

H20. Rural – Waitākere Foothills Zone

H20.1 Zone description

The Rural – Waitākere Foothills Zone covers the area between the developed, urban part of Auckland and westward to the bush-covered part of the Waitākere Ranges. It includes the mixed rural and natural landscape of the eastern foothills catchments of Ōrātia, Opānuku, Swanson South and the upper Kumeu streams, excluding the relatively contiguous bush cover of the upper catchments and ridges. It forms a visual buffer between metropolitan Auckland and the bush-clad core of the heritage area. Activities include a mixture of vineyards, orchards, dwellings and pasture. Limited settlement is allowed where it does not cause adverse effects on the heritage features. Opportunity exists for the development of a walkway linking Titirangi to the Swanson Railway station and for the restoration of streams within the foothills.

H20.2 Objectives

- (1) Activities, development, and subdivision in this zone achieve the objectives of the Waitākere Ranges Heritage Area Overlay in [D12.2](#).
- (2) Land is used and developed to achieve the objectives of the Rural – Countryside Living Zone unless otherwise specified in objectives H20.2(1), (3) and (4).
- (3) The Rural – Waitākere Foothills Zone retains a rural character with low-density settlement and few urban-scale activities.
- (4) The Rural – Waitākere Foothills Zone provides a rural and visual buffer between urban Auckland and the forested ranges and coasts.

H20.3 Policies

- (1) Require subdivision, use and development to achieve the policies of the Waitākere Ranges Heritage Area Overlay in [D12.3](#).
- (2) Provide for use and development which supports the policies of the Rural – Countryside Living Zone unless otherwise specified in policies H20.3(3) to (11).
- (3) Provide for buildings and activities that:
 - (a) avoid, remedy or mitigate adverse effects on views to the Waitākere Ranges, the rural foothills and the western skyline of Auckland;
 - (b) are compatible with the amenity values, rural character and the natural landscape;
 - (c) retain a rural buffer between the bush-clad and urban parts of the city;
 - (d) avoid, remedy or mitigate effects on ecosystems, including native vegetation and habitats of native fauna;

- (e) do not lead or contribute to urban expansion and/or the fragmentation of rural character; and
 - (f) contribute to and enhance the ongoing productive use of rural land, and the restoration of degraded terrestrial and aquatic ecosystems.
- (4) Provide for a diverse range of rural activities that have a clear connection with the resources, communities or the natural or rural character and amenity values of the Waitākere Ranges Heritage Area.
- (5) Limit retail activities outside of the Ōrātia Village to home occupations, nurseries, garden centres, food and beverages, visitor accommodation and agricultural and horticultural produce.
- (6) Enable rural activities that have a clear connection with the community and its resources or maintain connections with the foothills' productive past, including retaining and maintaining farming, orchards, vineyards and shelterbelts, and designing landscape elements of new activities to reflect the Waitākere Ranges Heritage Area's history and pattern of development.
- (7) Maintain a clear contrast between the urban parts of the city and the foothills through design and location of subdivision and development.
- (8) Provide for limited subdivision and/or development where this:
- (a) protects and enhances streams, lakes, watercourses, and wetlands and their margins;
 - (b) restores low-quality areas of vegetation or provides for revegetation of bare areas along waterway margins; or
 - (c) minimises vegetation clearance by locating buildings and development in areas of lower ecological value on the site.
- (9) Require subdivision design to:
- (a) incorporate on-site native vegetation planting;
 - (b) retain or link significant vegetation and fauna habitat areas; and
 - (c) avoid adversely affecting the visual, historic, cultural, or spiritual significance of heritage features.
- (10) Provide for legal and physical protection of native vegetation to ensure these areas are protected in perpetuity, including, where necessary requiring fencing to achieve permanent stock exclusion.
- (11) Provide for the establishment of the indicative foothills walkway and connections from it to existing walkways.

H20.4 Activity table

Table H20.4.1 specifies the activity status of land use activities pursuant to sections 9(2) and 9(3) of the Resource Management Act 1991.

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) H20.4.1 to H20.6.17 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPF in relation to any of the above, the most restrictive rule will prevail.

