the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps) shall:

- (a) Not extract sediment from within that area;
- (b) Not cover greater than 20m<sup>2</sup> (when added cumulatively) of any one site,



at any one time.

Except that this Rule shall not apply to the earthworks previously approved by Council (as a resource consent for a Restricted Discretionary Activity) for the development of a whole Neighbourhood Unit.

Rule 12.8.16.4.19

Where earthworks are conducted within the area that extends from the Coastal Hazard Line to a parallel line drawn 75 metres inland (or westward) of the Coastal Hazard Line (as defined by the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps), ground cover appropriate to the coastal environment shall be planted to reinstate the disturbed/modified area. The ground cover shall be planted in the planting season immediately following the completion of the earthworks. The ground shall be protected from wind erosion in the intervening period between the earthworks ceasing and the planting of the ground.

Rule 12.8.16.4.20

Before any request is made to the Council for a section 224(c) certificate for subdivision, or the construction of any residential unit, within the Special 16 (Omaha South Development) Zone, the developer of the first Neighbourhood Unit within the Zone shall upgrade the existing Council sewage treatment plant, and provide operational disposal facilities to a capacity of 264,000m<sup>3</sup> per annum. With the prior written agreement of the Council, such upgrading may be carried out in stages. All additional sewage treatment plant facilities provided at the Jones Road site shall be constructed to the Council's satisfaction and vested in it. Any resource consent for development within the Special 16 (Omaha South Development) Zone will include conditions requiring the sewage treatment plant and disposal facilities upgrade, as provided for in this Rule.

The upgrade of the sewage treatment plant shall be completed prior to the connection to the Jones Road sewage treatment plant of any household unit within the Special 16 (Omaha South Development) Zone.

As the volume of treated water that can be disposed of at the Council's existing sewage treatment plant and disposal site (Jones Road) is estimated at 210,000m<sup>3</sup> per annum, the upgrade required under this Rule shall include the provision of additional off-site facilities (including the obtaining of any necessary resource consents) for the disposal of not less than 54,000m<sup>3</sup> of treated water per annum. The developer shall be required to lodge consents for effluent disposal at the existing Jones Road site and the additional off-site facilities. The developer can commence to utilise either Jones Road or off-site disposal facilities when consented to, but shall at no time dispose of more than 43,000m<sup>3</sup> at the Jones Road site.

Rule 12.8.16.4.21

No consent (for a Restricted Discretionary Activity) shall be granted for whichever is the final residential neighbourhood unit in the Special 16 Zone before at least two years of complete monitoring of the groundwater aquifer under Omaha South (from the time the first neighbourhood unit(s) is consented to) are completed, and the results are made available to the Council, the Auckland Regional Council and the Department of Conservation by the grantee of the first neighbourhood unit consent in the Special 16 Zone.

Rule 12.8.16.4.22

The detailed design and construction methods for the sewage treatment plant and disposal upgrading required under Rule 12.8.16.4.20 shall be provided to the Council at the time of any resource consent application for the



development of a Neighbourhood Unit.

**Explanation and Reason**

*This explanation and reasons relate to Rules 12.8.16.4.1 to 12.8.16.4.22.*

*The general rules are applied to ensure development within the zone occurs without adverse effects on the environment and the objectives of the Zone are met.*

**Rule 12.8.16.5**

Rule 12.8.16.5.1

Rule 12.8.16.5.2  
**Residential Activity  
 Development and Subdivision  
 Controls**

**Development and Subdivision Controls**

The following Subdivision and Development Controls set out in Rules 12.8.16.5.2 to 12.8.16.5.4 inclusive apply to the specific land uses, developments and subdivisions set out below.

**Residential Activity Development and Subdivision Controls**

Development/ Subdivision Control	Type A (Large Lot) Residential Development/ Subdivision	Type B (Medium Lot) Residential Development/ Subdivision	Type C (Small Lot) Residential Development/ Subdivision	Type D (Cluster Housing) Residential Development Subdivision	Buildings and structures accessory to Types A to D Residential Development/ Subdivision
<b>A. Development Controls</b>					
Max. height (except within Neighbourhood Unit 5)	7.5m	7.5m	7.5m	7.5m	5.0m
Max. height of the finished second floor level (within Neighbourhood Unit 5)	NA	NA	NA	7.0m	NA
Max. height (within Neighbourhood Unit 5)	7.5m	7.5m	7.5m	12m	5.0m
Front Yard	5m	7.5m	2.5m	7.5m	5.0m
Side Yard	5m	2m	1.5m	7.5m	1.5m
Rear Yard	10m	7.5m	5m	7.5m	1.5m
All yards shall remain unobstructed by buildings except as provided for in (a) and (b) below.					
The following can be built in any yard:					
(a) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.3 metres provided they do not prevent vehicular access to a required parking space.					
(b) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sunblinds provided they do not encroach into the yard by more than 0.3 metres.					
<a href="#">[Amendment 53]</a>					



