KEY:

Purple text – Burnette O'Connor – Applicant 15 February 2026

DEV X Mangawhai East Development Area

DEV X Description

The Mangawhai East Development Area (the "Development Area") provides a unique opportunity to harness the opportunities for high quality residential and commercial development connected to Mangawhai village by way of existing and proposed new walking and cycling connections.

The location provides the opportunity for access to the eastern side of the Estuary whilst protecting and enhancing ecological values associated with existing harbour and land-based habitat values.

There are established activities such as a brewery and garden centre, amongst rural residential development, that provide a strong basis for urban development resulting in an efficient use of the land resource, to provide for required urban growth now and into the future.

A range of residential and commercial typologies suited to the rural and coastal location will be provided in response to topography, landscape, coastal hazards, and ecological values.

The area is intended to deliver a quality urban outcome that will positively respond to the urban / rural edge, ecological values, the harbour setting and the role of the location as the southern entrance to the Kaipara District.

The Mangawhai East Structure Plan (see Appendix 1) has been prepared to illustrate intended spatial outcomes and to reflect the comprehensive design statement analysis for the Mangawhai East Development Area. This informs the spatial pattern of land use and subdivision within the Development Area.

Residential Large Lot Zone:

The Large Lot zone is located to respond to topography and the rural edge to the south of the Development Area. Larger sites in this location will ensure an appropriate development response with residential units set back from the rural edge with landscape treatments to create a transition between the urban and rural environments. The Development Standards will ensure a spacious landscape quality is maintained.

Residential Low Density Zone:

This zone applies to most of the Development Area land and will deliver a residential outcome that is efficient but suitably spacious to respond to the location of the land in proximity to the rural edge and within the coastal environment.

Sites will be designed to ensure that onsite services such as water supply, onsite parking and manoeuvring can be provided in a manner that ensures high residential quality. Each site will provide appropriate private outdoor open space, solar access to residential units and sufficient outlook space between units to maintain privacy.

Residential Medium Density Zone:

The zone is applied to the lower parts of the Development Area in proximity to the Business - Neighbourhood Centre and Business - Mixed Use zoned land. The zone enables a higher density of residential development and a choice of typologies and living options through freehold subdivision or comprehensively designed residential development.

The higher density is appropriate within walking distance to the amenities to be provided within the business zones.

The area proposes a Neighbourhood Centre and Mixed Use business land to enable a range of commercial and service activities to support the new residential community, and recreational land uses in the wider area.

Business Neighbourhood Centre Zone:

The Neighbourhood Centre will provide a focal point for the ~~Development Area~~ community. ~~and provides the opportunity to deliver services for the local community and the wider area where tourism and recreational activities are established~~
Built form is intended to comprise a series of smaller scale buildings arranged around shared open spaces, greens and pedestrian oriented areas.

The spatial structure departs from the conventional street-based centres and instead places emphasis on landscape integration, informal gathering places and walkability.

Built form will reflect rural vernacular characteristics such as pitched roofs, varied footprints, verandahs and natural materials. Public space will act as the primary organizing element with buildings contributing to a fine grained and visually rich environment.

Business – Mixed Use Zone:
The purpose of this zone is to provide flexibility for a range of appropriate land use outcomes in proximity to the Business – Neighbourhood Centre and transitioning between the residential and business zones.

The zone is applied to land adjacent to Black Swamp Road and the estuarine environment, and an existing brewery accessed off Windsor Way, where it provides the opportunity to deliver a fine-grained, walkable, and landscape-integrated mixed-use fabric. Development in this zone is expected to support the Neighbourhood Centre by enabling small-scale commercial, community, and residential activities, including live-work units, studios, and artisan enterprises, within buildings that reflect the rural-coastal character of Mangawhai.

The spatial structure of the zone will be underpinned by a network of publicly accessible walking and cycle routes and open spaces that reinforce pedestrian connectivity and public realm quality. Where the zone adjoins riparian areas, development is expected to contribute to ecological enhancement and the protection of natural values through appropriate planting within the identified area, building setbacks, and access management.

The zone is applied to land adjacent to Black Swamp Road and the estuarine environment that provides opportunity to open up connected public walkways and deliver ecological enhancement and protection of riparian areas.

Rural Lifestyle Zone:

The Rural Lifestyle zone is applied to land ~~at~~ near the coastal and rural edge where there is existing rural lifestyle development, protected ecological features, and where the land is subject to coastal hazard.

The zone will enable an appropriate level of lifestyle development subject to demonstrating the avoidance of coastal hazards.

Rural Zone

Rural zone is applied to land underlying the identified Significant Natural Area and the area of Saltmarsh covenant, in the northwestern part of the Development Area. This zoning reflects the need for protection of the biodiversity values of this land, and provides for minimal additional development.

Commented [BO1]: Wording for Panel if they agree with Business - MU

Commented [BO2]: Panel determination if go with DoC to zone the covenant area for the salt marsh to Rural instead of Rural Lifestyle. If zone to Rural cross references to the Rural zone provisions of the ODP will be required

Commented [JM3R2]: The cross references would consist of notes at the start of the Mangawhai East Land Use Rules section (p8) and the subdivision rules section (p46)

Commented [JM4]: Wording for Panel if they agree with retention of Rural Zone for these areas

Coastal Hazard Overlay:

A Coastal Hazard Overlay is applied to land identified as being potentially subject to coastal inundation now or in the future.

Development of land within the overlay will need to demonstrate that building sites and access can be provided in a manner that avoids coastal hazard risk and does not adversely affect the amenity values of adjacent land.

There are other defined areas of land adjacent to the tributaries that are shown on the Northland Regional Council hazard maps to be potentially subject to coastal hazards. These areas are not included in the overlay because the extent of hazard means small scale and standard engineering design outcomes can be employed to ensure coastal hazards are avoided.

DEV X Objectives

DEV X-O1	Quality Urban Environment
Provide quality urban outcomes with: • a connected urban form; • a choice of living environments and housing types; • supporting business activities; • connectivity to the existing urban area and harbour, and • supply of urban land to ensure competitive markets for housing and business land at Mangawhai.	
DEV X-O2	Transportation, Connectivity and Access
1. Provide walking and cycling connections to Mangawhai Village **via Insley Street as a critical transport link**. 2. **Provide** defined walking connections around the coastal edge and new walking and cycling connections through the development and alongside new reserve and riparian areas as shown on the Structure Plan. 3. Deliver intersection and road upgrades to secure safe, functional transport networks.	
DEV X-O3	Community
1. Provide opportunity for community activities and facilities in the Business Mixed Use and Neighbourhood Centre zones to support the local community and harness locational opportunities associated with the coastal / estuarine and existing environment. 2. Deliver small human-scale flexible use buildings integrated with shared greens, informal gathering spaces, and flexible indoor-outdoor venues within the Business Neighbourhood Centre zone. 3. Design and deliver buildings that achieve the outcomes sought in the policy and as indicated in the Mangawhai East Design Guide.	
DEV X-O4	Indigenous Biodiversity and Ecological Values
1. Protect and enhance the ecological and habitat values of the Development Area including ~~adjacent~~ land **adjacent to** estuarine environments **and** the coastal marine area. 2. **Provide esplanade reserves ~~or other~~ and require setbacks to protect riparian margins and associated ecological values. ~~facilitate public access connections.~~**	
DEV X-O5	Freshwater ~~Management~~ Resources

Commented [BO5]: Matter for Panel determination

Commented [BO6]: Matter for Panel determination for Design Guide to be in or out.

Ensure freshwater resources in the Development Area are protected and enhanced.	
DEV X-O6	Coastal and Erosion Hazards Management
Ensure land is developed to avoid increased risk from coastal inundation hazards.	
DEV X-O7	Landscape Character and Amenity
Deliver urban development with necessary controls to ensure development appropriately responds to the urban / rural interface and the coastal environment, **through the use of softened edges, low-rise built form, use of natural building materials and low reflectivity colours, greater setbacks and layered landscaping**.	
DEV X-O8	Commercial and Non-Residential Land Uses
Provide opportunity for a range of supporting commercial and non-residential land uses to support the local community and location-based activities beyond the Development Area, to ensure positive economic and environmental outcomes **while reinforcing the Neighbourhood Centre and Business Mixed Use zones role as a walkable, cyclable, community-focused hub of small-scale, locally oriented activity set within a high-quality landscape.**	
DEV X-O9	Stormwater Management
Manage stormwater from development to ensure positive ecological and freshwater outcomes and that adverse effects associated with natural hazards are avoided.	
DEV X- O10	Infrastructure Servicing
Ensure all development, other than in the Rural Lifestyle zone and the Residential Large Lot zone, is connected to a reticulated wastewater network, stormwater management network and can provide sufficient water supply for potable and fire-fighting water use.	
DEV X- O11	**Heritage Values**
Protect midden R08/256 shown on the Mangawhai East Structure Plan, to the greatest extent practicable.	

Commented [BO7]: If the Panel determines there is sufficient capacity in the wastewater network, or that the Plan Change is approved, then wording similar to Estuary Estates should be included.

DEV X Policies

DEV X-P1	Quality Urban Environment
1. Deliver a walking and cycling connection between the Development Area and ~~back to~~ Mangawhai Village **via Insley Street** before more than 50 dwellings are **occupied or have Code of Compliance Certificates issued** ~~ready for occupation~~ in the Development Area. 2. Create connected walking and cycling networks within the Development Area as shown on the Development Area Structure Plan, **with emphasis on pedestrian-oriented public spaces, central greens, and access to community and commercial focal points**. 3. Secure and deliver landscape edge enhancement along Raymond Bull Road and Rural Edge enhancement along the southern boundary as shown on the Development Area Structure Plan **using layered planting, fencing, and setbacks to establish a softened and contextually appropriate transition to adjacent rural character.**	
DEV X-P2	Land Development and Built Form

1. Structures and built form are designed to respond to topography of the land and position of the land within the coastal environment.
2. Structures and built form in the Neighbourhood Centre zone and Business Mixed Use zone are designed and constructed to achieve the outcomes indicated in the Mangawhai East Design Guide that seek to reflect the coastal beach settlement character of Mangawhai and the location of the Development Area to the rural hinterland, **through the use of pitched roofs, natural materials, articulated massing, and building forms that reference a rural vernacular.**
3. Earthworks are designed to ensure minimal need for retaining; or to facilitate lower stepped retaining and associated landscaping.
4. Earthworks activities will be undertaken in accordance with the erosion and sediment control standards as set out in Auckland Council Guidance Document – GD05.

DEV X-P3	Transportation and Connectivity

1. Upgrade Black Swamp Road to an Urban Collector standard in conjunction with urban development.
2. **Avoid more than 50 dwellings being occupied or having Code Compliance Certificates issued prior to walking and cycling connections to Mangawhai Village via Insley Street being provided.**
3. Upgrade the intersection of Black Swamp Road and Insley Street with a ~~**roundabout**~~ right turn bay before more than 50 dwellings are **occupied or have Code of Compliance Certificates issued** ~~ready for occupation in the Development Area.~~
4. Deliver a connected, high quality road network within the Development Area generally as indicated on the Structure Plan, **with a clear street hierarchy, low-speed environments, and integration of landscape elements and pedestrian and cycle-priority streets near key public spaces.**
5. ~~Ensure~~ **L**ocal roads and access lots within the Development Area shall be connected **and designed to deliver a legible street network**, minimising the creation of cul de sacs and rear lots. **The network should support walkable block sizes, with clear and direct access to central public greens, community facilities, and key commercial and mixed-use areas, while reinforcing a spatial structure that prioritizes human scale, permeability, and place function.**

DEV X-P4	Biodiversity and Ecological Values

1. Secure ecological and habitat protection and enhancement by:
   a. Requiring a minimum 10-metre depth native planting along the western coastal edge on the existing esplanade reserve in all locations to the extent practicable recognizing existing agreements for access to, and management of the coastal edge.
   b. Form a defined metaled walking ~~/ cycling~~ track between the planted buffer and the landward boundary of the esplanade reserve.
   c. Provide council approved signage at either end of the existing western edge esplanade reserve and any other esplanade or riparian reserve land advising that dogs are on leash only.
   d. Provide a council approved sign at the northern end of the western esplanade reserve advising of the tidal limitations of access further around the coast to the Sandspit.
   e. Impose covenants and / or restrictive consent notices, **at the time of subdivision** on all land within the Development Area banning the keeping of cats, ~~dogs~~, **and mustelids and requiring dogs to be contained on properties and to be on a leash in public places.** ~~**or dogs** other than for existing landowners with existing cats **or dogs**~~.
   f. Require and deliver riparian planting and **associated weed and pest control,** around existing wetland and freshwater resources in conjunction with the delivery of any public access walking and cycle trail or path requirements. **Note**: **Walking and cycle path connections shall be designed to avoid infringing into wetland and freshwater resources and riparian margins to the greatest extent practicable and any necessary consents under the NES Freshwater shall be obtained.**
2. Ensure direct access to Mangawhai harbour is restricted to ensure adverse effects on avifauna are avoided to the greatest extent practicable.

