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Elysium Realty Limited recommends that this document is viewed by your Solicitor to ascertain any/all implications to you of the information contained herein.

Elysium Realty Limited
530 Te Atatu Road
Te Atatu Peninsula
AUCKLAND 0610



Applicant	Elysium Realty Limited
LIM address	14 Longbush Road Te Atatu Peninsula
Application number	8270207718
Customer Reference	
Date issued	4-Feb-2020
Legal Description	LOT 76 DP 203198
Certificates of title	NA131D/620

Disclaimer

This Land Information Memorandum (LIM) has been prepared for the applicant for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987.

The LIM includes information which:

- Must be included pursuant to section 44A of the Local Government Official Information and Meetings Act 1987
- Council at its discretion considers should be included because it relates to land
- Is considered to be relevant and reliable

This LIM does not include other information:

- Held by council that is not required to be included
- Relating to the land which is unknown to the council
- Held by other organisations which also hold land information

Council has not carried out an inspection of the land and/or buildings for the purpose of preparing this LIM. Council records may not show illegal or unauthorised building or works on the land.

The applicant is solely responsible for ensuring that the land or any building on the land is suitable for a particular purpose and for sourcing other information held by the council or other bodies. In addition, the applicant should check the Certificate of Title as it might also contain obligations relating to the land.

The text and attachments of this document should be considered together.

This Land Information Memorandum is valid as at the date of issue only.

s44A(2)(a) Information identifying any special feature or characteristics of the land

This information should not be regarded as a full analysis of the site features of this land, as there may be features that the Council is unaware of. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development.

Site Contamination

No land contamination data are available in Council's regulatory records.

Wind Zones

Wind Zone(s) for this property: High wind speed of 44 m/s

The wind zones are based on wind speed data specific to all building sites as outlined in NZS 3604:2011. Other factors such as topographic classes, site exposure and ground roughness determine the actual wind bracing demands and bracing elements required for the building.

For further information refer to NZS 3604:2011 Section 5 — Bracing Design

Soil Issues

Soil issues recorded. The land may not be suitable for particular development or land use purposes. A soil report may be required to/must be submitted with any building and/or resource consent application.

Effective Date	Description	Details
11/09/2000	Geotechnical report required	1... The owner shall not place erect construct or permit to remain on any part of this land any residential buildings unless:- (a) the foundations of such residential buildings have been the subject of specific investigation and design by a registered engineer experienced in geomechanics who is familiar with the Connell Wagner Geotechnical Report dated June 2000, reference 4248/03/NC (held in Council's records under SPW 20293) and; (b) all such buildings are constructed in accordance with that design to the satisfaction of the Auckland Council. 2... All excavations for foundation construction are to be inspected by a registered engineer familiar with the Connell Wagner geotechnical report dated June 2000, to ensure that the ground condition is suitable for the proposed foundation design.

If any soil information/reports have been prepared in relation to this property, they will be available for viewing at an Auckland Council Service Centre.

Flooding

This statement entitled "Flooding" appears on all LIMs.

Known flooding information is displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

The information shown in the "Special Land Features - Natural Hazards - Flooding" map is also shown on the

Auckland Council online map viewer (Geomaps), at www.aucklandcouncil.govt.nz, which is updated from time to time.

Any proposed development may require a flooding assessment to be provided by the applicant.

The absence of flooding on the “Special Land Features - Natural Hazards - Flooding” map does not exclude the possibility of the site flooding, particularly from Overland Flow Paths which may be on other properties.

Exposure Zones

New Zealand Standard 3604:2011E classifies all properties in New Zealand into zones based on environmental features including wind, earthquake, snow load and exposure. These zones are relevant to building requirements, such as strength of buildings, materials that should be used and maintenance. All building sites are classified as being in Exposure Zones Extreme Sea Spray, B, C, or D, depending on the severity of exposure to wind driven salt.

This property is classified as: Unknown or Unassessed Corrosion Zone

Unknown or unassessed - No known information is available relating to these sites. Recommended that specific sites and/or product designed and to consult suppliers information for specific durability requirements.

s44A(2)(b) Information on private and public stormwater and sewerage drains

Information on private and public stormwater and sewerage drains is shown on the **underground services map** attached.

Note: Private drainage is the responsibility of the land owner up to and including the point of connection to the public sewer or drain.

Effective Date	Description	Details
11/09/2000	Gravity flow	Minimum floor level of any buildings shall be not less than RL 16.70 metres in terms of the Land Information New Zealand datum. The floor level specified above and in the Consent Notice (where applicable) was derived using the best information available at the time. The floor level specified may have subsequently been altered by later catchment studies. Any building consent applications are to be referred to the Drainage Engineer to check that the application is in accordance with the current information.
07/04/2009	Manhole on site	Council’s as-built records indicate there is a manhole(s), for wastewater or stormwater services, located on your property. It is the property owners’ responsibility to ensure that these manholes are accessible by maintenance staff at all times, and that each manhole lid is level with the adjacent ground. If you are unable to locate the manhole(s) or a lid level needs raising or lowering, please contact EcoWater - Council’s Drainage Department who can arrange for the necessary work to be carried out. The property owner may be liable for the

		cost of this work.
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s44(2)(ba) Information notified to Council by a drinking water supplier under Section 69ZH of the Health Act 1956

Prospective purchasers should be aware of other drinking water systems connected to this property. There may also be private drinking water supply systems such as rainwater tanks or private water bores. You are advised to clarify the drinking water supply with the current landowner.

No Information has been notified to Council.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

For metered water information, please contact **Watercare (09) 442 2222** for services provided to this property.

s44A(2)(c) Information relating to any rates owing in relation to the land


Billing Number/ Rate Account:	12341995157
Rates levied for the Year 2019/2020 :	\$3,611.07
Total rates to clear for the current year (including any arrears):	\$1,210.57

The rates figures are provided as at 8 a.m. 04/02/2020. It is strongly advised these are not used for settlement purposes.

Retrofit Your Home Programme

The Retrofit Your Home programme provides financial assistance, advice and information to householders wanting to create an improved home environment.

The scheme contributes to the achievement of the Air Quality National Environmental Standards encouraging the installation of clean heat and insulation in homes as well as supporting access to central government grants and subsidies. The programme offers homeowners a retrofit plan for their homes and financial assistance up to \$5000 repaid through a targeted rate.

 Auckland Council (09) 890 7898 if you require further information

 retrofit@aucklandcouncil.govt.nz

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and (2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Note: if the land is part of a cross lease title or unit title, consents and permits for the other flats or units may be included in this LIM. If the land has been subdivided there may be consents and permits included that relate to the original property.

It is recommended that the full property file is viewed and compared with the actual building and activities on

the land to identify any illegal or unauthorised building works or activities.

Financial / development contributions

Financial and development contributions are relevant for recently subdivided land, vacant lots, new residential unit(s) or where there is further development of a site. If any financial or development contribution has not been paid, Council can recover outstanding amount(s) from a subsequent owner of the land.

Please note that financial contributions and development contributions may be paid in land, cash or a combination of these. The form of payment of contributions may be subject to negotiation but final discretion remains with the Council.

Resource Management

Planning

14 Longbush Road Te Atatu Peninsula

Application No.	Description	Decision	Decision Date
LUC-2001-1322	Land Use Consent Consent For Blanket Dispensation Of Height To Boundary Building Coverage, Outdoor Space Controls	Granted	02/10/2001

Subdivisions

14 Longbush Road Te Atatu Peninsula

Application No.	Description	Decision	Decision Date
SUB-2000-385	Subdivision Consent STAGE 4 LOTS 61 TO 86 (TO BE CONFIRMED BY FORTHCOMING SURVEY PLAN)	Granted	30/09/1998
SUB-1999-1570	Subdivision Consent Harbour View Estate Stages 2 and 3. Also See RMA 992694 For Stage 3	Granted	30/09/1998

Engineering Approvals

There are **NO** Engineering approvals recorded.

If there are any conditions, then only that portion of the consent will be included in the attachments section. The applicant should satisfy themselves as to whether all conditions of resource consents for this property have been met.

Further Information

The Council may hold additional information for this property, for example concerning resource consents for discharges to air, land or water issued by the former Auckland Regional Council prior to 1 November 2010. If you would like Auckland Council to search for this type of information, please contact us.

Building

14 Longbush Road Te Atatu Peninsula

Application No.	Description	Issue Date	Status
COM-2003-398	New Dwelling	02/04/2003	CCC Issued 24/10/2003 (See Note 2)

Note	Description
2	Code Compliance Certificate (CCC) for this consent was issued.

Please note that prior to the Building Act 1991; Councils were not required to maintain full records of building consents [etc] issued under the Building Act. While Auckland Council has always endeavoured to maintain full records of pre-Building Act 1991 matters, not all records for this period have survived and in other cases where building work is documented, information may be incomplete. Council does not accept responsibility for any omission.

It is recommended that the Council property file is viewed and compared with the actual building and activities on site to identify any illegal or unauthorised building works or activities.

Compliance Schedules (Building Warrant of Fitness)

The Council has no record of a Compliance Schedule for this property/building.

If it is evident that any specified systems such as lifts or commercial fire alarms are present in the building, the owner must ensure there is a current compliance schedule or building warrant of fitness.

Swimming/Spa Pool Barriers

The Council has no record of a swimming pool or spa pool being registered on this property. Swimming pools and spa pools must have a barrier that complies with the Building Act 2004.

Pool barrier information is available for viewing at <http://www.aucklandcouncil.govt.nz>

Licences

There are NO current licences recorded

s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006

The Council has not been notified of any information under Section 124 of the Weathertight Homes Resolution Services Act 2006 relating to this property.

s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use

Purchasers or those intending to develop the land should satisfy themselves that the land is suitable for any intended use or future development proposal. In addition to any site specific limitations recorded below, general restrictions that apply across the region may be relevant to any development proposals on this property.

Auckland Unitary Plan - Operative in Part (AUP:OP)

The **Auckland Unitary Plan - Operative in part(AUP:OP)** applies to this property and should be carefully reviewed and considered, as it may have implications for how this property can be developed and/or used. Those parts of the Auckland Unitary Plan that are operative replace the corresponding parts of legacy regional and district plans. However, certain parts of the AUP:OP are the subject of appeals and have not become operative. If a property is subject to an appeal this will be identified on the attached Unitary Plan Property Summary Report. Where this is the case, both the Auckland Unitary Plan Decisions version and the legacy regional and district plans will need to be considered.

The AUP:OP zones, controls, overlays, precincts, and designations that apply to this property are set out in the Property Summary Report, which is attached to this memorandum.

The AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplan>

The legacy regional and district plans can be viewed here:

<https://www.aucklandcouncil.govt.nz/districtplans>

<https://www.aucklandcouncil.govt.nz/regionalplans>

The appeals to the AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Auckland Council District Plan - Hauraki Gulf Islands Section (Operative 2013) (DP:HGI)

While the regional provisions in the AUP:OP apply to the Hauraki Gulf Islands, and are set out in the Property Summary Report attached to this memorandum, the AUP:OP does not contain any district provisions for the Hauraki Gulf Islands. If the Property Summary Report attached to this memorandum lists its zone as "Hauraki Gulf Islands", the district provisions that apply are in the Auckland Council District Plan Hauraki Gulf Islands Section (Operative 2013) (**DP:HGI**).

The relevant maps of the DP:HGI are attached to this memorandum, if applicable. The text of the DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

Plan Changes and Notices of Requirement

Changes to the AUP:OP and DP:HGI may be proposed from time to time. These proposed plan changes may relate to either the maps or the text of those plans. Any proposed changes to the AUP:OP relevant to this property will be listed as a modification in the Property Summary Report attached to this memorandum. However, proposed changes to the DP:HGI will not appear on the Property Summary report. That information can be found on the Auckland Council website.

Please refer to the AUP:OP for information on any proposed Plan Changes or see the Auckland Council modifications website at:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Information relating to any proposed Plan Changes to DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

From time to time a requiring authority, such as a Ministry of the Crown or a council controlled organisation, may notify Auckland Council that they require certain land to be designated for a certain purpose. If this property is the subject of such a notice of requirement, that notice may have implications for how this

property can be developed or used from the date it is received by Council.

If this property is not on the Hauraki Gulf Islands, any notices of requirement applicable will be listed as a modification in the Property Summary Report attached to this memorandum.

If this property is on the Hauraki Gulf Islands, any notice of requirement will be available on the Auckland Council Website.

Information on all current notices of requirement can be found on the modifications page here:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Copies of the appeals to the Auckland Unitary Plan can be viewed online at:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Information concerning Caveat, Bond, Encumbrance, Consent Notice and Covenant

For any information concerning Caveats, Bonds, Encumbrances, Consent Notices or Covenants, please refer to the Certificate of Title for this property.

s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation

No information has been notified to Council.

s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004

Underground Services and District Plan maps are attached.

Please note: Height restrictions apply where overhead power lines cross the site. Works near water services utilities may require approval. Works near high-pressure Gas, Oil or LPG pipelines create risk of damage and must first be approved. Please contact the relevant Utility provider in your area for further information.

Any escape of gas or liquid from the pipelines is potentially dangerous and requires immediate action as soon as discovered (Dial 111 and ask for the Fire Service).

Attachments

As the placement of the building/s on the attached maps is based on aerial photography we cannot guarantee the accuracy. A formal survey will indicate the exact location of the boundaries.

- Auckland Unitary Plan Property Summary Report
- Auckland Unitary Plan - Operative in part Maps and Map Legend
- Auckland Council District Plan - Hauraki Gulf Islands Section (if applicable)
- Underground Services & Utilities Map and Map Legend
- Special Land Features Map and Map Legend

Please note Map Legends have been created for use across the region and may contain features which were not captured by the previous legacy Councils; therefore the information may not be available for these maps. Please contact the Resource Management Planning Team in your area for further information on any features which may or may not appear on your map.

