

# Chapter 12A — Whitford Rural Area

[AM99]

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## 12A.1 INTRODUCTION

### 12A.1.1 The Whitford Rural Area

The Whitford Rural Area comprises the Whitford Rural A and Whitford Rural B Zones and covers approximately 3,735 hectares of rural land that lies entirely within Turanga, Waikopua, Te Puru and Beachlands stream catchments (collectively known as the Whitford Catchment).

The Whitford Rural Area can be generally described as encompassing all the land from the Beachlands settlement (south of Jack Lachlan Drive) to the edge of the Rural 3 zone along Redoubt Road Extension. The ridgeline that lies along Ara-Kotinga and beyond delineates the south-eastern boundary of the Whitford Rural Area while Sandstone Road and Whitford-Maraetai Road delineate its north-eastern boundary. The boundary of the Whitford Rural Area diverts away from Whitford-Maraetai Road at its intersection with Henson Road to follow the coastline until it meets Pine Harbour Marina.

The key attributes that contribute to landscape character and rural amenity values of the Whitford Rural Area include the following:

- an enclosed transitional landscape ranging from flat to low lying coastal plains to steeply incised hill country;
- large areas of open pasture interspersed with tracts of Native Vegetation, exotic forestry (predominantly within the gullies and on steeper slopes) and rural amenity planting such as shelter belts, hedges, individual trees and groupings of trees and avenues;
- pockets of horticulture and viticulture;
- expansive views of the countryside attainable from the public roads;
- livestock (e.g. sheep, cattle, horses, deer) in the landscape;
- relatively few buildings, comprising individual homesteads and clusters of farm buildings (including farm ancillary buildings such as implement sheds and barns), dispersed throughout the landscape;
- household units and structures blend in with the rural landscape and are not focal features in the landscape;
- commercial and retail development is largely absent;
- property boundaries are generally indicated by post and batten (e.g. seven wire) or post and rail fences which are visually permeable, allowing views across the open countryside;
- sealed or unsealed roadways with a metal shoulder and long grass berm (with or without drainage swale). Kerb and channelling is generally not present;
- formal and informal bridle paths within the road reserve (if present);
- low night time light levels (street lighting is only present at intersections, if at all);
- predominantly low key entranceways to properties, which integrate with the visually permeable fence lines (i.e. the farm gate and rural mail box is often the only indication of a property entranceway);
- activities generally associated with farming such as cultivation, harvesting, spraying, fencing, stock movement and the use of farm machinery.

The provisions included within Sections 12A.1 - 12A.14 essentially provide for the establishment of countryside living development that maintains and enhances landscape character, rural amenity values and environmental quality of the area. The provisions further seek to ensure that the existing land use activities, such as agriculture and horticulture, can continue their current operations with minimal interference from increased countryside living development within the area.

### 12A.1.2 Countryside Living Development within the Whitford Rural Area

While the Whitford Rural Area is located within the rural area of Manukau, its proximity near to the urban edge (Howick, Botany and Flat Bush), the Pine Harbour Marina and the coastal edge (the Whitford Embayment) means that it is a highly desirable location for countryside living development. The characteristics of the Whitford Rural Area are highly valued by existing residents and desired by those who wish to live in and enjoy a rural/coastal environment close to the Auckland metropolitan area.

The Manukau Proposed Second Reviewed District Scheme 1989 first introduced a countryside living zone, the Rural 2 zone, into the Whitford Catchment. Continued demand for countryside living subsequently led to the introduction of further zones within Whitford in the form of the Rural 3 and Rural 4 zones in the Manukau Proposed District Plan 1995. The opportunity for creating rural-residential lots within these zones has been readily taken up by many landowners and there is limited opportunity for any further countryside living development under these zones as they apply to the Whitford Catchment.

The opportunity has been extended to allow for countryside living development within the Whitford Rural Area. Countryside living development is to be intermixed with more traditional rural land use activities such as agriculture and horticulture in order to retain the rural outlook and associated rural amenity values of the area. The establishment of countryside living therefore utilises the existing features of the Whitford Rural Area in terms of its proximity to important services and employment opportunities afforded in the nearby urban area and its coastal and rural outlook.

The provision of countryside living within the Whitford Rural Area is desirable in that it will act as a gradual buffer between the urban edge defined by the Metropolitan Urban Limits (Auckland Regional Policy Statement 1999) and the more traditional rural areas contained within the Rural 1 zone.

The amount, location, scale and design of countryside living development within the Whitford Rural Area is the subject of careful consideration to ensure that the quality of the natural environment is maintained and enhanced and that the highly regarded landscape characteristics and rural amenity values that make the area an attractive place to live, work and to visit are retained into the future.

## 12A.2 RESOURCE MANAGEMENT ISSUES

Seven resource management issues of particular relevance to the Whitford Rural Area are identified. These are discussed below, with a summary of each issue preceding a more detailed issue statement.

### Issue

#### **12A.2.1 Inappropriately located and designed subdivision and development can have adverse effects on the landscape character and rural amenity values of the Whitford Rural Area.**

The Whitford Rural Area is considered to be a dynamic landscape that is changing with development. While rural land use is still predominant within this landscape, it is being modified by the occurrence of countryside living development.

The amount, location and design of countryside living development can have a direct impact on the maintenance of landscape character and rural amenity values within the Whitford Rural Area. It can also have a direct impact on the natural character and quality of the coastal environment. A high level of countryside living development within the Whitford Rural Area will generate more noticeable changes to the rural environment in terms of noise, traffic volumes, and number of buildings and structures than a

more conservative provision. The location of the development in terms of whether it is highly visible or discretely positioned can impact on the rural and coastal outlook of the area. The design of housing and associated structures and landscaping plays an important role in how the development is perceived in terms of "blending in" with its surroundings. If landscape character, rural amenity and natural character is not appropriately addressed as part of countryside living development, it can result in a corresponding loss of the very rural amenity values that attracted residents to this rural and coastal area in the first instance.

Landscape character is therefore an important determinant in the level and form of countryside living development that can be accommodated within the Whitford Rural Area.

#### Issue

**12A.2.2 Natural resources have suffered adverse effects from development, and ecological systems may continue to suffer from further land development such as contouring, earthworks, removal of vegetation, creation of impervious surfaces and installation of wastewater treatment facilities.**

Much of the Whitford Rural Area has been modified from its original state due to past and present land use activities. Provision of countryside living development within the area has the potential to bring about further changes to the existing environment which include:

- Further loss of terrestrial and aquatic habitat and/or the degradation of existing habitat as a result of land development works.
- Changes in the amount and quality of stormwater runoff which can result in adverse environmental effects on the waterways that feed into the Whitford Embayment.
- The potential for further erosion along steep slopes and within coastal areas and the destabilisation of geologically sensitive areas.
- A multitude of on-site wastewater treatment facilities in relatively close proximity can have cumulative effects leading to saturation of soils and groundwater contamination.