Development/ Subdivision Control	Type A (Large Lot) Residential Development/ Subdivision	Type B (Medium Lot) Residential Development/ Subdivision	Type C (Small Lot) Residential Development/ Subdivision	Type D (Cluster Housing) Residential Development Subdivision	Buildings and structures accessory to Types A to D Residential Development/ Subdivision
Site Coverage (including accessory buildings)	33%	30%	40%	40%	NA
Maximum Gross Floor Area	NA	NA	NA	NA	60m <sup>2</sup>
Floor Area Ratio	1:0.37	1:0.40	1:0.50	1:0.45	-
Building Separation	NA	NA	NA	5m	1.5m
Outdoor Living Court (Ground Floor Units only)	NA	NA	NA	20m <sup>2</sup> where the minimum dimension is 4m by 5m	NA
Balcony Requirement (First Floor Units only)	NA	NA	NA	6m <sup>2</sup> where the minimum dimension is 3m by 2m	NA
Service Area (Ground Floor Units only)	NA	NA	NA	15m <sup>2</sup> where minimum dimension is 5m by 2m	NA
Max. Household Units Per Building	1	1	1	6	NA
Max. Household Unit Density	1 Household Unit per site	1 Household Unit per site	1 Household Unit per site	1 Household Unit per 300m <sup>2</sup> of the fee simple parent title	NA
Vehicle parking, traffic and loading	The rules in <i>Chapter 21 – Transportation and Access</i> shall apply				
Minimum building separation from underground private/public network utilities excluding household connections	1m	1m	1m	1m	1m

<b>B. Subdivision Controls</b>				
Min. Site Area - Fee Simple subdivision	1100m <sup>2</sup>	600m <sup>2</sup>	450m <sup>2</sup>	1800m <sup>2</sup>
Min. Frontage (Fee Simple Subdivision and front and corner sites only)	15m	10m	7.5m	20m
Shape factor	15m x 15m square	15m x 15m square	10m x 10m square	
General subdivision requirements	The rules in <i>Chapter 23 – Subdivision and Servicing</i> shall apply, except that new sites created for residential purposes are not required to comply with the requirements of Rule 23.8.4.1 and 23.8.4.2, where a report from a suitably qualified engineer has assessed the site(s) in question and described the measures needed to overcome any limitations, and these measures are accepted as part of any granted Restricted Discretionary Activity Consent for a neighbourhood unit or units.			



Rule 12.8.16.5.3

**Development and Subdivision Controls for Travellers' Accommodation etc**

**Development and Subdivision Controls for Travellers' Accommodation, Shops, Offices, Restaurants and Ancillary Buildings/Structures**

Development/ Subdivision Control	Travellers' Accommodation	Shops	Offices	Restaurants	Buildings and Structures accessory to travellers' accommodation, shops, offices and restaurants
<b>A. Development Controls</b>					
Max. height (except for Neighbourhood Unit 5)	7.5m	7.5m	7.5m	7.5m	6m
Max. height of the finished second floor level (within Neighbourhood Unit 5 only)	7.0m	NA	NA	NA	NA
Max. height (within Neighbourhood Unit 5 only)	12m	7.5m	7.5m	7.5m	6m
Front Yard	7.5m	Nil except where the site adjoins a residential neighbourhood unit where the yard shall be 1m	Nil except where the site adjoins a residential neighbourhood unit where the yard shall be 1m	Nil except where the site adjoins a residential neighbourhood unit where the yard shall be 1m	1m
Rear Yard	7.5m	5m	5m	5m	5m
Side Yard	7.5m	NIL	Nil except where the site adjoins a residential neighbourhood unit where the yard shall be 1m	Nil except where the site adjoins a residential neighbourhood unit where the yard shall be 5m	1m
Building Separation	5m	NA	NA	NA	NA
Site Coverage (including accessory buildings and structures)	40%	70%	70%	70%	NA
Floor Area Ratio (including accessory buildings and structures)	1:0.50	1:1	1:1	1:1	NA
Max. Building Density	NA	1 per site	1 per site	1 per site	NA





Development/ Subdivision Control	Travellers' Accommodation	Shops	Offices	Restaurants	Buildings and Structures accessory to travellers' accommodation, shops, offices and restaurants
Max. Accommodation Units Per Building	6	NA	NA	NA	NA
Max. Accommodation Unit Density	1 Accommodation Unit per 300m <sup>2</sup> of the fee simple parent title	NA	NA	NA	NA
Is a 1.8 metre high solid fence required surrounding service areas?	Yes	Yes	Yes	Yes	Yes
Vehicle parking, traffic and loading	The rules in <i>Chapter 21 – Transportation and Access</i> shall apply				
Is a 2.5 metre wide, 3 metre high verandah over the footpath required where buildings have a continuous frontage to a formed legal road?	No	Yes	Yes	Yes	No
<b>B. Subdivision Controls</b>					
Min. Site Area - Fee Simple subdivision	1800m <sup>2</sup>	400m <sup>2</sup>	400m <sup>2</sup>	400m <sup>2</sup>	
Min. Frontage (Fee Simple Subdivision and front and corner sites only)	20m	6m	6m	6m	
General subdivision requirements	The rules in <i>Chapter 23 – Subdivision and Servicing</i> shall apply				

