

## I552. Warkworth Clayden Road Precinct

### I552.1. Precinct Description

The Warkworth Clayden Road Precinct assists in providing for growth within the Warkworth area. The land slopes up to the north to adjoin the Rural Urban Boundary. The ridgeline that demarks the northern extent of the precinct with the back drop of Dome Valley and the bush clad streams reaching up the slopes toward it, are valued as landscape and ecological features within the precinct. Development in accordance with the precinct provisions will create a range of housing types, respond to existing topography, and maximise urban landscape and environmental outcomes while balancing urban land use efficiency imperatives. The planned Matakana Link Road creates good connectivity to this part of Warkworth with direct connections to State Highway 1.

The zoning of land within this Warkworth Clayden Road Precinct is Rural – Countryside Living, Residential - Large Lot, Residential - Single House, Residential - Mixed Housing Suburban, Residential - Mixed Housing Urban, Business - Neighbourhood Centre and Open Space – Conservation zones.

A small portion of land within the Precinct will be retained as Business – Light Industry zoned land to enable a 3-metre buffer to the Business – Light Industry zoned land to the north west. This buffer, in conjunction with other controls, will manage potential reverse sensitivity and other effects on the light industrial land uses that may arise as a result of development within the precinct. Those adjacent land uses include a consented and operational heliport that can operate up to 60 flight movements a day.

The Precinct is also adjacent to the 26.8 hectare Warkworth Showgrounds which is zoned and used for a wide range of sport and active recreation activities. To manage any potential reverse sensitivity issues regarding noise and lighting issues associated with the Warkworth Showgrounds specific provisions apply to the identified noise and lighting sensitive areas to the north of the showgrounds.

The Residential - Mixed Housing Urban zone applies to the more intensive residential opportunity created around the Matakana Link Road and the future public transport options this offers with direct access to and views across the Warkworth Showgrounds. Residential - Mixed Housing Suburban zone medium density housing is provided in the northern area of the Precinct. Low density Residential - Single House zoning is provided on the Rural Urban Boundary fringe with particular controls applying along the interface between the Countryside Living zone and the Residential - Single House zone and the Rural – Countryside Living zone, where rural character is to be maintained and lower levels of residential intensification enabled. A small area of land is zoned Residential - Large Lot and Rural - Countryside Living. These zones and controls are designed to create a lower density interface and a landscape buffer between the urban and rural areas.

Provision is made for a neighbourhood centre designed to provide services to the northern Warkworth community and yet be complementary to the Warkworth town centre.

Provision is made for a greenway network providing a network of tracks and walkways along streams and connecting to the broader network outside the precinct.

Special provision is made for the northern arena, a planned recreational facility.

[PC 78 \(see Modifications\)](#)

[PC 78 \(see Modifications\)](#)

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

### **I552.2. Objectives**

- (1) Provide for residential urban growth within the northern Warkworth area.
- (2) Apply urban zoning efficiently to protect against future urban expansion into Warkworth's valued rural hinterland.
- (3) Enhance the character of the rural – urban interface through limitations in key locations on housing density, building location, height and enhanced landscaping.
- (4) Create an accessible residential development with safe and integrated vehicle, walking and cycleway connections while supporting the safety and efficiency of the surrounding transport network.
- (5) Provide an appropriate interface and controls between the existing light industry zone and the new residential areas to manage adverse reverse sensitivity effects on industrial activity and heliport operations.
- (6) Subdivision and development is coordinated with the delivery of the transport, infrastructure and services required to provide for development within the precinct and connect it to the wider transport network.
- (7) Subdivision and development recognises and provides for Matakana Link Road and the strategic transport connection this makes through the Warkworth Clayden Road Precinct which support growth in the wider Warkworth area.
- (8) Subdivision and development within the precinct occurs in a manner which remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.
- (9) Subdivision and development within the precinct provides for the protection and enhancement of identified landscape features within the Warkworth Clayden Road Precinct.
- (10) Provide amenity for, and manage effects from, operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations, on activities sensitive to noise within the area identified on the Precinct Plan I552.9.1.
- (11) Protect and enhance the ecological values of streams, natural wetlands and areas of indigenous vegetation within the precinct as shown on Precinct Plan 2.
- (12) Subdivision and development provide riparian yards and design stormwater management function to respect natural processes through best practicable options to protect the high ecological values and maintain good water quality and enhance degraded water quality present in the receiving environment.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

### **I552.3. Policies**

- (1) Provide a range of diverse residential zones and therefore housing options to help meet community needs.
- (2) Locate more intensive housing adjacent to Matakana Link Road and overlooking the Warkworth showgrounds and Mahurangi tributaries and supporting public transport.
- (3) Create low density housing along the rural - urban boundary to form a transition from urban to rural uses.
- (4) Create the opportunity for local shops to service the neighbourhood, by zoning a suitable area of land for a “neighbourhood centre”.
- (5) Create an intensively landscaped interface along the rural urban boundary.
- (6) Protect landscape values by preventing building on the special landscape areas shown on Precinct Plan 1 and requiring planting of these landscape elements, and applying the height variation control to limit building heights in sensitive locations.
- (7) Provide extensive active walking and cycling networks and futureproof key walkway/cycleway routes.
- (8) Create the opportunity for a recreation facility adjacent to the Warkworth showgrounds.
- (9) Create a 10 metre landscaped buffer and associated bund with a minimum height of 3 metres, where the topography allows; and require ‘no complaints covenants’ and mechanical ventilation on the properties adjacent to the industrial zoned land, so as to manage reverse sensitivity effects.
- (10) Avoid direct vehicle access from individual sites on to Matakana Link Road, while allowing direct pedestrian and cycle access.
- (11) Utilise riparian yard planting and at source hydrological mitigation of stormwater to prevent bank erosion and to protect and enhance in-stream and wetland water qualities.
- (12) Require subdivision and development to provide transport infrastructure within the precinct and to provide connections to adjoining land in accordance with Precinct Plan 3.
- (13) Mitigate the adverse effects of stormwater runoff from all impervious areas in the precinct through a treatment train approach which assists in maintaining high water quality and enhances poor water quality.
- (14) Require subdivision and development to be co-ordinated with the provision of transport infrastructure and services identified in the precinct plan.
- (15) Require subdivision and development to protect and enhance natural wetlands, permanent streams and intermittent streams identified on Precinct Plan 2.