- As Built Drainage Plan : COM-2003-398
- Consent Conditions : LUC-2001-1322

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

14 Longbush Road Te Atatu Peninsula

Legal Description

LOT 76 DP 203198

Appeals

Modifications

Zones

Residential - Terrace Housing and Apartment Building Zone

Precinct

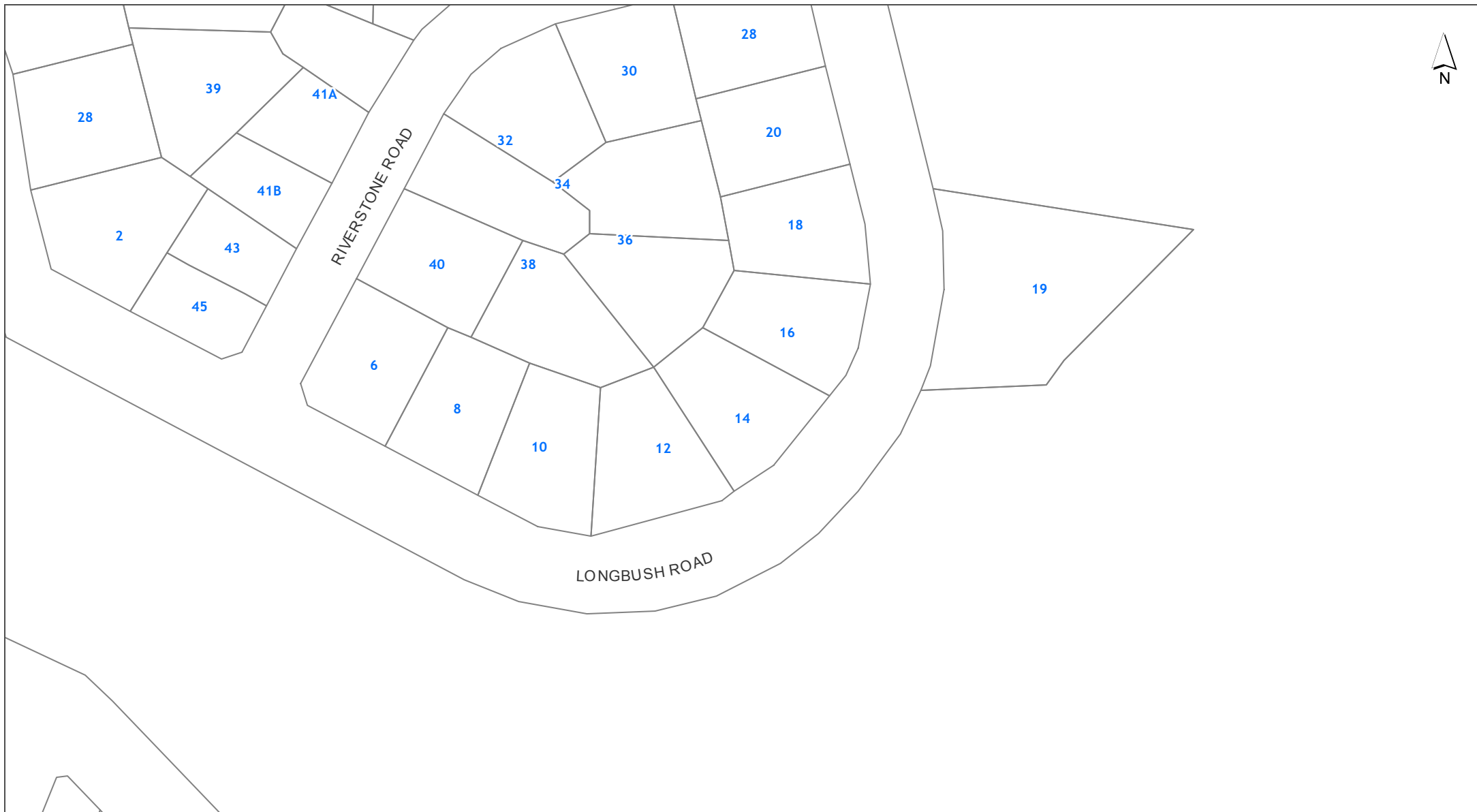
Controls

Controls: Macroinvertebrate Community Index - Urban

Overlays

Designations

Designations: Airspace Restriction Designations - ID 4311 - Defence purposes - protection of approach and departure paths (Whenuapai Air Base) - Minister of Defence

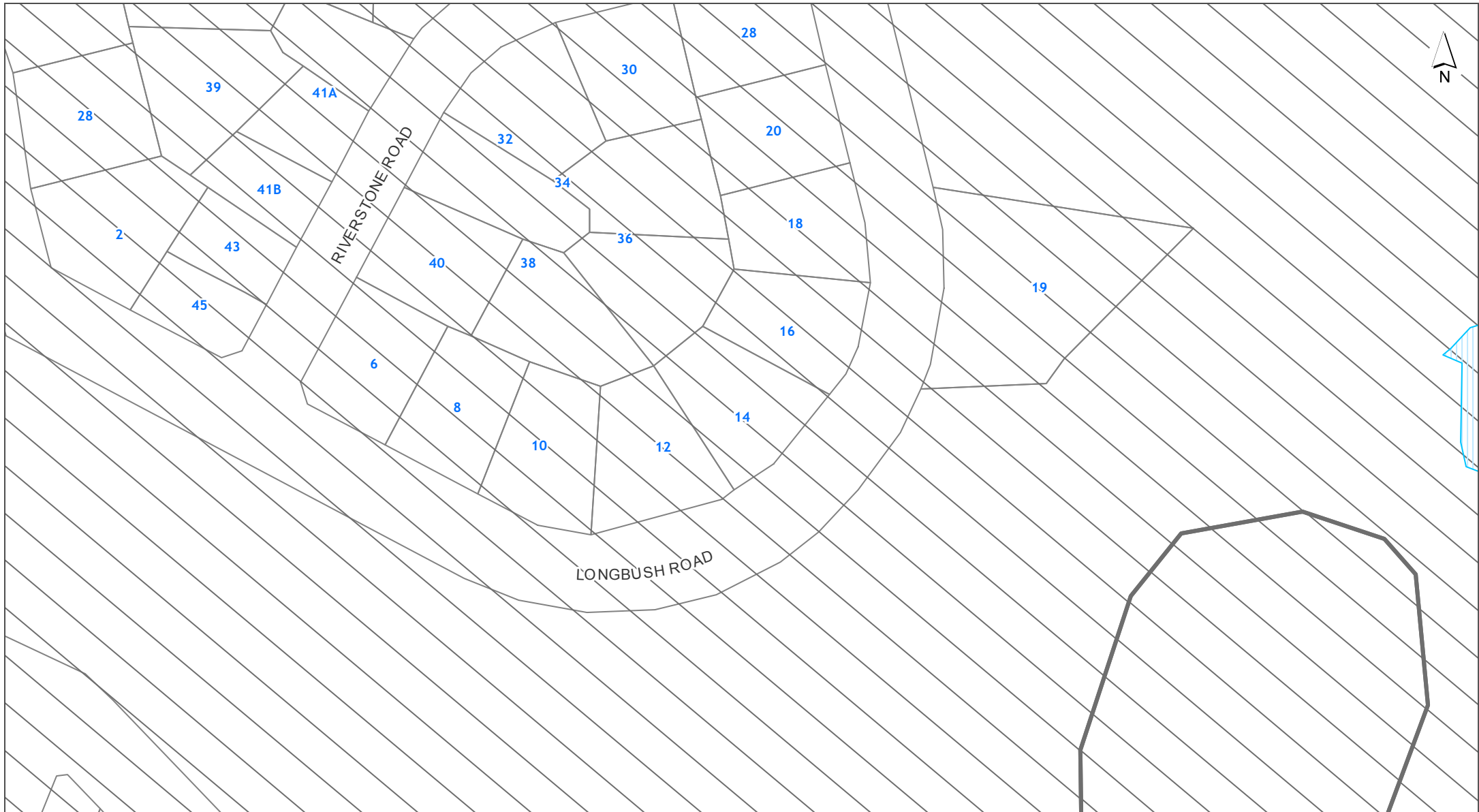


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Built Environment
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198

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Meters
Scale @ A4
= 1:1,000
Date Printed:
4/02/2020



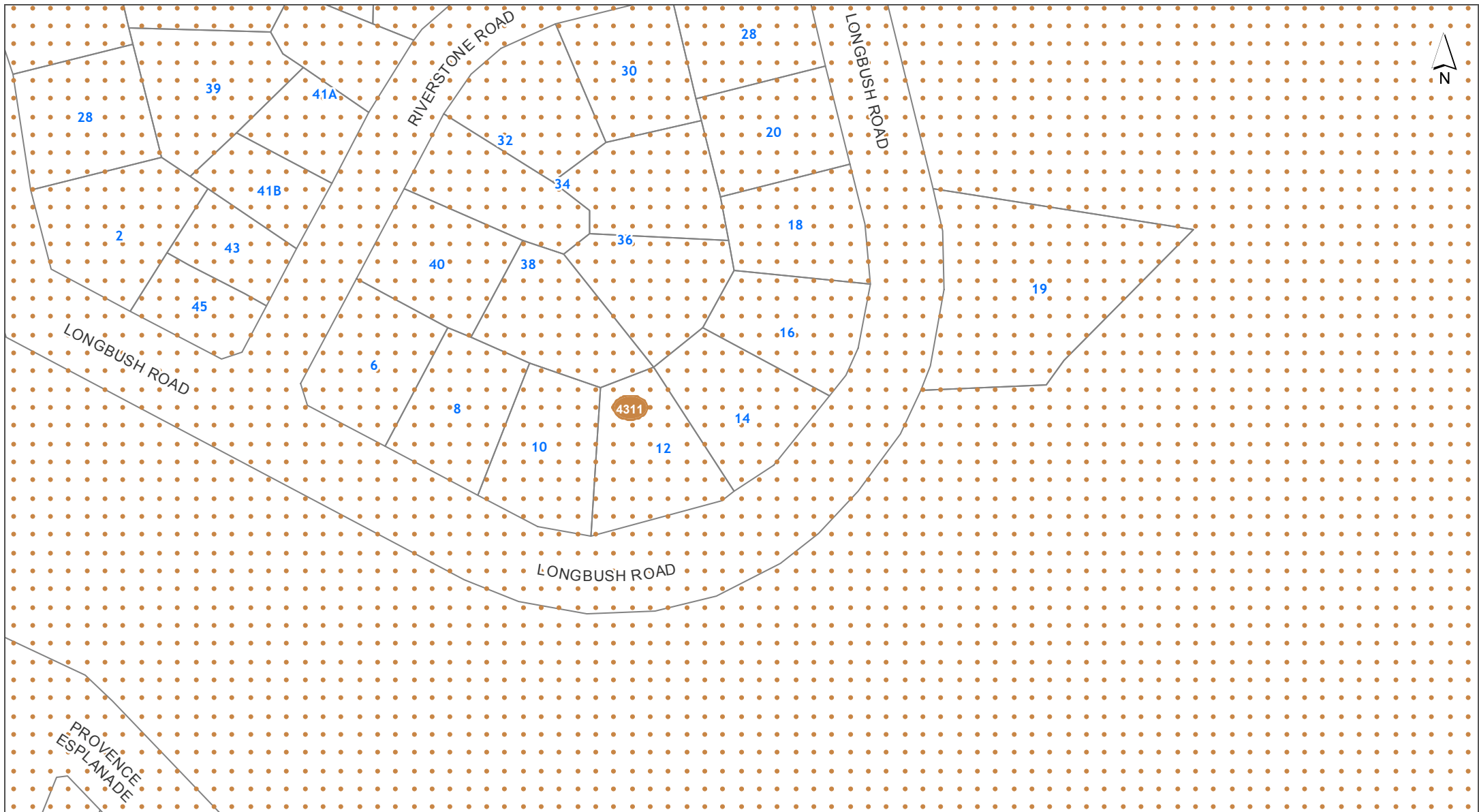


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Controls
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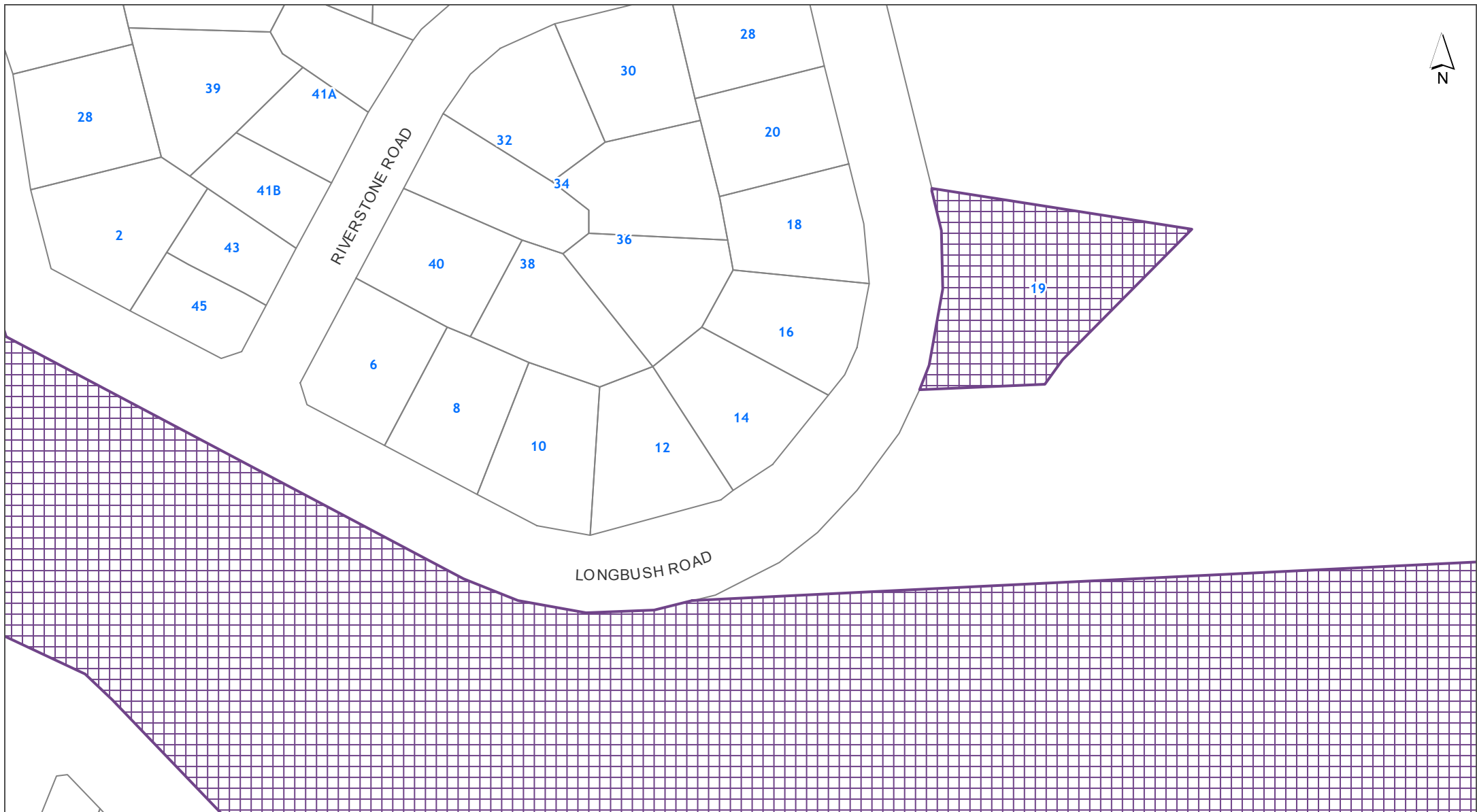


