

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of four appeals under clause 14 of
the First Schedule to the Act

BETWEEN **G & L DEAN**

ENV-2010-AKL-000290

AND **G & L DEAN**

ENV-2010-AKL-000291

AND **WAITAKERE RANGES
PROTECTION SOCIETY
INCORPORATED**

ENV-2010-AKL-000307

AND **AUCKLAND COUNCIL (as
successor to the Auckland
Regional Council)**

ENV-2010-AKL-000280

Appellants

AND **AUCKLAND COUNCIL (as
successor to Waitakere City
Council)**

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge J A Smith sitting alone under section 279 of the Act

IN CHAMBERS in Auckland.

CONSENT ORDER

Introduction

The Court has read and considered the notices of appeal and the memorandum of the parties dated 30 July 2012.



2. This consent order relates to two decisions of the former Waitakere City Council (now Auckland Council) (**Council**) on proposed Plan Changes 35 (Waitakere Ranges Heritage Protection Section, Oratia Local Area Plan, Waiatarua Local Area Plan and Oratia Rural Village) (**PC 35**) and proposed Plan Change 36 (Rural Activities and Social, Cultural and Economic Wellbeing of the People and Communities in the Waitakere Ranges Heritage Area) (**PC 36**) to the Waitakere City District Plan (now the Auckland Council District Plan (Waitakere Section) 2011) (**District Plan**).

3. The following parties have given notice of an intention to become parties to these appeals under section 274 of the Act, and are interested in the matters to be resolved by this consent order:

- (i) Waitakere Ranges Protection Society;
- (ii) Strategic Property Advocacy Network;
- (iii) The South Titirangi Ratepayers and Residents Association Incorporated;
- (iv) The Titirangi Ratepayers and Residents Association Incorporated;
and
- (v) G & L Dean.

4. The Court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The Court understands for present purposes that:

- (a) All parties to the proceedings have executed the memorandum requesting this order or have advised the Court that they support the order;
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Resource Management Act 1991, including in particular Part 2.

Order

5. Therefore, the Court orders, by consent, that:

The following appeals are resolved in full:



- (i) ENV-2010-AKL-000290 - G & L Dean v Auckland Council (on PC 35); and
 - (ii) ENV-2010-AKL-000291 - G & L Dean v Auckland Council (on PC 36).
- (b) The following appeals are resolved in part:
- (i) ENV-2010-AKL-000307 – Waitakere Ranges Protection Society Incorporated, specifically the relief sought in paragraph 6(a)(v) of the notice of appeal; and
 - (ii) ENV-2010-AKL-000280 – Auckland Council (formerly Auckland Regional Council) v Auckland Council (formerly Waitakere City Council), specifically the relief sought in paragraph 18(c) of the notice of appeal.
- (c) Proposed Plan Change 35 to the Auckland Council District Plan (Waitakere Section) 2011, is modified in accordance with **Attachment 1** to this consent order; and
- (d) **Attachment 2** to this consent order is inserted as a new appendix XIV to the Auckland Council District Plan (Waitakere Section) 2011.
- (e) There is no order as to costs in relation to this order.

DATED at Auckland this

7th

day of

September

2012.

J A Smith
Environment Judge



Attachment 1

5B.3.1.3 Statement of Oratia's Desired Future Character and Amenity

Leave unchanged paragraph 5B.3.1.3 (iii) as follows:

iii) A Distinct Urban-Rural Edge

Oratia's role as a gateway marking a distinct change from metropolitan Auckland to the Waitakere Ranges Heritage Area will be clearly defined, articulated and reinforced by *rural activities* and landscape **enhancements** within the boundaries of the Heritage Area. Where Oratia is adjacent to the Auckland Metropolitan Urban Limit in the vicinity of Parrs Cross Road/Pine Avenue, a dramatic boundary will be maintained between metropolitan Auckland and rural Oratia. The rural character of the **views** into Oratia will be maintained. To preserve this urban-rural boundary of Oratia, urban-scale activities will be avoided in the **rural landscape**. The vegetated backdrop within the **rural landscape** will be maintained.