If the NESPF does not regulate an activity then the plan rules apply.

Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (‘Freshwater NES’) came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

If an activity provided for in rules H20.4.1 to H20.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

Table H20.4.1 Activity Table

Activity		Activity status
(A1)	Activities not provided for	NC
Development		
(A2)	Demolition of buildings	P

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(A3)	Buildings not complying with Standard H20.6.2 Building height	D
(A4)	Building coverage that does not comply with Standard H20.6.4.(1) and which is less than or equal to 25 per cent of net site area	RD
(A5)	Building coverage that exceeds 25 per cent of net site area	NC
(A6)	New buildings and additions	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate
(A6A)	Rainwater tank	P
Use		
Rural		
(A7)	Farming	P
(A8)	Farm visit for up to 30 visitors	P
(A9)	Rural airstrips	D
(A10)	Greenhouses with a building coverage not exceeding 25 per cent of the net site area	RD
(A11)	Greenhouses with a building coverage exceeding 25 per cent of the net site area	NC
(A12)	Intensive farming not exceeding 200m ² in gross floor area	D
(A13)	Intensive poultry farming exceeding 200m ² in gross floor area	NC
(A14) [rp/dp]	Disposal of non-residential waste or composting complying with Standard H20.6.1.(1) and (2)	P
(A15) [rp/dp]	Disposal of non-residential waste or composting that does not comply with Standard H20.6.1.(1) and (2)	D
(A16)	Free-range poultry farming complying with Standard H20.6.6(1)	RD
(A17)	Free-range poultry farming not complying with Standard H20.6.6(1)	D
(A18)	Mustelid farming	Pr
(A19)	Forestry complying with Standard H20.6.7(1) to (5)	P
(A20)	Forestry not complying with Standard H20.6.7(1) to (5)	D
(A21)	Conservation planting	P

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(A22)	Rural commercial services	D
(A23)	Animal breeding or boarding	NC
(A24)	Produce sales complying with Standard H20.6.8	P
(A25)	Produce sales not complying with Standard H20.6.8	D
(A26)	Rural industries	NC
(A27)	On-site primary produce manufacturing not exceeding 200m ² in gross floor area	RD
(A28)	On-site primary produce manufacturing exceeding 200m ² in gross floor area	D
(A29)	On-site primary produce manufacturing not complying with Standard H20.6.15(1)	NC
(A30)	Post-harvest facilities not exceeding 200m ² in gross floor area	RD
(A31)	Post-harvest facilities not complying with Standard H20.6.14(1) and (2)	D
(A32)	Post-harvest facilities exceeding 200m ² in gross floor area	NC
(A33)	Equestrian centres	D
(A34)	Quarries - farm or forestry	NC
Accommodation		
(A35)	One dwelling per site	P
(A36)	Any dwelling not complying with Standard H20.6.9	NC
(A37)	Minor dwellings	P
(A38)	Any minor dwelling not complying with Standard H20.6.10(1) to (6)	NC
(A39)	Workers' accommodation	NC
(A40)	Home occupations	P
(A41)	Home occupations not complying with Standard H20.6.11	NC
(A42)	Visitor accommodation for no more than 20 people and located on a site greater than 20ha	RD
(A43)	Visitor accommodation for more than 20 people or located on a site less than 20ha	D
(A44)	Camping grounds	NC
Commerce		
(A45)	Restaurants and cafes accessory to farming carried out on the site with gross floor area up to 200m ²	RD
(A46)	Restaurants and cafes accessory to farming carried out on the site with gross floor area greater than 200m ²	D
(A47)	Restaurants and cafes not complying with Standard H20.6.16	D
(A48)	Garden centres	D