DEV X-P5	Landscape Character and Amenity

Commented [BO8]: Roundabout vs right hand turn bay - for Panel determination

Commented [BO9]: For panel determination

Commented [JC10]: Final wording will reflect the Panel's merit-based finding on this matter

Commented [BO11]: For Panel determination

1. Ensure appropriate yard setbacks to respond to the rural edge. ~~areas~~. 2. Deliver edge planting to provide appropriate landscape responses to the rural / urban edges. 3. Ensure an appropriate relationship to the coastal edge by creating esplanade reserve or riparian yard setbacks; retaining existing covenanted wetland areas and esplanade reserves. 4. Implement appropriate Design Controls at the time of land development for land in the Rural Lifestyle, Residential - Large Lot, Low Density and Medium Density Residential zones to ensure development responds to the rural urban interface and coastal environment.	
DEV X-P6	Infrastructure Servicing
1. Deliver reticulated water supply for fire-fighting **for Medium Density, Business Neighbourhood Centre and Mixed Use Zones**. 2. Provide a reticulated wastewater network for all development, other than that in the Rural-Residential and Residential Large Lot zones. 3. **Provide evidence with resource consent applications for subdivision and / or land use development, that there is sufficient wastewater capacity to service the development.** 4. Design and implement development on sites to ensure that onsite, **potable and fire-fighting** water supply can be provided by tanks located in visually screened locations or appropriately installed underground.	
DEV X-P7	Subdivision
1. Subdivision shall be designed to create sites consistent with the zone standards that can connect to, or accommodate onsite, all necessary wastewater, water supply, stormwater management services. 2. Design subdivision to ensure sites are of a suitable size and shape to enable residential units to be constructed in accordance with the Development Area Standards to ensure good solar access and the ability to provide onsite services, private outdoor space, outlook and amenity. 3. Design and deliver subdivision in a manner that ensures stormwater is managed in accordance with the approved Stormwater Management Plan. 4. Design and deliver subdivision within the Coastal Hazard overlay, to avoid increased risk from coastal hazards by ensuring sites of a size and shape to enable building platforms for vulnerable activities to be constructed to the required Finished Floor Level in a manner that does not adversely affect adjacent land. 5. Secure the protection and enhancement of ecological areas as appropriate for the land being developed. 6. Design and deliver subdivision so that sites are connected to roads, or access lots that minimise the creation of cul de sacs or rear lots from a one exit point.	
DEV X-P8	Commercial and Non-residential Land Uses

Commented [BO12]: For Panel determination - If it is determined that there is sufficient capacity in the ww network then these provisions / wording should be included. They are similar to Estuary Estates - Chapter 16 of the Operative District Plan (PC78 Mangawhai Central)

1. Impose Development Area Standards for commercial and non-residential land uses to ensure they are of a scale and character that complements the coastal location, the location adjacent to rural areas, ecological features and the proposed residential environments.
2. Enable commercial and non-residential land uses that support the local and wider community.
3. Design built form in the Business - Neighbourhood Centre zone to achieve the outcomes indicated in the Mangawhai East Design Guide and to create a strong **and cohesive** relationship to Black Swamp Road and **the adjoining** Business - Mixed Use zone.~~,~~ **Development should create a clear sense of arrival and place at the rural edge through the integration of low-rise, small footprint, versatile buildings with a rural vernacular, with public open spaces, community open space areas.** and
4. **Built form should create a sense of place appropriate for rural / coastal location and reflecting the coastal and village characteristics of Mangawhai as indicated in the Mangawhai East Design Guide**. ~~the location adjacent to the rural edge; and a community focal point with open space areas.~~
5. Design built form development to relate to the ~~road and~~ estuarine environments and ~~to~~ deliver riparian protection **in conjunction with** ~~appropriate and~~ connected public walkway access **as shown on the Mangawhai East Structure Plan.**

Commented [BO13]: For Panel determination

Commented [JC14R13]: Reference to the design guide to be deleted if the guide does not form part of the plan change

Mangawhai East Land Use Rules

Notes –

- The Land Use Rules are subject to "Standards" which are to be complied with.
- Where Standards are not met resource consent is required.
- Where a land use consent is required, it may trigger the "Information Requirements" provisions. ~~These are set out below.~~

R X01 - Residential Zones and Rural Lifestyle Zone

DEV X-LU-R1	Buildings, accessory buildings and structures
1. Activity Status: Permitted Where: The construction, alteration, addition to, or demolition of any building, accessory building, or structure that complies with: a. DEVX -LU-S1 Site coverage b. DEVX-LU-S2 Height c. DEVX-LU-S3 Height in relation to boundary d. DEVX-LU-S4 Setbacks from internal boundaries e. DEVX-LU-S5 Setback from road boundaries f. DEVX-LU-S6 Fencing and Landscaping g. DEVX-LU-S7 Setback from natural features h. DEVX-LU-S8 Residential unit separation distance i. DEVX-LU-S9 First floor window and balcony setbacks j. DEVX – LU-S11 Exterior finish k. DEVX-G-S1 Earthworks l. DEVX-G-S2 Building platform(s) m. DEVX-SUB-S7 Water Supply	2. Activity status when compliance not achieved with DEV1-R1.1: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard or rule.
DEV X-LU-R2	Residential unit

Commented [BO15]: To address FENZ evidence tabled at the hearing

1. Activity Status: Permitted Where: a. The residential unit(s) provide a minimum net site area per residential unit consistent with the minimum site size specified for the zone in which the residential unit is located. b. It complies with: i. DEVX -LU-S1 Site coverage ii. DEVX-LU-S2 Height iii. DEVX-LU-S3 Height in relation to boundary iv. DEVX-LU-S4 Setbacks from internal boundaries v. DEVX-LU-S5 Setback from road boundaries vi. DEVX-LU-S6 Fencing and Landscaping vii. DEVX-LU-S7 Setback from natural features viii. DEVX-LU-S8 Residential unit separation distance ix. DEVX-LU-S9 First floor window and balcony setbacks x. DEVX-LU-S10 Outdoor living space xi. DEVX – LU-S11 Exterior finish xii. DEVX-G-S1 Earthworks xiii. DEVX-G-S2 Building platforms xiv. DEVX-G-S3 Vehicle Crossings xv. DEV1-G-S4 Traffic intensity xvi. DEVX-SUB-S6 Roads, accessways, pedestrian walkways and cycleways xvii. DEVX-SUB-S7 Water Supply xviii. DEVX-SUB-S8 Stormwater Disposal xix. DEVX-SUB-S9 Wastewater xx. DEVX-SUB- S10 Minimum Floor Level	2. Activity status when compliance not achieved with DEV1-R2.1: Restricted Discretionary Matters of discretion are restricted to: a. Residential character and amenity. b. Sufficient sunlight access and direct access to outdoor living spaces. c. Building mass, orientation and passive surveillance of the road/street. d. Bulk and scale effects. e. Effects on any natural features with respect to natural wetlands, intermittent and permanent streams, and indigenous vegetation. f. The extent to which the activity is consistent with the outcomes sought in the Mangawhai East development Area and associated Structure Plan. g. The ability for necessary onsite services such as water supply, parking, manoeuvring, waste collection and landscaping to be provided, as anticipated by the Standards, without generating adverse effects on the site or surrounding area. 3. Activity status when compliance is not achieved with DEV1-R2.1(b)(xvi) in regard to DEVX-SUB-S6(2): Non Complying
DEV X-LU-R3	Minor Residential unit

1. Activity Status: Permitted Where: a. No more than one minor residential unit is established on the site. b. The net site area is a minimum of 600m^2. c. The minor residential unit shall be a maximum of 90m^2 Gross Floor Area excluding garaging. d. An outdoor living space is provided for the exclusive use of the occupants of the minor residential unit and has a minimum area of 20m^2 and a minimum dimension of 4m. e. It complies with the standards listed in DEV X-LU R2 1. b.	2. Activity status when compliance not achieved with DEV1-R2.1: Restricted Discretionary Matters of discretion are restricted to: a. The matters set out for DEV X-R2 2.
DEV X-LU-R4	Home business
1. Activity Status: Permitted Where: a. The home business occupies a maximum of 40m^2 gross floor area of the residential unit or related accessory building. b. Care of no more than 4 children who are not permanent residents on the site, with childcare under (b) exempt from (a). c. No more than two persons who are not permanent residents of the site are employed on the site at any one time. d. The home business takes place entirely within a building and no goods, materials, or equipment are stored outside a building. e. Unloading or loading of vehicles or the receiving of customers or deliveries only occurs between 0730 and 1900 on any day. f. It complies with: i. DEVX-G-S3 Vehicle Crossings ii. DEVX-G-S4 Traffic intensity	2. Activity status when compliance not achieved with DEV1-R3.1.a: Discretionary 3. Activity status when compliance is not achieved with DEV1-R3.1.b, c, d, or e: Restricted Discretionary Matters of discretion are restricted to: a. Residential character and amenity. b. Design and layout. c. Effects on the role and function of Commercial Zones. d. Transport safety and efficiency. e. Scale of activity and hours of operation. f. Infrastructure servicing.
DEV X-LU-R5	Homestay accommodation
1. Activity Status: Permitted Where: a. It is accommodated within an existing residential unit. b. It provides for no more than 6 guests.	2. Activity status when compliance not achieved with DEV1-R2.1: Restricted Discretionary Matters of discretion are restricted to: a. Residential character and amenity. b. Design and layout

c. It complies with: i. DEVX-G-S3 Vehicle Crossings ii. DEVX-G-S4 Traffic intensity iii. DEVX-SUB-S7 Water Supply iv. DEVX-SUB-S8 Stormwater Disposal v. DEVX-SUB-S9 Wastewater	c. Onsite access, parking and manoeuvring. d. Infrastructures servicing including water supply.
DEV X-LU-R6	Comprehensively Designed Residential Development
1. Activity Status: Restricted Discretionary Where: a. It is located in the Residential Medium Density Residential or the Business – Mixed Use zone. b. the density of residential units does not exceed one unit per 350m^2 of net site area. c. Units comply with the standards listed in DEV X-LU R2 1. b.	2. Activity status when compliance not achieved with DEV1-R8: Discretionary
DEV X-LU-R7	Buildings for vulnerable activities in the Coastal Hazard overlay
1. Activity Status: Restricted Discretionary Where: a. It is demonstrated that the building can be designed and constructed to avoid coastal hazards in accordance with Coastal Hazards Standard DEV X-G-S2. **Matters of discretion are restricted to:** a. The extent to which the design and site works avoid coastal hazards for the site and neighbouring sites. b. The extent to which the design and any mitigation measures to avoid coastal hazards impact on the amenity of the site or neighbouring sites. c. Landscaping and the extent it can be used to mitigate any adverse effects. d. The design and location of earthworks.	2. Activity status when compliance not achieved with DEV1-R9: Discretionary
DEV X-LU-R8	Any activity not otherwise provided for
Activity Status: Discretionary	

RX 02 - Business Neighbourhood Centre and Business Mixed Use Zones

DEV X-LU-R1	Buildings and accessory buildings
1. Activity Status: Restricted discretionary Where: The construction of any building, accessory building, or structure that complies with **DEV X-LU-R1**: a. **DEVX-LU-S1 Site coverage** b. **DEVX-LU-S2 Height** c. **DEVX-LU-S3 Height in relation to boundary** d. **DEVX-LU-S4 Setbacks from internal boundaries** e. **DEVX-LU-S5 Setback from road boundaries** f. **DEVX-LU-S6 Fencing and Landscaping** g. **DEVX-LU-S7 Setback from natural features** h. **DEVX-LU-S9 First floor window and balcony setbacks** i. **DEVX-LU-S10 Outdoor living space** j. **DEVX-LU-S11Exterior finish** k. **DEVX-G-S2 Building platform(s)** l. **DEVX-SUB-S7 Water Supply** Matters of discretion are restricted to: a. the matters of discretion of any infringed standard or rule. b. The extent to which the design of the building is suitable for its intended use and the location adjacent to the existing and enabled land uses. c. The extent to which the architectural style and finish of the buildings is complementary to and contributes to a strong and cohesive character for the Neighbourhood Centre and / or the Business Mixed Use land. d. **The extent to which development supports the creation of a pedestrian-focused environment, including appropriate interface to public spaces, passive surveillance and visual permeability.** e. **The integration of landscape and open space elements into the site design, particularly for focal public spaces, interface zones, and carparking areas.**	2. Activity status when compliance not achieved with DEV1 X R1.1: Discretionary

Commented [BO16]: As per evidence tabled by FENZ

f. **The extent to which the building and associated land use activity can be serviced for wastewater, potable, and fire-fighting water supply.**	
DEV X-LU-R2	Additions and / or Alterations to Existing Buildings in keeping with resource consent conditions and demolition
1. Activity Status: Permitted Where: The additions or alterations to any building, or structure that complies with: a. DEVX-LU-S1 Site coverage b. DEVX-LU-S2 Height c. DEVX-LU-S3 Height in relation to boundary d. DEVX-LU-S4 Setbacks from internal boundaries e. DEVX-LU-S5 Setback from road boundaries f. DEVX-LU-S6 Fencing and Landscaping g. DEVX-LU-S7 Setback from natural features h. DEVX-LU-S9 First floor window and balcony setbacks i. DEVX-LU-S10 Outdoor living space j. DEVX-LU-S11Exterior finish k. DEVX-G-S2 Building platform(s)	2. Activity status when compliance not achieved with DEV1-R1.1: Restricted Discretionary Matters of discretion are restricted to: a. The matters of discretion of any infringed standard or rule. b. The extent to which the design of the building is suitable for its intended use and the location adjacent to the existing and enabled land uses. c. The extent to which the architectural style and finish of the buildings is complementary to and contributes to a strong and cohesive character for the Neighbourhood Centre and / or the Business Mixed Use land.
DEV X -LU-R3	Visitor Accommodation

1. Activity Status: Restricted Discretionary Where: a. The activity does not provide for more than 50 guests. Matters of discretion are restricted to: a. The ability for the activity to be serviced with water, wastewater and firefighting water supply. b. The provision on onsite car parking and access. c. Amenity effects. d. Reverse sensitivity effects. e. Noise and lighting effects. f. Signage. g. Traffic effects.	2. Activity status when compliance not achieved with DEV1-R3 – Discretionary.
DEV X-LU-R4	Commercial Activities, Educational Facilities, Care Centres and Community Facilities

1. Activity Status: Restricted Discretionary Where: Educational and Care Centres: a. Provide for no more than 50 students. Community Facilities: a. Are designed and planned to accommodate no more than 50 persons. Commercial activities: a. Have a gross floor area not greater than 200m^2 Matters of discretion are restricted to: a. The ability for the activity to be serviced with water, wastewater and firefighting water supply. b. The provision on onsite car parking and access. c. Amenity effects. d. Reverse sensitivity effects. e. Noise and lighting effects. f. Signage. g. Traffic effects. f. Open space and landscaping. g. Walking and cycling connectivity.	2.. Activity status when compliance not achieved with DEV1-R4: Discretionary

DEV X-LU-R5	Residential units including comprehensive designed residential development in the Business Mixed Use zone only

1. Activity Status: Restricted Discretionary Where: a. The residential unit is located above ground floor; or b. The residential unit is part of comprehensive residential development. Matters over which discretion is restricted: a. Reverse sensitivity effects. b. Urban design outcomes. c. Noise and lighting. d. Traffic and parking. e. Open space and landscaping. f. Onsite car parking, access and manoeuvring. g. Amenity effects. h. Walking and cycling connectivity.	2. Activity status when compliance not achieved with DEV1-R5: Discretionary
DEV X-LU-R6	Markets, food and beverage, retail, garden centres, cinemas, supermarkets

a. Activity Status: Restricted Discretionary Where: Food and Beverage, Retail, and Supermarkets: a. Have a gross floor area not greater than 200m^2 Cinemas: a. Are designed to accommodate not more than 100 persons. Markets: and Garden Centres a. The activity does not cover a site area greater than 5,000m^2. Matters over which discretion is restricted: a. Reverse sensitivity effects. b. Urban design outcomes. c. Noise and lighting. d. Traffic and parking. e. Open space and landscaping. f. Onsite car parking, access and manoeuvring. g. Amenity effects. h. Walking and cycling connectivity.	2.. Activity status when compliance not achieved with DEV1-R7: Discretionary
i. Signage. j. Servicing. k. Stormwater management.	
DEV X-LU-R7	Any activity not otherwise provided for
Activity Status: Discretionary	