Rule 12.8.16.5.4  
**Recreation Activity  
 Development Controls**

**Recreation Activity Development Controls**

Development Control	Public Toilets and Changing Facilities	Walkways and Beachwalks	Amenity, Observation and Viewing Areas	Outdoor Recreation and Entertainment Facilities	Buildings and Structures accessory to Recreation Activities	Surf Lifesaving Towers
Max. height	6m	1.2m	6m	NA	4m	8
Setback from the Recreation Land Unit Boundary (except where the Recreation Land Unit abuts Rural Open Space 1 Zone)	15m	NA	5m	NA	5m	Nil



Development Control	Public Toilets and Changing Facilities	Walkways and Beachwalks	Amenity, Observation and Viewing Areas	Outdoor Recreation and Entertainment Facilities	Buildings and Structures accessory to Recreation Activities	Surf Lifesaving Towers
Setback from the Recreation Land Unit Boundary where it abuts the Rural Open Space 1 Zone	30m	NA	1m	NA	5m	15
Max. Gross Floor Area	25m <sup>2</sup>	NA	25m <sup>2</sup>	NA	60m <sup>2</sup>	15m <sup>2</sup>
Vehicle parking, traffic and loading	The rules in <i>Chapter 21 – Transportation and Access</i> shall apply					

Rule 12.8.16.5.5

**Subdivision Controls Applying Within the Recreation Land Unit**

	Access Reserve Development Area	Neighbourhood Reserve Development Area
Minimum Site Area	2,000m <sup>2</sup>	2,000m <sup>2</sup>
Minimum Frontage	10 metres	30 metres

Rule 12.8.16.6

**Controlled Activities: Matters for Control and Assessment Criteria**

There are no Controlled Activities in this Zone.

Rule 12.8.16.7

**Restricted Discretionary Activities : Matters for Discretion and Assessment Criteria**

Rule 12.18.6.7.1  
**Matters for Discretion - Landuse**

**Matters for Discretion - Landuse**

In accordance with sections 77(3) and 104 (c) of the Act, the Council will restrict its discretion to the matters listed below, when considering a land use consent for a Restricted Discretionary Activity for the whole of, or a number of whole Neighbourhood Units, or a landuse within a consented neighbourhood unit:

*Effect on land uses*

- (a) The effect of any proposed land uses on:
  - (i) the continued existence, functioning and resilience of the natural processes within Little Omaha Bay;
  - (ii) the continued existence and growth of ecosystems, habitats and species both within the zoned area, and upon land immediately adjacent to the Special 16 (Omaha South Development) Zone;
  - (iii) the groundwater aquifer and its role in supporting the continued survival of the kahikatea forest/wetland;
  - (iv) the level of visual amenity apparent within the vicinity of the Neighbourhood Unit being developed and/or subdivided;
  - (v) existing recreational activities conducted within Omaha North and Little Omaha Bay;
  - (vi) the existing and proposed networks of infrastructure, including but



	<p>not limited to, the roading, stormwater collection/reticulation and discharge, sewage reticulation/treatment and discharge, telecommunications and electricity supply networks;</p> <p>(vii) any existing natural hazards, particularly the manner in which they could effect existing development and landforms;</p>
<i>Design and location</i>	(b) The design and location of buildings.
<i>Reserves</i>	(c) The provision and design of all reserves and public open spaces provided within the Neighbourhood Unit.
<i>Infrastructure</i>	(d) The design, specification and method of construction of all infrastructure networks (which includes both public and network utilities).
<i>Sewage treatment</i>	(e) The capacity of the Omaha Sewage Treatment Plant and the effluent disposal system, and their ability to cater for the increased volumes of sewage generated by the development proposed.
<i>Vehicle parking and loading</i>	(f) The number, location and design of all vehicle, car parking and loading facilities.
<i>Earthworks</i>	(g) The amount of earthworks undertaken on site, and the options employed in the disposal and placement of cut and fill.
<i>Environmental effects</i>	(h) The measures required to remedy or mitigate any potential adverse environmental effects.
<i>Financial contributions</i>	(i) The taking of financial contributions and contributions of works and services.
<i>Natural hazards</i>	(j) The location of proposed buildings and the potential effect of known natural hazards of these buildings.
<b>Rule 12.8.16.7.2 Matters for Discretion - Subdivision</b>	<p><b>Matters for Discretion - Subdivision</b></p> <p>In accordance with sections 77(3) and 104 (c) of the Act, the Council will restrict its discretion to the matters listed below, when considering a subdivision consent application for a Restricted Discretionary Activity for the whole of, or a number of whole Neighbourhood Units, or a subdivision of sites within a consented neighbourhood unit:</p> <p>(a) The shape, size and finished contour of all new lots being created.</p>
<b>12.8.16.7.3 Assessment Criteria for Landuse and Subdivision</b>	<p><b>Assessment Criteria for Landuse and Subdivision</b></p> <p>When considering a land use or subdivision consent application for a Restricted Discretionary Activity for the whole of, or a number of whole Neighbourhood Units, Council shall have regard to section 104 of the Resource Management Act 1991 and the following criteria:</p>
<i>Zone description</i>	(a) Whether the proposal is consistent with the Zone description.
<i>Structure plan</i>	(b) Whether the proposal is consistent with the Omaha South Development