- (16) Enhance protected streams and natural wetlands identified on Precinct Plan 2 through native planted riparian yards.
- (17) Protect and enhance intermittent stream reaches not identified on Precinct Plan 2 where those reaches are confirmed for protection by a resource consent.
- (18) Require subdivision and development to protect the landscape values of the ridgeline of the knoll adjacent to the north western boundary of the precinct.
- (19) Require “no complaints covenants” on the properties adjacent to the Warkworth Show grounds so as to manage potential reverse sensitivity issues regarding noise and lighting.
- (20) Create a special yard buffer on the properties adjacent to Tomlinsons Bush so as to manage the interface between the bush and adjacent residential land.
- (21) Manage the design and construction of residential buildings within the area identified on the Precinct Plan I552.9.1. so as to mitigate the adverse potential noise effects and manage potential reverse sensitivity effects on operations within the industrial area to the north west of the Warkworth Clayden Road Precinct including heliport operations.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

#### **I552.4. Activity table**

The provisions in any relevant overlays, Auckland-wide provisions and zones apply in this precinct, except the following:

- (a) E.12.4.1: Activity Table relating to Land Disturbance – District: Activities (A6) and (A10)

Activity Table I552.4.1 – I552.4.7 specify the activity status of regional and district land use, development and subdivision in the Warkworth Clayden Road Precinct pursuant to sections 9(2), 9(3), 11 and 13 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

A blank in the activity status column means that the activity status in the relevant overlay, Auckland-wide or zone provision applies and one or more precinct standard applies.

#### **Note**

Activities and standards apply to vegetation removal within SEA overlay as listed in Chapter E15 Vegetation management and biodiversity.

Table I552.4.1 All zones

Activity		Activity status
<b>Use</b>		
<b>Development</b>		
(A1)	New buildings and additions	
(A2)	New buildings and additions to buildings which meet Standards I552.6.8 High Contaminant Yield Material.	
(A3)	New buildings and additions to buildings which do not meet Standard I552.6.8 High Contaminant Yield Material	NC
(A4) [rp]	New reclamation or drainage, including filling over or piping of a stream shown as a High Value Protected Stream on Precinct Plan 2 I552.9.2.	NC
(A5) [rp/dp]	Removal of any native vegetation shown as covenanted bush or area of significant bush on Precinct Plan I552.9.2, not otherwise provided for except this shall not preclude:  (i) removal of deceased or damaged limbs or trees that could create a fall hazard; (ii) clearing of bush up to 2m wide to create or maintain consented walking tracks.	NC
(A6)	Activities sensitive to noise within the area shown on Precinct Plan I552.9.1 as Noise Management Area, Noise Measurement Line and Covenant that comply with Standard I552.6.6 Noise Management Area, Noise Measurement Line and Covenants.	P
(A7)	Activities sensitive to noise within the area shown on Precinct Plan I552.9.1 as Noise Management Area, Noise Measurement Line and Covenant that do not comply with Standard I552.6.6 Noise Management Area, Noise Measurement Line and Covenants.	NC
(A8)	Earthworks for construction of an earth bund and associated landscaping in accordance with Standard I552.6.3 Special Yard: West.	C
(A9)	Any development of the land shown on Precinct Plan I552.9.1 that is not in accordance with Standard I552.6.3 Special Yard: West	NC
<b>Subdivision</b>		
(A10)	Subdivision involving parent sites of 1ha or greater complying with Standard E38.8.2.1 or E38.8.3.1, and Standards I552.6.5 Special Subdivision Control Area	RD

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	in Single House Zone, I552.6.3 Special Yard: West, I552.6.6 Noise Management Area, Noise Measurement Line and Covenants, and generally in accordance with Precinct Plans I552.9.1, I552.9.2 and I552.9.3.	
(A11)	Subdivision involving parent sites of less than 1ha complying with Standard E38.8.2.1 or E38.8.2.3 and Standards I552.6.5 Special Subdivision Control Area in Single House Zone, I552.6.3 Special Yard: West, I552.6.6 Noise Management Area, Noise Measurement Line and Covenants and generally in accordance with Precinct Plans I552.9.1, I552.9.2 and I552.9.3.	RD
(A12)	Subdivision that does not comply with either Standards I552.6.5 Special Subdivision Control Area in Single House Zone, I552.6.3 Special Yard: West, or I552.6.6 Noise Management Area, Noise Measurement Line and Covenants.	NC
(A13)	Subdivision or development that does not comply with the 'access points onto Matakana link Road', 'eastern access', and / or 'pedestrian and cycle connection to Matakana Link Road' as shown on Precinct Plan I552.9.3.	D
(A14)	Public walkways within a riparian yard.	RD
(A15)	Subdivision of the Special Subdivision Control area: South as shown on Precinct Plan 1	NC

**Table I552.4.2 Rural – Countryside Living Zone**

Activity		Activity status
<b>Use</b>		
<b>Development</b>		
(A1)	New buildings and additions to buildings within the Special Yard: North on Precinct Plan 1.	NC

**Table I552.4.3 Residential – Large Lot Residential Zone**

Activity		Activity status
<b>Use</b>		
<b>Development</b>		
(A1)	Integrated residential development.	
(A2)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents.	
(A3)	New buildings and additions to buildings within the Special Landscape Area on Precinct Plan 1.	NC

PC 78 ([see Modifications](#))

**Table I552.4.4 Residential – Single House Zone**

Activity		Activity status
<b>Use</b>		
<b>Development</b>		
(A1)	Integrated residential development.	
(A2)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents.	
(A3)	New buildings and additions to buildings that do not comply with Standard I552.6.1 Special Height Limit.	D
(A4)	New buildings and additions to buildings on a site subject to the Special Yard: North on I552.9.1 Precinct Plan 1 that do not comply with Standards I552.6.2 Special Yard: North.	NC
<b>Subdivision</b>		
(A5)	Any subdivision in the “special subdivision control area” area shown in Precinct Plan 1 that does not meet the minimum net site size requirements in Standard I552.6.5 Special Subdivision Control Area.	NC

