

The Proposed Auckland Unitary Plan (notified 30 September 2013)

7 General

7.1 Artworks

Background

Artworks provide an opportunity to create a sense of place, and can play a valuable role in enlivening the appearance of the physical environment. Artworks can be located on public space or on private property that faces the public realm. This Unitary Plan facilitates and encourages artworks in Auckland, while managing the potential effects of artwork structures.

Objective

1. Inspiring, thought-provoking, culturally vibrant, enjoyable and challenging artworks are installed across Auckland.

Policies

1. Encourage the incorporation of artworks into new developments.
2. Provide for the installation of artworks to support and enhance public open space.
3. Reinforce and extend the role of artworks in creating landmarks and a sense of place in Auckland.
4. Use high-quality, long-lasting materials, and design and execute artworks to a high standard.
5. Control the scale, location and design of artworks to enhance the visual amenity of the site and adjoining sites.
6. Allow temporary artworks.
7. Avoid significant adverse effects such as noise, lighting, traffic and visual effects on the surrounding area resulting from artworks.

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7.2 Lighting

Background

Artificial lighting enables work, recreation and entertainment activities to occur beyond normal daylight hours. It also provides additional safety and security to sites and associated activities. However, unless used with care, it can adversely affect adjoining properties through light spill and glare. If screening or aiming of light is poorly controlled this can result in light pollution causing adverse changes to the view of the night sky.

The provisions for artificial light provide for adequate lighting to support activities and enable safety and security for participants, while minimising potential adverse affects.

Objectives

1. Appropriate levels of artificial lighting are allowed for night time working, recreation and entertainment activities, and security and safety.
2. Adverse effects of artificial lighting on the environment, amenity of surrounding areas, and the safety of road users are minimised.

Policies

1. Recognise and provide for the necessity of artificial lighting for outdoor activities and security and safety.
2. Control the intensity, location and direction of artificial lighting to avoid significant glare and light spill onto adjacent sites, maintain safety for road users and minimise the loss of night sky viewing.

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7.3 Noise and vibration

Background

Noise may cause adverse effects on amenity depending on:

- when and where it occurs
- its duration
- physical characteristics, including the sound pressure level and frequency
- its steadiness
- variations of these properties.

Within urban areas, the background noise environment is most often dominated by traffic. Generally, the higher the traffic volumes nearby, the higher the background noise level. In low traffic areas, background noise may occur naturally from waves, high winds, animals or insects. On average, people will tolerate noise levels up to twice as loud (10dB higher) than the background noise level, except where noise levels adversely affect sleep, or are completely out of character with the existing environment.

The objectives and policies for noise seek to mitigate both the adverse effects of noise and vibration on amenity, and reverse sensitivity effects.

Objectives

1. People are protected from unreasonable or unnecessary levels of noise.
2. Activities sensitive to noise are protected from the effects of high levels of noise, and other activities within the same or adjacent zones.
3. The amenity of residential areas is protected from unreasonable or unnecessary noise, particularly at night.
4. The strategic importance of transportation routes and significant infrastructure is recognised and protected from the potential reverse sensitivity effects of activities sensitive to noise.
5. Different levels of noise and vibration are experienced in different zones, with lower levels in predominantly residential areas and higher levels in predominantly business areas.
6. In each zone the noise and vibration allowed is compatible with the activities provided for.
7. Activities sensitive to noise are protected from unreasonable or unnecessary noise and vibration from the use and development of neighbouring lakes, rivers and the CMA.

[rcp/dp]

8. The amenity of dwellings in rural areas is protected from unreasonable or unnecessary noise, recognising that farming and other activities may create high levels of noise.
9. Temporary activities that cannot meet the permitted activity noise controls are allowed to occur for short periods, while limiting adverse effects on any activities sensitive to noise on adjacent sites.