	Structure Plan in Appendix 3 to the Planning Maps.
<i>Subdivision controls</i>	(c) Whether the proposal is consistent with the Development and Subdivision Controls listed in section 12.8.16.5 and the General Rules listed in section 12.8.16.4.
<i>Objectives and policies</i>	(d) Whether the development and/or subdivision proposed will enable the Objectives and Policies for Omaha South in 12.3 and 12.4 to be achieved.
<i>Earthworks</i>	(e) Whether access and servicing involve minimal earthworks and whether any adverse effects of providing access and servicing are remedied or mitigated.
<i>Dune system</i>	(f) Whether land uses detract from the ability of the natural dune system to buffer Omaha South from events of coastal erosion.
<i>Natural quality of coast</i>	(g) Whether buildings and structures adversely affect the natural quality or functioning of the coast (including the foredune system).
<i>Groundwater</i>	(h) Whether proposed land uses and subdivisions adversely affect the groundwater aquifer.
<i>Natural and physical resources</i>	(i) Whether all developments and subdivisions avoid natural and physical resources of cultural, ecological, landscape, natural character or visual significance. Where avoidance is not possible, any adverse environmental effects shall be minimised through the adoption and implementation of mitigation measures.
<i>Public services</i>	(j) Whether land uses will place an undue burden on public services to the extent that adverse environmental effects will result.
<i>Infrastructure</i>	(k) Whether any proposed land uses and/or subdivisions include the provision of all services, infrastructure and utilities necessary to manage the environmental effects, or alternatively demonstrate how the necessary services, infrastructure and utilities are able to be provided in time to manage the environmental effects.
<i>Safety and efficiency</i>	(l) Whether any proposed land uses and/or subdivision detrimentally affect the safe and efficient operation of any public road.
<i>Stormwater</i>	(m) Whether stormwater capture, treatment and disposal occur, where practicable, in a manner that sees the treated water discharged in close proximity to where it falls (the intention being to maintain the levels of the Omaha groundwater aquifer at their 1998 levels).
<i>Groundwater</i>	(n) Whether the technical investigation into, and the ongoing monitoring of the groundwater aquifer under Omaha South indicates that the proposed development is likely to have, or is having a significant adverse effect on it.
<i>Kahikatea forest</i>	(o) Whether the ongoing monitoring of the kahikatea forest/wetland indicates that the proposed development is likely to have or is having a significant adverse effect on the kahikatea forest/wetland.
<i>Neighbourhood Unit Consents</i>	(p) Where an application relates to a site where a neighbourhood unit consent has been granted, whether the subdivision or landuse is generally



consistent with the neighbourhood unit consent or has adverse effects upon the pattern of subdivision and development that has been approved.



### 12.8.16.8

### Discretionary Activities: Assessment Criteria

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Special 16 Zone, the Council will have regard to the following assessment criteria and any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act:

*Environmental effects*

- (a) The Assessment Criteria listed in Rule 12.8.16.7.3.
- (b) Residential, commercial and recreational developments and subdivisions which cannot comply with the Development and Subdivision Controls should not generate adverse environmental effects which are more than minor. This is particularly true where resources, features or values are identified as being of cultural, ecological, landscape, natural character and visual significance may be adversely affected by the proposed contravention of the Development/Subdivision Control.

*Infrastructure*

- (c) Residential, commercial and recreational development and subdivisions which contravene the Development and Subdivision Controls should not adversely affect or otherwise constrain the ability of the necessary infrastructural networks (which includes both public and network utilities) to service Omaha North or Omaha South in an environmentally acceptable and appropriate manner.

*Natural hazards*

- (d) Residential, commercial and recreational developments and subdivisions which contravene the Development and Subdivision Controls should not generate any new, or worsen any existing natural hazard by adversely affecting:
- the coastal processes of Little Omaha Bay;
  - the stability of the Little Omaha Bay foredunes.

### Rule 12.8.16.9

### Information Requirements for Resource Consents

#### Rule 12.8.16.9.1

All land use consent applications shall be lodged with the following information:

- (a) A site plan, or series of site plans, which defines:
- (i) all proposed lot boundaries;
  - (ii) the location of all proposed land uses;
  - (iii) the location of a stable flood free building area suitable for buildings with non-specific design foundations (as provided for in NZS 3604), for all sites upon which household units and/or dwellings could be constructed;
  - (iv) the location of a stable vehicle access to all buildings which will accommodate either a household unit or a stored/parked motor vehicle(s);
  - (v) the location, alignment and grade of roads, rights of way/access lots, driveways, parking areas and pedestrian paths (including beach accesses), within the Neighbourhood Unit;
  - (vi) the areas to be set aside as new road within the Neighbourhood Unit;
  - (vii) the location of building platforms;