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(A49)	Markets	RD
(A50)	Markets not complying with Standard H20.6.12(1)(a) to (e)	D
(A51)	Storage and lock-up facilities	D
(A52)	Show homes	NC
(A53)	Veterinary clinics	D
(A54)	Filming	P
(A55)	Rural tourist and visitor activities	D
Community		
(A56)	Care centres	D
(A57)	Community facilities	D
(A58)	Healthcare facilities	D
(A59)	Education facilities	D
(A60)	Information facilities	D
(A61)	Outdoor recreational activities for up to 20 people	RD
(A62)	Outdoor recreational activities not complying with Standard H20.6.17	D
(A63)	Informal recreation and leisure	P
(A64)	Organised sport and recreation	D
(A65)	Clubrooms	RD
Mana Whenua		
(A66)	Urupā	D
(A67)	Marae	D
(A68)	Customary use	P
Mineral activities		
(A69)	Mineral extraction activities	NC
(A70)	Mineral prospecting	P
(A71)	Mineral exploration	P
(A72)	Mineral prospecting and mineral exploration not complying with Standard H20.6.13	D
Cleanfill, managed fill and landfill		
(A73)	Cleanfill	NC
(A74)	Managed fill	NC
(A75)	Landfill	NC

H20.5 Notification

(1) Any application for resource consent for an activity listed in Table H20.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) 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 to those persons listed in Rule [C1.13\(4\)](#).

H20.6 Standards

All permitted and restricted discretionary activities listed in Table H20.4.1 Activity table must comply with standards in H20.6.1. In addition these activities must comply with the applicable standards in H20.6.2 to H20.6.17 where relevant.

H20.6.1. General

- (1) Areas used for disposal of non-residential waste or composting must be located at least 100m from the boundary of adjoining sites in the Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone, Rural – Countryside Living Zone, Future Urban Zone and residential zones.
- (2) Areas used for disposal of non-residential waste or composting adjoining all rural zones other than Rural – Waitākere Foothills Zone, Rural – Waitākere Ranges Zone and Rural – Countryside Living Zone, must be located at least 20m from the boundary of adjoining sites.
- (3) Pens or areas used for intensive farming (excluding poultry hatcheries), or any effluent disposal system, including any area on which effluent is being disposed of by way of spray irrigation, or any treatment plant or ponds, or any composting area, must be at located at least:
 - (a) 250m from any dwelling located on any site other than the site on which the activity is carried out; and
 - (b) 100m from any boundary of the site on which the activity is located.

H20.6.2. Building height

Purpose: to manage the bulk and scale of buildings to ensure they are in keeping with rural landscape, character and amenity.

- (1) Dwellings and buildings accessory to dwellings including minor dwellings and garages must not exceed a height of 8m.
- (2) Other accessory buildings must not exceed a height of 15m.

H20.6.3. Yards

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise:

- adverse effects of buildings on the rural character and amenity values enjoyed by occupiers of adjoining properties; and
- opportunity for reverse sensitivity effects to arise

- the effects on streams to maintain water quality and provide protection from natural hazards.
- (1) [deleted]
 - (2) [deleted]
 - (3) A building, or parts of a building, must be set back from the relevant boundary by the minimum depth listed in Table H20.6.3.1 Minimum Yard Setback Requirements below.

Table H20.6.3.1 Minimum Yard Setback Requirements

Yard	Minimum depth
Front, side and rear yards for sites with a net site area of less than 4000m ²	3m
Front, side and rear yards for sites with a net site area greater than 4000m ²	10m
Riparian yard	20m from the edge of permanent and intermittent streams

H20.6.4. Building coverage

- (1) The maximum building coverage is one per cent of the net site area or 300m², whichever is greater.
- (2) Activities that do not comply with Standard H20.6.4(1) are a restricted discretionary activity provided that the total building coverage on the site does not exceed 25 per cent of the net site area.
- (3) Building coverage that exceeds 25 per cent of net site area is a non-complying activity.

H20.6.5. Buildings housing animals – minimum separation distance

Purpose: to ensure adequate and appropriate separation distance between buildings and site boundaries to minimise the:

- adverse effects of buildings on the character and amenity values enjoyed by occupiers of adjoining properties, and
 - opportunity for reverse sensitivity effects to arise.
- (1) Buildings for the primary purpose of housing animals with a gross floor area greater than 25m² must be located at least 50m from any boundary of the site.

H20.6.6. Free-range poultry farming

- (1) Coops and associated hard stand areas must be set back at least 50m from the nearest site boundary.