Land Use Standards

DEV X-LU-S1	Site coverage
1. Activity status: Permitted Where: a. The maximum building coverage in the Residential zones is 45% of the net site area b. The maximum building coverage is 15% of the net site area in the Rural Lifestyle zone; and c. The maximum building coverage is **40** ~~60~~% in the Business Neighbourhood Centre and **50%** Business Mixed Use zones. d. **In the Business Neighbourhood Center zone a minimum of 30% of the net site area shall be provided as landscaped permeable open space which may include:** • **Planted areas with trees, shrubs and ground cover** • **Lawns, rain gardens and vegetated swales** • **Communal green or civic spaces designed as focal points.** e. **At least one landscaped focal point shall be provided in the Business Neighbourhood Centre zone with a minimum contiguous area of 800m^2, which may include:** • **A Village green** • **Play space, market area or courtyard** • **Hard and soft landscape integration with seating, shelter and shade.** f. **Landscaped areas shall be publicly accessible at all times and integrated with the pedestrian and cycling network and riparian areas, where possible.** g. **No more than 70% of the net site area in the Business Neighbourhood Centre zone or Business Mixed Use zone shall be covered in impervious surfaces, including buildings, pavements, driveways and parking areas.** h. The maximum percentage of the net site area covered by impervious surfaces in the Residential zones shall be 60%.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Amenity and character of the surrounding area. b. The bulk and scale of the buildings, structures, and impervious surfaces. c. Water sensitive design and outfalls that mitigate concentrated flows. d. Provision of stormwater quality treatment to protect the environment from contaminants generated from the activity including appropriate stormwater quality monitoring associated with the design and construction stages as well as the consent holders maintenance obligations.

~~i. The maximum percentage of the net site area covered by impervious surfaces in the Business Neighbourhood Centre zone is 85% and in the Business Mixed Use zone is 75%.~~ ~~j.~~ All stormwater management for the site shall comply with any stormwater management plan approved under DEV1-REQ1. ~~and performance standard DEV1-S18 Stormwater Management.~~	
DEV X-LU-S2	Height
1. In the Rural Lifestyle zones, the maximum height of buildings, accessory buildings, and structures is 8m measured from the existing ground level immediately below that part of the building, accessory building or structure. 2. In the Residential – Large Lot zone within a 5m setback from any land directly adjoining a Rural zone boundary the: a. The highest point of any buildings, accessory buildings, and structures shall be a maximum height of 6m measured from the existing ground level immediately below that part of the building, accessory building or structure This standard does not apply to: i. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation. ii. Architectural features (e.g., finials, spires) that do not exceed 1m in height.	3. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Amenity and character of the surrounding area. b. Any adverse shading, privacy, or visual dominance effects on adjacent sites. c. Visual intrusion of the building from beyond the site and the effect on skylines and ridgelines;

iii. Solar and water heating and satellite dish components provided these do not exceed the height by more than 0.5m. b. Further than 5 metres from the boundary with a Rural zone the maximum height is 8m measured from the existing ground level immediately below that part of the structure. c. any water tank within the yard shall be buried or not more than 1.5metres out of the ground and screened. d. Clotheslines shall not be located in the western yard. e. The height of vegetation on the western or the southern yards of Lot 2 DP 29903 or subsequent legal description, shall be chosen for plants that do not exceed a height of 5 metres above ground level and any planting shall be maintained on an ongoing basis to not exceed this height. 3. In the Residential Low Density and Medium Density zone: the maximum height is 8m measured from the existing ground level immediately below that part of the building, accessory building or structure. This standard does not apply to: i. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation. ii. Architectural features (e.g., finials, spires) that do not exceed 1m in height. iii. Solar and water heating components provided these do not exceed the height by more than 0.5m. 4. In the Neighbourhood Centre and Mixed-Use zones the maximum height is 10m measured from the existing ground level immediately below that part of the building, accessory building or structure. This standard does not apply to: i. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation. ii. Architectural features (e.g., finials, spires) that do not exceed 1m in height. iii. Solar and water heating components provided these do not exceed the height by more than 0.5m.	

DEV X-LU-S3	Height in relation to boundary
1. Buildings, accessory buildings, and structures adjoining another site shall be contained within a building envelope defined by a 45 degree recession plane measured from 3.0m above existing ground level at the internal boundaries of the site, except: a. The following intrusions are permitted: i. Gutters and eaves by up to 600mm measured vertically; ii. Solar panels; and iii. Chimneys, poles, masts, and roof plant where each of these structures does not exceed 1m in length parallel to the boundary. b. Where the boundary adjoins a vehicle accessway to a rear site that is less than 6m in width or is secured via a legal mechanism and shared between more than one site, the recession plane shall be taken from the far side of the accessway. c. In the Business – Neighbourhood Centre and the Business – Mixed Use zones this Standard only applies to buildings adjoining land in a Residential **or a Rural Zone**.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Amenity and character of the surrounding area. b. Any adverse shading, privacy, or visual dominance effects on adjacent sites. c. Design and layout.
DEV X-LU-S4	**Setbacks from internal boundaries**
1. In the Rural Lifestyle zone all buildings, accessory buildings and structures shall be setbacks at least 10m from site boundaries. 2. In the Residential Large Lot zone buildings, accessory buildings and structures shall be setback a minimum of 3m from any internal site boundary; except: a. Where the building adjoins a Rural zone the setback shall be 5m minimum and the exceptions below do not apply. b. Where a building or structure adjoins Lot 2 DP 392239, or subsequent legal description, then the setback shall be 8m minimum and the exceptions below do not apply. c. No setback is required where the building or structure shares a common wall along an internal boundary;	5. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Amenity and character of the surrounding area. b. Screening, planting and landscaping of the site. c. Privacy and visual dominance of adjacent sites.

d. No setback is required for accessory buildings and garages where the cumulative wall length adjacent to any internal boundary is no greater than 7m. e. No setback is required for internal boundary fences not exceeding 1.8m in height. f. No setback is required for uncovered decks or swimming pools that are less than 0.5m in height above ground level. 3. In the Residential Medium Density and Residential Low Density zones buildings, accessory buildings, and structures shall be setback a minimum of 1.5m from any internal boundary, except: a. No setback is required where the building or structure shares a common wall along an internal boundary. b. No setback is required for accessory buildings and garages where the cumulative wall length adjacent to any internal boundary is no greater than 7m. c. No setback is required for internal boundary fences with a height not greater than 1.8 m. d. No setback is required for uncovered decks or swimming pools that are less than 0.5m in height above ground level. 4. In the Business Neighbourhood Centre and Business – Mixed Use zones buildings, accessory buildings or structures shall be setback a minimum of 5m from a boundary with a **Residential, Rural** or SNA shown on the Development Area Structure Plan. ~~Open Space zone~~.	
DEV X-LU-S5	Setback from road boundaries

1. In the Residential - Large Lot zone buildings, accessory buildings, and structures shall be setback a minimum of 5m from road boundaries, except where: a. A garage door faces the road boundary, the minimum setback shall be 5.5m. b. Fences or walls no more than 1.2m in height. c. Swimming pools and uncovered decks less than 1m in height above ground level. d. Letterboxes, and outdoor furniture. e. Water tanks less than 1m in height above ground level and screened. 2. In the Residential Low Density and Residential Medium Density zones buildings, accessory buildings, and structures shall be setback a minimum of 3m from road boundaries, except where: a. A garage door faces the road boundary, the minimum setback shall be 5.5m. b. Fences or walls no more than 1.2m in height. c. Swimming pools and uncovered decks less than 1m in height above ground level. d. Letterboxes, and outdoor furniture. e. Water tanks less than 1m in height above ground level and screened. 3. In the Business – Neighbourhood Centre and Business – Mixed Use zone buildings shall be setback a minimum of 3m from a road boundary except; a. Eaves and verandahs may extend to the site boundary to provide pedestrian shelter. b. Footpaths or structures for pedestrian access whether attached to a building or not.	4. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Amenity and character of the surrounding area. b. The safety and efficiency of the land transport network and private access-ways. c. Screening, planting and landscaping of the site.
DEV X-LU-S6	Fencing and Landscaping

1. For all zones except the Business Neighbourhood Centre and Business Mixed Use zone the maximum height of any fence in any front yard shall be no more than 1.2m in height with 50% visual permeability.~~;~~ 2. **<u>There shall be no front yard fencing in the Business Neighbourhood Centre zone.</u>** 3. The maximum height of fences in other yards is 1.8 metres; except any fence screening a service area in a rear yard in a Business zone which may be up to 2m in height. 4. Water tanks in front yards shall be screened with soft landscaping. 5. Each residential unit, other than a residential unit above ground floor level in a Business zone; or a residential unit in a comprehensive development, must have a landscaped area of a minimum of 35% of the site that is planted in plants, shrubs, grass/es or trees, and can include the canopy of trees regardless of the ground treatment below them.	5. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: b. Amenity and character of the surrounding area. c. Screening, planting and landscaping of the site. d. The extent to which the fencing and landscaping visually connects the private front yards to the street. e. The extent to which privacy is provided for residential units, while enabling opportunities for passive surveillance of public places. f. The extent to which shading and visual dominance effects to immediate neighbours and the street are minimised. g. Health and safety effects.
DEV X-LU-S7	Setbacks from natural features – Riparian Yards
1. Buildings, accessory buildings and structures must be setback a minimum of: a. 15m from the edge of Significant Natural Areas, natural wetlands, intermittent and permanent streams; unless the stream has an average width of 3m or greater in which case the setback shall be 20m. b. 5m from the edge of riparian planting, wetland planting, and indigenous vegetation. c. **<u>30m from the edge of the Coastal Marine Area.</u>** 2. The setbacks above do not apply to: a. Ephemeral streams. b. Where there is a legally formed and maintained road between the site boundary and the coastal water, wetland or river. c. Fences. d. Infrastructure provided by a network utility operator. e. Structures associated with vehicle, pedestrian or cycle network access.	3. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. The design and siting of the building or structure with respect to effects on the natural character and amenity of the waterbody. b. The impacts on existing and future esplanade reserves, esplanade strips, and public access to the waterbody margins. c. Screening, planting and landscaping on the site. d. Natural hazard mitigation and site constraints.

DEV X-LU-S8	Residential Unit Separation Distance
1. Residential units, other than units forming part of a comprehensively designed residential development, must be separated: a. At least 3m from any other detached residential unit within the same site; or b. At least 6m from any other detached residential units where there is a private open space area located between two residential units.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. The privacy, outlook and amenity of adjacent and adjoining sites. b. Sufficient sunlight access to the outdoor living space. c. Building mass, orientation and passive surveillance of the road/street. d. Bulk and scale effects. e. Effects on any natural features with respect to natural wetlands, intermittent and permanent streams, and indigenous vegetation. f. The extent to which the activity is consistent with the Mangawhai East Development Area Structure Plan. g. The ability to accommodate access, parking, manoeuvring, waste collection and landscaping.
DEV X-LU-S9	First floor window and balcony setbacks
1. Balconies or living area windows at first floor level or above shall be setback a minimum of 4m from internal boundaries, except a. No setback is required where the adjoining site has an Open Space zoning. b. This rule shall not apply to bedroom, study, bathroom, or hallway/ stairwell windows. c. This rule shall not apply to windows at more than 90 degrees to the boundary. d. This rule shall not apply to windows that are either frosted glass or where the sill height is more than 1.6m above internal floor level.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Any adverse privacy, overlooking, or visual dominance effects on adjacent and adjoining sites. b. Privacy amenity of occupants. c. Site orientation and screening. d. Extent to which landscaping can mitigate any adverse effects.
DEV X-LU-S10	Outdoor Living Space

1. For residential units forming part of a comprehensively designed residential development or for residential units at ground floor level in the Residential Medium Density or Business – Mixed Use zone each residential unit shall have an outdoor living space: a. with a minimum area of $20m^2$ b. with a minimum dimension of 4m c. that is directly accessible from the principle internal living space. d. the area must not be occupied by vehicle parking or access; but e. can be occupied by decks and / or outdoor swimming pools.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. The extent to which onsite amenity is affected. b. Effects associated with loss of open space. c. Residential density and character effects.
DEV X-LU-S11	Exterior Finish

1. In the Residential Large Lot **and Rural Lifestyle Zones** all building, accessory building or structure exteriors shall: a. Not utilize mirror glazing within their exteriors; and b. Include at least 70% of the total painted or galvanised external surface of buildings (excluding windows) with a colour reflectance value of no greater than 35% and with a roof colour with a reflectance value no greater than 20%. 2. **In the Business Neighbourhood Centre and Business Mixed Use zones buildings shall incorporate exterior materials, finishes, and detailing that reflect and reinforce the following design principles:** **a. Use of natural and recessive materials such as timber, painted weatherboard, low-reflective metal, brick, stone or textured finishes that complement the coastal and rural character.** **b. Facades that emphasise human scale through modulation, window rhythm and vertical articulation.** **c. Roof forms that are sympathetic to traditional pitched or hipped profiles and avoid large unbroken expanses of flat roof.** **d. Use of colour palettes that draw from the surrounding natural and built context.** **e. Avoidance of high-gloss, highly reflective, or visually dominant materials unless used selectively as accents.** **Note: The Mangawhai East Design Guidelines provide greater direction on the design outcomes to be achieved.**	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Amenity and character of the surrounding area b. Effects on landscape character and landscape values.
DEV X-LU-S12	Service Connections
1. All occupied buildings shall be connected to the reticulated wastewater system unless the activity is on a site with an area of at least 2,000m^2. 2. All occupied buildings shall be connected to a self-serviced water supply with sufficient storage. **The water storage for residential units shall be accordance with** ~~as per~~ Table 1.2.	3. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. Appropriateness of the proposed wastewater and water supply servicing for the intended use. b. Effects of the proposed servicing on the environment, including neighbouring sites. c. Effects on water quality.
DEV X-LU-S13	Transport Upgrades – ~~Business zones – Restrict Discretionary Activity~~

Commented [BO17]: Matter for determination by the Panel - Non statutory design Guidelines are to be provided. They can be incorporated into the Development Area, as an appendices, if desired.