Amend 5B.3.1.6 Policies: *Oratia Local Area* as follows:

5B.3.1.6.4

Subdivision of Lot 14 DP 86225 and Lot 1 DP 63568 within the triangle bounded by Pine Avenue, Forest Hill Road and Holdens Road shall:

- i. contribute to the achievement of Oratia's desired future rural character and *amenity* (see section 5B.3.1.3);
- ii. ~~accords with a density that is no greater than the average density for the Oratia Structure Plan;~~
- iii. locate *building platforms* away from Reads Holdens Road;
- iv. maintain the rural character of *land*;
- v. reflect the boundary between the metropolitan area and rural Oratia; and
- vi. **promote the protection, restoration and enhancement of the area's *heritage features*, streams, *wetlands* and *green network* and maintain stormwater runoff at pre-development levels.**

Explanation

Lot 14 DP 86225 and Lot 1 DP 63568 form part of tThe area bounded by Pine Avenue, Forest Hill Road and Holdens Road and identified as *Foothills Environment*. The *lots* falls outside the *Oratia Structure Plan* boundary, and ~~was~~ ~~were~~ not therefore considered along with the rest of the valley as part of that structure plan process. The *lots* can appropriately be subdivided however and sSpecial policy provision is therefore made for this area those *lots*. Subdivision is provided for as a discretionary activity (35/59). *limited discretionary activity*.

It is anticipated that through future planning processes the zoning of the area within Lot 14 DP 86225 adjacent to Pine Avenue and which is located outside of the Waitakere Ranges Heritage Area (hatched blue in Appendix XIV) will be rezoned so that the policy and rule framework for this *land* better fits its context.

Amend *Foothills Environment Subdivision Rule 7* by adding the following *limited discretionary activity* to Rule 7.2 as follows:



d) In respect to any site Lot 14 DP 86225 and Lot 1 DP 63568 within the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road (known as the Holdens Triangle), subdivision where:

- ~~i. the average net site area is no less than 1.6 ha for each additional site created and the minimum net site area is 4000 m²;~~
- i. the subdivision of Lot 14 DP 86225 and Lot 1 DP 63568 is limited to 5 lots in total (i.e. three additional lots) excluding any joint access lots;
- ii. the area within Lot 14 DP 86225 (as marked in blue hatching on the plan contained in Appendix XIV) that is adjacent to Pine Avenue and which is located outside of the Waitakere Ranges Heritage Area may be subdivided into one site with an area of less than 1 hectare;
- iii. the minimum size of any other new lot shall be 1 hectare, excluding any joint access lots;
- iv. there shall be no new road;
- v. each proposed site shall have practical and legal access to a road;
- vi. no new driveway shall be steeper than a slope of 1 in 5 for any distance exceeding 10 metres;
- vii. any subdivision shall ensure that no new buildings are located within 25 metres of the Holdens Road frontage along the southern boundary of Lot 1 DP 63568; as shown in Appendix XIV;
- viii. no new buildings are located within 40 metres of the Holdens Road frontage along the eastern boundary of Lot 14 DP 86225 and Lot 1 DP 63568 as shown in Appendix XIV;
- ix. access from Holdens Road to any new sites created by the subdivision of Lot 1 DP 63568 shall provide a maximum of one additional driveway;
- x. any subdivision shall ensure that landscaping strips no less than five metres in depth are provided along the Holdens Road boundary as shown in Appendix XIV (with the exception of a vehicle access as provided by ix);
- xi. the landscaping strips shall consist of densely planted vegetation including species that reach a height of no less than 3 metres and may incorporate the existing shelter belt;
- xii. the landscaping strips required by rule x shall have the required planting established in accordance with rule xi prior to the issue of a certificate under section 224 of the Act; and
- xiii. the landscaping strips shall be maintained at a minimum height of 3 metres and be protected by way of a covenant, encumbrance or consent notice on the title;
- xiv. the application is lodged on the basis that a consent notice will be registered against the titles to all parts of the land (excluding the area referred to in ii above, which immediately abuts Pine Avenue), to record that:
 - a) the density of subdivision provided for under Rule 7.2(d)(i) has been utilised in full; and
 - b) there will be no further subdivision undertaken of the land previously comprised of Lot 14 DP 86225 and Lot 1 DP 63568. Should any application be made under Section 221(3) of the Resource Management Act 1991 to vary or cancel the condition specified in the consent notice, the Waitakere Ranges Protection Society Incorporated will be considered an affected party and will be served notice of any application to vary or cancel the consent notice.



Amend the list entitled "Assessment of *Limited Discretionary Activity* applications will be limited to the matters of" within *Foothills Environment Subdivision Rule 7.2* to include an additional bullet point as follows:

The location of *building platforms* on Lot 14 DP 86225 and Lot 1 DP 63568; and

Amend *Foothills Environment Subdivision Rule 7* by adding the following assessment criteria and consequently renumbering references to the assessment criteria in the *controlled, limited discretionary* and *discretionary* discretions and allocate assessment criteria numbers according to preceding number of the decisions on the *Swanson Structure Plan*.