H20.6.7. Forestry

The following standards apply to forestry:

- (1) forestry activity on a site must not exceed 2ha;
- (2) forestry must be carried out at least 10m from any adjoining site boundary unless the landowner of the forest also owns or controls the adjoining site, or the adjoining site is an area identified in the Significant Ecological Areas Overlay or the adjoining site is already forested;
- (3) forestry must be carried out at least 5m from the bank of a permanent stream, river, lake, wetland or coastal edge;
- (4) forestry must be carried out at least 5m from an area identified in the Significant Ecological Areas Overlay; and
- (5) portable sawmills must be located on a site for no more than six months in any 12 month period. Where a portable sawmill has been located on a site for longer than six months in any 12-month period, the use of portable sawmill on the site will be considered as a rural industry being a non-complying activity in the Rural – Waitākere Foothills Zone.

H20.6.8. Produce sales

The following standards apply to produce sales:

- (1) produce sales must not be carried out on any part of the road reserve and the activity must not have its vehicle access from a State Highway or motorway;
- (2) produce that is not grown or produced on the site or on a site owned by the same landholder must not be sold or offered for sale;
- (3) the area set aside for produce sales (comprising any land, buildings, parts of a building, tables, tractors, barrows, platforms, boxes or any other structure or vehicle used for that purpose), must not exceed 100m²; and
- (4) The type of produce offered for sale on the site must be confined to the following:
 - (a) fruit, vegetables, plants, eggs, flowers, honey, dairy products, meat, wine, juices;
 - (b) produce or products from on-site primary produce manufacturing; or
 - (c) handcrafts or artworks made on the site.

H20.6.9. Dwellings

The following standards apply to dwellings:

- (1) there must not be more than one dwelling (not including a minor dwelling) on a site;
- (2) a dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (3) standard H20.6.9(2) does not apply to unstained timber and natural materials;
- (4) fencing around dwellings must comprise rural post and wire or post and rail fencing;
- (5) rainwater tanks must:
 - (a) not be located:
 - (i) in a riparian yard unless less than 1m in height or wholly below ground level;
 - (ii) in a front yard unless they are at least 1.5m from the front boundary and are located wholly below ground level;
 - (b) not exceed 3m in height (excluding any pipework) in a rear or side yard;
 - (c) not be located on or outflow across an existing effluent dispersal area;
 - (d) any overflow from the rainwater tank must discharge to the existing authorized stormwater system for the site.
 - (e) be finished in a recessive colour in a natural colour range (green, brown, grey) unless wholly below ground level or fully screened by vegetation.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

- (6) driveways must be constructed with material that is visually recessive e.g. exposed aggregate concrete, asphalt, chip seal, concrete with charcoal oxide tint.

H20.6.10. Minor dwellings

The following standards apply to minor dwellings:

- (1) a minor dwelling must be located on a site with a minimum net site area of 1500m²;
- (2) there must be no more than one minor dwelling per site;

- (3) the minor dwelling must be constructed to have colour reflectivity limited to the following:
 - (a) between 0 and 40 per cent for exterior walls; and
 - (b) between 0 and 25 per cent for roofs;
- (4) the proposed minor dwelling must have a floor area less than 65m² excluding decks and garaging;
- (5) the minor dwelling must share the same driveway access as the principal dwelling; and
- (6) the building must comply with the relevant requirement for yards and maximum height for buildings as set out in Standards H20.6.2 and H20.6.3 and the standards for dwellings set out in Standard H20.6.9(2)-(6).

H20.6.11. Home occupations

The following standards apply to home occupations:

- (1) no more than five persons are engaged in the home occupation;
- (2) at least one person engaged in the home occupation must use the dwelling or minor dwelling on the site as their principal place of residence;
- (3) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation, and no more than 10 guests may be accommodated within an existing dwelling;
- (4) except for homestay accommodation, customers and deliveries must not arrive before 7am or after 7pm any day;
- (5) Heavy vehicle trips must not exceed two per week.
- (6) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (7) [Deleted]
- (8) storage for rubbish and recycling must be provided on site and screened from public view;
- (9) materials or goods manufactured, serviced or repaired as part the home occupation activity must be stored within a building on the same site;
- (10) goods sold from the home occupation must comply with the standards in H20.6.8 for produce sales; and
- (11) a home occupation involving homestays is limited to the accommodation of a maximum of 10 people on the site at any one time. This includes the people who reside on the site.