1. The Gateway roundabout shown on the Structure Plan shall be constructed in conjunction with the final and / or full development of the Business - Neighbourhood Centre zone. 2. The roundabout shall be designed to Austroad standards. 3. The gateway roundabout shall include landscaping and design features to achieve a quality gateway / entry point. 4. A pedestrian footpath along the frontage of Black Swamp Road adjacent to the Business zones shall be constructed to the engineering standards in conjunction with ~~the~~ development ~~of the development~~ within those zones. 5. ~~Any resource consent application that will result in enable~~ Prior to Code of Compliance Certificate/s being issued for 50 or more residential units, or residential unit equivalents within the Development Area, excluding development on sites existing as at 1 January 2025, within the Development Area shall: a. Upgrade the section of Black Swamp Road within the Development Area to a collector road status with a shared path; b. Provide a ~~roundabout~~ right hand turn bay ~~a~~t Insley Street into Black Swamp Road. c. Deliver a shared path to connection between the Development Area and Mangawhai Village to connect to the existing shared path connection. Notes: Any resource consent for development within the Business Neighbourhood Centre and / or the Business Mixed Use zone shall include plans for the Gateway round a bout and / or footpath, as relevant and these requirements will be secured as resource consent conditions. Development triggering the shared path connection across the Insley Street causeway may be subject to a condition to register a covenant in favour of council that will extinguish once the shared path connection is completed.	5. Activity status when compliance not achieved with DEV X-LU-S13 4: Restricted Discretionary Matters of discretion are restricted to: a. Appropriateness of the footpath design to achieve safe and connected pedestrian access within the Development Area. b. Appropriateness of the footpath extent in relation to the proposed built form development within the Business zone. 6. Activity status when compliance not achieved with DEV X-LU-S13 1, 2 and 3: Discretionary

Commented [BO18]: Wording added to ensure that this Standard is determined on a cumulative basis

Commented [BO19]: For Panel determination

Commented [BO20]: Changed for consistency

RX 0 3 - General Rules

DEV X-G-R1	Earthworks - Excavation and Fill
1. Activity Status: Permitted Where: a. The excavation and fill comply with DEVX- G-S1 Earthworks. b. There are no earthworks located within the Coastal Hazard Overlay Area, Riparian Yards associated with natural inland wetlands **or the Coastal Marine Area** ~~OR~~ ~~c.~~ **There are no earthworks within 5m of the edge of the planting within Riparian Yards that is required under DEV X-G-R3 i.e. no earthworks within 15m (10m planting width required and a 5m setback). ~~as follows:~~** ~~**i. 5m from the edge of natural wetlands, intermittent and permanent streams.**~~ ~~**ii. 5m from the edge of riparian planting, wetland planting, and indigenous vegetation within the riparian yard.**~~ **Note: The National Environmental Standards for Freshwater Regulations also need to be complied with and necessary consents sought.** d. The excavation and fill are associated with: i. The repair and maintenance of fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, or farm and forestry tracks. ii. Garden amenities, gardening or the planting of any vegetation. iii. The formation and maintenance of walking or cycling tracks less than 2m wide. ~~e. There are no earthworks in the riparian yards as follows:~~ ~~i. **5m from the edge of natural wetlands, intermittent and permanent streams.**~~ ~~ii. **5m from the edge of riparian planting, wetland planting, and indigenous vegetation within the riparian yard.**~~ ~~iii. **0m from the edge of the Coastal Marine Area.**~~	2. Activity status where compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. Volume, extent and depth of earthworks. b. Effects on amenity and character and landscape values. c. Dust, erosion and sediment control, land instability. d. Effects on the margins of water bodies. e. Effects on the land transport network, particularly heavy vehicles and traffic generated as a result of the earthworks activity. f. Changes to the natural water flows and existing drainage paths are mitigated. g. Adjoining properties and public services are protected. h. Effects on the overall form, integrity and extent of the Landscape Protection Area from land modification. i. **Effects on biodiversity values.**

Advice Note 1*: An archaeological Authority* ***will*** *be required from Heritage New Zealand Pouhere Taonga prior to undertaking earthworks.* Advice Note 2: *Earthworks are also subject to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.* Advice Note 3: *Earthworks should be undertaken in accordance with the Erosion and Sediment Control Guide for land Disturbing Activities in the Auckland region.* Advice Note 4*: Stormwater Management associated with earthworks shall follow good management practice equivalent to those set out in the Guideline Document, Stormwater Management Devices in the Auckland Region (GD01).* ~~Advice Note 5: *Additional consents may be required under the National Environmental Standards for Freshwater*~~	
DEV X-G-R2	~~and~~ Indigenous Vegetation ~~Clearance~~ Removal
1. Activity Status: Permitted Where: a. The indigenous vegetation is not located within a natural inland wetland, a mapped SNA shown on the Mangawhai East Structure Plan map, or any other ~~an~~ existing ecological feature identified on the Ecological Features map, Appendix 2; or ~~b. The indigenous vegetation is not part of a continuous area of predominantly indigenous vegetation greater than 3m in height and greater than 50m² in area; or~~ b. Vegetation is not cleared from within 100 metres of the mapped SNA shown on the Mangawhai East Structure Plan, or ~~from within~~ any wetland area. c. Vegetation removal is not within a Riparian Yard (see DEV X-LU-S7). **Note: The National Environmental Standards for Freshwater Regulations also need to be complied with and necessary consents sought.** d. Indigenous vegetation, other than as specified above is cleared for the following purposes: i. The removal is of trees that are a danger to human life or existing structures (including	2. Activity status where compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. Effects on the locality, particularly the character and amenity values of adjoining sites/land uses. b. Effects on ecological values. c. Effects on landscape and heritage values. d. Effects on any natural features with respect to natural wetlands, intermittent and permanent streams, and indigenous vegetation. e. The extent to which the activity is consistent with the purpose, character and amenity values of the Mangawhai East Development Area. f. The extent to which the activity is consistent with the Ecological Features map and the Mangawhai East Structure Plan.

Commented [BO21]: Separate out riparian planting and vegetation removal for clarity

network utilities). ii. The removal is for the formation and maintenance of walking tracks less than 2 metres wide. iii. The clearance is for maintenance of existing fence lines or for a new fence where the purpose of the new fence is to exclude stock and/or pests from an area which is to be protected for ecological or soil conservation purposes, provided that the clearance does not exceed a width of ~~3.5m,~~ **1m** either side of the fence line; wide using manual methods that do not require the removal of any indigenous tree over 300mm girth. iv. It is part of the operation and maintenance of network utilities. v. It is in accordance with the terms of a Queen Elizabeth II National Trust or other covenant, or the removal is limited to naturally dead, or wind thrown trees.	
DEV X G-R3	Riparian Planting
Activity Status: Permitted Where: a. Within the Riparian Yards specified in DEV X LU-S7 1. a. and b., native revegetation planting is established, and protected in perpetuity, to minimum of 10m from the edge of natural inland wetlands, intermittent and permanent streams, and indigenous vegetation identified within the Mangawhai East Structure Plan Ecological Features Map. The planting shall be undertaken in accordance with Information Requirement DEV X-REQ4 and shall be maintained and weed and pest control undertaken in accordance with the plans certified under DEV X REQ4. b. Note: This rule shall not apply to road or track crossings over streams or wetlands.	2. Activity status where compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. Effects on ecological values. b. Effects on landscape and heritage values. c. Effects on any natural features with respect to natural wetlands, intermittent and permanent streams, and indigenous vegetation. d. The extent to which the activity is consistent with the Ecological Features map and the Mangawhai East Structure Plan.
DEV X-G-R4	Noise

1. General: Activity Status: Permitted Where: The noise generated by any activity on a site complies with: a. DEVX-G–S5 Noise Maximum noise levels. b. Normal residential activities and maintenance undertaken by the homeowner or occupier (that is not covered by Noise R2–Construction noise. 2. Construction noise: Activity Status: Permitted Where: a. The noise from construction activities undertaken on a site complies with DEV X-G-S5 2. 3. Noise from temporary events: Activity Status: Permitted Where: a. The noise generated complies with DEV X-G-S5 3. Temporary events. 4. Noise sensitive activities in the Business Neighbourhood Centre or Business Mixed Use zone: Activity Status: Permitted Where: a. The Noise Sensitive Activity complies with DEV X-G-S5 4. Noise sensitive activities.	5. Activity status when compliance not achieved: Discretionary
DEV X-G-R5	Vibration
1. Activity Status: Permitted Where: Business zones: a. Any activity complies with rule 14.10.17 Vibration permitted activity standard of the Operative District Plan Residential and Rural Residential zones: Within a dwelling on any adjacent Rural	2. Activity status when compliance not achieved: Restricted Discretionary i) Maximum level of vibration likely to be generated; ii) The effects on sensitive receptors or adjacent land uses; iii) Effect on adjoining or adjacent residential dwellings; iv) Length of time for which the specified

Residential or residential zoned land:

Time	Maximum Weighted Vibration Level (Wb or Wd)	Maximum Instantaneous Weighted Vibration Level (Wb or Wd)
Monday to Saturday 7:00am - 6:00pm	0.045m/s^2	1.0 m/s^2
All other times	0.015 m/s^2	0.05 m/s^2

Within a building on any adjacent Business zoned site:

Time	Maximum Weighted Vibration Level (Wb or Wd)	Maximum Instantaneous Weighted Vibration Level (Wb or Wd)
At All times	0.06 m/s^2	2.0 m/s^2

Note 1: Vibration levels shall be measured and assessed according to British Standard BS6841:1987. The average vibration shall be measured over a time period not less than 60 seconds and not longer than 30 minutes. The vibration shall be measured at any point where it is likely to affect the comfort or amenity of persons occupying a building on an adjacent site.

vibration standard will be exceeded;

v) Likely adverse effects beyond the site;

vi) Effects on character and amenity beyond the site;

vii) Alternative methods to avoid vibration generation; and

viii) Mitigation measures to reduce vibration generation

DEV X-G-R6	Hazardous Substances
1. Activity Status: Permitted Where: a. All hazardous facilities unless they are significant hazardous facilities, which means that: b. The aggregate quantity of any hazardous substance of any hazard classification on a site is more than the quantity specified for the applicable zone in the Activity Status Table in Table 1.3. a.	2. Activity status when compliance not achieved: Discretionary

DEV X-G-R7	Radioactive material
1. Activity Status: Permitted Where: The storage or use of radioactive material is: i. An approved equipment for medical and	2. Activity status when compliance not achieved: Discretionary

diagnostic purposes; or ii. Specified as an exempt activity or article in the Radiation Safety Act and Regulations 2016.	
DEV X-G-R8	Lighting
1. Activity Status: Permitted Where: a. Lighting must be measured and assessed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting; and b. For externally illuminated surfaces such as artificially lit building facades, lighting shall be measured in accordance with CIE 150:2017 Guide on the limitation of the effects of obtrusive light from outdoor lighting installations, Second Edition; and c. Must not exceed 10 lux (both horizontal and vertical illuminance) between the hours of 22:00 and 07:00 measured at the following points: i. on the boundary of any Medium Density Residential, Low Density Residential or Large Lot Residential zoned site or; ii. at the boundary of any receiving site, or; iii. at the window of any habitable room within a General Rural Zone, Rural Production Zone, Rural Lifestyle Zone, Settlement Zone or Māori Purpose Zone site, where any part of the affected building is located within 2m of the boundary of the site where the light spill is being generated.	2. Activity status when compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. operational or functional purpose of the artificial outdoor light; b. effect of light spill on the amenity and character values of the surrounding locality; c. adverse effects on the health, safety and wellbeing of people and communities; d. effects on the land transport network; e. cumulative effect of lighting and glare in the locality. f. **Effects on indigenous biodiversity values, especially the Ecological Features shown in Appendix 2 and the mapped SNA on the Mangawhai East Structure Plan.**
DEV X-G-R9	Signs
1. Activity Status: Permitted Where: a. Real Estate and Land Development Signs: i. the sign must be located on the site which the real estate listing or land development is taking place;	2. Activity status when compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. Safety b. Visual amenity c. Cumulative effects. d. Effects on character.

ii. the sign must comply with the height in relation to boundary, height, and setback standards for the Zone, except for the road boundary setback; iii. the sign must not be erected prior to the commencement of the activity and must be removed after completion of the sale of the site or completion of works on the site; b. Temporary signs: i. the sign is associated with a permitted temporary event; ii. the sign must be erected no more than four weeks before the first day of the event; iii. the sign must be removed within one week of the event ending; iv. the sign complies with the height in relation to boundary, height and setback standards for the relevant Zone, except for the road boundary setback c. Signs attached to a building, structure, window, fence or wall: i. the sign does not protrude above the highest point of the building or structure; ii. the sign is not for third party advertising d. Verandah signs: i. the sign is under the verandah, or within the verandah fascia ii. the sign is not for third party advertising. e. Freestanding, double-sided and V-shaped signs: i. the sign complies with the height in relation to boundary, height and setback standards for the relevant Zone, except for the road boundary setback; ii. the sign is not for third party advertising; **Where the activity complies with the following standards:** DEV X G S7 SIGNS	
DEV X-G-R10	Vehicle Crossing

1. Activity Status: Permitted Where: a. The vehicle crossing complies with DEVX-G-S3 Vehicle Crossing.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
DEV X-G-R11	Roads, Vehicle Access, Pedestrian Walkways and Cycleways
1. Activity Status: Permitted Where: a. All roads, vehicle access, pedestrian walkways and cycleways comply with DEVX-SUB-S6 Public Roads, Pedestrian and Cycle Networks.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
DEV X-G-R12	Network Utilities
1. Activity Status: Permitted Where: a. Any activity complies with the permitted activity standards in Chapter 10.11 and 10.12 of the Operative Kaipara District Plan.	2. Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
DEV X-G-R13	Temporary activities
1. Activity Status: Permitted Where: a. The activity occurs no more than 3 times within a consecutive 12 month period; and b. The duration of each temporary activity is less than 72 hours; and c. The temporary activity hours or operation are between 7.30am and 9pm Monday to Sunday; and d. Temporary structures are: i. erected no more than 2 days before the temporary event occurs; ii. removed no more than 3 days after the end of the event; and e. The site is returned to its previous condition no more than 3 days following the end of the temporary activity; and f. No direct site access is provided from a State Highway or regional arterial road; and g. The temporary activity complies with the noise standards of the relevant zone where the activity is being undertaken. h. The temporary activity complies with TEMP-S1.	2. Activity status when compliance not achieved: Discretionary