7(z)Y(y)

In the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road (known as the Holdens Triangle), the extent to which the subdivision of Lot 14 DP 86225 and Lot 1 DP 63568 as shown in Appendix XIV:

- i. addresses the assessment criteria applying to *subdivision* in the *Oratia Structure Plan*;
- ii. addresses the assessment criteria applying to the *Oratia Local Area*;
- iii. ~~locates building platforms away from roads to maintain rural road-scapes;~~
~~iv — maintains rural character; and~~
locates any proposed *building(s)* away from Holdens Road so as to protect the rural character of the area and avoid blurring the boundary between the metropolitan area and the rural landscape;
- iv. retains the rural character of the environment, taking into account any cumulative effects arising in association with existing *buildings* on the site;
- v. proposes *plantings* which screen proposed *building(s)* from Holdens Road; and
- vi v protects, restores and enhances *heritage features*, streams, wetlands and indigenous vegetation within the site.

Amend sub-clause (d) *discretionary activities* of Rule 7.3 of the *Foothills Environment Subdivision Rules* as follows:

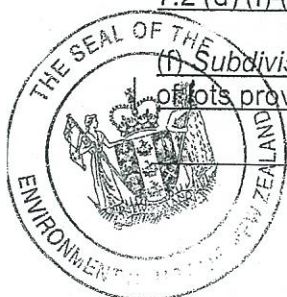
- d) In respect to any site within the area bounded by Holdens Road, Forest Hill Road, Pine Avenue and Parrs Cross Road (known as the Holdens Triangle), subdivision where:
- i. ~~the average net site area is no less than 1.6 ha for each additional site created and the minimum net site area is 4000 m²;~~
 - ii. ~~there shall be no new road;~~
 - iii. ~~each proposed site shall have practical and legal access to a road; and~~
 - iv. ~~no new driveway shall be steeper than a slope of 1 in 5 for any distance exceeding 10 metres. (35/59)~~

d) Any subdivision of Lot 14 DP 86225 and Lot 1 DP 63568 complying with the density in rule 7.2 (d)(i), but that does not meet some or all of the standards within 7.2 (d) (ii)-(xiii)

Amend sub-clause (e) and (f) non complying activities of Rule 7.4 of the *Foothills Environment Subdivision Rules* as follows:

(e) Subdivision of Lot 14 DP 86225 and Lot 1 DP 63568 meeting the standards of Rule 7.2 (d) (i)-(xiii) but not meeting the standard in Rule 7.2 (d) (xiv)

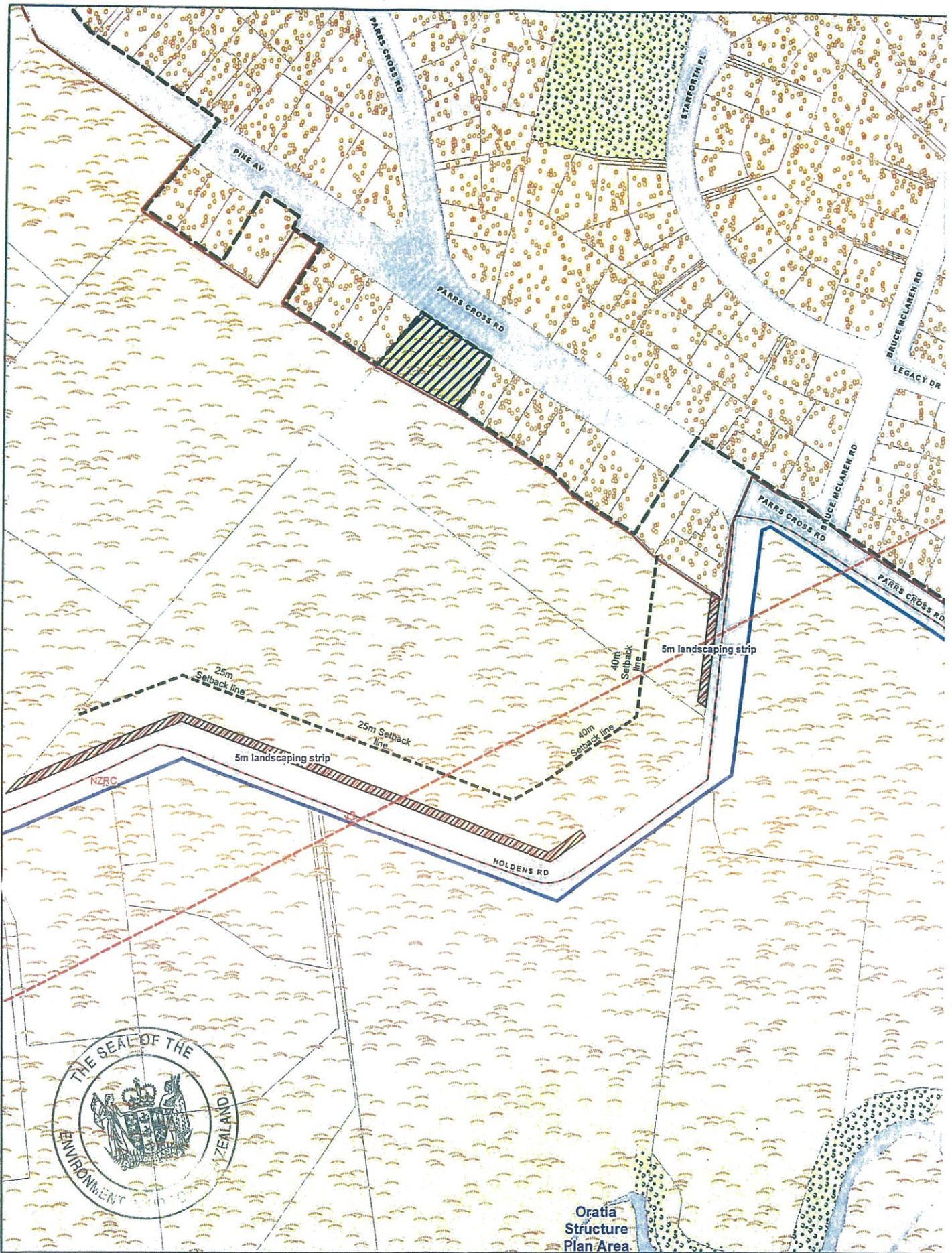
(f) Subdivision of Lot 14 DP 86225 and Lot 1 DP 63568 exceeding the maximum number of lots provided for in Rule 7.2 (d)(i)