	<ul style="list-style-type: none"><li>(viii) the location of all known archaeological sites, and any other areas of significance to Tangata Whenua, within and immediately adjoining the area to be developed/ subdivided;</li><li>(ix) the reserves to be created and vested in Council in association with the proposed development/subdivision;</li><li>(x) the areas/features to be protected in perpetuity and describes how they are to be protected;</li><li>(xi) the location of all existing stands of trees, any trees to be removed, and any proposed new planting;</li><li>(xii) the extent of earthworks, specifically any cut and fill, the anticipated volumes of earthworks, and the finished ground levels;</li><li>(xiii) the location of all proposed infrastructure (which includes both public and network utilities), within the area to be developed/subdivided;</li><li>(xiv) the location and design of all stormwater capture, treatment and disposal facilities within, and serving the development/subdivision proposed;</li><li>(xv) the location and design of any sewage reticulation facilities;</li></ul>
Rule 12.8.16.9.2	<p>All subdivision applications shall be lodged with the following information:</p> <ul style="list-style-type: none"><li>(a) A subdivision plan which:<ul style="list-style-type: none"><li>(i) defines all proposed lot boundaries within the Neighbourhood Unit;</li><li>(ii) documents the area of the parent title and its legal description;</li><li>(iii) documents the areas of the lots being created;</li><li>(iv) defines the frontage of fee simple subdivision to front and corner lots;</li><li>(v) defines the necessary shape factor within each lot.</li></ul></li></ul>
Rule 12.8.16.9.3	<p>Every land use or subdivision consent application shall include the following information:</p> <ul style="list-style-type: none"><li>(a) An Assessment of Environmental Effects, prepared in accordance with the Fourth Schedule to the Resource Management Act 1991, shall be submitted in support of all land use and subdivision consent applications.</li><li>(b) All of the applicable technical reports and plans necessary under the Rodney District Council Standards for Engineering Design and Construction, and any subsequent amendments/additions to this document.</li><li>(c) Development and subdivision undertaken within the Special 16 (Omaha South Development) Zone is excluded from the information requirements prescribed by Rule 16.17 in <i>Chapter 16 - General Rules</i>.</li></ul>
<b>Rule 12.8.16.10</b>	<b>Financial Contribution and Contributions of Works and Services</b>
Rule 12.8.16.10.1	All financial contributions, works and services for subdivision and/or development within the Special 16 (Omaha South Development) Zone shall be calculated in accordance with the following requirements:
Rule 12.8.16.10.2	Except as provided for within Rule 12.8.16.10.4.1, all development and subdivision undertaken within the Special 16 (Omaha South Development) Zone shall be exempt from the financial contributions requirements of <i>Chapter 22 - Financial Contributions and Works</i> .



Rule 12.8.16.10.3

Where a resource consent is granted for part of a Neighbourhood Unit the financial contributions and works and services in Rules 12.8.16.10.4 to 12.8.16.9.11.4 may be taken or required on a pro-rata basis.

Rule 12.8.16.10.4  
**Financial Contributions,  
Works and Services for  
Roading**

#### **Financial Contributions, Works and Services for Roading**

Rule 12.8.16.10.4.1

All financial contributions for roading for development within the Special 16 (Omaha South Development) Zone shall be calculated and taken in accordance with section 22.9 of *Chapter 22 - Financial Contributions and Works*.

Rule 12.8.16.10.5  
**Financial Contributions,  
Works and Services for  
Sewerage**

#### **Financial Contributions, Works and Services for Sewerage**

Rule 12.8.16.10.5.1

Every grantee of a land use consent for an entire Neighbourhood Unit within the Special 16 (Omaha South Development) Zone shall, to the extent that work is necessary to serve the proposed subdivision, development or building(s):

- (a) Progressively (where staged subdivision and/or development is proposed within a Neighbourhood Unit), supply and lay, to the standards prescribed within the Rodney District Council Standards for Engineering Design and Construction, within all new lots and developments and building sites proposed, all necessary pipes and equipment for sewerage; and
- (b) Progressively (where staged subdivision and/or development is proposed within a Neighbourhood Unit), supply and lay, to the standards prescribed within the Rodney District Council Standards for Engineering Design and Construction, beyond the new lots and developments and building sites proposed, all necessary pipes and equipment and connect all of the proposed sites (or buildings) to the sewerage reticulation, treatment and discharge system serving the Omaha Sewerage Area (as defined by the plan in Appendix 12I).
- (c) Pay all costs associated with the supply and laying of all necessary pipes and equipment required under Rule 12.8.16.10.5.1 (b);
- (d) Vest the pipes and equipment required under Rule 12.8.16.10.5.1 (b) in the Council at the completion of their construction and successful commissioning.

Rule 12.8.16.10.5.2

Unless Rule 12.8.16.4.20 has been previously complied with, the grantee of a landuse consent for an entire neighbourhood unit within the Special 16 (Omaha South Development) Zone shall:

- (a) Upgrade the sewage treatment plant and disposal facilities in accordance with Rule 12.8.16.4.20 and in accordance with detailed design and methods of construction to the Council's satisfaction;





Rule 12.8.16.10.6  
**Financial Contributions,  
Works and Services for  
Stormwater**

Rule 12.8.16.10.6.1

- (b) Pay all costs associated with the design, statutory approval and construction of the upgraded/expanded sewage treatment plant and discharge facilities required under Rule 12.8.16.10.5.2(a);
- (c) Vest the upgraded/expanded sewerage treatment plant and discharge facilities required under Rule 12.8.16.10.5.2 (a) in the Council at the completion of their construction and successful commissioning.