**Table I552.4.5 Residential – Mixed Housing Urban Zone**

<b>Activity</b>		<b>Activity status</b>
<b>Use</b>		
<b>Community</b>		
(A1)	Recreation Facility in the location shown on Precinct Plan 1 as Recreation Facility complying with Standard I552.6.9 Maximum Gross Floor Area.	RD
(A2)	Recreation Facility in the location shown on Precinct Plan 1 as Recreation Facility not complying with Standard I552.6.9 Maximum Gross Floor Area.	D
<b>Development</b>		
(A3)	Integrated residential development.	
(A4)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents.	
(A5)	Development that does not comply with standard E27.6.4.1(3).	NC
(A6)	Construction of a road that does not comply with Standard 1552.6.4 Limited Access.	NC
(A7)	New buildings and additions to new buildings that do not comply with the Height Variation Control Standard I552.6.1A.	D
(A8)	Residential activity within the area shown on Precinct Plan 1 I552.9.1 as Noise and Lighting Sensitive Area that complies with Standard I552.6.7 Noise and Light Sensitive Areas.	P
(A9)	Residential activity within the area shown on Precinct Plan I552.9.1 as Noise and Lighting Sensitive Area that does not comply with Standard 1552.6.7 Noise and Light Sensitive Areas.	NC
(A10)	Residential activity on a site subject to Special Yard Tomlinsons Bush that complies with standard I552.6.3A.	P
(A11)	Residential activity on a site subject to Special Yard Tomlinsons Bush that does not comply with standard I552.6.3A.	D



Subdivision		
(A12)	Any subdivision not complying with standard I552.6.4 Limited Access.	D

**Table I552.4.6 Business – Neighbourhood Centre**

Activity		Activity status
<b>Use</b>		
<b>Development</b>		
(A1)	Development that does not comply with standard E27.6.4.1(3).	NC
(A2)	Construction of a road that does not comply with Standard I552.6.4 Limited Access.	NC
<b>Subdivision</b>		
(A3)	Any subdivision not complying with standard I552.6.4 Limited Access.	D

**Table I552.4.7 Business – Light Industry Zone**

Activity		Activity status
<b>Use</b>		
<b>Development</b>		
(A1)	New buildings and additions.	NC
(A2)	Earthworks and/or landscaping associated with any bund.	C

**I552.5. Notification**

- (1) Any application for resource consent for a controlled activity listed under I552.4 will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under sections 95A(9) or 95B(10) of the Resource Management Act 1991;
- (2) Any application for resource consent for a restricted discretionary, discretionary or non-complying activity listed in I552.4 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991; and particular regard will be given to the following;

- (a) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration, in relation to Rules I552.6.3, I552.6.6 and I552.6.7 which manages reverse sensitivity effects, to any owner / operator of the adjacent industrial land and heliport which is protected by the rule from such effects.
- (b) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration, in relation to Standard 1552.6.7 Noise and Lighting Sensitive Area which manages reverse sensitivity effects, to the operators/clubs of the Warkworth Showgrounds which is protected by the rule from such effects.

## I552.6. Standards

- (1) Unless specified in Standard 1552.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Tables I552.4.1 to I552.4.7 above.
- (2) The following Auckland-wide and zone standards do not apply to the activities listed in activity tables below:

- (a) Activity table 1552.4.1 All zones :

- Activity (A11): E38.8.2.3 does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on I552.9.1 Precinct Plan 1 and Standard I552.6. 5 applies
- Activity (A10): E38.8.3.1(3)-(5) does not apply to subdivision in Single House Zone where land is subject to special subdivision control area shown on I552.9.1 Precinct Plan 1 and Standard I552.6. 5 applies

- (b) Activity Table I552.4.4 Residential – Single House Zone:

- Activity (A3): H3.6.6 Building height standard of 8 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard I552.6.1 Special Height Limited applies
- Activities(A4): H3.6.8 Yards. The relevant yard in Table H3.6.8.1 Yards does not apply where
  - Standard I552.6.2 Special Yard : North applies
  - Standard I552.6.3 Special Yard : West applies

- (c) Activity Table I552.4.5 Residential – Mixed House Urban Zone:

- Activity (A7) H5.6.4 Building height standard of 11 metres does not apply to that part of the site subject to the height variation control shown on the planning maps and where Standard I552.6.1A Height Variation Control applies

[PC 78 \(see Modifications\)](#)

[PC 78 \(see Modifications\)](#)

[PC 78 \(see Modifications\)](#)

- (3) Activities listed in Activity Tables I552.4.1 to I552.4.7 must comply with Standards I552.6

#### **I552.6.1 Special Height Limit**

Purpose: To reduce the height of buildings adjacent to the Rural Boundary interface.

- [PC 78 \(see Modifications\)](#)
- (1) The maximum height limit in the Single House zone in the area shown as “special height limit” on Precinct Plan 1 (I552.9.1) shall be 5m for any part of a building that is within 22m but further than 12m from the Rural Urban Boundary.

#### **I552.6.1A Height Variation Control**

Purpose: To reduce building height below the standard zone height, where the standard zone height would have adverse effects on the rural backdrop of Dome Valley

- (1) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for that part of the site on the planning maps.

#### **I552.6.1B Yard**

Purpose:

- to increase the side and rear yard set back to a vested walkway adjoining or within a riparian yard.
- (1) No building, or retaining wall greater than 1 m in height, shall be constructed within 2m of a vested public walkway adjoining or within a riparian yard.

#### **I552.6.2 Special Yard: North**

Purpose:

- to form a transition from urban to rural uses;
  - to avoid buildings on the upper slopes of identified parts of the precinct which contribute to the landscape values and amenity of the Warkworth Clayden Road precinct
- (1) A building or parts of a building on sites shown as subject to the Special Yard on I552.9.1 Precinct Plan 1 must be set back 12m from the boundary as shown on Precinct Plan 1.
- (2) All land within the “special yard: north” shown on Precinct Plan 1 shall be landscaped. Fifty percent of the yard shall be planted in native trees that will attain a height of at least 5m when mature.
- (3) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.

#### **I552.6.3 Special Yard: West**

Purpose:

- to provide a landscape buffer and manage reverse sensitivity effects;
- to maintain a reasonable standard of residential amenity for sites adjoining

business land; and

- to establish a landscape bund at the interface with industrial land on that part of the site with appropriate contour for an urban bund.
- (1) A building or parts of a building must be set back from the precinct boundary by at least 30 m where sites are subject to the Special Yard: West on I552.9.1 Precinct Plan 1.
  - (2) For that part of the Special Yard: West within the Mixed Housing Urban zone, and that part within the Large Lot Residential zone with a slope less than 1 in 5, a 10m wide strip measured from the boundary of the precinct shall be planted with indigenous vegetation that will attain a height of at least 5m when mature, forming a planted visual buffer along the precinct boundary. The planting shall have attained a height of at least 1.5m prior to the construction of any dwelling within 100m of the Special Yard: West.
  - (3) The yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area and planting in perpetuity.
  - (4) On that part of the land within the mixed housing urban zone, and that part of the land within the large lot residential zone that has a slope of less than 1 in 5 a bund shall be constructed within the 10m planting strip of the Yard and shall have a minimum width at its base of 8m and a minimum height at its apex of 3m.
  - (5) The landscaping and bund shall be constructed at the time of any earthworks consents or other form of development on land within the area subject to this rule, or prior to the issue of any new title for development of the land within the Precinct; or construction of any dwelling, whichever occurs first.