#### *i Loss of Terrestrial and Aquatic Habitat*

The vegetation (specifically trees and shrubs) in the Whitford Rural Area can be described as a complex mosaic of disturbed remnant native and mixed exotic vegetation of various ages scattered across the many ridges and gullies within the area. Both native and some exotic vegetation contribute to the ecological value and visual amenity of the area. Works associated with countryside living development could result in a loss of this vegetation and have a detrimental impact on natural habitat. In order to better understand the ecology and biodiversity of the Whitford area, the Council commissioned "The Terrestrial Ecology and Natural Heritage Study"(December 2003) to examine the vegetation type, maturity, regeneration and significance of Native Vegetation within the Whitford area. The report mapped and described the vegetation within the area and identified existing and possible ecological linkages. The report also assessed the existing mechanisms in place to maintain and enhance Native Vegetation and how successful these have been at meeting both ecological and landscape outcomes. The Terrestrial Ecology and Natural Heritage Study identified that there are many sites within the area with Native Vegetation considered to be of "significance" (according to the criteria developed) and many areas where Native Vegetation needs greater care and management. In order to protect Native Vegetation against adverse environmental effects associated with land subdivision, use and development, appropriate management measures on the protection, management and removal of vegetation are required. Opportunities exist through the subdivision process to enhance the natural environment, by retiring and replanting with appropriate Native Vegetation, riparian margins alongside perennial streams and wetlands. This assists in managing the quality and quantity of stormwater entering waterways and enhancing the ecological values of these areas.

ii *Changes in the Amount and Quality of Stormwater Runoff Entering Waterways*

Countryside living development invariably involves earthworks and land contouring in order to create stable building platforms as well as the creation of driveways and landscaping on site. Lack of appropriate controls on earthworks can lead to high levels of sedimentation and siltation of waterways that feed into the wider Whitford Embayment.

The establishment of countryside living development can also increase the proportion of impervious surfaces within the Whitford Rural Area. The amount of impervious surface created within the area has a direct relationship to the amount of stormwater runoff generated and the quality of the runoff. If not managed this can cause or accentuate flooding problems, stream erosion, change low flows and damage aquatic habitat through the accumulation of contaminants in the waterways which feed into the Whitford Embayment.

The absence of appropriate riparian management (exclusion of livestock and provision of protective vegetation) along streams can accentuate stormwater effects and sediment entering these waterways.

Manukau City Council and the Auckland Regional Council commissioned a catchment erosion and sedimentation modelling study called "Risks to Estuarine Biota Under Proposed Development in the Whitford Catchment" (2004) to examine the risk of the potential effects of erosion and sedimentation in the estuary and embayment from different intensities of countryside living development. The modelling work assumed the current general practice that no stormwater or sediment control measures were applied on house development sites. The study showed that with greater intensity of countryside living development there were greater risks of damaging effects from erosion and sedimentation. The Study highlighted the need to apply best practice site sediment controls to all development within the Whitford Catchment to prevent degradation of the natural environment.

iii *Slope Instability and Erosion*

A significant portion of the Whitford Rural Area is located within an area of known instability described as the "southern landslide zone". As a result, the Council has undertaken a "Geotechnical Hazard Review" (2004) of the area to determine whether it is generally suitable for countryside living development. The results of the investigations have shown there are no significant geotechnical constraints affecting the use of the land generally for countryside living development. However, the review has recommended controls such as detailed geotechnical investigation reporting on any proposed development and subdivision in order to identify and manage any specific geotechnical hazards.

Geotechnical investigations have also been undertaken to examine the coastal area from Pine Harbour to the Waikopua Estuary boundary. The investigations included a hazard evaluation of the coastal cliff in this area to assess the extent of land affected by cliff regression and other coastal processes. The investigations identified areas where buildings are considered to be potentially at risk of damage from cliff instability. The investigations recommended that any building within identified areas should not be undertaken unless the stability of the site has been addressed in detail and appropriate measures to mitigate the effects of cliff instability have been undertaken.

iv *Wastewater Treatment - Soil Saturation and Water Contamination*

Natural soil saturation (especially in winter) and the nature of soils in the Whitford Rural Area predetermine that management measures will be required to treat the wastewater generated from countryside living development. Appropriate wastewater treatment facilities will be necessary in this area to prevent soil saturation and possible water contamination (including surface and ground water).



v *Other Environmental Effects*

The potential exists for other environmental effects generated from the on-going subdivision, use and development of land, to impact on the ecological integrity of the Whitford Rural Area. These environmental effects require careful consideration to ensure that the terrestrial and aquatic habitats of remnant native bush and vegetation, stream and flow channels, wetlands and estuarine and coastal areas within the Whitford Rural Area are maintained and enhanced.

**Issue****12A.2.3 Inappropriately located and planned subdivision and development can create conflicts between existing and new land use activities.**

Conflicts can occur between land use activities in the following circumstances as noted in the Ministry for the Environment publication "Managing Rural Amenity Conflicts" (February 2000):

- Where there is a high rate of land use change. For example, where the population of an area is increasing or rapidly changing.
- Where the people coming into the area from outside have different values and expectations and wish to pursue different lifestyles from those already there.
- Where people arriving into the area establish a diverse range of activities and land use practices which are different from those formerly undertaken in the area.
- Where the pattern of land subdivision means that people are settling in relatively close proximity to each other.

Tensions often relate to the use of agricultural chemicals, pesticide sprays, noisy farming practices and odours that are common in rural areas. Concerns also relate to injury and loss of stock from the increase in the number of local dogs associated with countryside living development.

Furthermore, an increase in development in close proximity to existing utility infrastructure (such as high voltage transmissions lines) has the potential to affect the on-going security of supply and maintenance and upgrading of such infrastructure and may also give rise to public safety issues where appropriate separation distances are not maintained.

Another example of a common conflict is where rural-residential dwellers new to the area object to the noise and vibration and express safety concerns related to the use of local roads by heavy trucks associated with existing land use activities, such as landfill and mineral extraction.

Careful consideration is therefore required on how to accommodate countryside living within the Whitford Rural Area without generating unnecessary land use activity conflicts.

The development of countryside living in close proximity to established landfill and quarries could cause a number of conflicts between these quite different land use activities.

Where such activities already exist the District Plan incorporates measures to manage adverse effects where they extend beyond the landfill or quarry site boundaries. The same conflicts may occur in respect of new mineral extraction activities.