**Financial Contributions, Works and Services for Stormwater**

Every grantee of a land use consent for an entire Neighbourhood Unit within the Special 16 (Omaha South Development) Zone shall, to the extent that stormwater work is necessary to serve the proposed subdivision, development or building(s):

- (a) Progressively (where staged subdivision and/or development is proposed within a Neighbourhood Unit) supply and lay, to standards and in a manner acceptable to the Council, within all new lots and developments and building sites proposed, all necessary pipes, equipment and work for stormwater drainage;
- (b) Progressively (where staged subdivision and/or development is proposed within a Neighbourhood Unit) design and construct, to standards and in a manner acceptable to the Council, all stormwater works beyond the new lots and development and building sites proposed necessary to collect, reticulate, treat and discharge stormwater generated within the Special 16 (Omaha South Development) Zone;
- (c) Pay all costs associated with the design, statutory approval and construction of the stormwater works required under Rule 12.8.16.10.6.1 (b);
- (d) Vest all stormwater works required under Rule 12.8.16.10.6.1 (b) in Council at the completion of their construction and successful commissioning.

Rule 12.8.16.10.7  
**Financial Contributions,  
Works and Services for  
Neighbourhood Reserves**

Rule 12.8.16.10.7.1

**Financial Contributions, Works and Services for Neighbourhood Reserves**

The grantee of the land use consent for the whole of Neighbourhood Unit 3 within the Special 16 (Omaha South Development) Zone shall:

- (a) Subdivide the area zoned "Recreation Land Unit" and notated "Neighbourhood Reserve Development Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, from the remaining land within the Special 16 (Omaha South Development) Zone and vest it in the Council;
- (b) Design, in a manner and to standards acceptable to Council, a Neighbourhood Reserve in the area subdivided under Rule 12.8.16.10.7.1



(a);

- (c) Pay all costs associated with the subdivision and vesting of the land required under Rule 12.8.16.10.7.1 (a), and the design of the Neighbourhood Reserve required under Rule 12.8.16.10.7.1 (b);
- (d) When designing the Neighbourhood Reserve required under Rule 12.8.16.10.7.1 (a) the following minimum standards will apply:
  - (i) The reserve shall not be less than 2,000m<sup>2</sup> in area.
  - (ii) The reserve shall be able to accommodate a 40 metre in diameter circle.
  - (iii) The minimum width of all parts of the reserve shall be 20 metres.
  - (iv) The reserve shall have a continuous road frontage of at least 30 metres.
  - (v) The reserve shall be suitable for structured and unstructured recreation and should have a slope of no greater than 3 degrees.
- (e) Provide a management outline for the reserve, indicating the principles involved in its design and layout. The management outline is to be such that it is capable of assisting in the future preparation by the Council of a Reserve Management Plan for the reserve under the Reserves Act 1977. The management outline should recognise the collective contribution that the individual reserves make to the natural character and natural values of Omaha Spit.

Rule 12.8.16.10.7.2

Each grantee of a land use consent for the whole of Neighbourhood Units 1A, 2, 4 and 5 within the Special 16 (Omaha South Development) Zone shall:

- (a) Contribute one payment of \$20,000 to the Rodney District Council for the construction/formation of the neighbourhood reserve subdivided and designed under Rule 12.8.16.10.7.1.

Rule 12.8.16.10.8  
**Financial Contributions,  
Works and Services for Access  
Reserves**

**Financial Contributions, Works and Services for Access Reserves**

Rule 12.8.16.10.8.1

Every grantee of a land use consent for an entire Neighbourhood Unit within the Special 16 (Omaha South Development) Zone shall, to the extent that access reserves are necessary to serve the proposed subdivision, development or building(s):

- (a) Progressively subdivide the areas zoned "Recreation Land Unit" and notated "Access Reserve Development Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, from the remaining land within the Special 16 (Omaha South Development) Zone;
- (b) Progressively design and construct in a manner and to standards acceptable to the Council, Access Reserves in all of the areas zoned "Recreation Land Unit" and notated "Access Reserve Development Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps.
- (c) Pay all costs associated with the subdivision of the land required under Rule 12.8.16.10.8.1 (a) and the design and construction of the Access



	<p>Reserves required under Rule 12.8.16.10.8.1 (b);</p> <p>(d) Progressively vest all of the Access Reserves required under Rule 12.8.16.10.8.1 (a) in Council at the completion of their construction;</p> <p>(e) Provide a management outline for each reserve, indicating the principles involved in its design and layout. The management outline is to be such that it is capable of assisting in the future preparation by the Council of a Reserve Management Plan for the reserve, under the Reserves Act 1977. The management outline should recognise the collective contribution that the individual reserves make to the natural character and natural values of Omaha Spit.</p>
Rule 12.8.16.10.8.2	<p>When designing the Access Reserves required under Rule 12.8.16.10.8.1 (a), the following minimum requirements must be met:</p> <p>(a) The reserves shall be no less than 2,000m<sup>2</sup> in area.</p> <p>(b) The reserves shall be suitable for unstructured recreation, and for providing a pedestrian link between the foreshore/foredune of Little Omaha Bay and the main link road through the zoned area.</p> <p>(c) The reserves shall each have a continuous road frontage of at least 10 metres.</p>
Rule 12.8.16.10.9 <b>Financial Contributions, Works and Services for the Extension of William Fraser Reserve</b>	<p><b>Financial Contributions, Works and Services for the Extension of William Fraser Reserve</b></p>
Rule 12.8.16.10.9.1	<p>The grantee of the land use consent for the whole of Neighbourhood Unit 1A within the Special 16 (Omaha South Development) Zone shall:</p> <p>(a) Subdivide the area zoned "Recreation Land Unit" and notated "William Fraser Reserve Extension Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, from the remaining land within the Special 16 (Omaha South Development) Zone and vest it in the Council;</p> <p>(b) Pay all costs associated with the subdivision and vesting of the land required under Rule 12.8.16.10.9.1 (a).</p>
Rule 12.8.16.10.10 <b>Financial Contributions, Works and Services for Sportsfields</b>	<p><b>Financial Contributions, Works and Services for Sportsfields</b></p>
Rule 12.8.16.10.10.1	<p>The grantee of the first land use consent for an entire Neighbourhood Unit within the Special 16 (Omaha South Development) Zone shall:</p> <p>(a) Prior to the construction of the golf course, prepare a management plan in consultation with the Council and the Department of Conservation, which establishes principles for the construction of the golf course and its ongoing management/maintenance. The management plan principles should include a minimal earthworks philosophy, recognition of the desirability of retaining existing native vegetation as far as practicable,</p>