#### **I552.6.3A Special Yard Tomlinsons Bush**

Purpose:

- to provide a buffer adjacent to Tomlinsons Bush.
- (1) A building or parts of a building must be set back from the legal boundary with Tomlinsons Bush by 6m where sites are subject to the Special Yard Tomlinsons Bush on I552.9.1 Precinct Plan 1.
  - (2) A 3m wide strip of the Special Yard measured from the boundary of the Tomlinsons Bush site shall be planted with indigenous vegetation that attain a height of at least 5m when mature, except where a public walking track is constructed within the 3m yard.
  - (3) The 3m wide strip of the Special Yard shall be legally protected by a covenant or consent notice providing for the maintenance and protection of the landscaped area, the prevention of dumping of rubbish and garden waste, the management of noxious weeds, and a prohibition on the keeping of domestic cats.

### **I552.6.3B Special Landscape Area**

Purpose:

- to provide landscaping features on two key upper portions of the precinct.
- (1) Land identified on I552.9.1 Precinct Plan 1 as Special Landscape Area shall be landscaped in either indigenous vegetation or retained as grassed land.
  - (2) No buildings or part of the building shall be constructed within the identified Special Landscape Area.

### **I552.6.4 Limited Access**

Purpose:

- to avoid direct vehicle access from individual sites onto Matakana Link Road; and
  - to have safe and efficient operation of transport infrastructure.
- (1) Road intersections with Matakana Link Road servicing the precinct, shall be located as identified as Access Points onto Matakana Link Road on I552.9.3 Warkworth Clayden Road: Precinct Plan 3 except:
    - (a) that the intersections from the north and south connecting with the easternmost access point identified on I552.9.3 Precinct Plan 3 shall be limited to a left turn in/left turn out intersection with Matakana Link Road only, and may be offset from each other by a maximum distance of 100m.

[PC 78 \(see Modifications\)](#)

### **I552.6.5 Special Subdivision Control Area in Single House Zone**

Purpose: To create larger sites along a portion of the northern boundary of the precinct identified as a "Subdivision Control Area".

- (1) Proposed sites in the area shown as "Special Subdivision Control" on I552.9.1 Precinct Plan 1 must comply with the minimum net site area of 1,000m<sup>2</sup>.

### **I552.6.5A Subdivision and development standard – Riparian yards for streams and natural wetlands**

Purpose:

- To protect and enhance water quality and ecology of the streams and natural wetlands shown on Precinct Plan 2 while preventing erosion.
- (1) The riparian yards of any permanent or intermittent stream must be planted at the time of subdivision or land development to a minimum width of 10m measured from the top of the stream bank or, where the stream edge cannot be identified by survey, from the centre line of the stream. This standard does not apply to that part of a riparian yard where a road or consented public walkway crosses over the stream and/or passes through or along the riparian yard.
  - (2) The riparian yards of any natural wetland shown on Precinct Plan 2 must be planted at the time of subdivision or land development to a minimum width of

10m measured from the wetland's fullest extent. This standard does not apply to that part of a riparian yard where a road or consented public walkway crosses over the wetland and associated riparian area, and/or generally passes across a stream and associated riparian area, or along the riparian yard.

- (3) The planting must:
  - (a) Use eco-sourced native vegetation;
  - (b) Be consistent with local biodiversity; and
  - (c) Be planted at a density of 10,000 plants per hectare.
- (4) Planting must be undertaken in accordance with Standard I552.6.5(3) and Special Information Requirement I552.8.2

### **I552.6.6 Noise Management Area, Noise Measurement Line and Covenants**

Purpose: To manage the reverse sensitivity effects on industrial activity in the Business: Light Industry zoned land located between Goatley Road and the precinct boundary and helicopter operations to and from the Warkworth Heliport at 38 Goatley Road by:

- Identifying a Noise Management Area within which mechanical ventilation is required.
  - Identifying a Noise Measurement Line where noise levels from industrial activity are to be measured.
  - Requiring a no complaints covenant in the Industrial Covenant Area related to industrial activity.
  - Requiring a no complaints covenant throughout the entire precinct related to helicopter operations.
- (1) Any residential building or part of a residential building within the Noise Measurement Area shown on I552.9.1 Precinct Plan 1 must provide ventilation and/or an air conditioning system(s) that satisfies the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.
  - (2) When determining whether any activity carried out in the Business: Light Industry zone complies with the noise limits in E25.6.19, noise levels are to be measured at the "Noise Measurement Line" and not at the closest residential boundary.
  - (3) A 'no complaints' covenant is registered against the certificate of title for every site in the Industrial Covenant-Area shown on I552.9.1 Precinct Plan 1 in favour of all sites within the Business: Light Industry zoned land located between Goatley Road and the precinct boundary. The requirement to register a covenant shall apply at the time of any landuse consent or 224C certification on any subdivision, or in the case where no landuse consent or subdivision is required, at the time of building consent for a dwelling or a noise sensitive use. Any landuse or subdivision consent that fails to comply with this rule is a non-complying activity. Where a building consent for a dwelling or a noise sensitive use is applied for and there is no

covenant on the title then the activity contravenes this rule and is a non-complying activity. The covenant must acknowledge and agree that:

- the site is adjacent to an industrial area that may operate 24 hours a day 365 days a year:
- the covenantor shall not, either personally or through another, either directly or indirectly:
  - complain to the Council about any activity;
  - make, support or encourage any enforcement action about any activity;
  - make any demands or bring any legal action;
  - do or permit to be done any act, matter or thing intended to restrict or inhibit any activity;

provided the activity is meeting district plan standards, or operating lawfully in accordance with a resource consent.