Attachment 2



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Scale: 1:2,000 @ A3

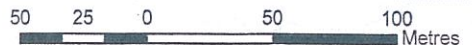


Lot 14 DP86225 and Lot 1 DP63568

Appendix XIV



Parcel Boundary: Parcels indicated the extent of subdivision at the time of map production. However further subdivision may have occurred since printing. Check with the Council if you need to know whether further subdivision has occurred.



IN THE MATTER

of the Resource Management Act
1991 (the Act)

AND

IN THE MATTER

of an appeal under clause 14 of
the First Schedule to the Act

BETWEEN

**WAITAKERE RANGES
PROTECTION SOCIETY
INCORPORATED**

ENV-2010-AKL-000307

Appellant

AND

**AUCKLAND COUNCIL (as
successor to Waitakere City
Council)**

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge J A Smith sitting alone under section 279 of the Act

IN CHAMBERS in Auckland.

CONSENT ORDER

Introduction

1. The Court has read and considered the notice of appeal and the memorandum of the parties dated 6 July 2012.
2. This consent order relates to an appeal by the Waitakere Ranges Protection Society Incorporated (**WRPS**) against a decision of the former Waitakere City Council (now Auckland Council) (**Council**) regarding proposed Plan Change 35 (Waitakere Ranges Heritage Area District Plan Section, Oratia Local Area Plan, Waiatarua Local Area Plan and Oratia Rural Village) (**PC 35**) to the Auckland Council District Plan (Waitakere Section) 2011.



3. The following persons gave notice of an intention to become parties to this appeal under section 274 of the Act, and have signed the memorandum of the parties setting out the relief sought:

- (i) The Titirangi Ratepayers and Residents Association Incorporated;
and
- (ii) The South Titirangi Ratepayers and Residents Association Incorporated.

4. No other person has given notice of an intention to become a party to this appeal under section 274 of the Act.

5. The Court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The Court understands for present purposes that:

- (a) All parties to the proceedings have executed the memorandum requesting this order;
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Resource Management Act 1991, including in particular Part 2.

Order


6. Therefore, the Court orders, by consent, that:

- (a) The provisions of proposed Plan Change 35 to the Auckland Council District Plan (Waitakere Section) 2011, are modified in accordance with **Attachment 1** to this consent order;
- (b) Oratia Rural Village: Non-Residential Activity Overlay map is amended, as shown in **Attachment 2** to this consent order;



- (c) The appeal by WRPS is resolved in part; with the relief sought in paragraph 6(a)(v) of the notice of appeal to remain the subject of case management; and
- (d) There is no order as to costs in relation to this consent order.