and the use of locally sourced plant material for planting, to mirror and complement the buffer planting to the west of the golf course;

- (b) Subdivide the area zoned "Recreation Land Unit" and notated "Golf Course Development Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, from the remaining land within the Special 16 (Omaha South Development) Zone and vest it in the Council;
- (c) Design and construct 9 additional golf holes located within the area vested in Council under Rule 12.8.16.10.10.1 (b) at the time specified by the Council and in accordance with the management plan proposed under Rule 12.8.16.10.10.1 (a);
- (d) Pay all costs associated with the subdivision and vesting of the land required under Rule 12.8.16.10.10.1 (b), and the design and construction of 9 additional golf holes as required under Rule 12.8.16.10.10.2 (c).

Rule 12.8.16.10.11  
**Financial Contributions,  
Works and Services for  
Community Facilities**

Rule 12.8.16.10.11.1

**Financial Contributions, Works and Services for Community Facilities**

The grantee of the first land use consent for an entire Neighbourhood Unit within the Special 16 (Omaha South Development) Zone shall:

- (a) Subdivide the kahikatea forest/wetland located immediately adjacent to the western boundary of the Special 16 (Omaha South Development) Zone, and vest it in the Department of Conservation;
- (b) Design and construct a fence to deter dogs and cats, along the zone boundary separating the Special 16 (Omaha South Development) Zone from the adjoining Open Space 1 Zone to the west;
- (c) Prior to any earthworks or development being undertaken within any of Neighbourhood Units 1A, 1B, 2, 3, 4 and 5, design and commission, in consultation with the Council, the Auckland Regional Council and the Department of Conservation, a monitoring programme for the groundwater aquifer under Omaha South. The grantee shall pay all costs associated with the design and operation of the monitoring programme, until such time as all subdivision necessary to fully develop all neighbourhood units in the Special 16 zone has received consent under section 224(c) of the Resource Management Act 1991. The results from the technical investigation provided by the developer, and the ongoing monitoring, shall be made readily available to any interested party and shall be considered when making any assessment of the land use consent for any neighbourhood;
- (d) Pay all costs associated with the subdivision and vesting of the land required under Rule 12.8.16.10.11.1 (a), the design and construction of the fence required under Rule 12.8.16.10.11.1 (b), and the technical investigation required under Rule 12.8.16.10.11.1 (c);
- (e) Design and construct a surf lifesaving observation tower within Little Omaha Bay;
- (f) Pay all costs associated with the design, construction and statutory



- approval of the surf lifesaving observation tower required in Rule 12.8.16.10.11.1 (e);
- (g) Vest the surf lifesaving observation tower required under Rule 12.8.16.10.11.1 (e) in the Council;
  - (h) Contribute \$30,000 to the Omaha Bowling Club, in lieu of providing lawn bowling facilities within the Special 16 (Omaha South Development) Zone;
  - (i) Contribute one payment of \$10,000 per annum for five consecutive years to the Rodney District Council, for the establishment and operation of a Beach Care Programme for the foredune/foreshore of Little Omaha Bay immediately to the east of the Special 16 (Omaha South Development) Zone;
  - (j) Design and construct, in a manner and to standards acceptable to Council, a fence along the boundary of the existing esplanade reserve abutting Little Omaha Bay and the eastern extent of the Special 16 (Omaha South Development) Zone, except where the Coastal Hazard Line (as defined on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps) is landward (westward) of the esplanade reserve boundary, in which case the alignment of the fence will follow the Coastal Hazard Line;
  - (k) The fence required in 12.8.16.10.11.1 (j) shall be designed so that pedestrian access from the local commercial area (as defined on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps), is directed towards William Fraser Reserve and not the beach of Little Omaha Bay;
  - (l) Pay all costs associated with the design and construction of the fence required under Rules 2.8.16.10.11.1 (j) and (k);
  - (m) Design, construct and vest in the Council, at the Developers cost and to the standards prescribed within Council's "Standards for Engineering Design and Construction 1999", the additional carparking facilities within William Fraser Reserve documented on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps;
  - (n) Design, after consultation with the Department of Conservation, and implement a revegetation programme for the land situated between the eastern extent of the kahikatea forest/wetland and the western boundary of the Special 16 (Omaha South Development) Zone. The revegetation programme will utilise native species sourced locally (wherever practicable), which are appropriate to the site and to ecological values of the vegetation communities present. The planting shall be maintained by the grantee of consent, for the first two growing seasons;
  - (o) Design and commission, in consultation with the Council and the Department of Conservation, a monitoring programme for the kahikatea forest/wetland to be subdivided and vested in the Department of Conservation. The grantee shall pay all costs associated with the design and operation of the monitoring programme, until such time as all subdivision necessary to fully develop all neighbourhood units in the Special 16 Zone has received consent under section 224(c) of the