- (4) A 'no complaints' covenant is registered against the certificate of title for every site within the precinct in favour of the owner and operator of the Warkworth Heliport. The requirement to register a covenant shall apply at the time of any landuse consent or 224C certification on any subdivision, or in the case where no landuse consent or subdivision is required, at the time of building consent for a dwelling or a noise sensitive use. Any landuse or subdivision consent that fails to comply with this rule is a non-complying activity. Where a building consent for a dwelling or a noise sensitive use is applied for and there is no covenant on the title then the activity contravenes this rule and is a non-complying activity. The covenant must acknowledge and agree:

- the Heliport was established at 38 Goatley Road in 2010.
- The noise generated by the Heliport is measured at the notional boundary of the dwellings that existed or were under construction on 9 March 2010. The notional boundary is a line 20 metres from any side of those dwellings, or the legal boundary where that is closer than 20 metres.
- I552.9.4 Warkworth: Clayden Road Precinct Plan 4 identifying the dwellings that were existed or under construction on 9 March 2010 shall be attached to the covenant.
- The noise limit at the notional boundary of those dwellings is 50 dBA  $L_{dn}$  and a night time limit of 70 dBA  $L_{max}$  (10pm – 7am the following day). Noise generated by emergency flights and training for emergency flights are excluded from the measurements.
- The site may be closer to the Heliport than the dwellings existing or under construction on 9 March 2010, and may experience a higher level of noise.
- the covenantor shall not, either personally or through another, either directly or indirectly:

- complain about any heliport or any helicopter activity operating lawfully, or any helicopter operation at any time responding to an emergency flight including search and rescue or fire fighting, to Auckland Council or the Civil Aviation Authority;
- make, support or encourage any enforcement action about the Heliport;
- make any demands or bring any legal action in relation to the Heliport; or
- do or permit to be done any act, matter or thing intended to restrict or inhibit the Heliport;

provided the Heliport is operating lawfully in accordance with its resource consent, or

- lodge, support or encourage any submission, objection or appeal which has the effect of limiting, restricting or prohibiting the Heliport or amending the planning provisions applying to the Heliport provided that:
  - the noise generated by the Heliport is no greater than the levels above at the notional boundary of the dwellings that existed or were under construction on 9 March 2010; and
  - the Heliport has been operated lawfully;

*Note: For the purpose of this standard, a no complaints covenant is defined as a restrictive covenant registered on the title to the property or a binding agreement to covenant by the landowner. Details of an agreed form of the covenant may be obtained from Goatley Holdings Limited.*

#### **I552.6.7 Noise and Lighting Sensitive Area**

Purpose: To help manage potential reverse sensitivity issues regarding noise and lighting issues associated with the Warkworth Showgrounds by requiring a no complaints covenant and mechanical ventilation or air-conditioning.

- (1) A no complaints covenant shall be registered against the certificate of title for the sites adjacent to the Warkworth Showgrounds at which active sports and recreation activities are carried out in the Noise and Lighting Sensitive Area on I552.9.1 Precinct Plan 1. The covenant shall acknowledge the site is adjacent to the Warkworth Showgrounds including existing and future active sports and recreation activities and that the residents will not complain about any permitted activity meeting district plan standards, or any sports activity or sporting event that is being lawfully operated or carried out.
- (2) Any residential building or part of a residential building within the Noise and Lighting Sensitive Area shown on I552.9.1 Precinct Plan 1 that is within 80m of the boundary with the Warkworth Showgrounds must provide ventilation and/or air-conditioning systems that satisfy the requirements of New Zealand Building Code Rule G4 with all external doors of the building and all windows of the habitable rooms closed.



#### **I552.6.8 New Buildings and additions - High Contaminant Yielding Materials**

Purpose:

- to protect water quality in streams, and the Mahurangi East catchment, by limiting the release of contaminants from building materials.
- (1) New buildings, and additions to buildings must be constructed using inert cladding, roofing and spouting buildings materials.

#### **I552.6.9 Maximum Gross Floor Area Recreation Facility**

Purpose:

- to indicate the size of recreation facility anticipated in Warkworth Clayden Road Precinct.
- (1) The maximum gross floor area of any recreational facility in the location shown on Precinct Plan 1 shall be 2,000m<sup>2</sup> gross floor area.

#### **I552.6.10 Greenways – Walking and cycling infrastructure**

- (1) Walkways and cycleways (where practicable) that are to be vested in the Council shall be provided within the greenways shown on Precinct Plan I552.9.1 and;
- (a) Shall be constructed either to a walking track standard similar to that constructed in Regional Parks if not part of a vested formed road, or in the case where the greenway is part of a-vested formed road, constructed to normal footpath standards as appropriate;
  - (b) Shall provide connections to greenways on public or private land outside the land subject to resource consent, and are futureproofed by constructing track access to the boundary of the application site;
  - (c) The width of the track shall have a minimum width of 2m.
  - (d) Where the walkways and cycleways (where practicable) are adjacent to a stream for which an esplanade reserve is not required, but a 10m riparian yard is required by I552.6.5A, the walkway shall have a width of 2m and shall not be within the 10m riparian yard required by I552.6.5A unless a resource consent has been obtained that authorises that location.  
Where the off-road greenway is not indicated on Precinct Plan 1 I552.9.1 to be adjacent to a stream and it is intended to be vested, the walkway and cycleway shall be a minimum width of 8m from the stream.
- (2) Where the Council does not want or is unable to accept vesting of the walkway and associated riparian yard and stream bank, then there is no requirement to provide the walkway.

#### **I552.6.11 Integrated residential development and supported residential care**

- (1) Transport infrastructure including walking and cycling as indicated in I552.9.3 shall be provided as part of the development.

## **I552.7 Assessment – controlled activities**

### **I552.7.1 Matters of control**

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the overlay, Auckland wide or zone provisions:

- (1) Landscaping in accordance with Standard I552.6.3.
  - (a) Landscaping effects.
  - (b) Reverse sensitivity on adjacent Light Industry zoned land.
- (2) Earthworks and/or landscaping associated with any bund in the Business Light Industry zone
  - (a) Erosion and sedimentation effects.
  - (b) Land stability.