DEV X-G-R14	Primary Production Activities
1. Permitted Where: a. The activity is in the Rural Lifestyle zone and is undertaken outside any area of native vegetation, salt marsh, natural inland wetland or watercourse. b. Does not require buildings to house animals, unless the building exists; or is for domestic animals not associated with production activities.	2. Activity status when compliance not achieved: Discretionary

General Standards

DEV X-G-S1	Earthworks
1. The total volume of excavation or fill shall not exceed 500m^3 within a site in any 12-month period; and 2. The maximum height or depth of any cut or fill face shall not exceed 1.5m over a continuous distance of ~~less~~ **more** than 50m within a site.	3. Activity status when compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. Effects on character and amenity of the surrounding locality upon completion of earthworks. b. Land stability upon completion. c. Landscaping as necessary. d. Measures to manage dust, erosion and sediment control, and land instability.
DEV X G-S2	**Building platform(s)**
1. Subdivision, other than an access or utility allotment, must provide a building platform on every proposed allotment that complies with the following: a. Each allotment has a shape factor, being: i. A circle with a diameter of at least 20m, exclusive of boundary setbacks; and ii. Contains a building site with dimensions of at least 15m x 8m clear of boundary setbacks. b. Is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform. c. Each building platform has vehicular access in accordance with DEV1-S13 Vehicle Crossings. d. Is not subject to inundation in a 2% AEP storm or flood event. e. If located within the Coastal ~~Inundation~~ Hazard Overlay a suitable building site location and design that avoids coastal inundation hazard and does not increase hazard or other hazard risk for adjacent land. 2. A residential unit could be built on as a permitted activity in accordance with Rule DEV- R2.	3. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Extent of earthworks and fill material required for building platforms and access. b. Geotechnical suitability for building. c. The relationship of the building platform and future residential activities with surrounding rural activities to ensure reverse sensitivity effects are avoided or mitigated. d. Avoidance of natural hazards. e. Effects on landscape and amenity. 4. Measures to avoid storm or flood events.

DEV X-G-S3	Vehicle Crossings
1. New vehicle crossings on to roads shall be designed, constructed and located in accordance with the Kaipara District Council Engineering Standards 2011 or any relevant update, and shall comply with the following: a. No vehicle crossing shall be situated within 10m of any road intersection (as measured from the meeting point of the main kerb alignments) unless onsite manoeuvring is provided. b. The minimum spacing between vehicle crossings on the same side of any road shall be 2m. c. No more than one vehicle crossing is provided to each lot, except where a vehicle crossing is a double width crossing and serves more than one site, in which case the vehicle crossing width shall be a maximum of 7m. d. Formed with a sealed all-weather surface. e. For an accessway or driveway servicing up to 6 residential units the minimum width shall be 3.0m. f. For an accessway or driveway servicing up to 10 residential units the minimum legal width shall be 8.0m. g. Shall serve no more than four parking spaces, should vehicles be required to reverse from a site.	2. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Adverse effects on the safe, efficient and effective operation of the land transport network. b. The ability to provide emergency vehicle access. c. The extent and effect of any non- compliance with any relevant rule or standard and any relevant matters of discretion in the infringed rule(s) or standard(s). d. Traffic generation by the activities to be served by the access. e. Location, design, construction and materials of the vehicle access. f. Safety for all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians. g. Mitigation to address safety and/or efficiency, including access clearance requirements for emergency services. h. The extent to which the safety and efficiency of road operations will be adversely affected. i. The outcome of any consultation with the road controlling authority. j. Any characteristics of the proposed use or site that will make compliance unnecessary.

DEV X-G-S4	Traffic Intensity
1. The total traffic generated from each site in a Residential or the Rural Lifestyle zone shall not exceed 20 daily one-way movements, where the traffic generated by a single residential unit, and construction traffic are excluded.	2. Activity status when compliance not achieved: Restricted Discretionary Matters over which discretion is restricted: a. The trip characteristics associated with the proposed activity. b. The design of features intended to ensure safety for all users of the access site, and/or intersecting roads including but not limited to vehicle occupants, vehicle riders and pedestrians. c. Land transport network safety and efficiency,

	particularly at peak traffic times (of both the activity and road network). d. Mitigation to address adverse effects, such as: i. Travel/trip planning and timing. ii. Providing alternatives to private vehicle trips. iii. Contributing to improvements to the road network, where appropriate. iv. The effect of traffic on the amenity and character of the surrounding area.
DEV X-G-S5	Noise
1. Noise generated by activities on any site shall not exceed the following noise limits when measured at any point within any other site: a. 7.00am to 10.00pm – 50dB LAeq (15 min) b. 10.00pm to 7.00am – 45dB LAeq (15 min) c. 10.00pm to 7.00am – 70dB LAFmax 2. Construction noise: a. Noise from construction work shall comply with the following noise limits when measured and assessed at 1m from the façade of any building containing an activity sensitive to noise that is occupied during the works:	5. Activity status: Restricted discretionary Matters over which discretion are restricted: a. The extent and effect of non-compliance with the noise standard.

Time of Week	*Time Period*	*Noise Level, (dBA)*	
		Leq	*Lmax*
Weekdays	*0630 – 0730*	*55*	*75*
	0730 – 1800	*70*	*85*
	1800 – 2000	*60*	*80*
	2000 – 0630	*45*	*75*
Saturdays	*0630 – 0730*	*45*	*75*
	0730 – 1800	*70*	*85*
	1800 – 2000	*45*	*75*
	2000 – 0630	*45*	*75*

Sundays & Public Holidays	*0630 – 0730*	*45*	*75*
	0730 – 1800	*55*	*85*
	1800 – 2000	*45*	*75*
	2000 – 0630	*45*	*75*

b. Noise from construction work shall comply with the following noise limits when measured and assessed at 1m from the façade of any other building that is occupied during the works:

Time of Week	*Time Period*	*Noise Level, Leq (dBA)*
all days except Sundays and Public Holidays	*0700 – 1800*	*70*
	1800	*75*

c. For a project involving a total duration of construction work that is less than 15 calendar days, the permitted standard shall be the noise limits in (1) above increased by 5dB in all cases.

d. For a project involving a total duration of construction work that is more than 20 weeks the permitted standard shall be the noise limits in (2) above decreased by 5dB in all cases.

3. The noise generated from any temporary events, excluding temporary military training activities, shall not exceed the following limits at any point:
   a. Within the boundary of any Medium Density Residential, Low Density Residential and Large Lot Residential Zone; and
   b. Within the notional boundary in any Rural Production, General Rural, Settlement, Rural Lifestyle and Māori Purpose zones, the following maximum noise limits shall apply:
      i. any pre-event rehearsal does not individually exceed six hours duration or the following maximum noise levels:
         A. 70 dB LAeq (1hour); or

ii. the temporary activity does not exceed 8 hours per day over a maximum duration of three consecutive days:

A. 60 dB LAeq (1 hour)

c. The above noise levels can increase by 10 dB (LAeq) i.e. 80 dBLAeq (1 hour) or 70DBLAeq (1hour) respectively, where the receiving site is within the Commercial, Light Industrial, Heavy Industrial, Open Space, Sport and Active Recreation zones.

4. Noise Sensitive Activities:

a. Noise sensitive spaces must be designed, constructed and maintained to ensure that internal noise levels do not exceed the following limits:

Room	Noise level
Bedrooms and rooms specifically designed for sleeping	35dB L_{Aeq}
Other habitable rooms in dwellings and other noise sensitive spaces	40dB L_{Aeq}

b. not The noise levels in the table above must be met based on the maximum level of noise permitted by the zone or precinct standards or any adjacent zone or precinct standards.

c. Where windows and / or doors are required to be closed to meet the requirements of (a) and (b), the following requirements shall also be met:

a. For residential dwellings be mechanically ventilated and/or cooled to achieve either:

i. an internal temperature no greater than 25 degrees celsius based on external design conditions of dry bulb 25.1 degrees celsius and wet bulb 20.1 degrees celsius; or

Note: Mechanical cooling must be provided for all habitable rooms (excluding bedrooms) provided that at least one mechanical cooling system must service every level of a dwelling that contains a habitable room (including bedrooms).

ii. a high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:

A. six air changes per hour (ACH) for rooms with less than 30 per cent of the façade area glazed; or B. 15 air changes per hour (ACH) for rooms with greater than 30 per cent of the façade area glazed; or C. three air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight. d. for all other noise sensitive spaces provide mechanical cooling to achieve an internal temperature no greater than 25 degrees celsius based on external design conditions of dry bulb 25.1 degrees celsius and wet bulb 20.1 degrees celsius; and (d) provide relief for equivalent volumes of spill air; and be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system; and e. have a mechanical ventilation and/or a cooling system that generates a noise level no greater than LAeq 35 dB when measured 1m from the diffuser at the minimum air flows required to achieve the design temperatures and air flows above.	
DEV X-G-S6	Financial Contributions
1. Financial contributions shall be payable for land use and subdivision resource consents as set out in Chapter 22 of the Kaipara District plan.	2. Activity status when compliance not achieved: Discretionary
DEV X-G-S7	Signs
1. Traffic: i. All signs visible from a road not subject to SIGN-S1.1 must not: a. resemble, or be likely to be mistaken for a traffic sign b. obstruct, obscure, or impair the line of sight of any corner, bend, intersection, vehicle or pedestrian crossing or view of any traffic sign c. obstruct or hinder the movement of persons or vehicles using the roadway d. unreasonably obstruct or hinder the safety or movement of persons using the footpath or any other part of the road e. use reflective materials that may interfere with a road user's vision	6. Activity status when compliance not achieved: Discretionary

f. be placed at an angle that unduly distracts a driver of a vehicle. 2. Sign size: Business zones: The maximum total sign area, excluding official and information signs on any site for each road frontage: i. Less than 24m width: $6m^2$ ii. Greater than 24m width: $0.25m^2$ for every 1m of road frontage, up to a maximum area of $12m^2$. Residential and Rural Residential zones: The maximum total of sign area, excluding official and information signs, on any site must not exceed Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign. 3. Sign height: Business zones: i. 4m measured from ground level. Residential and Rural Residential zones: i. 3m measured from ground level. 4. Number of signs: i. There must be no more than 2 temporary signs, or real estate or land development signs per site. ii. A maximum of one under-verandah and one verandah fascia sign per premises, except where a premises has more than one road frontage, in which case signs are limited to a maximum of two under-verandah and two verandah fascia signs. iii. This standard does not apply to portable signs, including but not limited to, sandwich boards, teardrop flags or banners; signs fixed to vehicles or trailers and signs on street furniture, located on a road or public place within the Kaipara District are subject to the provisions of Kaipara District Council's bylaws. Business zones:	

a. There must be no more than 4 signs per site, excluding official or information signs. Residential and Rural Residential zones: a. There must be no more than 2 signs per site, excluding official or information signs. 5. Sign design: A sign must not: a. use reflective materials or be animated or illuminated through intermittent or flashing light sources b. display any explicit or lewd words or images. A sign must be constructed and maintained in a manner that is consistent with any building standard requirements and is maintained to those standards for public safety purposes.	

DEV1 Subdivision Rules

DEV X-SUB R1	Subdivision
1. Activity Status: Restricted Discretionary Where: a. Proposed allotments have a minimum net site area (excluding access) as stated in DEV X SUB-S1, except where the proposed allotment is an access allotment, utility allotment or road to vest in Council. b. Roads are established in general accordance with the indicative roads shown on the Mangawhai East Structure Plan; c. Native revegetation planting to a minimum of 10m from the edge of natural wetlands, intermittent and permanent streams, and indigenous vegetation identified within the Mangawhai East Structure Plan is established and protected in perpetuity. Note: This rule shall not apply to road or track crossings over streams or wetlands. d. Any amenity landscape feature, bush or wetland area, indigenous vegetation planting is physically and legally protected in perpetuity. e. Any area of archaeological, cultural or spiritual significance is identified and physically and legally protected unless and Authority is obtained from Heritage New Zealand. f. A connection, or easement/s to secure connection, to a reticulated electrical supply system at the boundary of the net site area of the allotment is provided. g. Each allotment is provided with a connection, or the ability to connect to a wireless, above ground, or underground telecommunications system. h. Each allotment is connected to the reticulated wastewater network unless the allotment is at least 2,000m^2 net site area. i. A covenant in favour of Kaipara District Council and Department of Conservation is registered on all sites stating that there shall be: i . No keeping of cats, ~~dogs~~, or mustelids; and	2. Activity status where compliance not achieved with DEV1-R1~~9~~.1 a- ~~i~~ m: Discretionary, unless otherwise stated by the standard that is breached. Activity status where compliance not achieved with DEV X SUB R1 i. Non-complying.

Commented [BO23]: Dog ban or not - matter for discussion and Panel determination if a ban is preferred the wording is shown otherwise the wording in the Hearings version of the provisions should be utilised about dogs being contained and on a lead.

ii. No keeping of dogs, except for: • **Dogs that have been certified as disability assist dogs in accordance with Schedule 5 of the Dog Control Act 1996; and** • **Dogs used for work by a Government agency.**	

Commented [BO22]: Dog ban or not - matter for discussion and Panel determination if a ban is preferred the wording is shown otherwise the wording in the Hearings version of the provisions should be utilised about dogs being contained and on a lead.

j. Esplanade reserves required by statute are vested.

k. Walkways and pedestrian / cycle improvements as shown on the Mangawhai East Structure Plan are delivered.

l. Landscape and Rural edge enhancement is delivered in the locations shown on the Mangawhai East Structure Plan.

m. The activity complies with the following:

i. DEV X- SUB-S2 Solar Access

ii. DEV X-SUB-S3 – Esplanade and other reserve enhancement

iii. DEV X-SUB-S4 – Building platforms

iv. DEV X-SUB-S5 – Vehicle crossings

v. DEV X-SUB-S6 – Roads, vehicle access, pedestrian Walkways and Cycleways

vi. DEV X-SUB- S7 – Water supply

vii. DEV X-SUB-S8 – Stormwater management

viii. DEV X-SUB-S9 – Wastewater disposal

ix. DEV X-SUB-S10 – Minimum floor levels

x. ~~DEV1-S10 Earthworks~~

~~xi. DEV1-S12 Building Platforms~~

~~xii. DEV1-S13 Vehicle Crossings~~

~~xiii. DEV1-S14 Roads, Vehicle Access,.~~

~~xiv. DEV1-S15 Water Supply.~~

~~xv. DEV1-S16 Stormwater Management~~

~~xvi. DEV1-S17 Wastewater Management.~~

Council's discretion is restricted to the following matters:

a. The matters of discretion of any infringed standard.

b. Subdivision layout, design, shape and range of allotment sizes, including the layout of roads and the number of rear allotments proposed.

c. Streetscape and landscaping proposed.

d. The extent to which the proposal is generally in accordance with the Mangawhai East Structure Plan.

e. Measures and mechanisms for ownership and maintenance to protect, restore and enhance

Commented [BO24]: Cross check and update the Standards numbers throughout the document

all indigenous terrestrial and freshwater biodiversity values. f. Within the Landscape Protection Area, integration with the identified characteristics and qualities of the area. g. Staged subdivision establishes and coordinates with necessary infrastructure upgrades.	