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Designations
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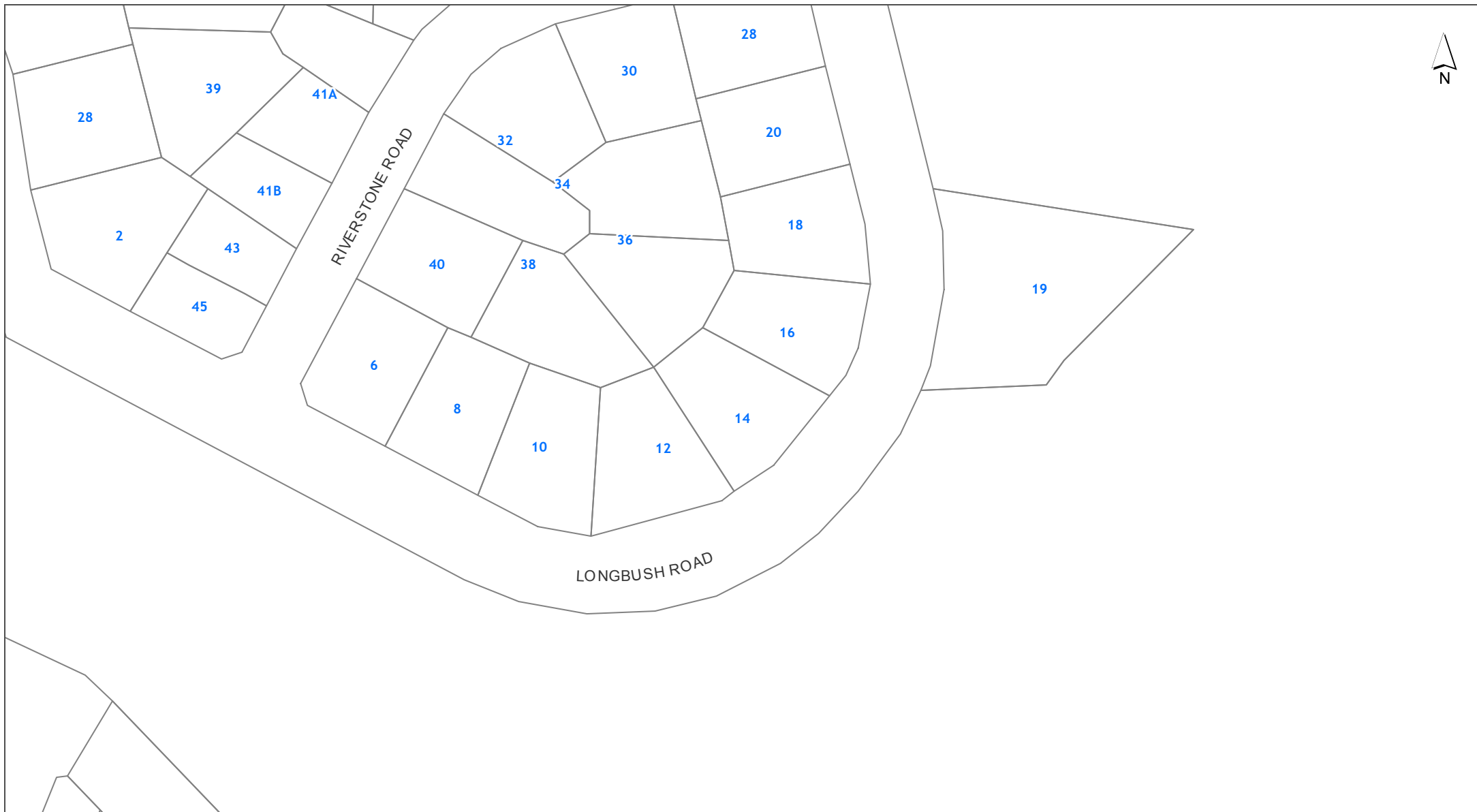


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Historic Heritage and Special Character
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198

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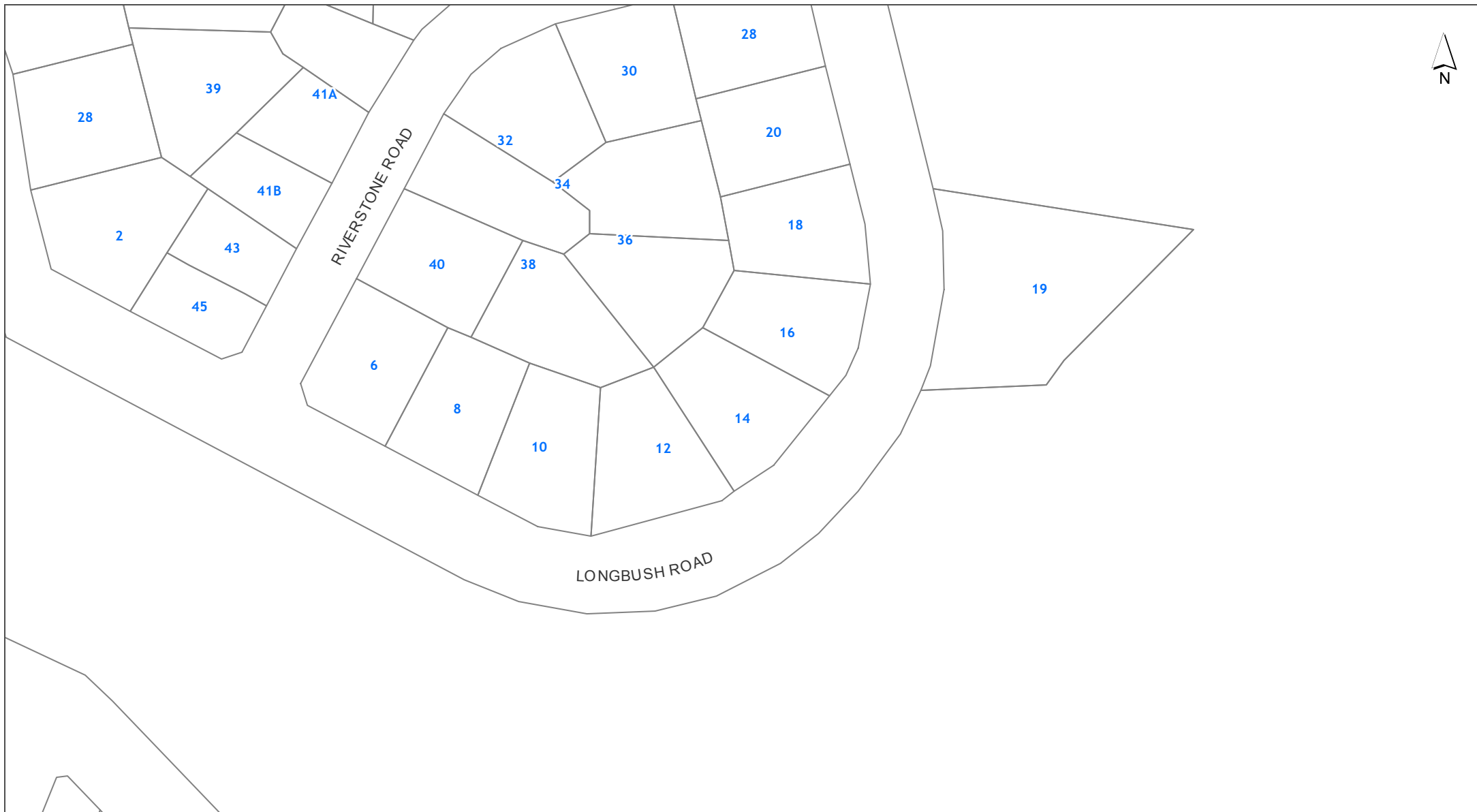


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Infrastructure
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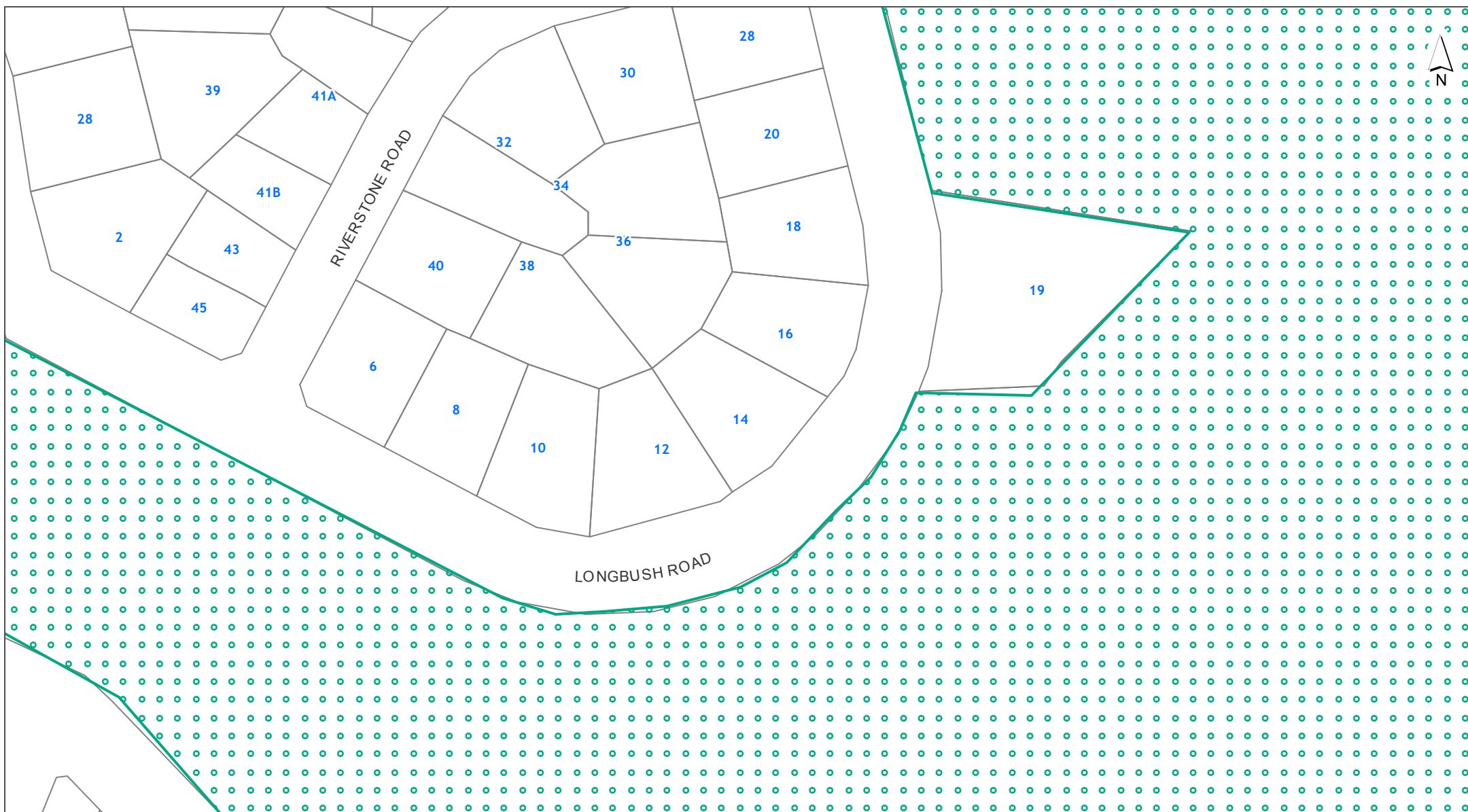


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Mana Whenua
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198

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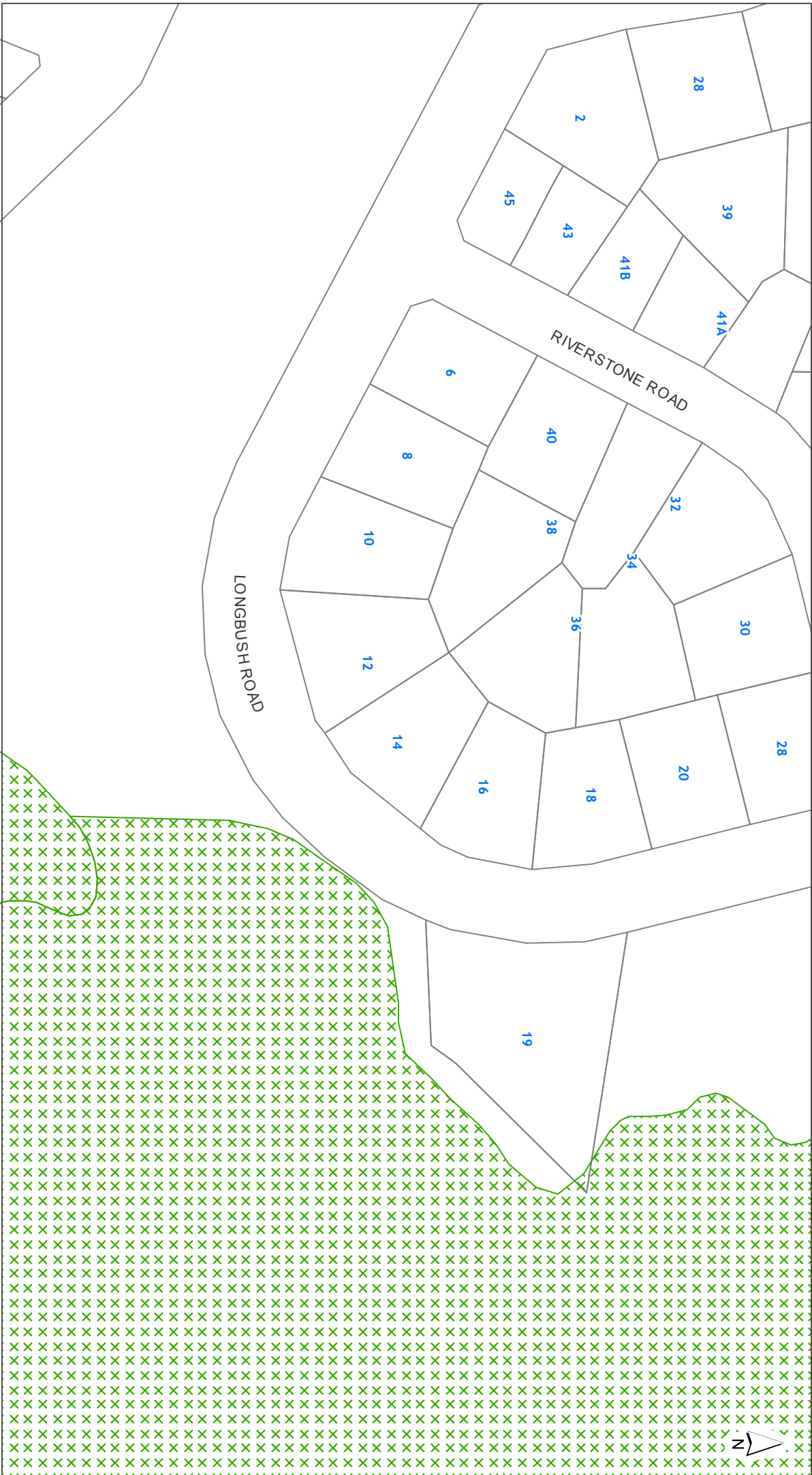