### **I552.7.2 Assessment criteria – Controlled Activities**

The Council will consider the relevant assessment criteria identified below for controlled activities, in addition to the assessment criteria specified for assessment of the relevant controlled activities in the zone, Auckland wide or overlay provisions:

- (1) Landscaping in accordance with Standard I552.6.3
  - (a) The extent to which:
    - (i) The landscaping and bund form a visual buffer between the industrial area to the west of the precinct and the housing within the Precinct.
    - (ii) Plant species are suitable for the location, and will achieve 5m in height when mature and are planted at an appropriate density to achieve the screening function.
    - (iii) The contour of the land is suitable for a bund.
    - (iv) Any application proposes a condition of consent requiring the landscape planting to be maintained and replaced as necessary to ensure that it is well maintained in perpetuity.

## **I552.7A Assessment – restricted discretionary activities**

### **I552.7A.1 Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Subdivision
  - (a) The matters of discretion listed at E38.12.1(7).
  - (b) Landscaping.

- (c) Transport including access, walking and cycling infrastructure, traffic generation and parking.
  - (d) The design and operation of any intersection with Matakana Link Road.
  - (e) Stormwater management.
  - (f) The extent to which greenway connections are provided.
  - (g) The extent to which riparian yards are provided adjacent to streams and natural wetlands.
- (2) Recreation Facility in the location shown on I552.9.1 Warkworth Clayden Road: Precinct Plan 1:
- (a) Building scale.
  - (b) Landscaping.
  - (c) Transport including access, parking and traffic generation.
  - (d) Interface with residential development.
  - (e) Interface with Warkworth Showgrounds.

#### **I552.7A.2 Assessment criteria - Restricted Discretionary Activities**

The Council will consider the relevant assessment criteria identified below for restricted discretionary activities, in addition to the assessment criteria specified for assessment of the relevant restricted discretionary activities in the zone, Auckland wide or overlay provisions:

##### (1) Subdivision

###### (a) Design and layout;

The extent to which:

- (i) The proposal contributes to the implementation of policies and in particular I552.3(1)-(5).
- (ii) Subdivision layout is consistent with Precinct Plans 2 and 3.
- (iii) Subdivision layout is designed to meet the minimum lot sizes of Rule I552.6.5 (Special Subdivision Control) to retain a lower density at this rural urban interface and provide a transition from urban to rural land uses.
- (iv) Subdivision layout is designed to ensure that no sites require vehicular access from Matakana Link Road. Sites shall be serviced from local roads, laneways JOAL's, or other suitable mechanisms.
- (v) Public open space and greenway spaces consider the public street network to support legibility, ease of visual access, and CPTED principles.
- (vi) Land is provided for a neighbourhood park in the location shown on Precinct Plan 1, or such other location that is suitable for a neighbourhood park and that public park site forms part of the land area of the application.

- (vii) Subdivision complies with rules I552.6.3 and I552.6.6 so as to manage adverse reverse sensitivity effects on the owners and operators of the adjacent Business-Light Industry land and the heliport.
  - (viii) Any application proposes a condition of consent requiring the landscape planting to be maintained and replaced as necessary to ensure that it is well maintained in perpetuity.
- (b) Streams, natural wetlands, stormwater, and walkways

The extent to which:

- (i) Sites that include streams shown on Precinct Plan 2, have complying practical building platforms clear of identified stream areas.
  - (ii) Earthworks are managed in such a way as to provide high quality erosion and sediment control measures.
  - (iii) The erosion and sediment control measures shall provide for and include use of the stormwater management ponds shown in Precinct Plan 2, and establishment of the wetland(s).
  - (iv) The cumulative effect of the approach to stormwater management is in accordance with a Stormwater Management Plan approved by the network utility operator and achieves a 'treatment train' process based on a ten year attenuation standard which mitigates urban stormwater, quality issues and controls runoff from roads and other impervious surfaces.
  - (v) Connections to greenways on public or private land outside the land subject to resource consent, are futureproofed by constructing track access to the boundary of the application site.
  - (vi) Any walkways are set back a minimum of 10m from any natural wetland.
  - (viii) Any walkway is set back a minimum of 5m from the top of the bank of any stream, except a walkway and bridge which crosses the stream.
  - (ix) Any walkway within a riparian yard successfully manages potential stream erosion and sedimentation effects and are planted in indigenous vegetation to the edge of the walkway.
  - (x) The treatment of walkway edges including retaining walls protects the ecology of the stream and does not unduly detract from the amenity of the stream and walkway.
  - (xi) The location and alignment of the walkway addresses any effects on the ecology of the immediate area and existing trees, land contour and the practicality of constructing the walkway and the amenity that would be provided to users of the walkway.
- (c) Transport

The extent to which:

- (i) The staging of any subdivision or development, including any residential or business zoned site, relying on access to Matakana Link Road is such that

completed homes or businesses are not occupied prior to Matakana Link Road becoming operational.

- (ii) A walkway network, generally in accordance with Precinct Plan 3 I552.9.3 including roads and open space area, is created to ensure an interconnected neighbourhood. This includes connections to the footpaths, cycleways and known bus stops on Matakana Link Road.
  - (iii) Cycling facilities are provided on collector roads to integrate with cycling facilities on-Matakana Link Road.
  - (iv) The intersection design of any road intersection with Matakana Link Road as shown on Precinct Plan 3 is supported by a transport assessment and safety audit demonstrating the intersection will provide a safe, efficient and effective connection to service the expected subdivision and development. This includes safe and convenient provision for pedestrians and cyclists.
  - (v) The transport assessment and safety audit demonstrate the design and operation of the proposed intersection will not have adverse effects on the function of the surrounding transport network including Matakana Link Road.
  - (vi) The greenway network crossing of the Matakana Link Road occurs either at at-grade pedestrian crossing facilities at the access points on to the Matakana Link Road shown on Precinct Plan 3, or as a walking track underneath the Matakana Link Road bridge.
  - (vii) The location of walkways within or adjacent to a riparian yard manages the effects of the walkway on any stream, ecological area or riparian planting.
- (d) Stormwater management
- (i) Development is in accordance with the approved Stormwater Management Plan and policies E1.3(1) – (14).

(2) Recreation Facility

The extent to which:

- (a) The recreation facility is located within the land area identified on Precinct Plan 1.
- (b) The height of the building complies with height variation control.
- (c) Landscaping, particularly front yard and the yard adjoining residential zoned land, provides a reasonable amenity to the neighbourhood.
- (d) Traffic generation effects can be accommodated within the transport network, safe access is provided to the site, and sufficient well designed and well located parking is provided.
- (e) The interface with the Warkworth Showgrounds provides a good built and landscaped amenity, and a degree of visual overlooking of the Showgrounds.