Along with parts of the wider rural area, the Whitford Rural Area contains significant mineral resources including greywacke. Collectively, these mineral resources are of regional significance. The Auckland region is becoming increasingly dependent on the aggregate resources from adjacent regions. The continued and efficient extraction of minerals is therefore an important resource management issue.

The wider area includes land within the Rural 1 Zone where mineral extraction is provided for as a discretionary activity.

Generally, mineral extraction activities are inappropriate in an area such as the Whitford Rural Area where the focus is on providing for countryside living opportunities.

However, there may be particular sites in the Whitford Area where adverse effects including but not limited to noise, dust and vibration can largely be internalised within the site. Such sites should also be in a location where adverse effects relating to heavy vehicle access to and from the mineral extraction activity can be avoided or mitigated and where any other adverse effects on the environment, including those relating to identified Indicative Constraint Areas can be avoided, remedied or mitigated.

In this way, it may be possible for mineral resources to be extracted without compromising the potential of the Whitford Rural Area as a location for countryside living. [AM128]

#### Issue

**12A.2.4 Development of rural land for countryside living can have adverse effects on the efficient and effective use of the soil resource by reducing the amount of land and the diversity of opportunities available for rural land based activities to occur within the Whitford Rural Area.**

The provision of countryside living development within an area can reduce the overall amount of land available for rural activities such as agriculture and horticulture. It can also foreclose the number and diversity of opportunities for rural activities that utilise the soil resource into the future.

One of the outcomes often associated with countryside living development is the continual fragmentation of the land into a number of small and/or medium sized lots scattered across an area. Individually these lots are often too small for many types of rural activities. Combined with land use conflicts generated by more rural-residential dwellers living in the area, these effects can push out more traditional rural activities such as farming from the area. This loss of rural based production then has a direct impact on rural character in terms of the loss of a "rural outlook" or the existence of open farmland and stock within an area.

Consideration is required of how to accommodate countryside living development within a rural environment so that it does not have a detrimental effect on current or future rural activities or on landscape character and rural amenity values. For instance, in some locations, clustered forms of development may best facilitate opportunities for productive and efficient use of land, by enabling larger areas of land to be available for farming or horticultural use.

#### Issue

**12A.2.5 Inadequate and inappropriate provision of public open space can have an adverse effect on the landscape character and rural amenity values of the Whitford Rural Area and on the community's health, safety and overall well-being.**

Public open space is land held in public ownership for the purpose of providing public access to open land, foreshore, rivers and streams, for the protection of biodiversity, heritage and important landscapes, for recreation and sporting opportunities and space for community purpose buildings. It includes parks, reserves, walkways, beaches, civic areas and areas for flood control and/or water quality purposes that also have recreational potential.

Inadequate and inappropriate provision of public open space can result in a lack of, or restricted access to, key areas that would have public recreational value to Whitford and the wider community. Inadequate provision of public open space would mean that some of the areas identified as having valuable ecological, heritage or landscape features are unable to be protected in perpetuity against development (via public ownership).

The provision of a public open space network that meets the recreational and sporting requirements of the community meets access requirements through connecting linkages for walking, cycling and horse riding activities and provides protection of key ecological, heritage and landscape areas and space for community facilities is an issue that warrants special consideration within the Whitford Rural Area.



**Issue**

- 12A.2.6 Land subdivision, use and development if associated with inadequate or uncoordinated physical infrastructure can cause adverse effects on the natural environment and on the social, cultural and economic wellbeing and health and safety of the community.**

Physical infrastructure includes the provision of roading, water supply, stormwater, wastewater, solid waste disposal as well as communication and power facilities. Land subdivision, use and development has the potential to create adverse effects on the environment such as increased soil and water contamination, the sedimentation and siltation of waterways, soil saturation and erosion and slope instability. Uncoordinated and inappropriately designed development within the Whitford Rural Area also has the potential to lead to the inefficient provision of infrastructure such as roading improvements and connections and stormwater and wastewater provision, with consequential effects on the overall amenity of the area. The design solution in terms of dispersed or clustered form of development plays an important role in this regard. In some instances communal infrastructure provided via clustered form of development may provide greater levels of environmental protection than can be achieved by "traditional" systems under a dispersed form of development. The timing, provision and the design and development of physical infrastructure is therefore critical in managing the overall environmental effects associated with subdivision, use and development of land within the Whitford Rural Area.

**Issue**

- 12A.2.7 Subdivision, use and development of land may have an adverse effect on the special relationship Maori have with their ancestral lands, water, sites, waahi tapu and other taonga.**

Maori have a special relationship with their ancestral lands, water, sites, waahi tapu and other taonga. Council, in fulfilling its resource management role in relation to managing the use, development and protection of natural and physical resources, shall recognise and provide for this relationship. Council is also required under the Resource Management Act 1991 to have particular regard to Kaitiakitanga (section 7), to take into account the principles of the Treaty of Waitangi (section 8) and have regard to any relevant planning document recognised by an iwi authority and lodged with the authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)).

## **12A.3 OBJECTIVES**

**Objective**

- 12A.3.1 To ensure that the landscape character and rural amenity values of the Whitford Rural Area is maintained and enhanced.**

*This objective relates to Issue 12A.2.1, Issue 12A.2.3, Issue 12A.2.5, Issue 12A.2.6 and Issue 12A.2.7.*

**Objective**

- 12A.3.2 To ensure that subdivision, use and development of land protects and enhances the terrestrial and aquatic ecology of remnant native bush and vegetation, perennial and ephemeral streams, wetlands, and estuarine and coastal areas within the Whitford Rural Area.**

*This objective relates to Issue 12A.2.2, Issue 12A.2.4 and Issue 12A.2.7.*

**Objective**

- 12A.3.3 To ensure that subdivision, use and development of land is undertaken in a way that avoids, remedies or mitigates land use activity conflicts.**

*This objective relates to Issue 12A.2.1, Issue 12A.2.3, Issue 12A.2.4 and Issue 12A.2.6.*

**Objective**

**12A.3.4** To enable a level of countryside living development to occur while ensuring that rural land based activities such as agriculture and horticulture can continue within the Whitford Rural Area.

*This objective relates to Issue 12A.2.1, Issue 12A.2.3, Issue 12A.2.4, Issue 12A.2.6 and Issue 12A.2.7.*

**Objective**

**12A.3.5** To provide physical infrastructure such as roading, stormwater and wastewater treatment, solid waste disposal, and power and communications networks in association with land subdivision, use and development in order to manage environmental effects.

*This objective relates to Issue 12A.2.1, Issue 12A.2.3, Issue 12A.2.5 and Issue 12A.2.6.*

**Objective**

**12A.3.6** To provide a safe, well-connected and integrated public open space network within the Whitford Rural Area that includes a range of outdoor activities that are easily accessible, offer visual appreciation of the area and protect key areas of ecological, heritage and landscape significance.