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Natural Heritage
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Natural Resources

14 Longbush Road Te Atatu Peninsula

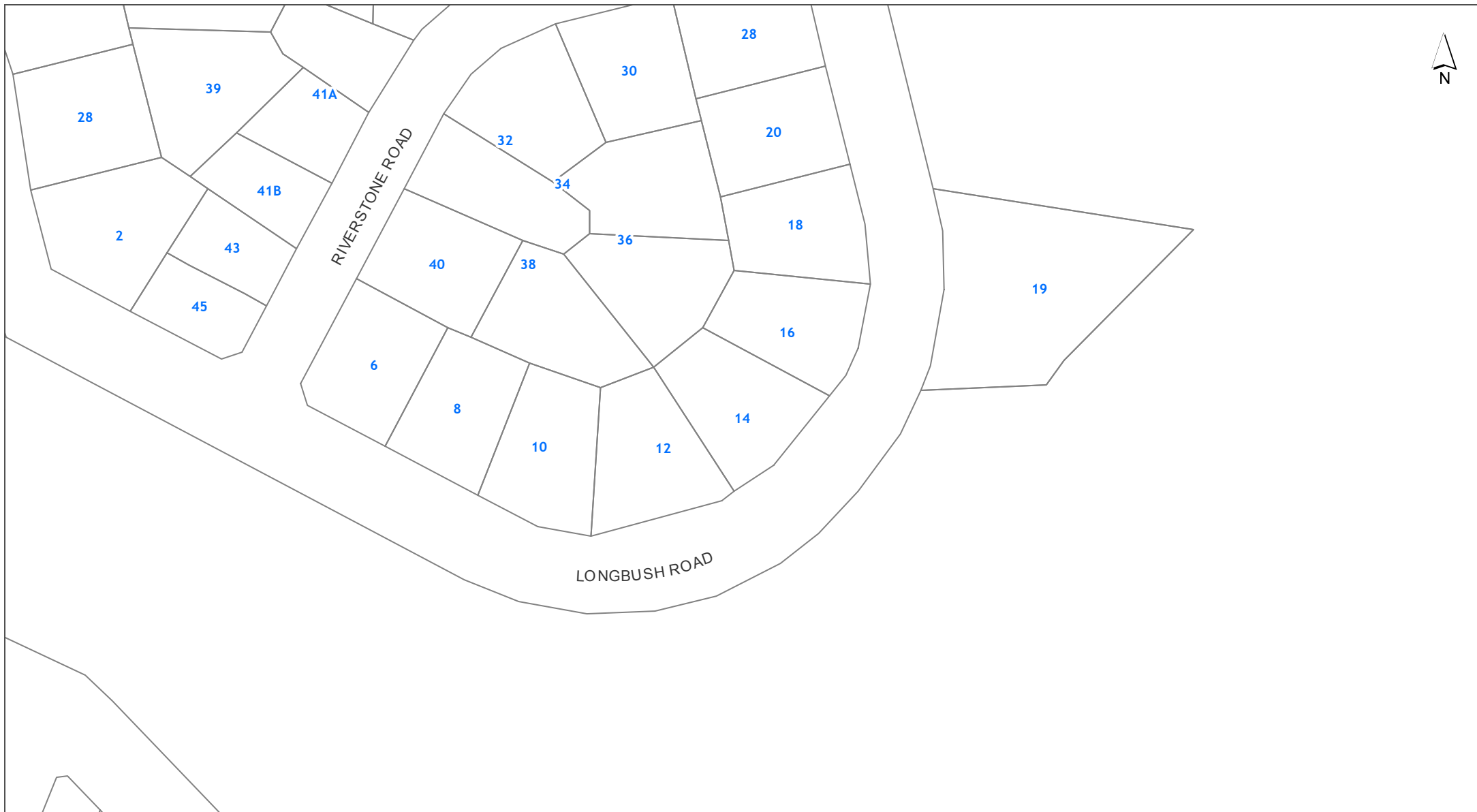
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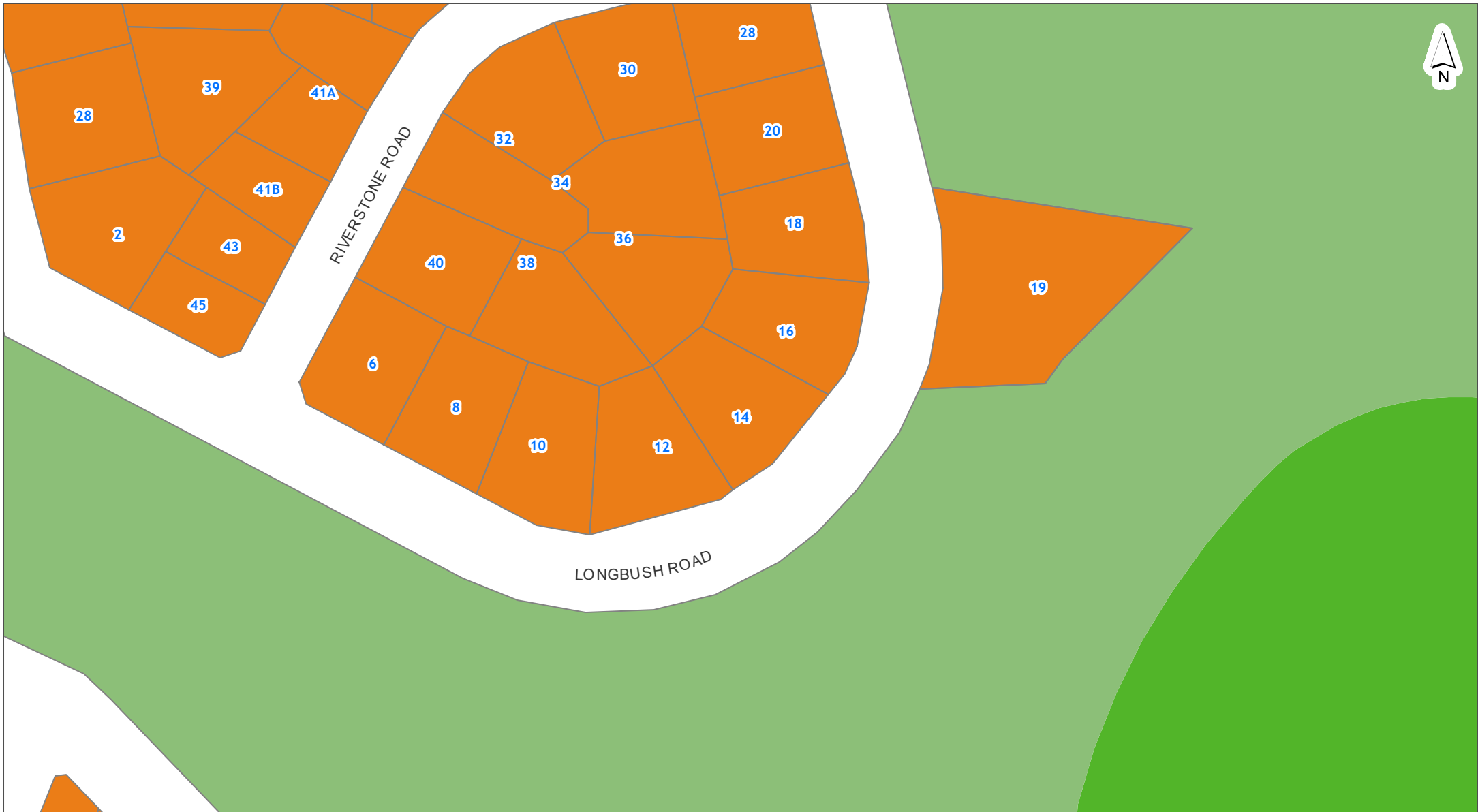


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Precincts
 14 Longbush Road Te Atatu Peninsula
 LOT 76 DP 203198

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Zones and Rural Urban Boundary
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198

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Meters
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= 1:1,000
Date Printed:
4/02/2020





NOTATIONS

Appeals

-  Properties affected by Appeals seeking change to zones or management layers
-  Properties affected by Appeals seeking reinstatement of management layers

Proposed Plan Modifications





-  Notice of Requirements
-  Plan Changes

Tagging of Provisions:

- [i] = Information only
- [rp] = Regional Plan
- [rcp] = Regional Coastal Plan
- [rps] = Regional Policy Statement
- [dp] = District Plan (only noted when dual provisions apply)

ZONING



Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone

Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

Infrastructure

-  Special Purpose Zone - Airports & Airfields
Cemetery
Quarry
Healthcare Facility & Hospital
Tertiary Education
Māori Purpose
Major Recreation Facility
School
-  Strategic Transport Corridor Zone

Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone



Precincts

--- Rural Urban Boundary

--- Indicative Coastline [i]

Overlays

Natural Resources

- Terrestrial [rp/dp]
- Marine 1 [rcp]
- Marine 2 [rcp]
- Water Supply Management Areas Overlay [rp]
- Natural Stream Management Areas Overlay [rp]
- High-Use Stream Management Areas Overlay [rp]
- Natural } Lake Management Areas Overlay (Natural Lake and Urban Lake)
- Urban }
- High-Use Aquifer Management Areas Overlay [rp]
- Quality-Sensitive Aquifer Management Areas Overlay [rp]
- Wetland Management Areas Overlay [rp]

Infrastructure

- Airport Approach Surface Overlay
 - Aircraft Noise Overlay
 - City Centre Port Noise Overlay [rcp / dp]
 - Quarry Buffer Area Overlay
 - National Grid Subdivision Corridor
 - National Grid Substation Corridor
 - National Grid Yard Compromised
 - National Grid Yard Uncompromised
- } National Grid Corridor Overlay

Mana Whenua

- Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

Built Environment

- Identified Growth Corridor Overlay

Natural Heritage

- Notable Trees Overlay
- Outstanding Natural Features Overlay [rcp/dp]
- Outstanding Natural Landscapes Overlay [rcp/dp]
- Outstanding Natural Character Overlay [rcp/dp]
- High Natural Character Overlay [rcp/dp]
- Viewshafts
- Height Sensitive Areas
- Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- Regionally Significant Volcanic Viewshafts Overlay Contours [i]
- Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
- Locally Significant Volcanic Viewshafts Overlay Contours [i]
- Modified
- Natural
- Local Public Views Overlay [rcp/dp]
- Extent of Overlay
- Subdivision Schedule
- Waitakere Ranges Heritage Area Overlay

Historic Heritage & Special Character

- Historic Heritage Overlay Place [rcp/dp]
- Historic Heritage Overlay Extent of Place [rcp/dp]
- Special Character Areas Overlay Residential and Business
- Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
- Auckland War Memorial Museum Viewshaft Overlay Contours [i]
- Stockade Hill Viewshaft Overlay – 8m height area
- Stockade Hill Viewshaft [i]

Controls

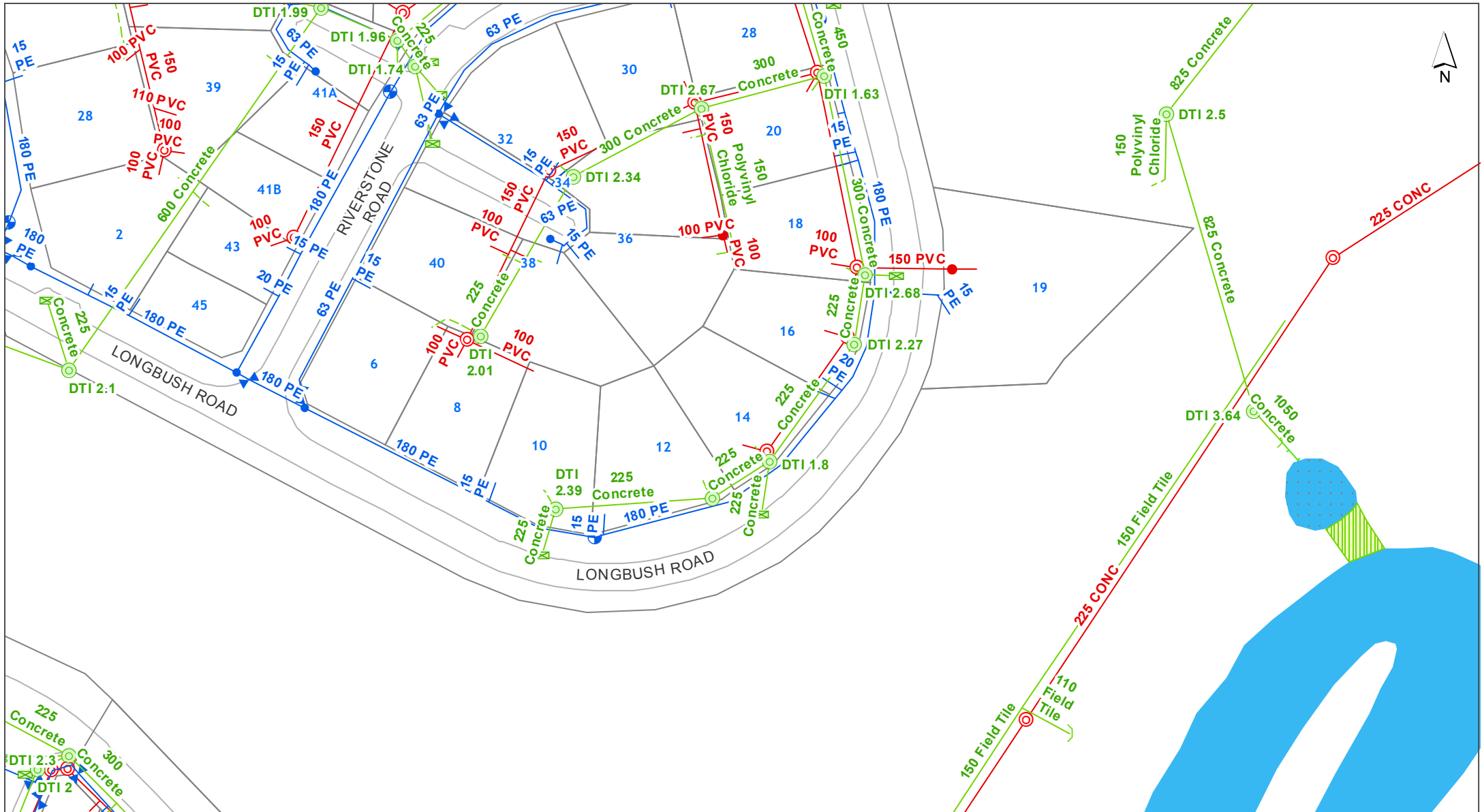
- Key Retail Frontage
 - General Commercial Frontage
 - Adjacent to Level Crossings
 - General
 - Motorway Interchange Control
 - Centre Fringe Office Control
 - Height Variation Control
 - Parking Variation Control
 - Level Crossings With Sightlines Control
 - Arterial Roads
- } Building Frontage Control
- } Vehicle Access Restriction Control