Policies

1. Set noise standards to reflect the zone's function and permitted activities, recognising the potential adverse effects noise generation may have on more sensitive adjacent zones.
2. Minimise, where practical, noise at its source to mitigate adverse effects on adjacent sites.
3. Locate activities in zones where the noise generated is compatible with other activities and, where possible, adjacent zones.

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4. Prevent significant noise-generating activities from establishing in residential zones.
5. Prevent activities sensitive to noise from establishing in commercial and industrial zones.
6. Require activities sensitive to noise to be located and/or designed to mitigate or avoid any reverse sensitivity noise effects on airfields, high-use roads, regionally significant quarries and rail lines.

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7. Limit the level of noise and vibration from quarrying, construction, maintenance and demolition activities to protect activities sensitive to noise on adjacent sites from unreasonable or unnecessary levels of noise and vibration.

Noise arising from lakes, rivers and the CMA

8. Require activities sensitive to noise to be insulated, or otherwise protected, from man-made noise emitted from neighbouring lakes, rivers or the CMA.

Noise arising from or affecting rural zones

9. Manage the adverse effects of noise in the rural environment, while recognising the working nature of this environment.

Temporary activities

10. Control the adverse effect of noise and vibration from construction and demolition activities, recognising the sensitivity of the receiving environment.
11. Manage temporary activities through controls on the number, duration, and timing of temporary activities in order to protect activities sensitive to noise on adjacent sites from unreasonable or unnecessary noise.
12. Manage the effects of outdoor events that use electronically amplified entertainment through controls on the noise levels, start/finish times, duration and frequency of the events.

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7.4 Signs

Background

Signs have an important role in identifying places or buildings and supporting businesses and organisations as an advertising medium. Signs can make an important contribution to making Auckland vibrant, vital and liveable, and can contribute to Auckland's economic well-being, but needs to be undertaken in a manner that does not detract from the visual amenity of buildings or places.

The Unitary Plan provisions for signs provide for a range of signs to advertise businesses, products, services or activities or provide direction or information. The provisions also seek to maintain pedestrian and traffic safety and mitigate the adverse effects signs may have on the visual amenity of buildings and urban, rural and coastal locations. Most site-related signs and directional signs will be regulated by a bylaw.

Objective

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1. The role of signs in the identification of places, buildings and businesses is recognised and provided for.
2. The adverse effects of signs on traffic and pedestrian safety and the visual amenity of surrounding environments are avoided.

Policies

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1. Require signs to be in keeping with the scale and design requirements of the building and zone in which they are located.
2. Require the placement, location and size of signs on buildings to not significantly detract from the profile or appearance of the building or cover any significant architectural features on the façade of the building.
3. Enable signs for businesses and organisations to be easily identified without creating clutter or dominating the building or environment by controlling the size number and location of signs.
4. Apply traffic and pedestrian traffic safety standards particularly to the wording, lighting and location of signs and variable image signs.
5. Develop bylaws for site related signs and for directional signs.
6. Control all non-site related signs (billboards), signs on scheduled historic places and signs that form part of a comprehensive development by Unitary Plan rules.
7. Take an approach to billboards that recognise the changes likely to occur to the form and use of urban and rural areas by limiting the duration of consents for billboards.

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7.5 Temporary activities

Background

Temporary activities make an important contribution to Auckland's vibrancy, vitality and liveability and cater for the social, cultural and economic well-being of the community.

However, temporary activities in the CMA or other public open space can result in conflicts, such as constraining public access. They can also cause adverse effects to businesses, visitors, and residents' quality of life and livelihoods. These effects need to be adequately managed through this Unitary Plan and other mechanisms, such as bylaws.

To mitigate cumulative effects, some activities must remain temporary and their adverse effects on the environment managed through controls on location, number, scale, intensity and duration.