DATED at Auckland this 1ST day of August 2012



J A Smith
Environment Judge



Attachment 1



Amend the Rules of the District Plan as follows:

Insert a new Rule 8B Non-Residential Activities within the Oratia Rural Village Non-Residential Activity Overlay for the Foothills Environment as follows: (35/60, 35/68, 35/72, 35/74, 35/82, 35/91)

Rule 8B	NON-RESIDENTIAL ACTIVITIES WITHIN THE ORATIA RURAL VILLAGE NON-RESIDENTIAL ACTIVITY OVERLAY
<p>RULES</p> <p>8B.0 General The following rules shall apply to all <i>Non-Residential Activities</i> located within the <i>Oratia Rural Village Non-Residential Activity Overlay</i> (refer Human Environment Map F8).</p> <p>8B.1 Permitted Activities The following <i>activities</i> are <i>Permitted Activities</i>:</p> <p>i) <i>Rural activities</i>;</p> <p>ii) <i>Home occupations</i> permitted by Rule 8A.1 of the <i>Foothills Environment</i>;</p> <p>iii) <u><i>Retail services</i> excluding those which include activities described in 8B.1 v) (d).</u></p> <p>iii) iv) <i>Non-Residential Activities</i> lawfully established prior to 8 December 2009 provided that any increase in floor space of an existing activity complies with the limitations for total new floor space in Rule 8B.1(iv)(d) and (e) below; floor space in Rule 8B (iv)(b) 8B (v)(b) below;</p> <p>iv) v) <u>New—<i>Non-Residential Activities</i> in addition to those in Rule 8B.1(iii) (iv) above provided that:</u></p> <p>(a) <u><i>retail sales</i> are limited to:</u></p> <ul style="list-style-type: none"> • <i>Convenience shop(s)</i>; • agricultural and horticultural produce; • <i>Restaurant(s) (food)</i> excluding drive through activity; • <i>arts and crafts</i>; • <u><i>retail sales ancillary to a retail service, not exceeding 10% of the floor area occupied by the non residential activity</i>;</u> <p>(b) the floor space for each <i>non-residential activity</i> does not exceed 100 m²;</p> <p>(c) the total number of <i>non-residential activities</i> in each <i>building</i> does not exceed 2 and the total number of new <i>non-residential activities</i> in the <i>Oratia Rural Village Non-Residential Activity Overlay</i> does not exceed 42 18;</p> <p>(d) the total new <i>retail sales floor space</i></p>	<p>ASSESSMENT CRITERIA</p> <p>8B(a) The extent to which all <i>development</i> and <i>buildings</i> contribute to high standards of <i>design</i>, a rural village character, pedestrian <i>amenity</i>, and safe and attractive <i>public places</i> by:</p> <p>i. The <i>design</i> of <i>buildings</i> reflects the historic productive context of Oratia and its packing shed building forms;</p> <p>ii. Reusing existing <i>buildings</i>;</p> <p>iii. Locating <i>buildings</i> and <i>development</i> to maintain rural views;</p> <p>iv. Integrating with existing <i>development</i> including adjacent community facilities;</p> <p>v. encouraging shared vehicle access and shared <i>car parking</i> including the use of on-street car parks where available;</p> <p>vi. ensuring that <i>car parking</i> is not located between the <i>building(s)</i> and the <i>road</i>;</p> <p>vii. limiting the extent of impervious surfaces and utilising permeable paving;</p> <p>viii. creating courtyards, planted orchards or vineyards and open spaces between <i>buildings</i>; and</p> <p>ix. providing a covered pedestrian entry that is visible from the <i>street</i>.</p> <p>8B(b) The extent to which the retention of existing <i>vegetation</i> and/or <i>landscape planting</i> (illustrated on a <i>landscape treatment plan</i>) achieves an orchard or vineyard pattern of fruit trees and vines which creates a rural village located within an orchard and/or vineyard.</p> <p>8B(c) The extent to which <i>landscape planting</i> (illustrated on a <i>landscape treatment plan</i>) mitigates the visual appearance of <i>parking areas</i>, manoeuvring areas and <i>buildings</i> from the <i>street</i> and pedestrian environment, while ensuring that:</p> <p>i. <i>planting plans</i> include fruit trees and vines reflecting the orchard and viticulture history of Oratia; and</p> <p>ii. a <i>planted strip</i> is provided between the <i>car parking areas</i> (excluding driveways) and the <i>street</i>, of a suitable size to accommodate oak</p>



~~(excluding restaurants (food)) does not exceed 400 m²;~~

~~(e) the total new floor space of retail services does not exceed 400 m².~~

(d) no activity involves motor vehicle repairs, wrecking of motor vehicles, bottle or scrap metal sorting storage or rehandling, rubbish collection storage or rehandling services, or Part A and B processes as listed in the Air Discharge Appendix.