- Business Park Zone Office Control
 - Hazardous Facilities
 - Infrastructure
 - Macroinvertebrate Community Index
 - Flow 1 [rp]
 - Flow 2 [rp]
 - Subdivision Variation Control
 - Surf Breaks [rcp]
 - Cable Protection Areas Control [rcp]
 - Coastal Inundation 1 per cent AEP Plus 1m Control
- } Emergency Management Area Control
- } Stormwater Management Area Control

Designations

- Designations

- Airspace Restriction Designations



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Underground Services
 14 Longbush Road Te Atatu Peninsula
 LOT 76 DP 203198

0 7 14 21
 Meters
 Scale @ A4
 = 1:1,000
 Date Printed:
 4/02/2020



Stormwater

Note: Unless otherwise specified in the text below, the *colour* of a Stormwater symbol is determined by the ownership or usage status, using the following colour scheme:

Public, **Private** or **Abandoned**

- | | | | |
|--|-------------------------------|--|---|
| | Treatment Device | | Overland Flowpath (Public) |
| | Septic Tank | | Overland Flowpath (Private) |
| | Septic Tank (Hi-Tech) | | Forebay (Public) |
| | Soakage System | | Forebay (Private) |
| | Inspection Chamber | | Treatment Facility (Public) |
| | Manhole (Standard / Custom) | | Treatment Facility (Private) |
| | Inlet & Outlet Structure | | Pump Station |
| | Inlet & Outlet (No Structure) | | Planting |
| | Catchpit | | Embankment |
| | Spillway | | Viewing Platform |
| | Safety Benching | | Bridge |
| | Culvert / Tunnel | | Erosion & Flood Control (Other Structure) |
| | Subsoil Drain | | Erosion & Flood Control (Wall Structure) |
| | Gravity Main | | |
| | Rising Main | | |
| | Connection | | |
| | Fence | | |
| | Lined Channel | | |
| | Watercourse | | |

Water

- | | |
|--|--------------------------------------|
| | Valve |
| | Hydrant |
| | Fitting |
| | Other Watercare Point Asset |
| | Other Watercare Linear Asset |
| | Local Pipe (Bulk) |
| | Local Pipe (In Service) |
| | Local Pipe (Abandoned) |
| | Transmission Pipe (In Service) |
| | Transmission Pipe (Out of Service) |
| | Transmission Pipe (Proposed) |
| | Pump Station |
| | Reservoir |
| | Other Structure (Local) |
| | Chamber (Transmission) |
| | Water Source (Transmission) |
| | Other Watercare Structures and Areas |

Wastewater

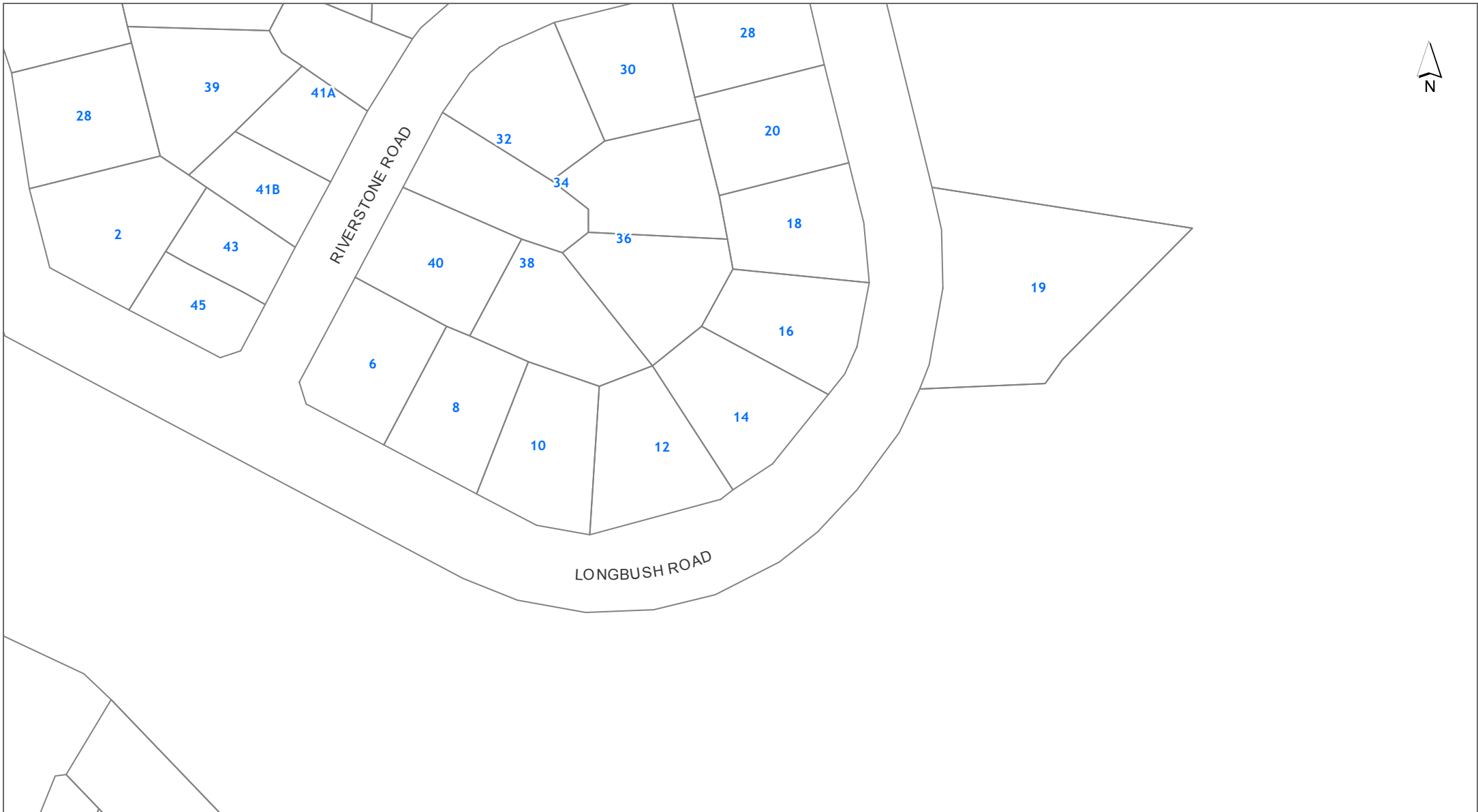
- | | |
|--|------------------------------------|
| | Fitting |
| | Fitting (Non Watercare) |
| | Manhole |
| | Pipe (Non Watercare) |
| | Local Pipe (Main / Service Line) |
| | Local Pipe (Abandoned) |
| | Local Pipe (Future) |
| | Transmission Pipe (In Service) |
| | Transmission Pipe (Out of Service) |
| | Transmission Pipe (Proposed) |
| | Chamber |
| | Structure (Non Watercare) |
| | Pump Station |
| | Wastewater Catchment |

Utilities

- | | |
|--|---|
| | Transpower Site |
| | Pylon (Transpower) |
| | 110 kv - Electricity Transmission |
| | 220 kv - Electricity Transmission |
| | 400 kv - Electricity Transmission |
| | Aviation Jet A1 Fuel Pipeline |
| | Liquid Fuels Pipeline [Marsden to Wiri] |
| | Gas Transmission Pipeline |
| | High-Pressure Gas Pipeline |
| | Medium-Pressure Gas Pipeline |
| | Indicative Steel Mill Slurry Pipeline |
| | Indicative Steel Mill Water Pipeline |
| | Fibre Optic Cable (ARTA) |
| | Contour Interval |

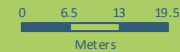
Legend updated: 15/08/2019





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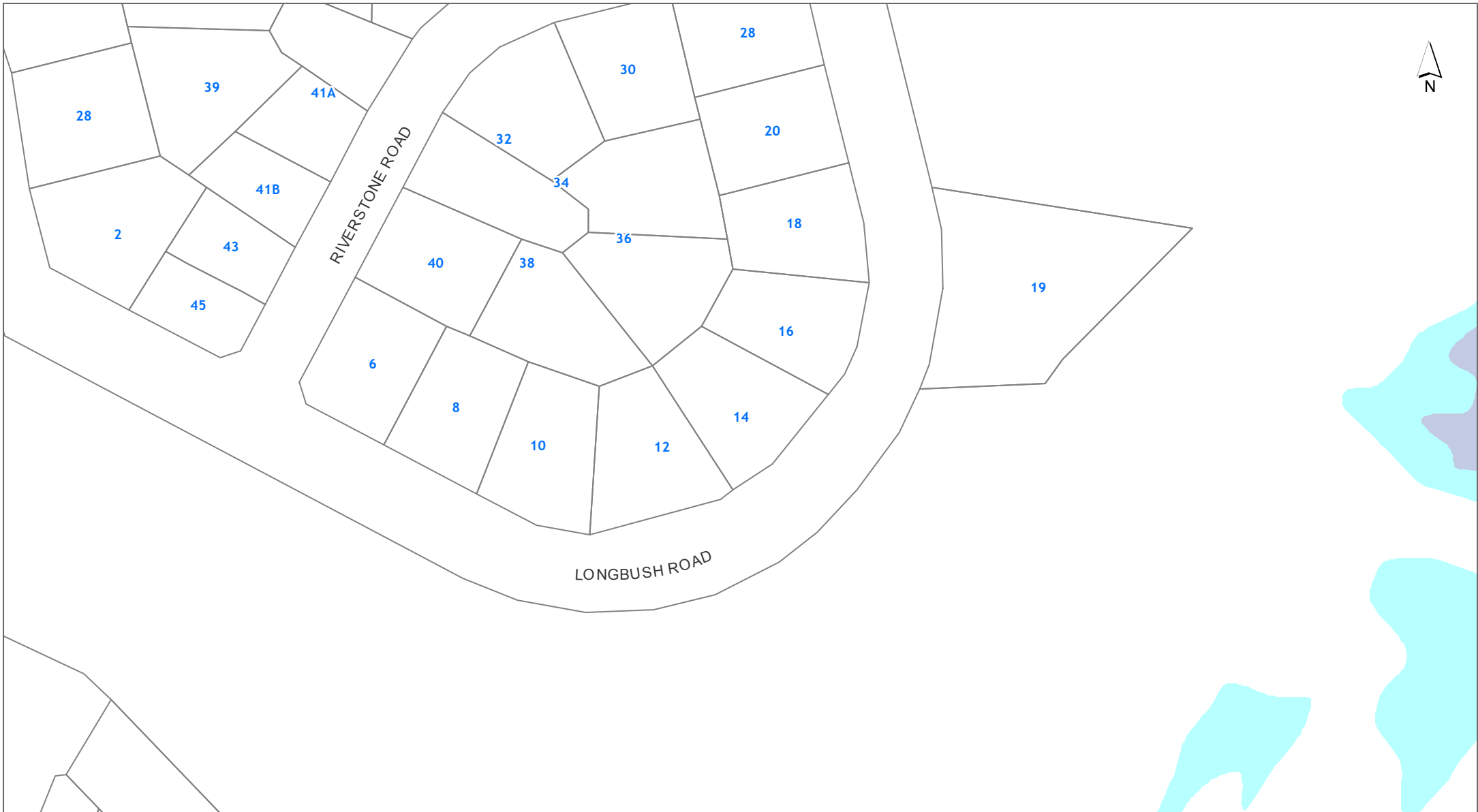
Hazards
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198



Scale @ A4
= 1:1,000

Date Printed:
4/02/2020





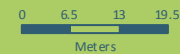
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Natural Hazards - Coastal Inundation