*This objective relates to Issue 12A.2.1, Issue 12A.2.5, Issue 12A.2.6 and Issue 12A.2.7.*

**Objective**

**12A.3.7** To recognise the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

*This objective relates to Issue 12A.2.1, Issue 12A.2.2 and Issue 12A.2.7.*

**Objective**

**12A.3.8** To ensure that the subdivision, use and development of land maintains and enhances the natural character of the coastal environment.

*This objective relates to Issue 12A.2.1, Issue 12A.2.2, Issue 12A.2.5 and Issue 12A.2.6.*

**Objective**

**12A.3.9** To recognise that, where regionally significant mineral resources exist within the Whitford Rural Area, mineral extraction activities may be considered appropriate in limited circumstances.

*This objective relates to Issue 12A.2.1, Issue 12A.2.3 and Issue 12A.2.6*

## **12A.4 POLICIES**

**Policy**

**12A.4.1** Subdivision, use and development of land shall maintain and enhance the landscape character and rural amenity values of the Whitford Rural Area, by;

- (a) setting limits through the rules on density, minimum lot size and legal protection preventing household units establishing in important areas of landscape or rural character, as means of managing development density in relation to individual sites, and the Whitford Rural Area as a whole;
- (b) identifying Road Corridor, Coastal and Scenic Amenity Indicative Constraints Areas and ensuring subdivision within those areas does not lead to development

which is prominent or otherwise obtrusive in the landscape, as viewed from public places;

- (c) requiring mitigation of potential adverse effects of development on landscape character and rural amenity values, including, where necessary, limitations on:
  - the number of sites within clusters;
  - the location of building platforms;
  - the alignment and design of access driveways/ roads;
  - the height and colouring of future household units and other buildings.
- (d) ensuring, through annual monitoring and review, that the total capacity within the Whitford Rural Area does not exceed 925 household units.

*This Policy seeks to achieve Objective 12A.3.1, Objective 12A.3.1, Objective 12A.3.3, Objective 12A.3.4, Objective 12A.3.6 and Objective 12A.3.8*

### **Explanation/Reasons**

*Policy 12A.4.1 relates to the landscape character and rural amenity values of the Whitford Rural Area.*

*Landscape character and rural amenity values are important determinants of the liveability of the Whitford Rural Area and the impression given while passing through this area. The policy includes reference to the importance of protecting the rural outlook from key public vantage points such as primary roads and prominent ridgelines. The impression of "ruralness" is most noticeable from these areas. The dispersal of countryside living development within large areas of rural or natural landscape also assists in retaining the rural character and openness of the area.*

*The provisions that apply to the Whitford Rural Area enable countryside living development to occur while managing the, location, density, height and form of development, so that the area can retain its landscape character and rural amenity.*

*The criteria for some subdivision consent applications include provision for the legal protection of identified areas against the establishment of future household units. The Council will, as a minimum:*

- (a) *Impose conditions on subdivision consent to be complied with on a continuing basis by the subdividing owner and subsequent owners; and*
- (b) *Issue consent notices under section 221 of the Resource Management Act 1991 restating and specifying the reasons for any such conditions.*

*Consent notices will be registered against the Certificates of Title to the relevant lots and will permanently bind all subsequent owners of the land. As noted in (b) above, in addition to restating the relevant subdivision consent conditions, consent notices will also specify the reasons for the conditions (i.e. the purpose(s) of the obligation(s) and the intended outcomes). Due to the importance of the protection required, it is expected that any subsequent application for the variation, cancellation or review of any condition(s) specified in consent notices will follow a public notification process.*

*The intent of this policy is to ensure that further development is planned, implemented and maintained in a way that will sustain the landscape character and rural amenity values of the Whitford Rural Area into the long term future.*

**Methods:**

- Zoning
- Indicative constraints mapping
- Development and performance standards
- Legal protection mechanisms
- Subdivision rules
- Design Guidelines for Rural Subdivision and Development in the Whitford Rural Area
- Financial grants for the protection, management and maintenance of native bush
- Partnership and education initiatives

**Policy  
12A.4.2**

**Subdivision, use and development of land shall maintain and enhance the natural character and ecological values of the Whitford Rural Area, by;**

- **setting limits through the rules on density, minimum lot size and vegetation maintenance and legal protection of vegetation;**
- **identifying Native Vegetation, Slopes and Riparian Management Indicative Constraints Areas and ensuring subdivision does not adversely affect existing natural character and the ecological values of native bush and vegetation areas, the streams and coastal waters;**
- **requiring, through subdivision standards, the enhancement of existing natural character and ecological values, including through minimum revegetation planting either on the site of subdivision or where appropriate else where in the Whitford Rural Area;**
- **requiring, through subdivision standards, the protection of land by planting in those areas within the subdivision site identified as a Slopes Indicative Constraints Areas that are identified as being subject to significant risk of erosion and instability;**
- **providing, through appropriate bonus lot provisions, for the significant enhancement by way of Native Vegetation planting in locations specified in the rules.**
- **ensuring, through annual monitoring and review, that the total capacity within the Whitford Rural Area does not exceed 925 household units.**

*This Policy seeks to achieve Objective 12A.3.2, Objective 12A.3.7 and Objective 12A.3.8*

**Policy  
12A.4.3**

**Management measures shall be applied to ensure that adverse effects on the environment such as damage to coastal areas, land instability, sedimentation of waterways, removal of native bush and vegetation, and soil and water contamination are avoided, remedied and mitigated.**

*This Policy seeks to achieve Objective 12A.3.2, Objective 12A.3.7 and Objective 12A.3.8*

**Policy**

**12A.4.4** Subdivision, use and development of land within the Whitford Rural Area shall incorporate sustainable management practices and be designed and managed in a way that:

- The quality of the water of the tributaries and the wider Whitford estuary system is maintained and enhanced; and
- Earthworks and re-contouring of land is minimised; and
- Existing remnants of native vegetation, riparian vegetation and wetlands are protected and enhanced and that opportunities to improve biodiversity are pursued; and
- Stormwater is managed in a way that achieves the collection and management of rainfall and surface water on site and avoids the discharge of sediment and other contaminants from entering watercourses; and
- Incorporates wastewater treatment options that prevent contamination of soil and groundwater; and
- The quantity of stormwater discharged is managed so as to not increase channel erosion.