8B.2 Limited Discretionary Activities

Activities meeting the following Performance Standard are *Limited Discretionary Activities*:

i) *Buildings* and additions to existing *buildings* provided that:

(a) the total maximum number of *buildings*, including existing *buildings* shall not exceed:

- Area 1: 2 *buildings*
- Area 2: 2 *buildings*
- Area 3: 5 *buildings*

(b) the *gross floor area* for each *building* in Area 1 does not exceed 200 150 m²;

(c) the *gross floor area* for each new *building* in Area 2 and Area 3 does not exceed 200m²;

~~(e)(d)~~ In Area 2 a minimum yard of 15 metres is provided between the *any building* and any other *building* within the *Oratia Rural Village Non-Residential Activity Overlay*;

(e) In Area 1 and Area 3 a maximum yard of 10 metres is provided between any *building* and any other *building* within the *Oratia Rural Village Non-Residential Activity Overlay*;

~~(d)(f)~~ Any the *building* in Area 2 and Area 3 has a minimum front yard setback of 5 metres from any *road*;

~~(e)(g)~~ Any the new *building* in Area 1 has a maximum setback of 30 25 metres from any *road*;

(f)(h) Any the *building* has a minimum setback of 5 metres from the edge of the *Oratia Rural Village Non-Residential Activity Overlay*;

~~(g)(i)~~ In Area 1 and Area 3 the width of any single façade of a *building* does not exceed 20 metres;

(i) In Area 2 the width of any single façade of a *building* does not exceed 12 metres;

(h)(k) no more than 40% of an individual *building's* street frontage is in glazing;

~~(j)~~ Any the *building* has a maximum height of 2 storeys;

trees or similar exotic trees typical in the existing context of the Oratia lower valley capable of growing to maturity.

8B(d)

The extent to which *outdoor storage areas* are located, *designed* and *screened* to avoid creating adverse visual and odour *effects* on the *amenity* of adjacent pedestrians and *roads*, and *adjoining sites*.

8B(e)

The extent to which *building(s)*, loading, parking, entranceways and footpaths are *designed* for ease of access.

8B(f)

The extent to which *development* provides or maintains opportunities for rural trails to Shaw Road and to the Oratia Stream.

8B(g)

The extent to which *Non-Residential Activities* include the appropriate provision of *infrastructure* to manage water, wastewater, stormwater (detention, quality, mitigation plantings and reuse), and solid waste associated with the *activity*.

8B(h)

The extent to which the proposal contributes to the achievement of the relevant future character and amenity statement of Section 5B.3 of the Policy Section of the Waitakere District Plan.

8B(i)

The extent to which more than minor *adverse effects* can be adequately avoided, remedied, mitigated or offset through provision of works and services on or off the *site* and/or through payment or provision of a *financial contribution*.

Note: See also Policies 1.2, 1.3, 1.18, 4.1, 4.7, 10.1, 10.3, 10.14, 10.27, 11.1, 11.8, 11.10, 11.17, 11.18, 11.30, 11.31, 11.50, 5B.1, 5B.3.1, 5B.4

(Policy Section of the Waitakere District Plan)

RESOURCE CONSENT CONDITIONS

In granting a *resource consent* Council may impose conditions. The conditions may include any one or more of the following matters:

- requiring alterations to *design* and/or location of *buildings* on the *site*
- requiring alterations to the design of entranceways, pedestrian or *car parking* facilities, loading bays and/or driveways
- requiring the retention or planting of *trees*, fruit trees, vines and/or other *vegetation*
- limiting the scale of the *development* or use
- requiring the provision of *screening*



Assessment of *Limited Discretionary Activity* applications made under this rule will be limited to retention of view shafts, retention and maintenance of *vegetation, screening, landscape treatment, design* and location, duration, hours of operation, **infrastructure**, vehicle access and *car parking* and will be considered in accordance with Assessment Criteria 8B(a) to 8B(i).

8B.3 Discretionary Activities

Activities meeting the following Performance Standards are *Discretionary Activities*:

- i) *Activities* not meeting the standards in Rule 8B.2 (i)

Discretionary Activity applications made under this rule will be assessed having regard to Assessment Criteria 8B(a) to 8B(i) and any other matters which are relevant under section 104 of the *Act*.

8B.4 Non-Complying Activities

Non-Residential Activities to which these rules apply which are not a *Permitted Activity, Limited Discretionary Activity* or a *Discretionary Activity* under the above rules shall be deemed to contravene a rule in this *Plan* and shall be a *Non-Complying Activity*.