Resource Management Act 1991. The results of the ongoing monitoring shall be considered when making any assessment on the land use consent for any neighbourhood unit;

- (p) Provide a management outline for the existing esplanade reserve fronting Omaha South, indicating the principles for the use and protection of the reserve, including its use for access to Omaha Bay, and the protection of the dune landforms within the reserve. The management outline is to be such that it is capable of assisting in the future preparation by the Council of a Reserve Management Plan for the reserve, under the Reserves Act 1977.

Rule 12.8.16.10.11.2

Every grantee of a land use consent for an entire Neighbourhood Unit within the Special 16 (Omaha South Development) Zone shall:

- (a) Provide a minimum of one raised beach access to Little Omaha Bay from the Neighbourhood Unit to be developed/subdivided, and one children's play area and one tennis court per Neighbourhood Unit, within an area abutting the Neighbourhood Unit to be developed and notated "Recreation Land Unit - Neighbourhood Reserve Development Area" or "Recreation Land Unit - Access Reserve Development Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps. The raised beach access for Neighbourhood Unit 1B shall be provided in the vicinity of the surf club on William Fraser Reserve;
- (b) Design and construct, in a manner and to standards acceptable to the Council, the raised beach access, tennis court and children's play area required under Rule 12.8.16.10.11.2 (a);
- (c) Pay all costs associated with the design and construction of the raised beach accesses, tennis court and children's play area required in Rule 12.8.16.10.11.2 (b);
- (d) Progressively, commensurate with development being undertaken within an adjoining Neighbourhood Unit, design and plant the foreshore with locally sourced (wherever practicable) native coastal plant species. These should be selected to retain the natural species composition and natural character of the existing native coastal vegetation. Following the planting, the grantee of the first land use consent application for an entire Neighbourhood Unit shall maintain the planted area for a minimum of five (5) years. (For the purpose of this rule the term "maintenance" shall extend to weed eradication and the replacement of dead plant specimens within the planted area).
- (e) For the purpose of Rule 12.8.16.10.11.2 (d) above, the term "foreshore" shall mean the area demarcated by the Coastal Hazard Line (as detailed on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps) or the boundary between the eastern extent of the Special 16 (Omaha South Development) Zone and the esplanade reserve which abuts Little Omaha Bay. When defining the extent of the foreshore to be planted at any one point, or series of points, the most landward (or westward) of the Coastal Hazard Line, or the esplanade reserve/Special 16 Zone boundary, shall be used.



Rule 12.8.16.10.11.3

The grantees of the land use consents for the whole of Neighbourhood Units 3 and 4 within the Special 16 (Omaha South Development) Zone shall:

- (a) Design and construct in a manner and to standards acceptable to Council, the designated carparking areas documented on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps. The carparking areas are to be of sufficient size to accommodate the anticipated number of visitors to the reserve, given that the access reserves provide beach access for a wider catchment than Omaha South itself;
- (b) Pay all costs associated with the design and construction of the carparking areas required in Rule 12.8.16.10.11.3 (a);
- (c) Vest the carparking areas required under Rule 12.8.16.9.11.3 (a) in the Council.

Rule 12.8.16.10.11.4

The grantee of the land use consent for the whole of Neighbourhood Unit 5 within the Special 16 (Omaha South Development) Zone shall:

- (a) Create a pedestrian access to the beach of Little Omaha Bay at the southern end of Omaha South, for use by Ngati Manuhere and the general public. If required, the pedestrian access shall be legalised as a right of way and registered against the appropriate Certificates of Title. The access shall be constructed so as to ensure that no significant adverse effects on the beach or dune system occur;
- (b) Design and undertake a revegetation programme (with native plants sourced locally, where possible) for the area zoned "Recreation Land Unit" and notated "Revegetation Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps in a manner and to standards acceptable to Council. The planting shall be maintained by the grantee of consent, for the first two growing seasons;
- (c) Subdivide the area zoned "Recreation Land Unit" and notated "Revegetation Area" on the Omaha South Development Structure Plan in Appendix 3 to the Planning Maps, from the remaining land within the Special 16 (Omaha South Development) Zone, and vest it in Council;
- (d) Pay all costs associated with the construction and legalisation of the beach access required under Rule 12.8.16.10.11.4 (a), the design and implementation of the revegetation program required under Rule 12.8.16.10.11.4 (b), and the subdivision and vesting of the land required under Rule 12.8.16.10.11.4 (c).