*This policy seeks to achieve Objective 12A.3.2, Objective 12A.3.5, Objective 12A.3.7 and Objective 12A.3.8*

**Explanation/Reasons**

*Policies 12A.4.2 - 12A.4.4 seek to promote sustainable management of natural and physical resources. The Council seeks that a 'working with nature' approach be adopted. This involves careful examination of the site as part of any application for subdivision resource consent to determine most and least suitable areas for development and the adverse environmental effects that may result. Management measures have therefore been included in the Plan to ensure that consideration is given to the natural features and qualities of a site as part of an application for resource consent. A further incentive is given to encourage improvements to the natural and physical environment through bonus lot provisions which provide for significant enhancement by way of Native Vegetation planting in locations specified in the rules, although care needs to be taken to ensure that this does not undermine the maximum carrying capacity that has been identified for the Whitford Rural Area as a whole (see Policies 12A.4.1 and 12A.4.2). The intent of these policies is to ensure that, as a result of providing for further development, the natural character and ecological values of the Whitford Rural Area are significantly enhanced and protected.*

*The rules for some subdivision consent applications include provision for the legal protection of existing or proposed vegetation areas. The Council will, as a minimum:*

- (a) *Impose conditions on subdivision consent to be complied with on a continuing basis by the subdividing owner and subsequent owners; and*
- (b) *Issue consent notices under section 221 of the Resource Management Act 1991 restating and specifying the reasons for any such conditions.*

*Consent notices will be registered against the Certificates of Title to the relevant lots and will permanently bind all subsequent owners of the land. As noted in (b) above, in addition to restating the relevant subdivision consent conditions, consent notices will also specify the reasons for the conditions (i.e. the purpose(s) of the obligation(s) and the intended outcomes). Due to the importance of the protection required, it is expected that any subsequent application for the variation, cancellation or review of any condition(s) specified in consent notices will follow a public notification process.*

**Methods:**

- Zoning
- Indicative constraints mapping
- Development and performance standards
- Legal protection mechanisms
- Subdivision rules
- Design Guidelines for Rural Subdivision and Development in the Whitford Rural Area
- Financial grants for the protection and management of native bush
- Partnership and education initiatives

**Policy**

**12A.4.5** New activities within the Whitford Rural Area, including countryside living, shall be located, designed and managed in such a manner as to avoid, remedy or mitigate conflicts between differing land uses, including rural land based activities.

*This Policy seeks to achieve Objective 12A.3.3 and Objective 12A.3.4.*

**Explanation/Reasons**

*The establishment of countryside living development in the Whitford Rural Area has the potential to create conflicts with existing land based activities, such as farming operations and existing lawfully established mineral extraction and landfill sites. Council seeks to ensure that existing rural activities such as farming can continue to operate within the area by implementing land use controls that minimise the number of land use activity conflicts generated between existing and new land use (countryside living development) activities.*

**Methods:**

- Zoning
- Indicative constraints mapping
- Development and performance standards
- Subdivision rules
- Design Guidelines for Rural Subdivision and Development in the Whitford Rural Area

**Policy**

**12A.4.6** Physical infrastructure such as roading, stormwater and wastewater treatment, solid waste disposal, and power and communication networks shall be provided in an efficient and effective manner as part of the subdivision and development of land.

*The policy seeks to achieve Objective 12A.3.5.*



**Explanation/Reasons**

*The Council has included provisions in the Plan to ensure that the physical infrastructure needed to service development is provided in an efficient and effective manner. The provision of physical infrastructure for a site will be assessed as part of an application for resource consent for land subdivision or development.*

*Some physical infrastructure and service provision in Whitford will provide district wide benefits and, accordingly should be funded on a district wide basis. Some investment will, however, provide local benefits and would not be required if subdivision and development was not occurring in the Whitford area. These costs can be sought from development by way of a financial contribution under the Resource Management Act 1991.*

**Methods:**

- Indicative constraints mapping
- Development and performance standards
- Subdivision rules
- Design Guidelines for Rural Subdivision and Development in the Whitford Rural Area

**Policy****12A.4.7**

**Public open spaces within the Whitford Rural Area shall:**

- **provide for a range of outdoor recreational activities including passive and active recreation;**
- **provide for a well connected, integrated and accessible network of recreational trails for walking, cycling and horse riding that offer a variety of different routes, links and circuits;**
- **protect key areas of ecological, heritage and landscape significance;**
- **provide an appropriate amount of space for community buildings or facilities;**
- **provide opportunities for visual appreciation of the area.**

*This policy seeks to achieve Objective 12A.3.1, Objective 12A.3.6 and Objective 12A.3.7.*

**Explanation/Reasons**

*The provision of public open space within the Whitford Rural Area is to cater for a range of both passive and active recreation, which includes activities such as walking, cycling and horse riding.*

*Both existing residents and the wider Auckland community use the existing informal and formal network of bridle trails and walkways within the Whitford area. The rural roads in the area are also popular with road cyclists. The Council has included provisions within the Plan to improve and expand the current network of walking, cycling and horse riding trails within the Whitford area in order to enhance opportunities for this form of recreation.*

*There are a number of key areas of ecological, heritage or landscape significance within the Whitford Rural Area. The Council can look to negotiate with landowners to acquire key areas of ecological, heritage or landscape value or significance that are worthy of inclusion within the City's public open space network through the subdivision and development process or by direct purchase. Reserve contributions will apply*

*according to Rule 15.15.2 and will be used for the purchase and development of land for public open space in order to offset the effects created by development.*

**Methods:**

- Zoning
- Riparian Management Indicative Constraints Area
- Development and performance standards
- Legal protection mechanisms
- Subdivision rules
- Design Guidelines for Rural Subdivision and Development in the Whitford Rural Area
- Financial grants for the protection and management of native bush
- Partnership and education initiatives
- Public purchase of land suitable for public open space

**Policy**

**12A.4.8 Subdivision, use and development of land should recognise and provide for the relationship of Maori, their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.**

*This policy relates to Objective 12A.3.7.*

**Explanation/Reasons**

*This policy recognises and provides for the special relationship Maori have in terms of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. The Council will require consultation with iwi on applications for resource consent where it is considered that the application may impact on this relationship.*

**Methods:**

- Policy Indicative Constraints Areas
- Development and performance standards
- Subdivision rules
- Public purchase of land suitable for public open space

**Policy**

**12A.4.9 The natural character of the coastal environment within the Whitford Rural Area shall be maintained and enhanced.**

*This policy seeks to achieve Objective 12A.3.1 and Objective 12A.3.8*

**Explanation/Reasons**

The establishment of countryside living development in the Whitford Rural Area (which includes the tributaries and receiving waters of the wider Whitford estuary system,) can have adverse environmental effects on the natural character of the coastal environment. The Whitford estuary system (including the Turanga/Waikopua estuary systems) contains regionally significant values which are recognised in the Auckland Regional Policy Statement. Land development activities such as earthworks, vegetation removal and contouring can all impact on the natural qualities of the coastal environment. The coastal environment is also potentially at risk from the ongoing subdivision, use and development of land from processes such as stormwater runoff and erosion. The presence of buildings and structures within the coastal environment can also change the landscape character and reduce the visual amenity of this area. As a consequence, provisions have been included in the Plan to limit and control the form and amount of development that can locate in the Whitford Rural Area, so that the values within the area and the coastal environment are maintained and enhanced.