- requiring provision of a *landscape treatment plan*, its implementation within a given time and its ongoing maintenance

- **infrastructure**

- *car parking* and access
- the imposition of a charge to cover costs of monitoring the activity
- the imposition of a *bond* to cover satisfaction of conditions of consent
- requiring *financial contributions* in accordance with the *Plan*
- requiring *on-site* or *off-site* works and services to avoid, remedy, mitigate or offset **adverse effects**
- such other matters provided for in section 108 of the *Act*.

Provided that, in the case of *Limited Discretionary Activities*, conditions may only be imposed in respect of the matters specified above to which the Council has restricted the exercise of its discretion.

Amend Objective 5B.3.1.6 Policies: Oratia Local Area as follows:

5B.3.1.6.6

Oratia rural village shall be developed in a manner that:

- protects, restores and enhances its heritage features, particularly as can be seen in rural views to the north;
 - ensures the qualities of a small (35/60, 35/68, 35/72, 35/74, 35/82, 35/91) neighbourhood-scale rural village form, amenity, and character are enhanced;
- supports the social, economic and cultural well-being of the Oratia community;



- (d) supports its role as a gateway marking the edge between the metropolitan area and the Waitakere Ranges Heritage Area;
- (e) maintains a distinction from metropolitan Auckland by its form, location and scale of activity;
- (f) becomes a focus for local creative endeavour and innovation; and
- (g) contributes to the achievement of the desired future character and amenity of Oratia (see section 5B.3.1.3).

This development is to be achieved by:

- i. enabling a limited range of (35/60, 35/68, 35/72, 35/74, 35/82, 35/91) small-scale non-residential activities within the *Oratia Rural Village Non-Residential Activity Overlay*;
- ii. recognising the contribution the school, *Open Spaces Environment* and community facilities make to the community and village;
- iii. limiting the type, (35/60, 35/68, 35/72, 35/74, 35/82, 35/91) scale and intensity of activities and buildings to maintain a low density and spacious rural village character;
- iv. promoting the reuse of existing buildings;
- v. ensuring that high standards of design are achieved that reinforces the rural setting, and contributes to the character and amenity of the village;
- vi. ensuring adequate separation between buildings and maintenance of views shafts to the surrounding rural landscapes; (35/60, 35/68, 35/72, 35/74, 35/82, 35/91)
- vii. recognising the availability of on-street car parks to support the function of the village and its activities;
- viii. providing landscape enhancements that reflect the horticultural-based productive history and character of Oratia;
- ix. providing a limited extension to reticulated wastewater infrastructure to serve the village;
- x. maintaining a clear boundary between rural Oratia and the Oratia rural village; and
- xi. avoiding signs dominating the visual amenity of the village.

Explanation

The Oratia statement of character and amenity (section 5B.3.1.2) and desired future character and amenity (section 5B.3.1.3) recognises the importance of the Oratia rural village to the social, cultural and economic wellbeing of the community and its residents. The rural village is the centre of the Oratia community with its focus on the school, hall and other local facilities and services, which provides places for the community to meet and socialise. It provides local convenience and service activities for the Oratia community and the communities of the Waitakere Ranges Heritage Area, and the policy seeks to enhance opportunities associated with this rural focal point.

*This policy sets parameters for the enhancement of the Oratia rural village in a way that ensures the achievement of a small-scale rural village form, character and amenity, and maintains a separation from metropolitan Auckland and integrates with the surrounding rural landscape. The rural village will continue to be low density, with small low scale buildings and a **limited range of** (35/60, 35/68, 35/72, 35/74, 35/82, 35/91) activities, separated from one another and located in a productive landscape setting. This involves the continued use of existing orchards, or the replanting of new fruit trees or vines so that the village is integrated within an orchard and/or vineyard landscape to reflect the horticultural traditions and history of Oratia.*

A low density village with buildings separated from one another maintains rural views shafts to the surrounding rural landscape and the escarpment to the north which significantly contribute to the character of the village. In order to ensure the village retains a low density form, policies promote the use of existing buildings and limit to total number and size of additional buildings that can locate in the Oratia Rural Village Non-Residential Activity Overlay.

The Oratia Rural Village Non-Residential Activity Overlay is located to the west of the metropolitan urban limits and includes the existing buildings and activities associated with packing sheds, fruit shop and the dairy. Along with the school and community facilities, these provide a focal point and clear differentiation in scale and surrounding landscape context to the adjoining urban areas.



In order to achieve the desired future character and amenity of Oratia, it is important that the rural village does not extend into the surrounding rural area. A defined boundary is required between the village and the surrounding rural area.