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Standards

DEV X- SUB-S1	Density / Minimum Site Size
1. Activity status: Restricted Discretionary Where: Subdivision site size and residential unit density comply with the following: Rural Lifestyle zone: 8,000m^2 Large Lot Residential zone: a. 1,000m^2 when connected to the reticulated wastewater network. b. 2,000m^2 where a connection to the reticulated wastewater network is not available. Low Density Residential zone: 750m^2 Medium Density Residential zone: 600m^2 or 350m^2 for comprehensive development of dwellings with, or without subdivision. Business Neighbourhood Centre zone: 200m^2 Business Mixed Use zone: 200m^2 Matters of discretion are restricted to: a. Design and shape of sites; b. Subdivision layout, including the layout of roads and the number of rear sites proposed. c. Access to sites and accessibility for service and emergency vehicles. d. The location and size of sites to respond to topography. e. Consistency of the subdivision and roading layout with the Mangawhai East Structure Plan. f. Design of the subdivision with respect to the provision of public open space, walkways,	4. Activity status when compliance not achieved with DEV X S1 1.: Discretionary 5. Activity status when compliance not achieved with DEV X S1 2 or DEV X S 3.: Non-complying

pedestrian and cycle connections and the provision of esplanade reserves where required. g. Design of the subdivision to deliver ecological protection as identified on the Mangawhai East Structure Plan. h. Suitability of the site to accommodate a building platform, including geotechnical stability and hazards. i. Design of the subdivision to minimise the need to retaining walls. j. Potential location of future building platforms and their suitability in terms of enabling compliance with the zone Standards. k. Design of subdivision to avoid coastal and flood hazards; or the appropriateness of mitigation measures to ensure hazard effects are avoided. l. Streetscape and landscaping proposed. m. Servicing including the provision of new infrastructure and the operation, maintenance, upgrade and development of existing infrastructure. n. Design of subdivision to maximise solar access for future dwellings. o. Design of the subdivision to achieve quality urban design outcomes. p. Amenity values of the surrounding neighbourhood and environment. 2. Subdivision in the Rural Lifestyle zone creating sites less than 8,000m^2 but not less than 5000m^2 is a Discretionary activity. 3. Subdivision within the Coastal Hazard Overlay is a Discretionary activity.	
DEV X-SUB-S2	Solar Access
1. Activity status Restricted Discretionary Where: i. Sites must, unless constrained by topography, or other site conditions, be designed so at least 70% of the site has appropriate solar access. Sites must achieve appropriate solar access by ensuring that: i. the long axis of sites are within the range north 200 west to north 300 east, or east	2. Activity status when compliance not achieved: Discretionary

200 north to east 300 south; ii. dimensions of sites are adequate to protect solar access to the site, taking into account likely dwelling size and relationship of the site to the street.	
DEV X-SUB-S3	Esplanade and other reserve enhancement
1. Prior to Code of Compliance Certificate/s being issued for ~~of more than~~ 50 or more residential units or residential unit equivalents, ~~enable~~ within the Development Area, excluding development on sites existing as at 1 January 2025, ~~within the Development Area shall:~~ the esplanade reserve area adjacent to Mangawhai harbour shall be upgraded. The nature and extent of upgrade shall be in accordance with the design agreed with Council. The agreed design shall be determined by provision of a report and accompanying plans informed by a topographical survey and prepared with input from an ecologist and civil engineer that addresses: a. The location and extent of construction of a pathway to facilitate public walking access. b. The construction detail of the pathway e.g. metal / boardwalk and width. c. The location, width and nature of any planting required around the coastal edge to provide an ecological buffer. Any planting shall be undertaken with location appropriate native species. d. Detail of consultation and engagement with adjacent landowners and interested parties, specifically Department of Conservation, Riverside Holiday Park who have agreements for use of the reserve including details of agreements reached with respect to pathway design and location. e. Weed and pest control shall be undertaken for a minimum period of ~~6~~ **24** months to eradicate the harbour esplanade reserve from plant and animal pests to the greatest extent possible. This shall be verified by a report from a suitably qualified ecologist identifying the weed and pest animals and plants prior to the weed and pest control programme commencing and then reporting post completion of the programme. This plan should recognise the beneficial ecological functions currently provided by certain weed species (e.g. pampas grass), including the provision of roosting and	5. Activity status when compliance not achieved: Discretionary

Commented [BO25]: Wording added to ensure that this Standard is determined on a cumulative basis

breeding habitat for birds, and of protection to the stop-bank which supports the values of the SNA in the northwest of the development area. f. Weed control shall be coordinated with replacement planting, so that new planting can take on these functions before the weeds are eradicated. Weed removal must also be timed to avoid nesting periods as appropriate. 2. **The report required under (1) is to be certified by the Council Asset manager responsible for the esplanade reserve that the report adequately addresses restoration outcomes.** 3. Signage shall be erected at either end of the ~~coastal~~ harbour esplanade reserve walkway access stating that dogs must be kept on a lead at all times. 4. Reserve setbacks with walking and cycling connections shall be formed along both sides of the southern estuary / stream as shown on the Mangawhai East Structure Plan in conjunction with the first subdivision / land development resource consent application on land adjoining the estuary / stream. **Advice Note: Activities that may affect native species including birds and lizards are also subject to the requirements of the Wildlife Act.**	
DEV X-SUB-S4	Building platform(s)

Commented [BO26]: For Panel determination

1. Subdivision, other than an access or utility allotment, must provide a building platform on every proposed allotment that complies with the following: e. Each allotment has a shape factor, being: i. A circle with a diameter of at least 20m, exclusive of boundary setbacks; and ii. Contains a building site with dimensions of at least 15m x 8m clear of boundary setbacks. f. Is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform. g. Each building platform has vehicular access in accordance with DEV1-S13 Vehicle Crossings. h. Is not subject to inundation in a 2% AEP storm or flood event. i. If located within the Coastal Inundation Hazard Overlay a suitable building site location and design that avoids coastal inundation hazard and does not increase hazard or other hazard risk for adjacent land. j. A residential unit could be built on as a permitted activity in accordance with Rule DEV- R2.	2. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Extent of earthworks and fill material required for building platforms and access. b. Geotechnical suitability for building. c. The relationship of the building platform and future residential activities with surrounding rural activities to ensure reverse sensitivity effects are avoided or mitigated. d. Avoidance of natural hazards. e. Effects on landscape and amenity. f. Measures to avoid storm or flood events.
DEV X-SUB-S5	Vehicle Crossings

1. New vehicle crossings on to roads shall be designed, constructed and located in accordance with the Kaipara District Council Engineering Standards 2011 or any relevant update, and shall comply with the following: a. No vehicle crossing shall be situated within 10m of any road intersection (as measured from the meeting point of the main kerb alignments) unless onsite manoeuvring is provided. b. The minimum spacing between vehicle crossings on the same side of any road shall be 2m. c. No more than one vehicle crossing is provided to each lot, except where a vehicle crossing is a double width crossing and serves more than one site, in which case the vehicle crossing width shall be a maximum of 7m. d. Formed with a sealed all-weather surface. e. For an accessway or driveway servicing up to 6 residential units the minimum width shall be 3.0m. f. For an accessway or driveway servicing up to 10 residential units the minimum legal width shall be 8.0m. g. Shall serve no more than four parking spaces, should vehicles be required to reverse from a site.	2. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Adverse effects on the safe, efficient and effective operation of the land transport network. b. The ability to provide for emergency vehicle access. c. The extent and effect of any non- compliance with any relevant rule or standard and any relevant matters of discretion in the infringed rule(s) or standard(s). d. Traffic generation by the activities to be served by the access. e. Location, design, construction and materials of the vehicle access. f. Safety for all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians. g. Mitigation to address safety and/or efficiency, including access clearance requirements for emergency services. h. The extent to which the safety and efficiency of road operations will be adversely affected. i. The outcome of any consultation with the road controlling authority. j. Any characteristics of the proposed use or site that will make compliance unnecessary.
DEV X-SUB-S6	Roads, Vehicle Access, Pedestrian Walkways and Cycleways

1. Roads shall be located **generally** in accordance with the indicative roads shown on the Mangawhai East Structure Plan. 2. **Prior to a s224 certificate being issued for subdivision that will enable 50 or more residential units, or residential unit equivalents,** ~~**Any subdivision consent application that will enable 50 or more residential units, or residential unit equivalents, excluding development on sites existing as at 1 January 2025, within the Development Area, shall provide a walkway**~~ **shared path connection between the Development Area and Mangawhai Village to connect to the existing cycleway connection as shown on the Mangawhai East Structure Plan shall be delivered.** ~~**S**~~ 3. **Prior to a s224 certificate being issued for subdivision that will enable 50 or more residential units, or residential unit equivalents** ~~**Any subdivision consent application that will enable 50 or more residential units, or residential unit equivalents, excluding development on sites existing as at 1 January 2025, within the Development Area shall:**~~ a. **Upgrade the section of Black Swamp Road with the Development Area to a collector road status with a shared path;** b. **Provide a** ~~**roundabout**~~ **right hand turn bay at Insley Street into Black Swamp Road.** 4. Roads, Pedestrian and Cycle Networks shall be designed and constructed in accordance with the Kaipara District Council Engineering Standards 2011 or any relevant update, except as they relate to the following: a. The legal and construction widths shall meet Table DEV1-1. b. On-street parking shall be provided at a minimum rate of 1 per 4 residential units. *Note: Where private accesses are created, on-street carparking may be substituted for parking areas along the private access, provided that the access width is sufficient to accommodate a parked vehicle and general vehicle movement .*	3. Activity status: Restricted discretionary **where DEV X-SUB-S6(1), (3) and (4) is not met.** Matters over which discretion is restricted: a. Effect on sight distances or road safety. b. Design and carrying capacity. c. Adverse effects arising from construction, including amenity, vibration and noise. d. Traffic management while the works are being undertaken. e. Adverse operational effects, particularly on sensitive activities, including effects of vibration, noise, glare and vehicle emissions. f. Severance and changes to drainage patterns. g. The benefits provided by the activity, including safety and efficiency of the transport network. h. Whether the works will involve reductions in the capacity of storm water systems present within the road or road reserve. i. Whether the works comply with all other provisions relating to activities within the Kaipara District Council Engineering Standards 2011. j. Management of sediment and dust, including the staging of works. k. The volume, extent and depth of the earthworks activities. l. The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site. m. Provision of a highly connected multi-modal transport network. n. The predominance of walking and cycling over vehicle access, and roading function. o. **Mitigation to address safety and/or efficiency including access clearance requirements for emergency services.** 4. **Activity status: Non-complying where DEV X-SUB-S6(~~1~~2) is not met.**
DEV X-SUB- S7	Water Supply

Commented [BO27]: For Panel determination

1. Where a Council water supply is available and utilised: a. All allotments are provided, within their net site area, with a connection to the Council water supply. b. All water pipelines vested with Council and not located in a legal road or other public land, shall be protected by an Easement in favour of Council. 2. Where a public supply is not available or utilised, water supplies to all **residential** developments shall meet the requirements in Table DEV1-2. 3. **Any allotment or residential unit shall be supplied with water for the purpose of firefighting, at least 10,000 litres of water from sources that are:** **a. Within 90 metres of an identified building platform on each lot or the residential unit; and** **b. Existing or likely to be available at a time of development of the lot; and** **c. Accessible and available all year round.** ***Note: Sources may be comprised of water tanks, permanent natural waterbodies, dams, swimming pools, whether located on or off the lot.***	4. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Whether, and the extent to which, an adequate supply of water can be provided to every allotment being created on the subdivision. b. Whether, and the extent to which, the water supply meets the requirements of the Kaipara District Council Engineering Standards 2011or any relevant update or has been confirmed as appropriate by Council's Engineer. c. Sufficient firefighting water supply is available. ~~*Note: For avoidance of doubt, an example of sufficient firefighting water for a single residential dwelling will generally include (subject to site-specific risks) 10,000 litres of water from sources that are:*~~ ~~• *Within 90metres of an identified building platform on each lot; and*~~ ~~• *Existing or likely to be available at a time of development of the lot; and*~~ ~~• *Accessible and available all year round; and*~~ ~~• *May be comprised of water tanks, permanent natural waterbodies, dams, swimming pools, whether located on or off the lot.*~~
DEV X-SUB-S8	Stormwater Disposal

Commented [BO28]: Advice note check format consistency

1. All allotments shall be provided with the means for the transport and disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surface in accordance with the approved Stormwater Management Plan; a. Retention (volume reduction) and detention (temporary storage) shall be provided in accordance with the approved Stormwater Management Plan. b. c. Conveyance and discharge of primary and secondary stormwater flow shall be in accordance with the approved Stormwater Management Plan.	2. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Whether there is sufficient control of water-borne contaminants, litter and sediment. b. Whether there is sufficient land available for disposal of stormwater. c. Whether and the extent to which the capacity of the downstream stormwater system is able to cater for increased runoff from the proposed allotments. d. Whether and the extent to which measures are necessary in order to give effect to any drainage. Whether and the extent to which measures proposed for avoiding or mitigating the effects of stormwater runoff, including water sensitive design principles are effective. e. . Whether and the extent to which the stormwater infrastructure within the subdivision, is able to link with existing disposal systems outside the subdivision. f. Whether and the extent to which the development meets the relevant performance standards or the Kaipara District Council Engineering Standards 2011 or the Mangawhai **East** ~~Hills~~ Development Area Stormwater Management Plan. g. The extent to which run-off from a developed catchment is discharged back into its natural catchment. h. The applicability of retention to be provided within a 72-hour period. i. The extent to which inert building materials are to be utilised (e.g., inert roof material).
DEV X-SUB-S9	Wastewater Disposal