14 Longbush Road Te Atatu Peninsula

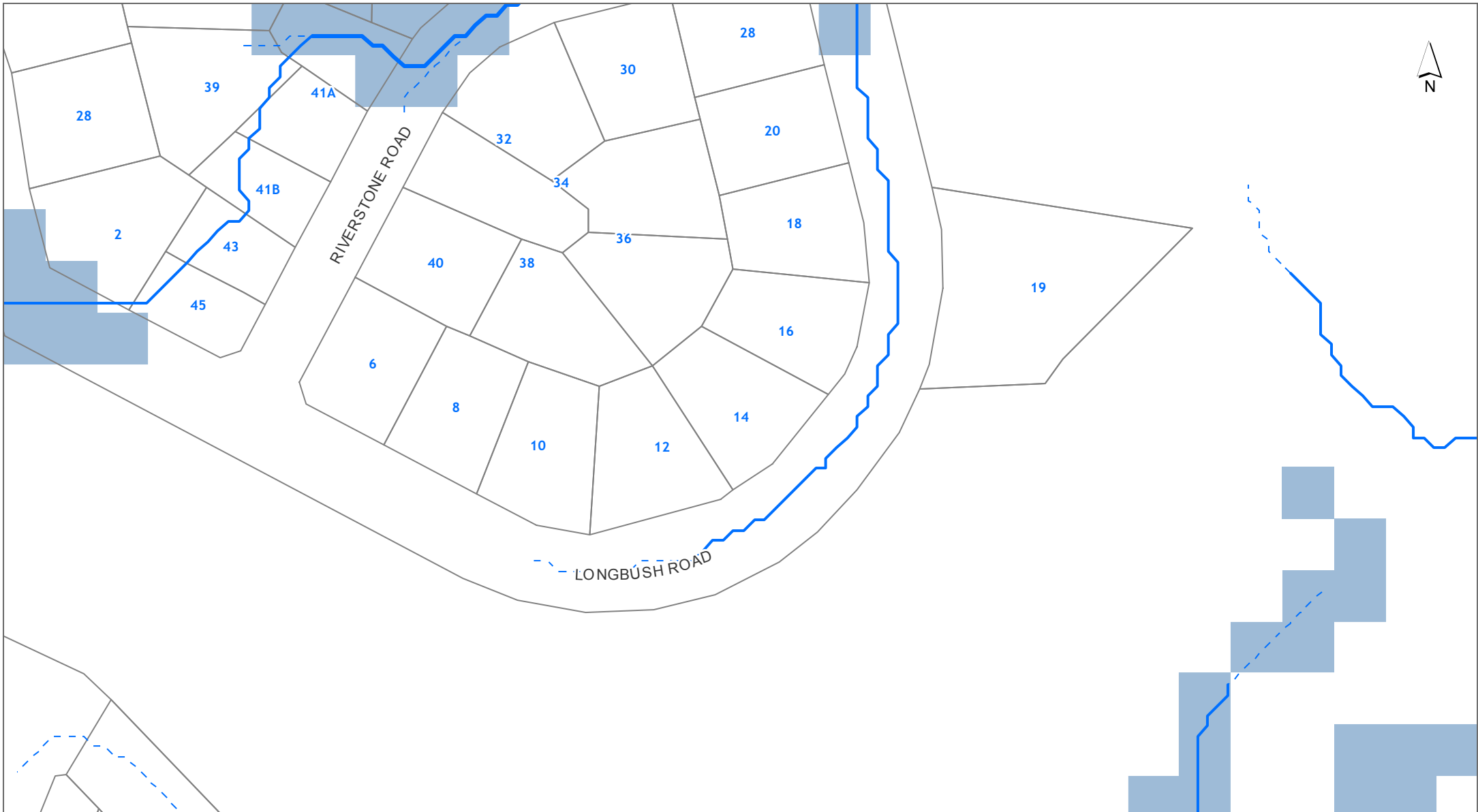
LOT 76 DP 203198



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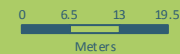
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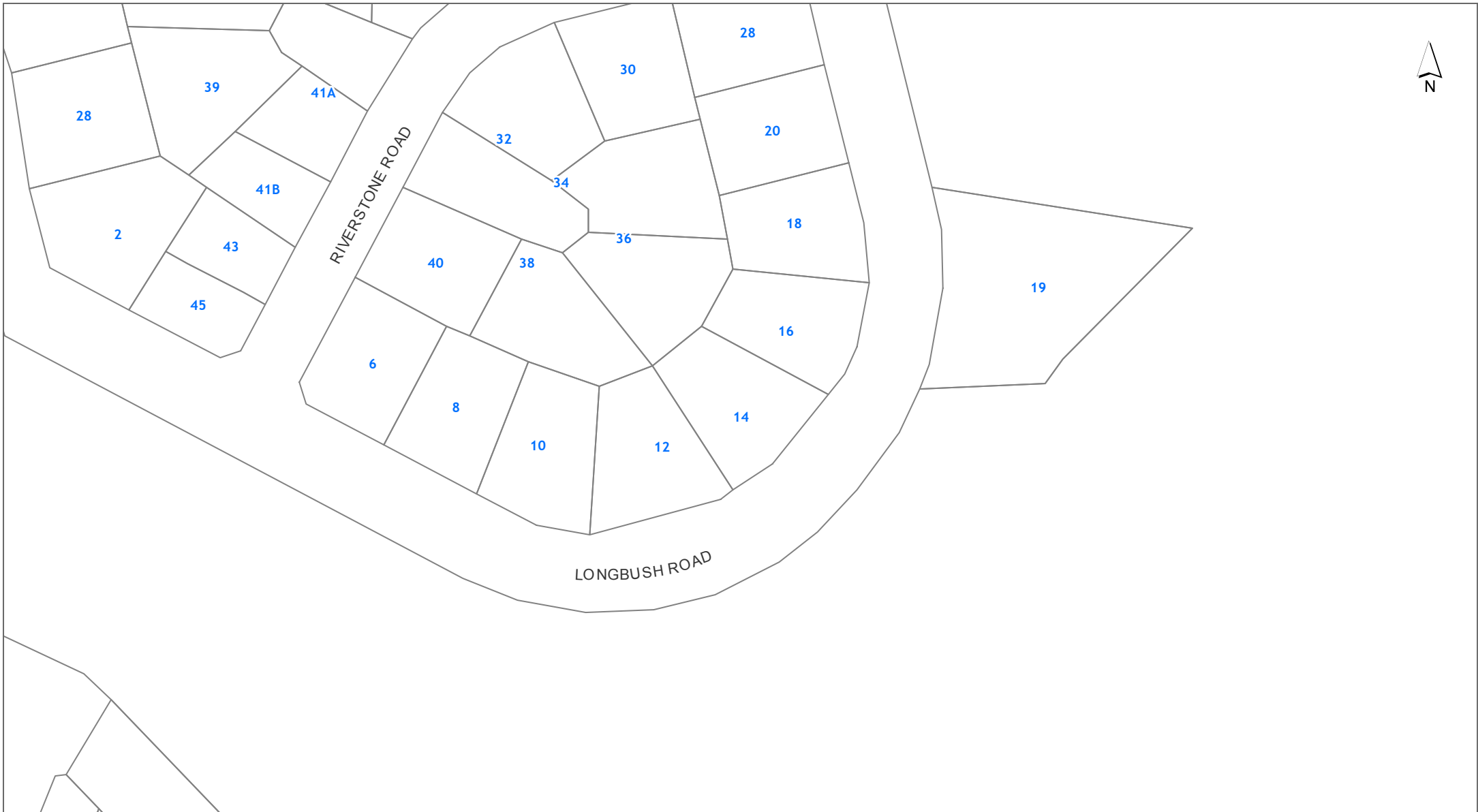
Natural Hazards - Flooding
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198



Scale @ A4
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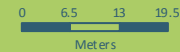
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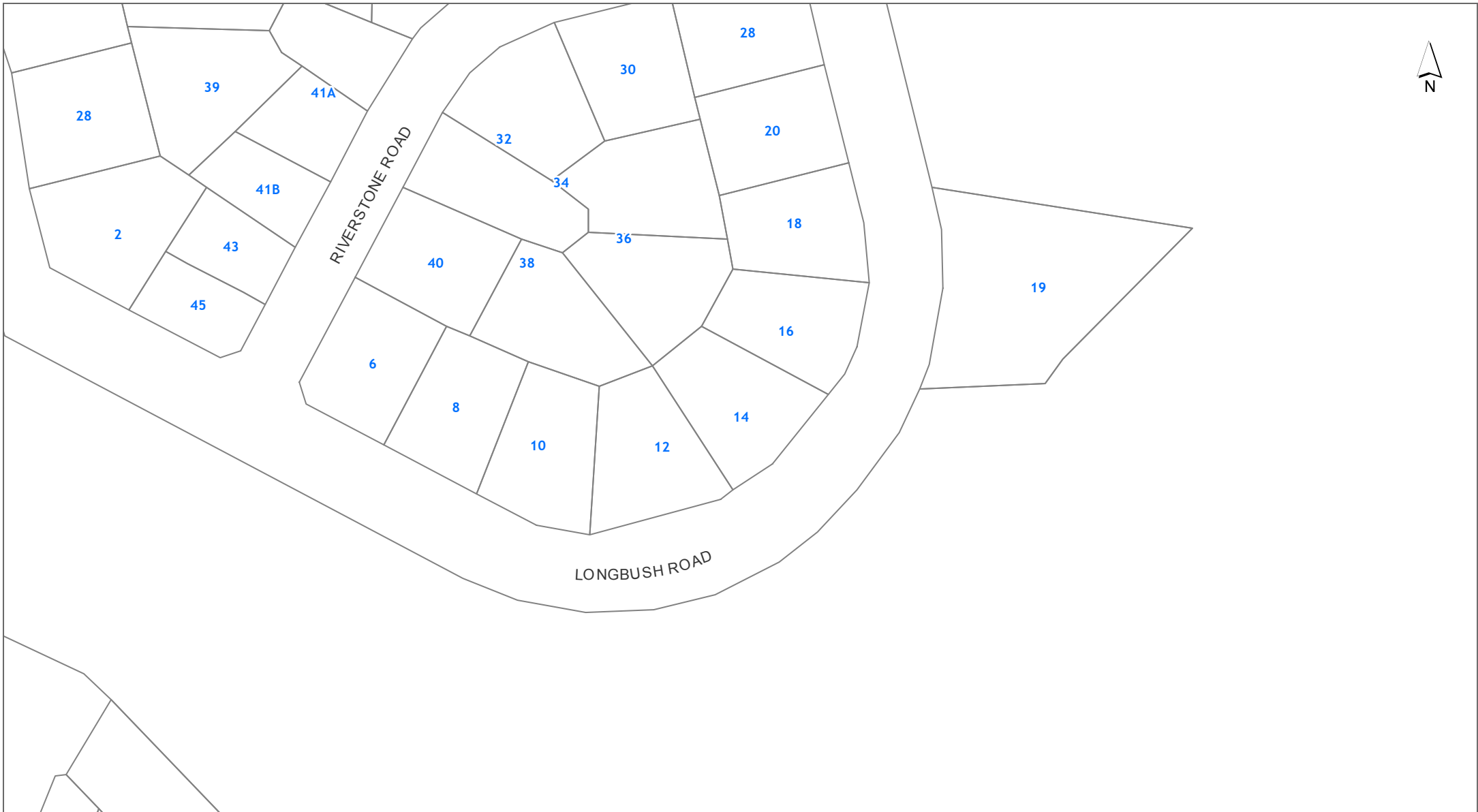
Natural Hazards - Sea Spray
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198



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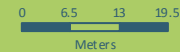
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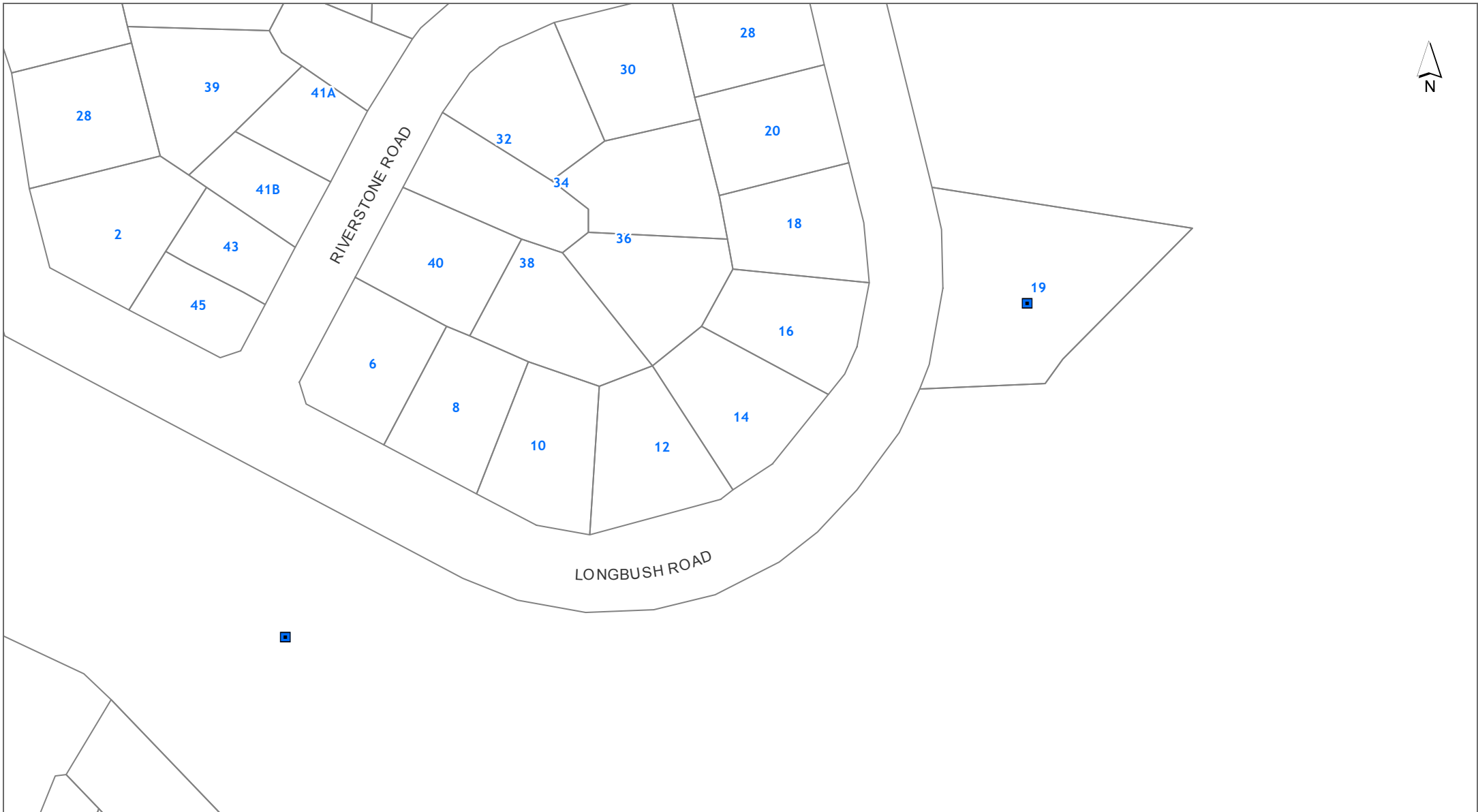
Natural Hazards - Volcanic Cones
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198



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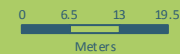
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Other
14 Longbush Road Te Atatu Peninsula
LOT 76 DP 203198



Scale @ A4
= 1:1,000

Date Printed:
4/02/2020


















Hazards

Soil Warning Area

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAIL) (Franklin District only)
-  Inundation (Franklin District only)
-  Rainfall Event (Franklin District only)
-  Slippage (Franklin District only)
-  Subsidence (Franklin District only)
-  Slippage / Subsidence / Erosion etc (Auckland City and Papakura District only)
-  Uncertified Fill (Auckland City and Papakura District only)
-  Organic Soil (Auckland City and Papakura District only)
-  Filled / Weak Ground (Auckland City and Papakura District only)
-  Refuse Tips Site / Weak Area (Auckland City and Papakura District only)
-  Unstable / Suspected Ground (Auckland City and Papakura District only)
-  Allochthon Waitemata (Rodney District only)
-  Motatau Complex (Rodney District only)
-  Puriri Mudstone (Rodney District only)
-  Mahurangi Limestone (Rodney District only)
-  Mangakahia Complex (Rodney District only)
-  Hukerenui Mudstone (Rodney District only)
-  Whangai Formation (Rodney District only)
-  Tangihua Complex (Rodney District only)
-  within 150m of Northland Allochthon (Rodney District only)




Hazards

Soil Warning Area continued




-  Soil D (Rodney District only)
-  within 150m of Soil D (Rodney District only)
-  Soil C (Rodney District only)
-  within 150m of Soil C (Rodney District only)
-  Soil B (Rodney District only)
-  within 150m of Soil B (Rodney District only)
-  Soil A (Rodney District only)
-  Gas Main Pipeline
-  Petroleum Pipeline
-  Closed Landfill (Auckland Council owned)
-  Closed Landfill (Privately owned)
-  Air Discharge (Franklin District only)
-  No Soakage (Franklin District only)
-  Indicative Steel Mill Slurry Line 20m Buffer (Franklin District only)
-  Indicative Steel Mill Water Line 20m Buffer (Franklin District only)






Natural Hazards

Overland Flow Path

-  Catchment area 2000m² to 3999 m²
-  Catchment area 4000 m² to 3 Ha
-  Catchment area 3 Ha and above








Coastal Inundation

-  1% AEP
-  1% AEP plus 1m sea level rise
-  1% AEP plus 2m sea level rise

-  1% AEP Flood Plain
-  Flood Prone Areas
-  Flood Sensitive Areas
-  Sea Spray
-  Volcanic Cones

Other

Cultural Heritage Index

-  Archaeological Site
-  Hayward and Diamond
-  Historic Botanical Site
-  Historic Structure
-  Maori Heritage Area
-  Maritime Site
-  Reported Historic Site

The information Council holds in relation to Special Land Features differs based on the area a property is located in. Those areas where information is held on a Special Land Feature is denoted in the legend above.