**I552.8 Special information requirements**

**I552.8.1 Transport and safety**

An application for subdivision and development that proposes an intersection with the Matakana Link Road must be accompanied by the following information as a minimum:

- (1) A transport assessment and safety audit prepared by a suitably qualified person for any proposed intersection with the Matakana Link Road.

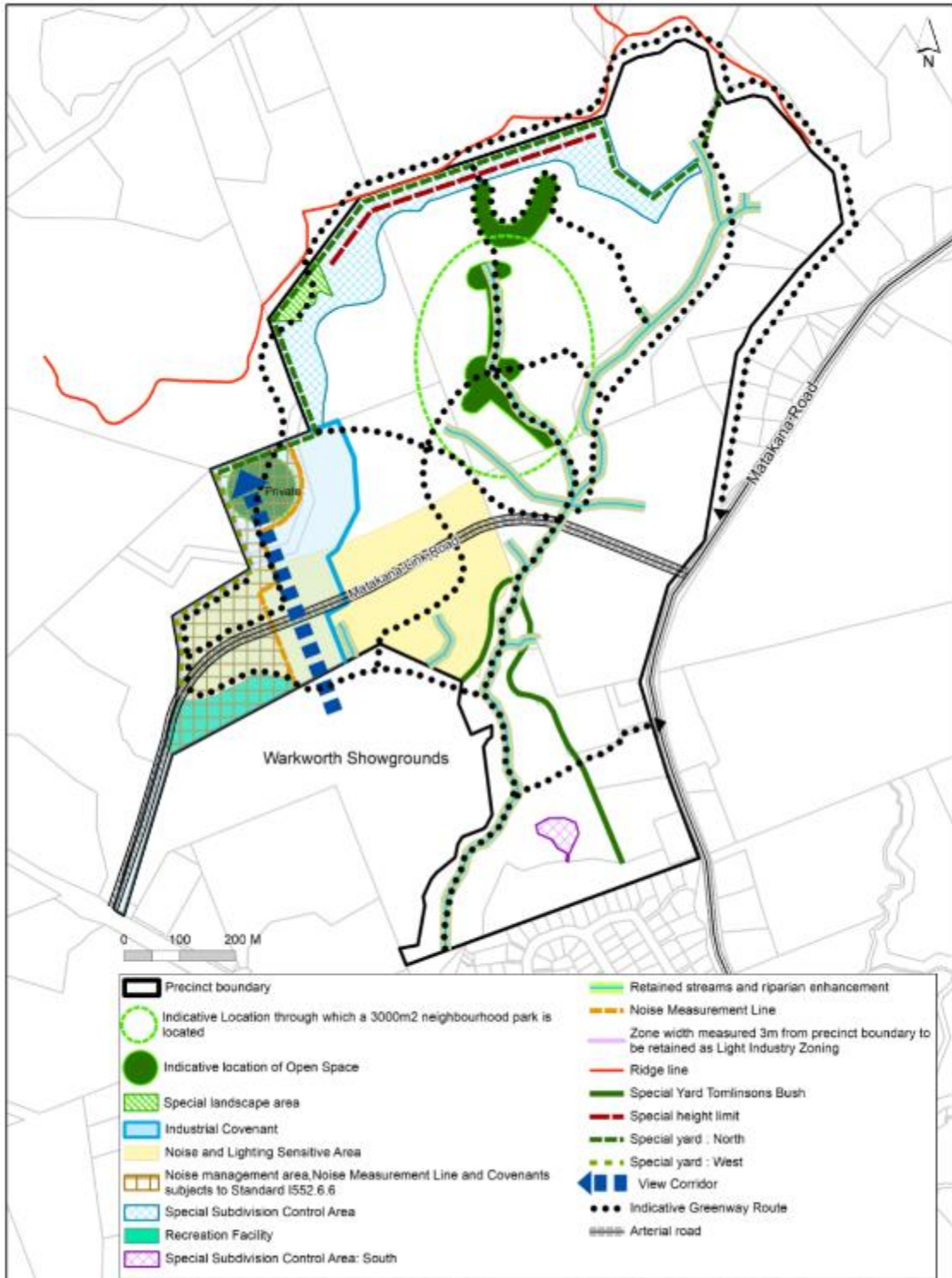
#### **I552.8.2 Riparian planting plan**

An application for any subdivision or development that requires the planting of a riparian yard under I552.5.B must be accompanied by the following information as a minimum:

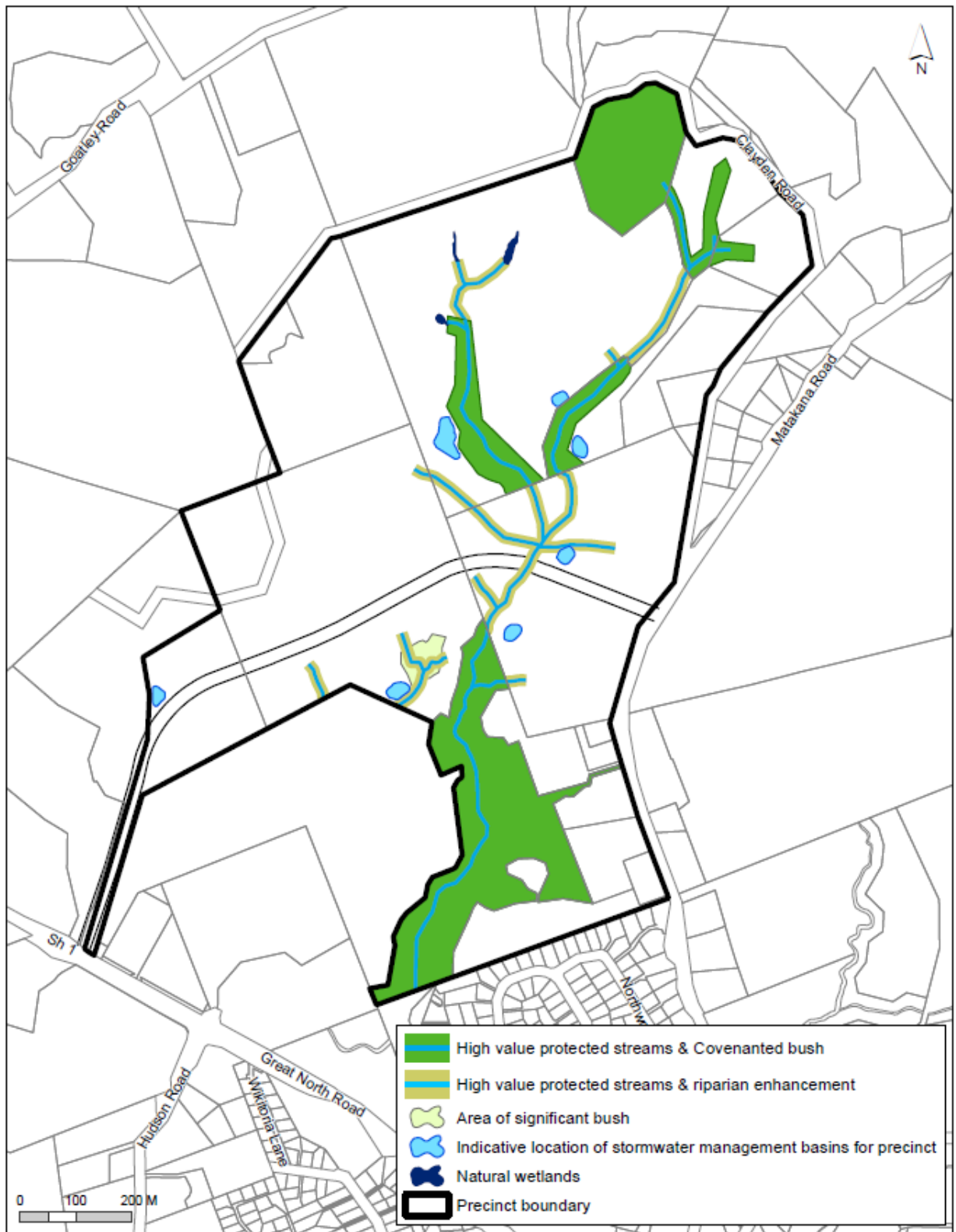
- (1) A planting plan prepared by a suitably qualified person
  - (a) The planting plan must;
    - (i) Identify the location, species, planting bag size and density of the plants;
    - (ii) Confirm detail on the eco-sourcing proposed for the planting; and
    - (iii) Take into consideration the local biodiversity and ecosystem extent.

I552.9. Precinct plans

I552.9.1 Warkworth Clayden Road Precinct Plan 1 Spatial provisions

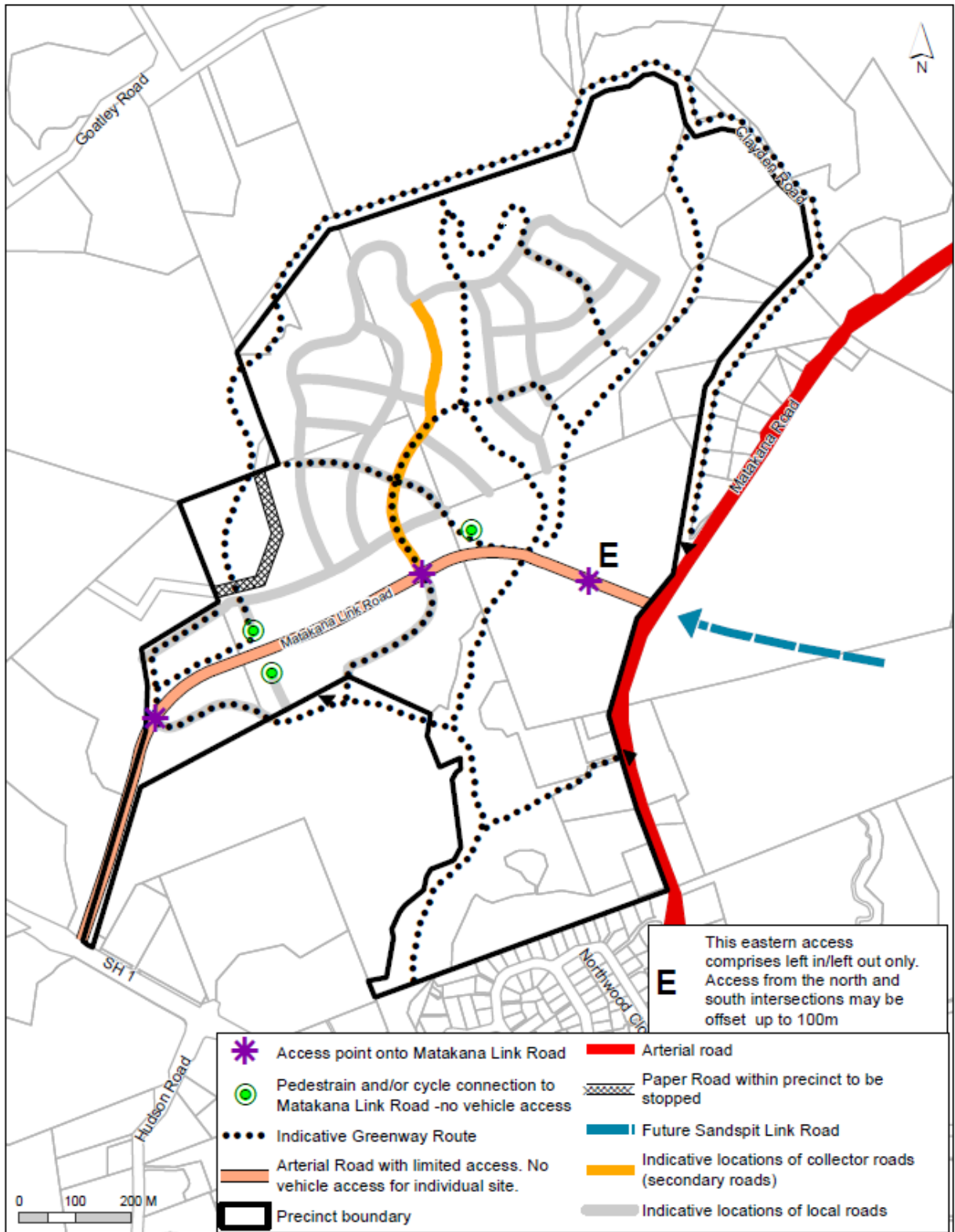


I552.9.2 Warkworth Clayden Road Precinct Plan 2 Environment





I552.9.3 Warkworth Clayden Road Precinct Plan 3 Transport



**I552.9.4 Warkworth Clayden Road Precinct Plan 4 Dwellings constructed or under construction on 9 March 2010**