**Methods:**

- Coastal Indicative Constraints Area
- Indicative constraints mapping
- Development and Performance Standards
- Subdivision Rules
- Design Guidelines for Rural Subdivision and Development in the Whitford Rural Area

**Policy**

**12A.4.10** Any new proposal for a mineral extraction activity will need to demonstrate that the mineral extraction activity will have no more than minor adverse effects on the environment, including (but not confined to) demonstrating that: -[AM128]

- (a) the proposal avoids, remedies or mitigates adverse effects relating to heavy vehicle access to and from the mineral extraction site, including using arterial roads and avoiding local roads where possible;
- (b) the proposal avoids, remedies or mitigates any adverse effects of noise and dust, and any other adverse effects on the environment; and
- (c) the proposal recognises the purposes for which any identified Indicative Constraint Areas on the site have been identified.

This policy seeks to achieve Objective 12A.3.4 and Objective 12A.3.9.

**Explanation/Reasons**

Generally, mineral extraction activities are inappropriate in an area such as the Whitford Rural Area where the focus is on providing for countryside living opportunities. However, along with parts of the wider rural area, the Whitford Rural Area contains significant mineral resources including greywacke. Collectively, these mineral resources are of regional significance. The District Plan is required to give effect to the Auckland Regional Policy Statement which requires (among other matters) the development and use of land in the Region to be managed so as to protect areas of minerals which have the potential to provide cost-effectively for the Region's future needs from activities which may compromise the ability to extract, or provide access to, those deposits (Auckland Regional Policy Statement Policy 13.4.1.2(ii)). The Regional

*Policy Statement also addresses the need to avoid, remedy, or mitigate the adverse effects of mineral extraction and related activities (for example Objective 13.3.1 and Policy 13.4.1.3), and the need to avoid the creation of conflicts between quarrying and other incompatible activities (for example Policy 2.6.17(e)(iv)).*

*There may be particular sites in the Whitford Rural Area where adverse effects including, but not limited to, noise, dust and vibration can largely be internalised within the site. The site should also be in a location where adverse effects relating to heavy vehicle access to and from the mineral extraction site can be avoided, remedied or mitigated, and where any other adverse effects on the environment, including those relating to identified Indicative Constraint Areas, can be appropriately avoided, remedied or mitigated. In this way, it may be possible for mineral resources to be extracted without compromising the potential of the Whitford Rural Area as a desirable location for countryside living.*

## **12A.5 DEVELOPMENT STRATEGY**

### **12A.5.1 Introduction**

The Development Strategy for the Whitford Rural Area focuses on providing opportunities for countryside living development while retaining the landscape character, rural amenity values and environmental quality of the area. The Development Strategy seeks to protect and enhance the ecological, heritage and landscape features within the area through the land subdivision and development process.

The Development Strategy for the Whitford Rural Area was formulated through research on the natural environment, landscape character and rural amenity values, and physical constraints to development and by addressing the community vision for the area. This included an assessment of the natural heritage and terrestrial ecology of the area, a catchment erosion and sedimentation modelling study (NIWA Study), a geotechnical hazard review (including the coastal area), a roading study and a landscape assessment of the area. The community vision for the area was derived from the key themes and outcomes of workshops, public open days and ongoing consultation undertaken with the Whitford community and with local iwi. The analysis and assessment work was refined through the appeals process that resulted in the final Plan provisions. This research has formed the basis for the following approach adopted within the Development Strategy:

- Respect for the topography and physical characteristics of the land.
- Protection of terrestrial ecology and natural heritage of the area.
- Retention of significant natural features and landscapes of the area.
- Maintenance of the diversity in Whitford's landscape character (e.g. a mixture of open pastoral landscape, areas of native and exotic vegetation and scattered residential development).
- Provision for the continuation of rural land based activities.
- Improved catchment management (i.e. by limiting the potential for erosion and sediment generation from development and encouraging riparian planting).
- Flexibility in design of subdivision and development.
- Flexibility to share facilities (i.e. common access and wastewater treatment facilities where possible).
- Upgrading of roads while retaining rural character.

- Recognising the importance of regionally significant resources, including existing quarries and landfill sites. [AM128]
- Improving recreational access networks provided within the area.

This approach has been incorporated into the provisions that apply to the Whitford Rural Area. The key features of the Development Strategy are explained in the following sections.

### 12A.5.2 Carrying Capacity-Zones

The purpose of this section is to explain the carrying capacity approach applied to the Whitford Rural Area.

The maximum carrying capacity of the Whitford Rural Area has been identified at approximately 925 household units, including existing and possible new household units. Subject to strict controls, including careful placement of development, mitigation and enhancement, it has been assessed that there is potential for up to a maximum of 925 household units to be established within the Whitford Rural Area without generating significant adverse effects on existing character and amenity values. In addition, limited scope may be available for some non-residential activities.

In simple terms, it has been assessed that carefully managed development at a density of 1 household unit per 3.5 hectares of land in the Whitford Rural A Zone and 1 household unit per 5 hectares of land in the Whitford Rural B Zone, plus a limited number of further lots provided for under the "bonus lot" provisions, will enable development to occur in a manner that does not constitute an unacceptable change in character or result in a significant loss in rural amenity values within the Whitford Rural Area. The total number of household units that may be provided through these mechanisms is not expected to exceed 925 household units in the combined Whitford Rural A and Whitford Rural B Zones.

### 12A.5.3 Indicative Constraints

The Development Strategy includes six mapped indicative constraints. The purpose of the indicative constraints mapping is to manage the location of development within the two zones in order to recognise important environmental features, including natural resources, and to protect the existing rural character and amenity values of the Whitford Rural Area.

The six indicative constraints are stated below:

- Road Corridor Indicative Constraints Area
- Scenic Amenity Indicative Constraints Area
- Coastal Indicative Constraints Area
- Riparian Management Indicative Constraints Area
- Native Vegetation Indicative Constraints Area
- Slopes Indicative Constraints Area

### 12A.5.4 Land Without Indicative Constraints

Land that is not located within any of the six Indicative Constraints Areas is generally considered to be the least sensitive of all land within the Whitford Rural Area. As a result, these areas are considered generally

to be the most appropriate location for development. However, as the constraints are "indicative", there will be the need for detailed analysis, design and consideration at the time of resource consent.