Objectives

1. A wide range of temporary activities that contribute to a vibrant and liveable city, and the social, environmental, economic and cultural well-being and the health and safety of the community are encouraged.
2. Temporary activities are located and managed to mitigate long-term and cumulative adverse effects on people, property and the environment.
3. Disturbance to public open space qualities, including access, recreation opportunities and amenity values, caused by temporary activities are minimised.
4. The city centre, metropolitan centres and the Auckland Domain are enabled as key locations for regional and major events, while events in other public places are provided for where appropriate.
5. Temporary military use of the land and the CMA is allowed where it avoids adverse effects on identified areas of ecological, historical and cultural values, amenity and coastal processes.

Policies

Mitigating adverse effects

1. Enable temporary activities including those with associated structures provided:
 - a. traffic generated by the activity is effectively managed
 - b. noise generated by the activity meets specified controls
 - c. waste and litter are effectively managed and minimised
 - d. public access to public areas is retained at a reasonable level at all times
 - e. scheduled natural and historic heritage places are not modified, damaged or destroyed
 - f. adverse effects on the environment and amenity are avoided, remedied or mitigated.
2. Control activities that generate traffic, including heavy traffic, so that activities do not detract from:
 - a. the capacity of the road to cater safely and efficiently for motor vehicles, pedestrians and cyclists
 - b. the well-being of residents and businesses occupying surrounding sites.
3. Remedy disturbances of the foreshore or seabed within seven days unless this can be achieved by natural processes.

Identifying appropriate places for events

4. Identify and promote appropriate public places and facilities for major and regional events, taking into account:
 - a. capacity to safely host large numbers of people

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- b. availability of sufficient parking where necessary and road network capacity
- c. capacity of the public transport network or the extent to which a venue can be temporarily serviced by mass passenger transport
- d. ability to effectively avoid, remedy or mitigate adverse effects on the environment.

Managing effects on public open space and areas for conservation

- 5. Manage the effects of temporary activities on public open space and significant ecological areas to mitigate conflicts with other public uses or conservation activities.

Defence activities including military training activities

- 6. Limit the number and duration of temporary military activities and the noise levels they make where they occur on land which is not under the control or ownership of NZ Defence.
- 7. Allow temporary military training activities for defence purposes within the CMA, provided:
 - a. there is no modification, damage or destruction to scheduled natural and historic places
 - b. adverse affects on coastal processes are mitigated
 - c. public access is maintained where possible
 - d. public access is maintained to and along the CMA where this is not in conflict with the Defence Act 1990 or the need to protect public health and safety.
- 8. Avoid underwater explosives training exercises in:
 - a. places listed on the natural and historic heritage schedules
 - b. Significant Ecological Areas - Marine 1 and 2
 - c. areas identified by Mana Whenua in accordance with tikanga Māori as being of special spiritual, cultural, or historical significance.
- 9. Require temporary activities undertaken in the CMA, including the erection, maintenance and repair, demolition, or removal of structures for defence purposes, to:
 - a. avoid more than minor modification, damage or destruction of any protected coastal areas
 - b. avoid modification, damage or destruction of any scheduled natural and historic places.

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7.6 Vehicles on beaches

Background

Vehicle usage on beaches, foreshores, seabed and adjacent public land can damage coastal environments, habitats, flora and fauna, disturb other recreational activities, and pose an increased risk to public safety. While vehicles are needed on beaches for specific community needs, inappropriate use can damage ecologically sensitive areas and areas or sites of significant historic heritage or cultural value.

Vehicles on beaches will be controlled mainly under a bylaw.

Objectives

1. Areas within the coastal environment containing significant ecological or historic heritage values are protected from vehicles.
2. Conflicts between vehicle users and other recreational and beach users are minimised.
3. Unnecessary vehicle use in the coastal environment is discouraged.