Legend updated: 12/06/2018



REPORT FOR Discretionary ACTIVITY APPLICATION SECTION 94 AND 104 ASSESSMENT AND DETERMINATION IN ACCORDANCE WITH THE RESOURCE MANAGEMENT ACT 1991

1.0 SUMMARY OF PROPOSAL

Blanket dispensation from height in relation to boundary, yard, building coverage and private open space development controls as they apply to the Harbour View Estate

2.0 APPLICATION DETAILS

Planner:	Robert J S Graham
Site Address:	All the land known as the Harbour View Estate, being the land east of Te Atatu Rd and south of Harbour View Rd
Applicant:	Waitakere Properties Ltd
Date Received:	21/08/2001
Resource Consent No:	20011322
Building Consent No:	N/A
Ward:	Henderson
Legal Description:	Lot 1 DP 196202; Lot 111 DP 203198; Lots 1 & 2 DP 194398; Lots 4, 6, 7, 11, 15, 18 - 23 & 26 DP 181745; Lots 27 & 28 DP 203489; Lots 29, 40 & 41 DP 181432; Lot 60, 64, 65, 70, 71 & 77 DP 181963; Lots 80 DP 205242; Lot 81 DP 201979; Lot 82 DP 181963; Lot 105 - 111 DP 184567; Lot 1- 12, 14 - 16, 26 & 27 & 50-60 DP 195674; Lots 17 - 25, 28 - 39 DP 199337; Lot 40 - 49, 61 & 62, 64 - 86, 102 & 103 DP 203198; Lot 1 & 2 DP 206851, Lot 101 DP 199337
Address for Service:	C/- Sinclair Knight Merz, P O Box 9806, Newmarket, Auckland
Site Area:	53.4305 ha
Unit Site Area(s):	N/A
Transitional Plan: Zoning:	Industrial 2
Section:	Waitemata
Hazards:	See Hazards Register for details of minimum floor levels, foundations and other details
Proposed Plan: Human Environment:	Harbour View North Special Area & Living
Natural Area:	General
Landscape Elements:	N/A
Hazards:	See Hazards Register for details of minimum floor levels, foundations and other details
Roading Hierarchy:	District Arterial, Collector & Local
Further Information Required:	Yes

Date Requested: 30/08/2001

30/08/2001

Date Received: 10/09/2001

10/09/2001

Site Visit: No

No

Locality Diagram See below

See below



3.0 REASON FOR APPLICATION- RELEVANT DISTRICT PLAN RULES Extent Of Infringement And Type Of Activity Proposed

3.1 Transitional Plan

Industrial 2 Rule 8.2:3 (1)(b)(i) being the 10m front yard on Te Atatu Rd and the 6m front yard on all other roads within the subdivision, requires Discretionary Activity consent for a reduction of those yards to a minimum of 2m.

3.2 Proposed Plan

- Discretionary Activity under Living Rule 5.3 to apply a 3m and 45° height in relation to boundary control on all boundaries except for boundaries with a reserve or road where there shall be no height in relation to boundary control, instead of the Living Rule 5.1 height in relation to boundary control of 2.5m 35° southern boundary, 45° western and eastern boundaries and 55° northern boundaries.
- Limited Discretionary Activity under Living Rule 6.2 to apply a 2m front yard control instead of a 3m front yard.
- Discretionary Activity under Living Rule 7.2 to allow up to 50 % building coverage on lots up to 500 m² and Limited Discretionary Activity under Living Rule 9.2 to permit the location of the 6m circle and outdoor space on the southern side of the dwelling on lots 4, 18, 19 & 21 – 23 DP 181745, Lot 29 DP 181432, Lots 70 & 71 DP 181963, providing that this area is at least 3m south of the dwelling and directly visible from the major living area.
- Limited Discretionary Activity under Harbour View North Special Area Rule 6.3 for front yards and living court orientation and Discretionary Activity under Harbour View North

Special Area Rule 6.4 for height in relation to boundary and building coverage as specified above.

Overall the application is considered to be a Discretionary Activity.

4.0 SITE AND PROPOSAL

4.1 Site Description

The site is all that land known as the Harbour View Estate (formerly the ex Harbour Board and Footrot Flats land), which is located east of Te Atatu Road and south of Harbour View Rd (excluding the Harbour View south land and the land set aside for the development of the "Peoples park"). This land was subject to a notified resource consent in 1996, which approved the creation of a residential subdivision, designed to incorporate eco design principles.

The land has been developed in a staged manner subsequent to that initial subdivision consent and it now contains a variety of houses types and styles, from small pensioner units to medium density town house units to large stand alone executive type dwellings. The subdivision has been designed with a hierarchy of roads and a range of parks.

4.2 Background

Dispensation from the standard residential bulk and location controls was previously obtained in 1997. That approval was subsequently revised, with respect to the percentage of allowable building coverage on sites less than 500 m², by further applications approved on 11/3/1997, 2/12/1997 and 20/8/1998. However as those blanket dispensations have now lapsed the previous consent holder, Waitakere Properties Ltd, have reapplied.

4.3 Proposal

This proposal is for a blanket dispensation from the standard Living Environment height in relation to boundary, yard, building coverage and private open space development controls as they apply to the Harbour View Estate. This would permit the design and construction of new dwellings to the revised standards without the need for individual resource consent applications. It is proposed that the dispensation have an extended consent period of five years.

5.0 SECTION 94 ASSESSMENT

5.1 Statutory Context

As a discretionary activity, the application for resource consent should be publicly notified in accordance with section 93 of the Resource Management Act, unless it can be demonstrated that the requirements of section 94(2) of the Act can be satisfied. Section 94(2) provides that applications for resource consent need not be notified where:

*"(a) The consent authority is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor; and
(b) Written approval has been obtained from every person whom the consent authority is satisfied may be adversely affected by the granting of the resource consent unless the authority considers it is unreasonable in the circumstances to require the obtaining of every such approval."*

Recent case law has indicated that consent authorities should give careful consideration to the question of notification, and should publicly notify applications for resource consent unless it can be clearly demonstrated that the criteria of section 94(2) are met. A comprehensive assessment of any potential adverse effects is required. This conservative approach is underscored by the relatively wide definitions of "environment" and "effects" that are set out respectively in sections 2 and 3 of the Act. In determining whether or not an adverse effect on the environment of any activity will be minor, Council shall take no account of the effect of any activity on any person who has given their written consent to the activity under section 104(6).

In relation to other potentially affected parties, case law has established that the Council is only able to disregard adverse effects that would be 'de minimis' (Bayley CA 115/98). This concept can be taken to describe effects that are negligible or whose occurrence would be remote. In the case of the current application, this threshold has been adopted as the correct basis for assessing whether any person may be adversely affected by the granting of consent.

In terms of effects on the "environment" case law has established that the correct approach is that of the "permitted baseline" i.e. the environment (which includes both the subject site and the neighbouring environment) as it exists at the time the application is considered and what activities can take place there as of right, even if hypothetical, as compared with the effects of the proposed activity. Case law has established that any such hypothetical developments must be credible in terms of what could reasonably be expected to establish there.

When considering effects under Section 94(2) regard may be had to any condition which, if imposed under any decision to grant consent would eliminate or reduce the adverse effect to one which would be no more than minor for the purposes of subsection 2(a) or to a point where it would be de minimis or only a remote possibility for the purposes of subsection 2(b).

5.2 ADVERSE EFFECTS ASSESSMENT

5.2.1 Water Quality and Quantity

There would be de minimis adverse effects in relation to water quality/ quantity arising from the proposed activity as although the proposal would potentially allow larger buildings on the sites, with potentially larger roof areas to collect rain water, the subdivision has been designed with a comprehensive stormwater system, which incorporates stormwater treatment ponds which would deal with any stormwater issues. Furthermore the normal 60 % impermeable surface limit for reticulated sites within the General Natural area, would still apply as approvable has not been sought to depart from the impermeable surface controls. Hence although the size of the buildings may end up larger than what would otherwise be permitted the overall total amount of impermeable surfaces would not be affected by the proposal.

5.2.2 Native Vegetation, Vegetation and Fauna Habitat

There would be no adverse effects in relation to vegetation and fauna habitat as the land within the subdivision is located within an urban area which was previously extensively modified and there are no areas of native vegetation or fauna habitat that would be within the building areas. Note there are important low land terrace areas which form a significant coastal habitat area but those areas are separate from the land subject to this application.

5.2.3 Land / Soil

There would be de minimis adverse effects on soil/ existing landform as a result of the proposed blanket dispensation as the site is within the urban area and is already modified. Furthermore the blanket dispensation does not apply to the Proposed District Plan earthworks controls and hence any development must still satisfy those controls.

5.2.4 Air

As the site is within the urban area and the proposed activity does not include air emissions of any kind, there would be no adverse effects on air quality.

5.2.5 Ecosystem Stability

As the site is within the urban area and the existing environment is already modified there would be de minimis adverse effects on the stability of ecosystems as a result of the proposal. See also comments in 5.2.1 and 5.2.2 above.

5.2.6 Outstanding Natural Features; Landforms, Geological Sites,

The subject site is not identified in the Proposed District Plan as being within an area identified as containing "outstanding natural features" within the City (refer Maps 3.5D & E).

5.2.7 Natural Character of Coast and Margins of Lakes, Rivers and Wetlands

There would be no adverse effects in relation to the natural character of the coast and wetlands arising from this proposal as it only relates to development within the established subdivision areas, which are located away from the wetlands/coastal edge area. Furthermore the subdivision has been designed with a comprehensive stormwater system, which includes several large stormwater ponds, which have been designed to treat stormwater runoff, and this system would ensure that there would only be negligible adverse effects upon the nearby coast or wetland.

5.2.8 Outstanding Landscapes

The subject site is not identified in the Proposed District Plan as being within an area identified as "outstanding landscape" within the City (refer Map 3.6B).

5.2.9 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character

This blanket dispensation would permit the construction of buildings closer to the road, slightly taller in terms of the height in relation to boundary controls, larger in building cover and in some cases with southern orientated living courts. Harbour View is a staged developed that has been designed with a total high amenity medium density-housing concept in mind. The overall concept is that of a medium density form of housing complex on individual lots but built by a mixture of individuals and developers. Within Harbour View there is a wide diversity in the form, scale and architecture of the housing. All structures have to meet the amenity and design requirements of Harbour View Estate and Waitakere Properties Ltd, see the copy included with the application documents. The design guidelines are imposed and required via covenants registered on each title to control that the location of buildings on a site and ensure the quality of the buildings and environment are not compromised and the general eco design principles of the development are met. Overall the restrictions and design principles imposed on each development mitigate for any potential adverse effects of increasing the bulk of the structures on the lots that could be achieved by altering the development controls. It is noted that as part of the development a significant public reserve of approximately 45ha has been provided. Taking the total area of the site in to account means that the overall building coverage for the development is significantly lower than for other developments in the surrounding environment and below that expected in the District Plan. The provision of the reserve has to be considered a reasonable mitigation for the increased building coverage and bulk on the residential lots. In addition the properties are located in close proximity to a local reserve that provide for both visual amenity and recreational functions. The large amount of street planting in the wide berms and narrow carriageways provides significant addition visual amenity to the development and surrounding environment.

With regards to the living court this is purely a matter of internal site amenity and would not have any impact upon surrounding properties or the neighbourhood. There are only 7 properties where outdoor living court areas would be permitted on the southern side of the building. In these cases the courts will be located to provide maximum access to light and to have direct access to the main living area of the dwelling. These few cases have resulted from providing the living courts and main living areas for privacy reasons at the rear of the properties, which is the standard location for living courts in the development.

Turning to the matter of the height in relation to boundary dispensation, this seeks to apply a control of 3m and 45° as opposed to the standard control of 2.5 m and 35° on a southern boundary, 45° western/eastern or 55° northern boundary. As with the Proposed District Plan it is proposed that there be no controls on boundaries with roads and/or reserves. This proposal means that buildings could be up to 0.5 m higher at the boundary. This is expected to have insignificant adverse effects as has been proven

with the development that has already occurred. It should be recognised that the proposed limitation for the northern boundary will be more restrictive than the development rule under the Proposed District Plan. Any potential shading effects would be internalised to the development. The design principles applied to the estate require that developments positively address the areas to their front and rear but not the sides and thus the degree of control exercised on boundaries between buildings are not considered to be necessary. Furthermore it is considered that the development to-date has only created insignificant negative impacts from shading or dominance.

The front yards permitted by the previous consents and proposed under this proposal provide for 2m as opposed to the Proposed District Plan requirement of 3m. This is an insignificant reduction and would still leave an adequate transition area between public space and private space. As is the case with the height in relation to boundary controls, development has already occurred within the estate to this front yard standard and it now forms part of the neighbourhood character. Although it is noted that the majority of the dwellings are at least 5.0m to 6.0m from the road boundary. The design controls applying within the estate require that garages be set back from the road by at least 5.0m so that they do not protrude into the public space or dominate the design of the dwelling. This serves to further promote passive surveillance. The additional space in front of the garages is usually used for additional car parking and landscape planting.

Lastly with regards to the matter of building coverage, it is considered that the design of the subdivision has been done in a manner to allow a more intensive use of the land. The greater density of development within the subdivision is offset by greater amounts of public open space. Thus when considering development on individual lots a greater amount of building coverage per site would be acceptable as the reduced amount of outdoor space would be largely offset by the increased access to public open space.

Overall it is considered that the Harbour View development would have insignificant impact on the environment. In fact as has been established with the completed stages and dwellings that the visual amenity of the environment has been enhanced by the development.

5.2.10 Heritage

There will be no adverse effects in respect of heritage items as the only heritage site (being the World War 2 era gun emplacements) within the Harbour View subdivision is protected within a reserve and the proposed blanket dispensation would not apply to it.

5.2.11 Conclusion in relation to Section 94(2)(a):

Overall the adverse effect on the environment for which consent is sought would be de minimis for the reasons stated above.