Methods

- Oratia Rural Village Non-Residential Activity Overlay rules
- Design Guidelines



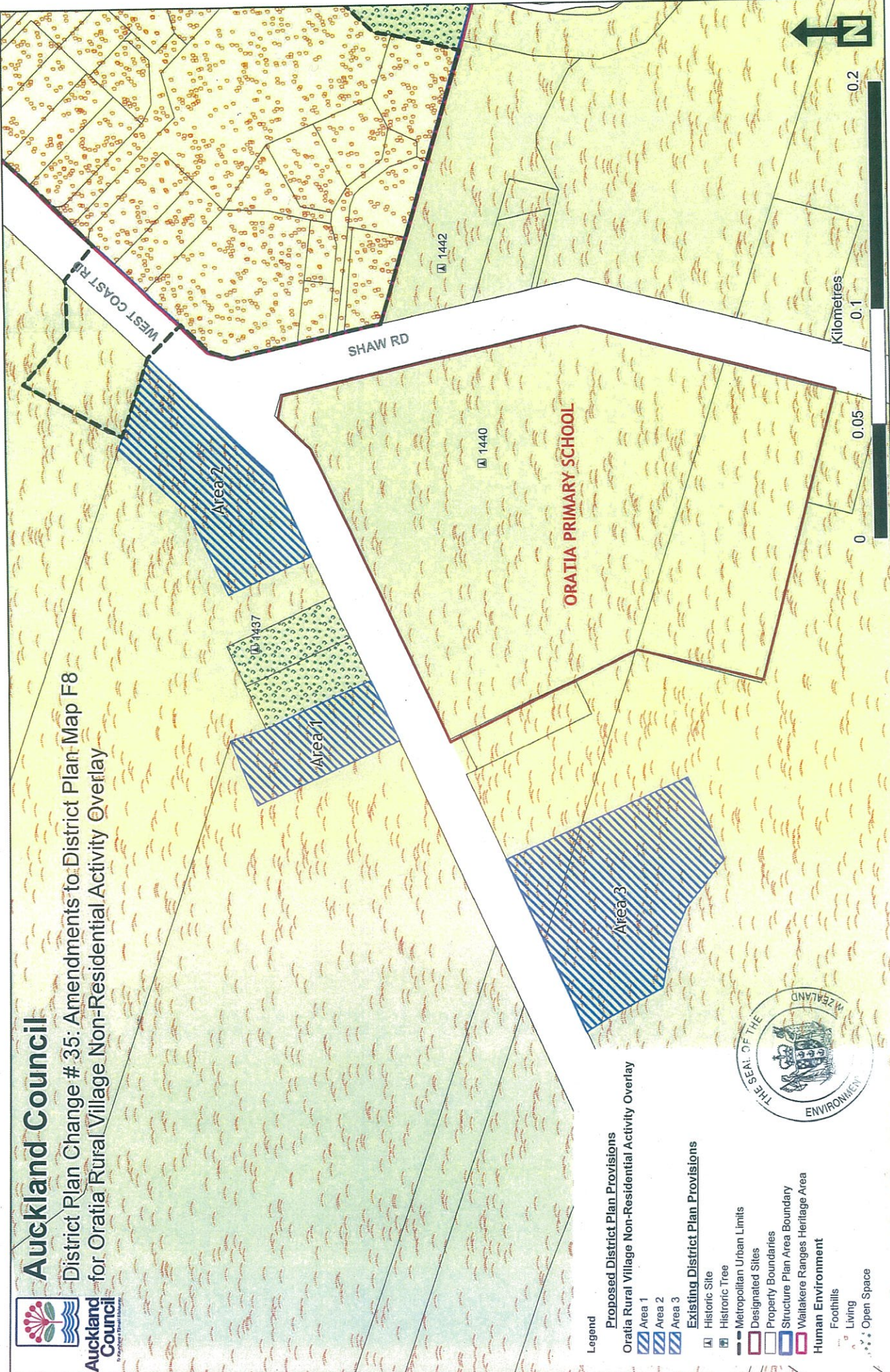
Attachment 2



Auckland Council



District Plan Change # 35: Amendments to District Plan Map F8
for Oratia Rural Village Non-Residential Activity Overlay



Legend

Proposed District Plan Provisions

- Oratia Rural Village Non-Residential Activity Overlay
- Area 1
- Area 2
- Area 3

Existing District Plan Provisions

- Historic Site
- Historic Tree
- Metropolitan Urban Limits
- Designated Sites
- Property Boundaries
- Structure Plan Area Boundary
- Waitakere Ranges Heritage Area
- Human Environment
 - Foothills
 - Living
 - Open Space



**Oratia Rural Village:
Non-Residential Activity Overlay**

**Decisions Version: October 2010
- amended after mediation 17 Nov, 2011**

Scale: 1:1,500 @A3