Policies

1. Avoid vehicle use in areas identified as having significant ecological or historic heritage values, other than for:
 - a. the provision, operation, maintenance and use of existing infrastructure or structures
 - b. emergency services, enforcement, public health and safety, and coastal conservation and management.
2. Limit vehicle use in or near areas of significant ecological or historic heritage values in the coastal environment to movements necessary for activities and where there is no other reasonable or practical alternative.
3. Limit the areas where recreational vehicles have access, and manage vehicle use to avoid and where practicable minimise:
 - a. damage to dunes or other geological systems
 - b. damage to ecological systems or to significant habitats of indigenous flora and fauna
 - c. danger to other beach users and risks to public health and safety
 - d. loss of amenity values and disturbance of people's enjoyment of the beach environment
 - e. damage to historic heritage
 - f. damage to habitats of significant fisheries resources
 - g. damage to scheduled sites and places of significance for Mana Whenua, including identified wāhi tapu.
4. Avoid using the beach, foreshore and seabed as a vehicle accessway to private property unless there are no practical alternative means of gaining landward access.

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7.7 Sustainable design

Objective

1. Buildings are designed to minimise adverse environmental effects, maximise efficiency and provide healthy and comfortable indoor environments.

Policies

1. Require medium and large-scale office and industrial buildings to be designed to meet sustainable building standards.
2. Require medium to large-scale residential development to be designed to meet sustainable building standards.
3. Promote development to be designed to maximise sustainable design outcomes through measures such as:
 - a. orientation of the building, its windows, habitable rooms and private outdoor space to derive maximum benefit from solar gain
 - b. thermal insulation that will reduce heating costs and improve indoor environmental quality
 - c. internal surfaces with a high thermal mass for areas exposed to direct low-level sunlight
 - d. natural, non-mechanical techniques for cooling and venting along with heat transfer and heat recovery systems
 - e. renewable energy generation at the site and community scale
 - f. water sensitive design to maximise localised water collection and minimise water usage
 - g. opportunities for localised agriculture and food production
 - h. enabling multiple uses in the life cycle of buildings
 - i. the use of recycled, low embodied energy and volatile organic compound free materials
 - j. retro fitting and redevelopment of existing buildings to improve their energy and water efficiency.

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7.8 Affordable housing

The following objectives and policies do not have legal effect until the Unitary Plan is operative.

Background

The provision of retained affordable housing will ensure wider housing choices and a more balanced social mix in new housing developments. This in turn will help to address regional objectives relating to social and economic well-being, transport and land use. It will also extend the effectiveness of scarce public resources by increasing overall housing output through partnership with the not-for-profit housing sector.

An affordable housing assessment will need to be prepared for all applications for resource consent that are required to provide a percentage of retained affordable housing. The assessment will provide the details as to how and where the required retained affordable housing will be provided within the development.

Where required, retained affordable housing must be provided within the development. Through a resource consent, the retained affordable housing may be provided on sites in the vicinity of the development. This may include arrangements where the retained affordable housing is delivered by a separate body, such as a community housing provider.

Objective

1. The proportion of dwellings that are affordable to households in the intermediate housing market is increased across Auckland.

Policies

1. Require a proportion of new dwellings to be retained affordable housing in new large-scale residential subdivision or residential development within the RUB.
2. Provide for retained affordable housing that is similar in external design to market rate housing within the development and that is located throughout the development.

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7.9 Financial contributions

Background

Section 108 of the RMA provides that when the council grants a resource consent it may impose a condition of consent requiring that a financial contribution be made. In certain precincts, financial contributions will be taken in accordance with the precinct rules in order to avoid, remedy and mitigate adverse effects of an activity on the environment. The precinct rules set out the purpose for which land may be required as a financial contribution, and the manner in which the level of contribution (i.e. the amount of land required) is determined.

A financial contribution taken by the council is for a different purpose to any development contribution listed in the council's current Contributions Policy and may be imposed in addition to a development contribution.

Objective

1. Financial contributions of land are required in accordance with in the precinct rules in order to avoid, remedy and mitigate adverse effects of the proposed activity on the environment.

Policies

1. Require financial contributions of land for the purpose specified in the precinct rules.
2. Determine the amount of financial contributions of land in accordance with the precinct rules and on a case by case basis.