### 12A.5.5 Planning Controls

In addition to the Zones and Indicative Constraints Areas identified above, planning controls apply to the Whitford Rural Area that address the adverse environmental effects that may result from land subdivision, use or development.

The planning controls specific to land use and activities enable more traditional rural based activities such as farming and horticulture to continue to occur as permitted activities. Other rural related activities such as farm stay accommodation, horse training facilities, riding clubs and schools, home enterprises, processing of farm and forest products as well as produce stalls are also permitted providing they meet all the applicable development and performance standards that manage the size and scale of these activities. Other activities that could potentially be located in the rural area include animal parks, model farms and zoological gardens, rural services, restaurants, veterinary clinics, and educational, charitable, religious and philanthropic institutions where directly associated with a farming activity. These are provided for as Discretionary Activities to appropriately consider any adverse environmental effects generated by an application of this nature.

The Planning Maps identify existing roads and any proposed road upgrading or alignments, existing and proposed recreational trails. Where a recreational trail is identified on private land, at the time of applying for subdivision consent, the applicant is to identify a practical alignment for the recreational trail that meets District Plan requirements.

The establishment of new activities such as mineral extraction, pig farming and intensive farming, travellers' accommodation, outdoor recreation, and marina complexes are Non-Complying Activities because they are large-scale development proposals and/or have the potential to generate environmental effects that are inconsistent with countryside living development.[\[AM128\]](#)

The planning controls place restrictions on the bulk and location of built development on a site, in particular for household units, accessory buildings and greenhouses in order to maintain and enhance the existing environmental quality and the landscape character and rural amenity values of the area. The planning controls that apply to the subdivision of land:

- address the location of built development through the identification of building platforms on subdivision plans;
- protect existing native bush and vegetation, riparian margins and wetlands;
- manage wastewater and stormwater disposal and land stability;
- ensure provision of network utilities, roading/legal access and recreational trails; and
- address proposals for subdivision near existing landfill and quarry operations and high voltage transmission lines.

### 12A.5.6 Whitford Rural Area Design Guide

The Whitford Rural Area Design Guide provides guidance on the following:

- Assessment of the site and its surrounding context
- Selecting locations for building platforms and access



- Management of open land on the site
- Retention and management of Native Vegetation on site
- Planting with Native Vegetation on site (including riparian planting)
- Landscaping
- Fencing, gating, and associated lighting and signage
- Property and subdivision entranceways
- Design of buildings and structures

Resource consent applications prepared in accordance with the Design Guide are more likely to meet relevant District Plan criteria than those which are not.

## **12A.6 IMPLEMENTATION**

### **12A.6.1 Regulatory Methods**

In summary, the following regulatory methods apply to the Whitford Rural Area.

#### **Zones**

- Whitford Rural A Zone
- Whitford Rural B Zone

#### **Indicative Constraint Areas**

- Road Corridor Indicative Constraints Area
- Scenic Amenity Indicative Constraints Area
- Coastal Indicative Constraints Area
- Riparian Management Indicative Constraints Area
- Native Vegetation Indicative Constraints Area
- Slopes Indicative Constraints Area

#### **Planning Controls - Land Use Activities**

- Activity Table (Use/Building)
- Bulk and Location Controls
- Noise
- Access Standards

- Activities Sensitive to Aircraft Noise
- Landfill/Quarry Proximity Area
- Additional Development and Performance Standards relating to Use/Building

#### **Planning Controls - Subdivision**

- Location of Building Platforms
- Protection of Existing Native Bush and Vegetation
- Protection of Riparian Margins
- Wastewater Disposal
- Stormwater Management
- Land Stability
- Proximity to High Voltage Transmission Lines
- Roding and Legal Access
- Provision of Network Utilities
- Recreational Trails
- Landfill/Quarry Proximity Area

#### **Legal Protection Mechanisms**

Where legal protection is required, the Council will, as a minimum:

- (a) Impose conditions on subdivision consent to be complied with on a continuing basis by the subdividing owner and subsequent owners; and
- (b) Issue consent notices under section 221 of the Resource Management Act 1991 restating and specifying the reasons for any such conditions.

Consent notices will be registered against the Certificates of Title to the relevant lots and will permanently bind all subsequent owners of the land. As noted in (b) above, in addition to restating the relevant subdivision consent conditions, consent notices will also specify the reasons for the conditions (i.e. the purpose(s) of the obligation(s) and the intended outcomes). Due to the importance of the protection required, it is expected that any subsequent application for the variation, cancellation or review of any condition(s) specified in consent notices will follow a public notification process.

These regulatory methods are stated in Sections 12A.10- 12A.14.

#### **12A.6.2 Non-Regulatory Methods**

In addition to the regulatory methods contained in the Plan, the Council will also use non-regulatory methods to help achieve the objectives.

(i) *Advocacy and Information*

The Council has developed a Whitford Rural Area Design Guide. The Guide covers subdivision layout and building placement as well as the management of open land, protection and maintenance of Native Vegetation and the use of landscaping elements. Resource consent applications prepared in accordance with the Design Guide are more likely to meet relevant district plan criteria than those which are not.

The Council will also work with the Auckland Regional Council to encourage the retirement and fencing of riparian areas and where possible the revegetation of these areas with appropriate native species.

(ii) *Provision of Services and Partnering*

The Council will assist applicants with advice on, and assessment of, applications for resource consents that are located within the Whitford Rural Area. The Council wishes to take a proactive and co-operative role in developing design solutions for land subdivision, use and development within this area.

(iii) *Land Purchase*

The Council will continue to make strategic land purchases where appropriate within the Whitford Rural Area, in particular for such uses as public open space. These will be made in accordance with the provisions in the District Plan.

(iv) *Grants for Native Bush Protection and Management*

Native bush grants are offered as an incentive to encourage the retirement and revegetation of rural land as well as the ongoing maintenance of existing parcels of native bush. The provision of financial incentives to landowners recognises the opportunities they are foregoing by retaining areas of Native Vegetation. It also recognises the value that communities place on the protection of Native Vegetation, and the contribution areas of native bush make to the rural landscape. Native bush grants are applied to areas of native bush which meet specific height and area criteria.

Native bush grants may be applied to properties which have a continuous canopy of native trees over 6m in height for a minimum area of 3,000m<sup>2</sup>. To be eligible for a grant the native bush must be enclosed with a stock proof fence. If the native trees are less than this height the owners can still apply for a grant but they must have entered into a permanently binding legal agreement with Council to protect the area of native bush.