5.3 Section 94(2) (b) - Adversely Affected Persons

It is considered that there are no adversely affected parties by this proposal for the following reasons:

- The effects of the proposal are internal to the development. Properties opposite the development are not affected by the application as development is screened from these properties by landscape planting in some locations and existing dwellings.
- The majority of the development has already been completed under the proposed amended controls. Given that these controls have been the accepted standard within the estate and had a positive effect on the surrounding environment.
- It is considered that should the blanket dispensation not be reinstated people who have bought land with the expectation of being able to build to the amended bulk and location controls would find themselves potentially disadvantaged by not being able to design to those standards.
- All owners of the properties within Harbour View have agreed to restrictive covenants on their titles that provide for the level of development requested as part of this application.

5.4 Special Circumstances

In accordance with section 94(5) of the RMA it is considered that there are no special circumstances that warrant notification of the proposal.

6.0 SECTION 94 RECOMMENDATION

Pursuant to Section 94 of the Resource Management Act 1991, it is recommended that this application be processed without being publicly notified for the following reasons:

- The adverse effect on the environment of the activity for which consent is sought will be de minimis as noted above in Section 5.2. The proposal is to reinstate the blanket dispensations for the bulk and location development controls within the Harbour View Estate, for which development has followed to date and which has therefore become the accepted standard within the estate and thus it is considered that the continuation of these standards would not therefore have any further adverse effect.
- There are no persons considered to be adversely affected by the granting of this resource consent because people living within the subject estate have previously been subject to these development controls and the controls have become accepted as the standard for the estate and hence their reinstatement would have no more effect upon the residents within the estate. The estate is separated from other residential land by the main Te Atatu Road and Harbour view Rd and thus this proposal would not impact upon any other landowners other than the residents of the estate.
- There are no special circumstances to warrant notification of this application.

Reporting Planner: 
(Robert J S Graham)

Date: 4/10/01

7.0 SECTION 94 DETERMINATION

Acting under delegated authority and for the reasons set out in the above assessment this application for resource consent shall be non-notified as recommended.



Date: 2/10/01

Graeme McCarrison
Manager, Resource Consents

ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTIONS 104 AND 105 OF THE RESOURCE MANAGEMENT ACT 1991

8.0 STATUTORY ASSESSMENT

8.1 As noted, the proposal requires consideration as a discretionary activity under the provisions of the Resource Management Act 1991. In considering the application, the consent authority shall have regard to the matters specified in Section 104. The relevant matters include a consideration of actual and potential effects on the environment, together with an assessment of the extent to which the proposal is consistent with the objectives, policies and rules of the Transitional and Proposed District Plans.

9.0 ENVIRONMENTAL ASSESSMENT

In order to make a decision in terms of Section 105 of the Act it is necessary to undertake an analysis and assessment to determine whether the purpose and principles of the Act are being met (Part II) having regard to the matters set out in Section 104, the Fourth Schedule and any other statutory considerations.

Section 104(1) of the Act requires that the consent authority have regard to any actual or potential effects on the environment, any relevant objectives, policies, rules or other provisions of a plan or proposed plan and any relevant regional policy statement and regional plan or proposed plan, and any other matters the consent authority considers relevant and reasonably necessary to determine the application.

9.1 Transitional Plan Weighting

The Act requires consideration of both the Transitional and Proposed District Plans prior to the Proposed Plan becoming operative. As determined by case law the regard to be given to the different plans can be weighed up in relation to what stage in the process of becoming operative a proposed plan is. In this case the Proposed Plan is in the final stages of becoming operative with only some outstanding references.

Any provisions of the Proposed Plan, which have been prepared under the auspices of the Resource Management Act, relevant to this proposal, have been resolved via the District Plan appeal and submission process. There are no outstanding references affecting this specific site, its zoning, related development controls or type of activity.

As such the weight to be applied to the Proposed Plan should be substantially greater than that applied to the provisions of the Transitional Plan.

9.2 SECTION 104 ASSESSMENT

9.2.1 Actual and Potential Effects on the Environment

The Proposed Plan has been prepared with a clear "effects-based" emphasis. As a result, any consideration of effects arising from a proposal would be covered in the matters set out under the relevant assessment criteria of the Plan.

The assessment of effects outlined Section 5.2 of the accompanying Section 94 Assessment and Determination Report concluded that the potential adverse effect on the environment from the activity for which consent is sought, would be de minimus, particularly with regard to amenity issues.

The Harbour View subdivision differs from other more conventional subdivisions, in that it has been comprehensively designed to give effect to councils Eco-city principles. In particular the development has set out to achieve the following principles: -

- (a) A high degree of security and safety for residents, pedestrians, cyclists, residents and children at play by ensuring that streets, public reserves, communal spaces and parking areas are fronted by dwellings with the living areas so arranged that the inhabitants are in visual contact with the public realm. Also by ensuring that front doors are visible from the

street where possible, so that would-be intruders are exposed to residents in the public realm.

- (b) A high degree of aural and visual privacy for residents when engaged in indoor and private outdoor activities. This is best achieved by providing a setback from the street and surrounding development and by locating garages and driveways away from bedroom windows.
- (c) A high degree of amenity protection in respect of visual quality, sunlight, daylight, outlook and landscaping. This is best achieved by locating dwellings so that terraces/balconies are able to receive good solar orientation wherever possible; the implementation of landscaping, particularly with respect to the streetscape; well designed articulated facades which contribute to a visually rich streetscape and avoiding parking adjacent to the street.
- (d) A high degree of social interaction in the public realm. This is best achieved by the provision of attractive and functional public and communal open spaces, where residents can interact socially; ensuring front doors are visible from the street so that opportunities for chance meetings are enhanced.
- (e) A high degree of convenience for residents. This is best achieved by sufficient provision for serving activities (refuse removal, furniture removals, fire, ambulance, milk delivery etc.) without disruption to residents and that attractive and safe pedestrian links across the development.

All purchasers of land within the estate are supplied building guidelines, which include details of the blanket dispensations, which they are required to design their houses to. In addition all building plans are then vetted by consultants acting for Waitakere Properties to ensure that the building proposals satisfy the guidelines. Thus people purchasing land within the estate were doing so with the knowledge and expectation that they could build to the relaxed standards permitted by the blanket dispensation. These controls have therefore become the norm within the subdivision and their renewed application would not therefore have any further effect upon the environment or amenities of the neighbourhood.

The previous dispensations from the standard residential design controls were intended to ensure that building development occurred in a manner, which would give effect to these principles and further that given the nature of the subdivision design that the relaxation of the bulk and location controls would not result in any negative environmental effects. Specific comment on the individual aspects of the blanket dispensation follows.

With regard to the dispensation from the height in relation to boundary control & front yard controls it should be noted that a key urban design aspect of this development is to locate houses as close to street or reserve boundaries as possible so that the houses entry points are visible from the street or reserve, and the street or reserves are also subject to informal surveillance from the houses. This increased visibility and surveillance greatly increase the safety of both these public and private areas. Another aspect of this subdivision is that it has design guidelines, which generally require that housing in the same grouping, are kept to the front of their sites. Hence houses will positively address the areas to their front and back but not the sides. Thus the degree of control of the height to boundary relationships required is significantly less. As mentioned within paragraph 5.2.9 it has been established that the reduction of the height in relation to boundary rules still allows for reasonable access to light for adjoining properties and living courts. Privacy for living courts will be ensured by the positioning of these areas at the rear of the sites and screened via planting and fencing.

Although the design guidelines for the subdivision advocates building close to the front boundary for purposes of increased security it does not extend to zero lot lines. Rather a 2m space is sought to permit small front yards and a transition area between public and private space. This would not detract from the streetscape, as all the buildings in the street would be built to the same standard. This does not however extend to the garage location which the guidelines require be set back more from the boundary than the dwellings in order that the garages do not dominate the front of the sites. Hence although it is considered that a 2m front yard would be appropriate for dwellings, garages should be kept 5m back from the front boundary.

The whole of the Harbour View estate has been comprehensively designed to allow a more intensive usage, which would be offset by a greater provision of open space. Thus on individual lots a greater amount of building coverage would be appropriate as the lesser amount of outdoor space on each lot would be off-set by increased access to public open space. It is

considered that up to 50 % site coverage would be appropriate on sites less than 500 m² while on the larger sites with areas greater than 500 m² the normal 35 % building cover limit would suffice. Within the development these easy access to significant reserve land approximately 45ha. This large area of open space provides visual amenity and recreation land for the development and compensated for the increased building coverage that can be achieved on each lot.

With respect to the outdoor space development controls, the layout of the subdivision has been specifically designed to maximise solar gain. This combined with the other design aspects of the subdivision means that in some instances the outdoor space would end up on the southern side of the buildings. It would be necessary in these instances that the overall outdoor space be large enough such that the 6m circle can be positioned at least 3m south of the dwelling and directly visible from a major living room. Therefore the main usable part of the outdoor space would not be in the shadow of the dwelling.

9.2.2 Other Matters (Section 104(1(i))

The Harbour View estate has specific design controls that all building developments are required to conform to that are protected under private restrictive covenants on the properties titles. Building proposals are vetted by consultants acting on behalf of Waitakere Properties to ensure that the goals and design principles behind the subdivision are given effect to. This blanket dispensation would both enhance and complement those design guidelines.

10.0 POLICIES AND OBJECTIVES

It is considered that the proposed development would be consistent with the objectives and policies of the Proposed Plan. The Proposed Plan is "effects-based" in its approach to natural and physical resources and it has been demonstrated in the previous environmental assessment of effects that *subject to conditions any adverse effects arising from the proposal would be insignificant or no more than minor.*

The relevant objectives and policies in relation to this proposal are:

Height/boundary: 1.15, 10.5, 10.6, and 11.3

Front Yards: 1.15, 10.5, 10.6, and 11.3

Building Coverage: 10.4, 10.5, 10.6, 10.17, 11.3, and 11.8

Outdoor Space: 10.4 and 11.3

11.0 PART II OF THE ACT- PURPOSE AND PRINCIPLES

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposal is consistent with sustainable resource management. In particular this proposal is concerned with the sustainable management of the built environment in such a way as to promote the adoption of a high degree of urban design principles to produce a sustainable and desirable living environment.

The proposal is not considered to adversely affect any matters of national importance.

The potential effects of the proposal on the amenity and character of the area have been discussed in detail in the effects assessment contained in Section 8 of this report. It is considered that the proposed development would be compatible with the surrounding built and natural environment and the existing amenity of the area would not be reduced.

12.0 MONITORING

The proposal will need to be monitored in accordance with the conditions specified in this report, and the requirements contained in the District Plan.

13.0 RECOMMENDED DECISION


Pursuant to Sections 104, 105 and 108 of the Resource Management Act 1991, being satisfied that no body or person is adversely affected, it is recommended that **consent be granted** to the application by Waitakere Properties Ltd Blanket dispensation from height in relation to boundary, yard, building coverage and private open space development controls as that is all the land east of Te Atatu Rd and south of Harbour View Rd being Lot 1 DP 196202; Lot 111 DP 203198; Lots 1 & 2 DP 194398; Lots 4, 6, 7, 11, 15, 18 - 23 & 26 DP 181745; Lots 27 & 28 DP 203489; Lots 29, 40 & 41 DP 181432; Lot 60, 64, 65, 70, 71 & 77 DP 181963; Lots 80 DP 205242; Lot 81 DP 201979; Lot 82 DP 181963; Lot 105 - 111 DP 184567; Lot 1 - 12, 14 - 16, 26 & 27 & 50-60 DP 195674; Lots 17 - 25, 28 - 39 DP 199337; Lot 40 - 49, 61 & 62, 64 - 86, 102 & 103 DP 203198; Lot 1 & 2 DP 206851, Lot 101 DP 199337 for the following reasons:

- (i) The development has been specifically designed to satisfy urban design and eco city principles, such as security and solar gain and these dispensations from the standard bulk and location controls are necessary to permit the actual buildings to be similarly built in a manner, which also satisfies these goals and principles.
- (ii) The application of these dispensations would not have a significant effect within this subdivision, as all the lots would be able to apply them and be built to the same standard.
- (iii) The proposal would provide for the sustainable management of the built environment in such a way as to promote the adoption of a high degree of urban design principles to produce a sustainable and desirable living environment.
- (iv) The proposal insignificant effects on the surrounding environment and within the Harbour View estate, which is otherwise separated from surrounding residential land by intervening main roads. The nature of the proposal is such that it is considered that the proposal would not result in any negative effects for the wider community. The development has resulted in enhanced visual amenity of the surrounding environment via the provision of the landscape planting in the streets, the recreational reserves and the high quality of the design and architecture of the structures.
- (v) Given that the proposal only seeks to reinstate development controls which have previously applied within the Harbour View Estate and which have become accepted as the standard for development within the estate, it is considered that there would be no persons that would be adversely affected by the granting of approval.

Conditions imposed on the consent are as follows:

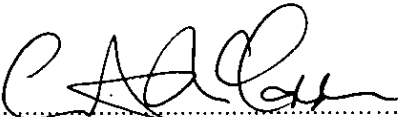
1. The development shall proceed in accordance with the application titled Waitakere Properties Ltd - Harbourview Estate Resource Consent Application, Blanket Dispensation prepared by Sinclair Knight Merz and dated received 10 September 2001 and all referenced by Council as RMA 20011322 and the information submitted with the application. Pursuant to Section 125(1) of the Resource Management Act 1991, this consent shall lapse on the expiry of a period of five years after the date of commencement of the consent.
2. That all buildings shall be designed to comply with a 3.0m and 45^o height in relation to boundary control. This height in relation to boundary control is not applied to properties adjoining a road or reserve boundary.
3. Garages on lots 6 & 7 DP 181745 and Lots 64 & 65 DP 181963 shall be set back at least 5m from the legal street boundary. They may have their southern side walls built up to the boundary but the length of the southern side wall shall not exceed 6m or extend beyond 12 m from the street boundary.
4. That the front yard setback maybe reduced to 2.0m except for garages restricted by condition 3.
5. That sites with an area less than 500 m² may have building coverage of no more than 50%.

6. On lots 4, 18, 19, 21 – 23 DP 181745, Lot 29 DP 181432 and Lots 70 & 71 DP 181963, the outdoor space may have the 6m circle situated to the south and away from the dwelling provided that this area is at least 3m south of the dwelling and directly visible from a major living room.
7. A consent compliance monitoring fee of \$600.00 (inclusive of G.S.T.) shall be paid to the Council. This fee is to recover the actual and reasonable costs incurred ensuring compliance with the conditions of this consent. If, on inspection all conditions have not been satisfactorily met, a reinspection shall be required at a further cost of \$75.00 per hour (inclusive of G.S.T). The \$600.00 fee shall be paid as part of the resource consent and the resource consent holder shall be advised of any further monitoring fees if they are required.

Reporting Planner: 
(Robert J S Graham)

Date: 1/10/01

14.0 CONSENT GRANTED AS RECOMMENDED


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Graeme McCarrison
Manager, Resource Consents

Date: 2/10/01

Please contact Robert J S Graham (Ph 836 8000 ext. 8619) if you have any queries about this resource consent and associated report.