1. For all sites with an area less than 2,000m^2 Council reticulated wastewater system is available and utilised: a. The Council wastewater system can be extended to serve the subdivision; and b. All allotments are provided, within their net site area, with a connection to the Council reticulated wastewater system; and c. The reticulated wastewater system is designed and constructed in accordance with the specific requirements of the Council wastewater system; and d. All wastewater pipelines vested with Council and not located in a legal road or other public land, shall be protected by an Easement in favour of Council. 2. For sites of 2,000m^2 or greater where no Council system is available or utilised, the system shall be designed in accordance with AS/NZS1547:2008 "Onsite Wastewater Management Standards".	3. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Whether the capacity, availability and accessibility of the reticulated system is adequate to serve the proposed development. b. Availability of land for wastewater disposal on site. c. Compliance with the provisions of the relevant Kaipara District Council Engineering Standards. d. Capacity of existing wastewater treatment and disposal system, to which the outfall will be connected. e. Provision of a reticulated system with a gravity outfall is provided, or where not practical, provision of alternative individual pump connections (with private rising mains), or new pumping stations, complete pressure, or vacuum systems. f. Where a reticulated system is not available, or a connection is impracticable, provision of a suitable onsite wastewater treatment or other disposal systems.
DEV X-SUB-S10 Minimum Floor Level	
1. Where a Habitable Building is proposed: Habitable buildings shall have a minimum floor level of 4.2m above New Zealand Vertical Datum 2016. a. Habitable buildings shall have a minimum freeboard level of 500mm above 100-year minimum water level (climate change adjusted). 2. Where a building contains a commercial activity or a non-habitable building it shall have a minimum: a. Floor level of 4m above New Zealand Vertical Datum 2016. b. Freeboard level of 300mm above 100-year design minimum water level (climate change adjusted) as below: 3. The design minimum water level is comprised of the 1% AEP storm tide, SSP-8.5H+ SLR to 2130 and p83 VLM, with freeboard allowance as above	4. Activity status: Restricted discretionary Matters over which discretion is restricted: a. Whether the size, location and design of the proposed building has sufficient height clearance to avoid the risk of being affected by inundation and has the structural integrity to withstand inundation. b. Whether the building will perform safely under hazard conditions for the life of the structure. c. The effects on adjacent land associated with any measures proposed to avoid hazard risk.

Information Requirements

DEVX-REQ1	Stormwater Management
The first subdivision consent application on any land to facilitate urban development; or the first development consent on any portion of land to facilitate urban development shall be supported by a stormwater assessment demonstrating how stormwater will be managed in accordance the Mangawhai East approved Stormwater Management Plan.	
DEVX-REQ2	Subdivision or Development that will enable 50 or more residential units or residential unit equivalents, excluding development on sites existing as at 1 January 2025, in the Development Area
1. Any subdivision or development resource consent application that will enable 50 or more residential units, or residential unit equivalents, excluding development on sites existing as at 1 January 2025, within the Development Area shall provide a transport assessment, ~~and~~ civil engineering design, and as required to be informed by ecological assessment as set out in REQ4 below, to address the delivery of: a. A ~~**roundabout**~~ right-hand turn bay on Insley Street into Black Swamp Road b. A ~~walkway~~ shared path connection between the Development Area and Mangawhai Village to connect to the existing cycleway connection as shown on the Mangawhai East Structure Plan. c. The upgrading of Black Swamp Road to collector status and the inclusion of a shared path. **And shall provide:** d. A detailed planting and implementation plan prepared by a suitably qualified ecologist, **for certification by Council,** ~~for~~ including any ecological planting required along the harbour esplanade reserve and identifying weed and animal pests in the ~~coastal~~ harbour esplanade reserve and measures to control and remove plant and animal pests. e. Plans, **to be certified by Council**, for construction of a defined walkway along the coastal esplanade reserve in accordance with the report required under DEV X-SUB S3. f. Plans showing the size, location and content of signage required to be erected at either end of the reserve requiring dogs to be on a lead and the sign to the east advising of tidal restriction associated with access to the sandpit. g. Detail of consultation and engagement with adjacent landowners and parties who have agreements to use the coastal esplanade reserve. ~~h. A plan prepared by a suitably qualified ecologist, **to be certified by Council,** identifying weed and animal pests in the coastal esplanade reserve area and measures to control and remove plant and animal pests.~~	
DEVX-REQ3	Rural Interface – Landscape Edge Enhancement and Rural Edge Enhancement
1. A landscape assessment and accompanying planting, maintenance plan, **to be certified by Council,** shall be submitted with the first subdivision and land use consent for the development of land adjoining Raymond Bull Road subject to Landscape Edge Enhancement, or the land to the south of the Development Area subject to Rural Edge Enhancement as shown on the Mangawhai	

Commented [BO29]: For Panel determination

Commented [BO30]: Matter for Panel determination

East Structure Plan.

a. Document how the proposed landscape planting will achieve a planted outcome that will assist in transitioning from the urban environment to the rural environment beyond.

b. The planting and maintenance plan shall provide for the planting and maintenance, including replacement plantings on an ongoing basis.

DEVX-REQ4	Ecological Enhancement and Protection – ~~Coastal~~ Harbour Esplanade~~, and~~ Riparian areas and Design of the Insley Street Shared Path

1. A report and plans, **to be certified by Council**, detailing the nature and extent of upgrade of the ~~coastal~~ harbour esplanade reserve shall be submitted with the subdivision and / or development resource consent application involving 50 or more sites and / or dwellings. Note: this provision applies to any singular or cumulative resource consent application/s. The report and plans shall be informed by a topographical survey and shall be prepared with expert input from an ecologist and civil engineer and shall detail:
   a. The location and extent of construction of a pathway to facilitate public walking access.
   b. The construction detail of the pathway e.g. metal / boardwalk and width.
   c. The location, width and nature of any planting required around the coastal edge to provide an ecological buffer. Any planting shall be undertaken with location appropriate native species.
   d. A plant and animal pest control plan, **to be certified by Council,** shall be provided in conjunction with the report and plans required by DEVX-REQ4. The plan shall detail the measures and methods for plant and animal pest control in the riparian yards required to be planted and on the coastal esplanade reserve to achieve the requirements of DEVX-SUB-S3.
2. Detail of consultation and engagement with adjacent landowners and interested parties, specifically Department of Conservation, Riverside Holiday Park ~~who have agreements for use of the reserve~~ including details of agreements reached with respect to pathway design and location.

DEVX-REQ5	Riparian Planting

1. An ecological planting and implementation plan for all riparian planting areas required by DEV-X-GR3 shall be prepared by a suitably qualified and experienced ecologist.

DEVX-REQ6	Insley Street Shared Path

1. The design of the shared path over the Insley Street causeway shall be designed to reduce the potential for disturbance effects on avifauna by people and dogs using the shared path. The engineering design for the shared path shall be informed by a suitably qualified and experienced ecologist. An assessment of the design shall be provided by the ecologist and submitted to council for certification prior to construction of the shared path over the causeway.

Commented [BO31]: Matter for Panel determination. Provision can be deleted if harbour esplanade pathway not approved

Commented [BO32]: Added for clarity following planner discussion

Commented [BO33]: Provisions separated out

Table DEV X Table 1.1 Mangawhai East Development Area Road, Private Way, Cycle Way and Property Access Legal and Construction Widths

Road Hierarchy	Minimum Legal Width	Minimum Formation Width	Minimum Cycleway / Footpath Width	Surface	Maximum Design Speed	Minimum Radius (m)	Minimum SSD (m)	Maximum Grade
Private Accessway serving up to 6 units/lots and less than 50m in length **and where located in an area with a fully reticulated water supply system (including hydrants) available.**	3.6m	3m	0.5m (one side only where footpath is not provided separately)	seal	30km/h	6m subject to vehicle tracking for anticipated design vehicle		20% *Note: transition between two gradients shall not exceed 12.5%. if they do, separate transition gradient must be provided over a length no less than 2m.*
Private Accessway serving up to 6 units/lots and more than 50m in length Or Where located in an area that does not have a fully reticulated water supply system(including hydrants available) **and where located in an area with a fully reticulated water supply system (including hydrants) available**	9.5m	5.5 (no on street parking)	1.5m (one side only where footpath is not provided separately)	seal	30km/h	6m subject to vehicle tracking for anticipated design vehicle	30m*	12.5%
~~Private Accessway serving 7-30 units/lots (not vested) or serving up to 6 that is over 50m in length **and where located in an area with a fully reticulated water supply system (including hydrants) available**~~	~~9.5m~~	~~5.5m (no on street parking)~~	~~1.5m (one side only where footpath is not provided separately)~~	~~seal~~	~~30km/h~~	~~6m subject to vehicle tracking for anticipated design vehicle~~	~~30m*~~	~~12.5%~~
Local / Secondary Roads except eastern boundary upgrade of Raymond Bull Road	16m	6.0m + indented parking bays	1.8m (both sides)	Seal	40km/h	10m	40m	12.5%

Commented [BO34]: For Panel determination - This wording has been requested by FENZ but is a) seeking an outcome not relevant to FENZ activity i.e. a footpath and the standards are not deemed necessary by Council or the Applicant

Eastern boundary upgrade of Raymond Bull Road	NA	6m with swale and grassed berm	NA					
Collector Road – Black Swamp Road through the Development Area	20m	6.0m + indented parking bays (7.0m if public transport route)	3m shared path on both sides	Seal	50km/h	10m	55m	12.5%
Gravel pathways			Minimum 1.5m formation maximum 3m formation					
Nature trails			minimum 1m maximum 2m					
Shared Paths			Minimum 3m					

Table Notes:

(1). The legal width shall be sufficient for the carriageway (including widening on curves), cul-de-sacs, footpaths and cycleways (where appropriate), parking (where appropriate), public utilities, drainage facilities, grassed Berms, Swale Drains, amenity planting, sight benching and street furniture. Roads to vest shall have sufficient legal width for planned future development. Refer to Kaipara District Council Engineering Standards 2011, clause 5.2.4.

(2). Carriageway width is exclusive of Berms, kerb concrete and parking. Carriageway widths should be increased by up to 1.0m where there is a high proportion of heavy traffic. Additional widening is required on curves in accordance with Kaipara District Council Engineering Standards 2011 clause 5.2.5. Passing bays are required on single lane carriageways in accordance with Kaipara District Council Engineering Standards 2011 clause 5.2.5.

(3). Carriageway surface shall be sealed in accordance with Kaipara District Council Engineering Standards 2011clause 5.2.6.

(4). Design speeds are based on rolling terrain typical in Kaipara District. Higher design speeds should be considered in flatter terrain.

(5). Safe stopping sight distances marked * have been increased to provide for two vehicles approaching each other on a single lane carriageway to stop before colliding. If a two lane carriageway is proposed for access ways serving 1 to 6 lots, sight distances may be reduced accordingly. K value is the length of vertical curve (m) divided by the algebraic difference in gradients (%).

(6) Where there is potential for further development under the Development Area rules, the horizontal and vertical geometry and legal width shall provide for the Ultimate Development.

Table DEV X Table 1.2 Required Tank Volumes for On-site Residential Potable Water Supply

Roof Catchment (m^2)	Bedrooms				
	1	2	3	4	5
100	$20m^3$	$50m^3$			
120	$15m^3$	$35m^3$			
140	$10m^3$	$30m^3$	$75m^3$		
160		$20m^3$	$60m^3$		
180			$50m^3$	$75m^3$	
200			$45m^3$	$65m^3$	
220			$35m^3$	$55m^3$	$90m^3$
240			$30m^3$	$50m^3$	$80m^3$
260			$30m^3$	$45m^3$	$70m^3$
280				$40m^3$	$65m^3$
300				$35m^3$	$60m^3$

Table DEV X Table 1.3 Hazardous Substances

GHS 7 category and sub-category (previous HSNO classification)	**Zone** Commercial Light Industrial Heavy Industrial Specific Purpose – Airfield (TBC) Specific Purpose - Hospital (TBC)	**Zone** General Rural Rural Production Māori Purpose (TBC)	**Zone** All residential Rural Lifestyle Settlement Specific Purpose – Estuary Estates
Explosive Class 1 maximum quantity (measured in tonnes, unless stated)			
Unstable explosive Class 1.1 (Sub-class 1.1)	0.05	0.02	0
Unstable explosive Class 1.2 (Sub-class 1.2)	0.5	0.2	0
Unstable explosive Class 1.3 (Sub-class 1.3)	1.5	0.5	0
Unstable explosive Classes 1.2 and 1.3 (1.2 and 1.3) when stored with unstable explosive Class 1.1 (1.1)	0.05	0.02	0
Flammable gas/aerosol Class 2 maximum quantity (measured in tonnes, unless stated)			
Flammable gas Categories 1A, 1B and 2 and Aerosols Categories 1,2 and 3 (Sub-class 2.1, all)	1 (2,000m2)	0.5 (1,000m3)	0.2 (40m3)

Flammable gas Categories 1A, 1B and 2 and Aerosols Categories 1,2 and 3 (2.1) within 50m of a sensitive zone	0.2 (400m3)	0.1 (200m3)	n/a
LPG	3	1.5	0.1
LPG within 50m of a more sensitive zone	1	0.5	n/a
Non-hazardous gases maximum quantity (measured in tonnes, unless stated)			
All non-hazardous gases, compressed or liquefied	5 (10,000m3)	2 (4,000m3)	0.1 (200m3)
Flammable liquids Class 3 maximum quantity (measured in tonnes, unless stated)			
Flammable liquids Categories 1 and 2 (Sub-class 3.1A and 3.1B)	6	2	0.1
Flammable liquids Categories 1 and 2 (3.1A and 3.1B) within 50m of a more sensitive zone	2	0.6	n/a
Flammable liquids Category 3 (3.1C)	20	6	0.3
Flammable liquids Category 4 (3.1D)	60	20	1
Desensitised explosive (liquid) Categories 1, 2 and 3 (Sub-class 3.2, all)	3	1	0.05
Flammable solids Class 4 maximum quantity (measured in tonnes, unless stated)			
Flammable solids Categories 1 and 2; self-reactive substances and mixtures Types A, B, C, D, E, F and G; desensitised explosive (solid) Categories 1, 2 and 3 (Sub-class 4.1, all)	3	1	0.05
Pyrophoric liquids and solids Category 1; self-heating substances and mixtures Category 1 and 2 (Sub-class 4.2, all)	1	0.4	0.02
Substances and mixtures which, in contact with water, emit flammable gases Categories 1, 2 and 3 (Sub-class 4.3, all)	1	0.4	0.02
Oxidising capacity Class 5 maximum quantity (measured in tonnes, unless stated)			