H20.6.12. Markets

- (1) Markets must comply with all of the following:
 - (a) must operate on a site greater than 2ha;
 - (b) must not be located on a rear site;
 - (c) must operate between 7am and 7pm daily;
 - (d) must not occur more than two days every week; and
 - (e) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts goods.

H20.6.13. Mineral prospecting and mineral exploration

- (1) Mineral prospecting and mineral exploration must comply with all of the following:
 - (a) must not involve blasting; and
 - (b) must not be undertaken outside the hours of 7am to 10pm on any day.

H20.6.14. Post-harvest facilities

The following standards apply to post-harvest facilities:

- (1) the activity is limited to sorting or processing of goods from agricultural or horticultural produce; and
- (2) the activity is located on a site with a net site area of greater than 2ha.

H20.6.15. On-site primary produce manufacturing

- (1) The activity must be located on a site with a net site area exceeding 2ha.

H20.6.16. Restaurants and cafes

The following standards apply to restaurants and cafes:

- (1) the activity does not incorporate drive-through sales; and
- (2) the activity must occur on a site with a net site area greater than 2ha.

H20.6.17. Outdoor recreation activities

- (1) The activity may involve buildings or structures ancillary to the activity and must not have a gross floor area greater than 30m².
- (2) The activity must not involve motorsport or guns.

H20.7 Assessment – controlled activities

There are no controlled activities in this zone.

H20.8 Assessment – restricted discretionary activities

H20.8.1. Matters of discretion

The Council will restrict its discretion to all the following matters when assessing a restricted discretionary resource consent application.

- (1) All restricted discretionary activities:
 - (a) rural character and amenity values;
 - (b) the scale and intensity of buildings and activities;
 - (c) retention and maintenance of vegetation;
 - (d) landscape treatment of sites;
 - (e) the duration and hours of operation of activities;
 - (f) parking, access and traffic movement;
 - (g) site restoration on completion of filming activities; and
 - (h) those matters set out in [H19](#). Rural zones under [H19.12.1](#) Matters of discretion.
- (2) Infringement of the minimum yard setback requirement:
 - (a) location of buildings, privacy, screening and landscape treatment.
- (3) Infringement of the building coverage:
 - (a) building bulk, screening and landscape treatment; and
 - (b) provision of outdoor space.

H20.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) For all restricted discretionary activities:
 - (a) the extent to which the character, scale, hours of operation and intensity of the activity are compatible with amenity values, neighbourhood character, and the natural landscape and do not result in cumulative adverse effects;
 - (b) the extent to which the activity adversely affects rural character;
 - (c) the extent to which buildings are compatible with the scale and appearance of other buildings in the neighbourhood;
 - (d) whether the activity would result in adverse effects on water quality, native vegetation and fauna habitat;

- (e) whether the activity individually or cumulatively leads to pressure for urban expansion or the fragmentation of sites leading to a loss of rural character and amenity values;
 - (f) the extent to which the activity provides safe driveway access and sight lines;
 - (g) the extent to which the traffic movements of filming activities can be safely accommodated within the local road environment; and
 - (h) the assessment criteria in [H19.12.2](#) Rural zones – assessment criteria for restricted discretionary activities.
- (2) Infringement of minimum yard setback requirement:
- (a) The extent to which buildings are located:
 - (i) a sufficient distance back from the site boundary to avoid more than minor adverse effects on the natural landscape;
 - (ii) in a position which maintains opportunities to retain vegetation around the edges of the site; and
 - (iii) a sufficient distance back from site boundaries of adjoining sites to ensure a minimum level of privacy.
- (3) Infringement of building coverage standard:
- (a) the extent to which the scale of buildings detracts from the natural landscape, in particular:
 - (i) extent of landscape modification, including earthworks and vegetation alteration;
 - (ii) the visual prominence of the building; and
 - (iii) the relationship of buildings to neighbouring sites.

H20.9 Special information requirements

There are no special information requirements in this zone.