Oxidising liquids Categories 1,2 and 3, or oxidising solids Categories 1, 2 and 3 (Sub-class 5.1.1, all)	3	1	0.05
Oxidising gases Category 1 (Sub-class 5.1.2 Gases)	1,000m3	400m3	40m3
Organic peroxide Types A, B, C,D, E, F and G (Sub-class 5.2)	1	0.5	0.02
Toxic Class 6 maximum quantity (measured in tonnes, unless stated)			
Gases with acute oral/dermal /inhalation toxicity Categories 1, 2 and 3 (Sub-class 6.1 Gases)	300m3	100m3	0
Acute oral/dermal /inhalation toxicity Category 1 (Sub-class 6.1A)	0.5	0.2	0
Acute oral/dermal /inhalation toxicity Category 1 (6.1A) within 50m of a more sensitive zone	0.2	0.1	n/a
Acute oral/dermal /inhalation toxicity Category 2 (Subclass 6.1B)	6	2	0.05
Acute oral/dermal /inhalation toxicity Category 2 (6.1B) within 50m of a more sensitive zone	2	1	n/a
Acute oral/dermal /inhalation toxicity Category 3 (Sub-class 6.1C), germ cell mutagenicity Categories 1 and 2 (Sub-class 6.6), carcinogenicity Categories 1 and 2 (6.7), reproductive toxicity Categories 1 and 2 or effects on or via lactation (6.8) or specific target organ toxicity –single or repeat exposure Categories 1 and 2 or single exposure Category 3 narcotic effects (6.9)	20	6	0.3
Acute oral/dermal /inhalation toxicity	6	2	n/a

Category 3 (6.1C), germ cell mutagenicity Categories 1 and 2 (Sub-class 6.6), carcinogenicity Categories 1 and 2 (6.7), reproductive toxicity Categories 1 and 2 or effects on or via lactation (6.8) or specific target organ toxicity –single or repeat exposure Categories 1 and 2 or single exposure Category 3 narcotic effects (6.9) within 50m of a more sensitive zone			
Corrosive Class 8 maximum quantity (measured in tonnes, unless stated)			
Corrosive to metals Category 1, skin corrosion Category 1A, serious eye damage Category 1 (Sub-class 8.1, 8.2A and 8.3A)	6	2	0.05
Skin corrosion Category 1B and 1C (8.2B and 8.2C)	20	10	0.3
Eco-toxic Class 9 maximum quantity (measured in tonnes, unless stated)			
Hazardous to the aquatic environment (acute/chronic) Category 1 (Sub-class 9.1A)	0.5	0.5	0.5
Hazardous to the aquatic environment (acute/chronic) Category 1 (9.1A) < 30m of a watercourse	0.1	0.1	0.1
Hazardous to the aquatic environment (chronic) Category 2 (Sub-class 9.1B)	10	10	10
Hazardous to the aquatic environment (chronic) Category 2 (9.1B) < 30m of a watercourse	3	3	3
Hazardous to the aquatic environment (chronic) Category 3 (Sub-class 9.1C), hazardous to soil organisms (9.2) or hazardous to terrestrial invertebrates(9.4)	30	30	30

Hazardous to the aquatic environment (chronic) Category 3 (9.1C), hazardous to soil organisms (9.2) or hazardous to terrestrial invertebrates(9.4) < 30m of a watercourse	10	10	10
High Biological Oxygen Demand (BOD_5) (>10,000mg/l) > 30m of a watercourse	100	40	20
High Biological Oxygen Demand (BOD_5) (>10,000mg/l) < 30m of a watercourse	40	20	20

Notes when using the above table:

1. *A hazardous substance shall have the classification given by the Environmental Protection Authority when approving the importation and manufacture of that substance under the Hazardous Substances and New Organisms Act 1996 in reference to Globally Harmonised System (GHS7).*

2. *Quantities are given in t (tonnes), except all permanent or compressed gases, which are measured in m3 (cubic metres) at standard temperature and pressure (20°C and 101.3 kPa).*

3. *The table specifies the total quantities of hazardous substances for each hazard classification (aggregates). That is 0.5 tonnes of one Class 5.1 substance + 0.25 tonnes of another Class 5.1 substance = 0.75 tonnes of Class 5.1 This 0.75 tonnes is the amount to use to assess whether consent is required.*

4. *Many substances have more than one hazardous property. The activity status must be determined for each hazard classification and the most onerous activity status shall apply. For example, petrol is classified as a flammable liquid Category 1 (3.1A), carcinogenicity Category 2 (6.7B) and hazardous to the aquatic environment Category 2 (9.1B). The flammability determines the activity status in this case.*

5. *'n/a' means: not applicable; 'all' means all categories in each hazard class.*
6. *'More sensitive zone' means a zone listed in a column in the Table to the right of the zone considered.*

Definitions

The standard definitions of the National Planning Standards shall apply to the Mangawhai East Development Area Provisions.

Comprehensively Design Residential Development

A residential development on sites greater than 2,000m^2 which includes supporting communal facilities such as recreation and leisure facilities, supported residential care, welfare and medical facilities (inclusive of hospital care), and other non-residential activities accessory to the primary residential use. For the avoidance of doubt this would include a retirement village.

Activities Sensitive to Noise

- Any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities and healthcare facilities with an overnight stay facility.

Vulnerable Activities:

- means residential activities, care facilities (including day care centres), retirement villages, visitor accommodation, marae and medical facilities with overnight stay facilities.

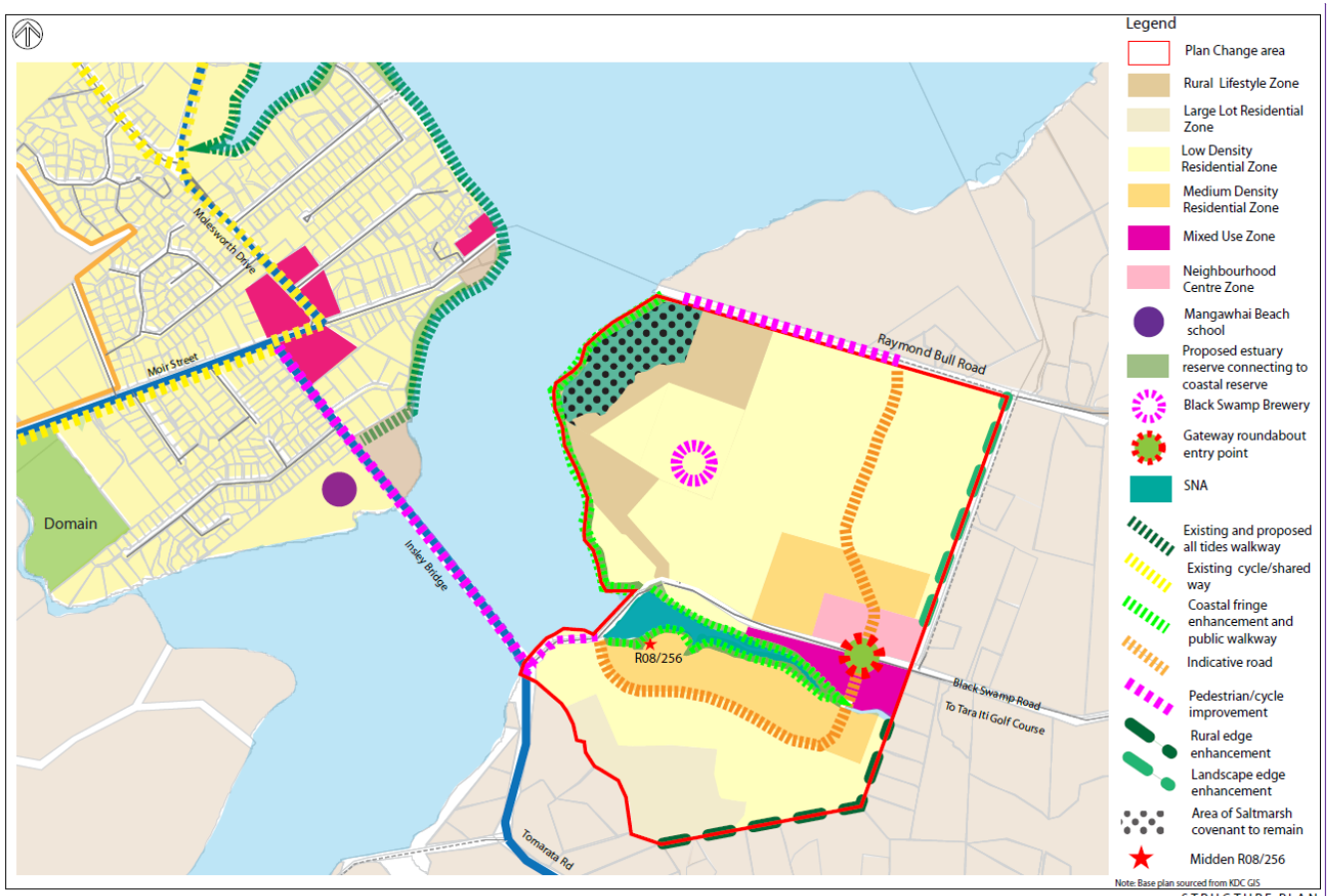
Temporary Event

- means activities and their ancillary buildings and structures that are intended to have a limited duration and incidence, and are not part of a permanent activity that occurs on the site.

  They include but are not limited:

  - fairs;
  - festivals and special events;
  - commercial filming or video production activities;
  - public firework displays;
  - site offices for construction projects;
  - temporary farmers or crafts markets.

Appendix 1 – Mangawhai East Structure Plan



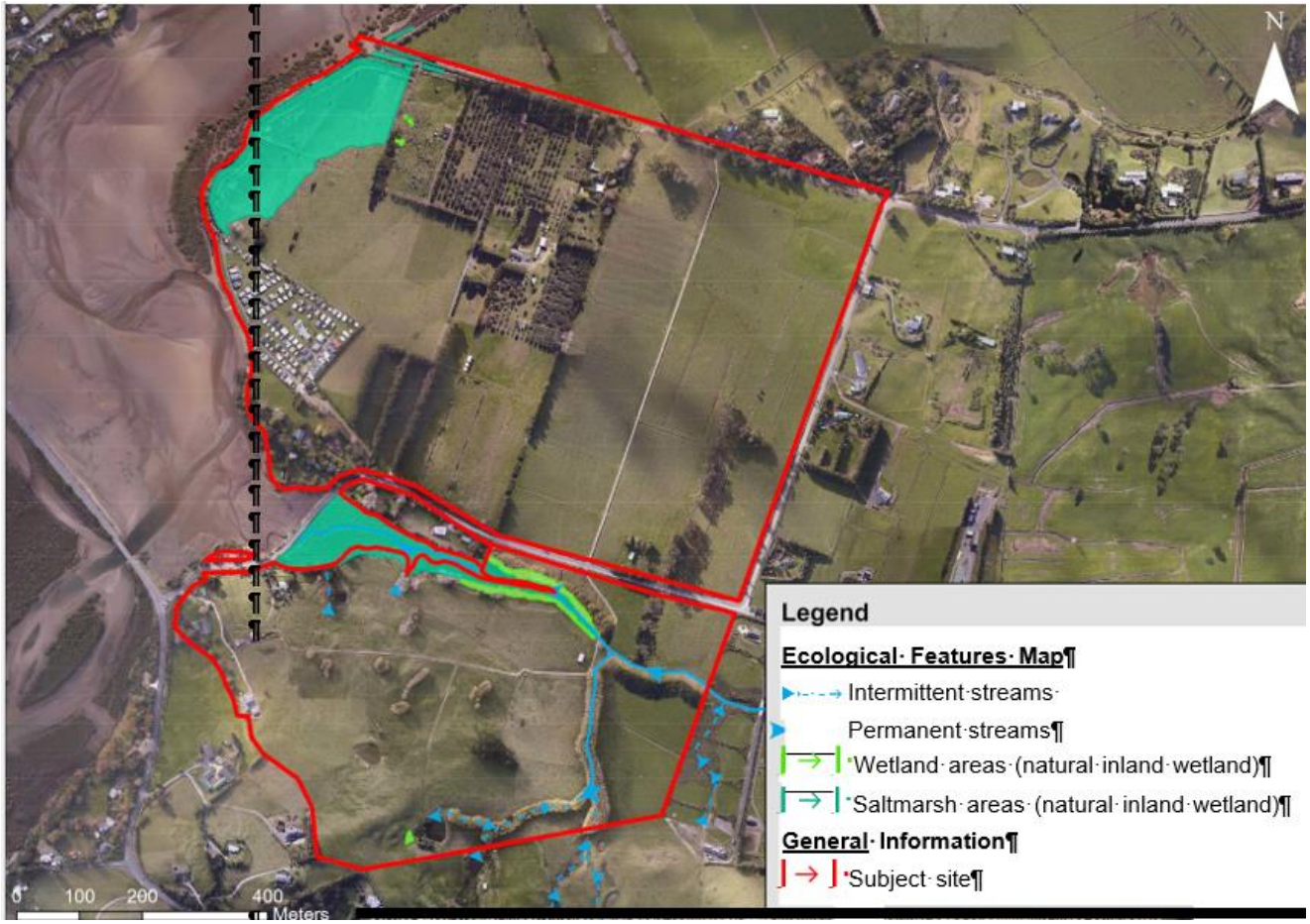
STRUCTURE PLAN

16-Feb-26
ISSUE DATE / REF # - E

16

Commented [JC35]: Structure plan amendments depending on panel merit-based findings include coastal edge walkways/ routing and confirmation of zoning of brewery (MUZ or LDRZ), saltmarsh (Rural or rural lifestyle), camping ground (Rural or Rural lifestyle) and raymond Bull Rd submitter lifestyle blocks

Appendix 2 – Mangawhai East Ecological Features Map


N
Legend
Ecological Features Map
Intermittent streams
Permanent streams
Wetland areas (natural inland wetland)
Saltmarsh areas (natural inland wetland)
General Information
Subject site
0 100 200 400
Meters

Appendix 3 – Mangawhai East Design Guidelines

Commented [BO36]: To be determined by the Panel