(v) *Record Keeping*

The Council is responsible for including information on its Land Information Register related to land within its district. This can include information relating to the use of land and conditions attached to that use. For example, a Land Information Register notation could include references to the need for a geotechnical and/or engineering assessment with any application for subdivision or development on a particular site. The Council will use this notation process as appropriate to ensure relevant information about the site is retained on Council records.

(vi) *Whitford Land Rehabilitation Trust*

The Whitford Land Rehabilitation Trust is a Trust comprising representatives of the Council and the Whitford community. The purpose of the Trust is to identify locations within the Whitford Rural Area, consistent with the provisions of the district plan, that will benefit from environmental enhancement, particularly through the planting and legal protection of Native Vegetation. The Trust will collect contributions to the Vegetation Enhancement Fund that are

provided for under these rules, and arrange for the expenditure of those funds on environmental enhancement within the Whitford Rural Area.

The Trust shall be constituted for charitable purposes and its trustees shall comprise the following:

- One trustee appointed by Manukau City Council;
- One trustee appointed by the Auckland Regional Council; and
- One trustee appointed by the Whitford community.

The defined object of the Trust will be to undertake Native Vegetation enhancement and mitigation planting, to achieve the objectives and policies for the Whitford Rural A and B Zones.

## 12A.7 ANTICIPATED ENVIRONMENTAL RESULTS

The anticipated environmental results for the Whitford Rural Area are:

- (i) The maintenance and enhancement of Whitford's landscape character and rural amenity values.
- (ii) A minimal number of buildings and structures associated with countryside living located in either visually or environmentally sensitive areas.
- (iii) A minimal number of features or elements commonly found within the urban area (for example, streetlights, kerb and channelling, illuminated signage etc) within the Whitford Rural Area.
- (iv) The continuation of rural land based activities within the Whitford Rural Area.
- (v) Protection and enhancement of terrestrial ecology and natural heritage of the area
- (vi) Maintenance or enhancement of water quality within perennial streams and the Whitford Embayment.
- (vii) The efficient and effective provision and utilisation of physical infrastructure.
- (viii) Provision of a network of recreational trails for activities such as walking, cycling and horse riding.
- (ix) Protection of important archaeological and cultural heritage sites.

## 12A.8 PROCEDURES FOR MONITORING

In order to assess the suitability and effectiveness of the objectives, policies and methods in achieving the anticipated environmental results contained within this section, the following procedures for monitoring apply:

- (i) Monitor by zone the number of development units constructed (defined as buildings associated with typical use of a site, for example, household unit, garage, shed etc) against

identified carrying capacity for the Whitford Rural Area (refer Section 12A.5.2 and Policies 12A.4.1 and 12A.4.2).

- (ii) Survey the number of development units within the Indicative Constraints Areas.
- (iii) Monitor:
  - the number of applications for resource consent that are processed on a non-notified, publicly notified or limited notification basis; and
  - the number of applications for resource consent that are granted or refused; and
  - the degree of compliance with consent conditions.
- (iv) Survey the number of urbanising elements within the Whitford Rural Area including the provision of streetlights, kerb and channelling, illuminated signage etc.
- (v) Monitor the change in the quantity and quality of native bush and vegetation within the Whitford Rural Area.
- (vi) Survey the amount of native bush and vegetation to be legally and permanently protected or to be in public ownership.
- (vii) Survey the change in the quantity, quality and use of recreational trails within the Whitford Rural Area.
- (viii) Monitor the number of significant archaeological and cultural heritage sites protected by covenant, consent conditions or public ownership and the number without any form of protection.

## **12A.9 DESCRIPTION AND EXPLANATION OF ZONES AND INDICATIVE CONSTRAINTS AND PROXIMITY AREAS**

### **12A.9.1 Whitford Rural A Zone**

Whitford Rural A Zone contains three distinct areas of land. The first area includes all the land that lies immediately south west of Whitford Park Road and north east of the Rural 3 zone (boundary adjacent to Redoubt Road Extension). The southern boundary of the Whitford Rural A Zone lies along the ridge that defines the extent of the Whitford Catchment. The northern boundary of the zone is Sandstone Road/Ormiston Road. The main access road into this part of the Whitford Rural A Zone is Brownhill Road. All of the land within this part of the zone lies within the Turanga Stream Catchment. This part of Whitford Rural A Zone is characterised as "rolling hill country", which generally consists of slopes between 10 to 20 degrees and on occasions steeper.

The Turanga Stream runs along Brownhill Road until it meets the Whitford Village and then feeds into the Whitford Embayment. This part of the Whitford Rural A Zone lies closest to the urban edge of the two zones. Over the years this area has been developed for a mixture of farming, horticulture, and countryside living.

The second area within the Whitford Rural A Zone includes all the land that lies immediately north of the Trig Road ridge and south of Whitford-Maraetai Road. The land within this part of the zone is visible from Whitford-Maraetai Road and adjoins the Whitford Landfill and Quarry designations.

The third area of Whitford Rural A Zone includes the land that lies to the north-west of Ara-Kotinga (Whitford Catchment Boundary) across to the Whitford Landfill and Quarry designations and Trig Road. The western boundary is defined by Whitford Park Road. The northern boundary is roughly defined by

existing property boundaries that essentially separate the Waikopua Stream Catchment from the Te Puru Stream Catchment (along the dividing ridge). The land within this area lies in both the Turanga and Waikopua Stream Catchments. This part of Whitford Rural A Zone is characterised as "steep hill country", consisting of land that generally has a larger variation in slope. This area contains some of the steepest land within the Whitford Catchment.

The Whitford Rural A Zone contains a significant proportion of Whitford Rural Area containing slopes steeper than 15 degrees.

For new subdivision, an average lot size of 3.5 hectares is applied to the Whitford Rural A Zone. A further incentive is given to encourage improvements to the natural and physical environment through "bonus lot" provisions, which provide for significant enhancement by way of Native Vegetation planting in locations specified in the rules, although care needs to be taken to ensure that this does not undermine the maximum carrying capacity that has been identified for the Whitford Rural Area as a whole (see Policies 12A.4.1 and 12A.4.2).

### 12A.9.2 Whitford Rural B Zone

The Whitford Rural B Zone includes the land that lies south of Jack Lachlan Drive, down to where it meets up with Henson Road. The western boundary of this zone is defined by the coastline and the eastern boundary is defined by the eastern branch of the Te Puru Stream. This zone lies within both the Te Puru and the Beachlands South Stream Catchments. This zone has a coastal edge and, as a result, specific provisions addressing both the landscape character and environmental considerations have been included for this zone. The roads that adjoin or run through this zone include Jack Lachlan Drive, Whitford-Maraetai Road and Okaroro Drive.

For new subdivision, an average lot size of 5 hectares is applied to the Whitford Rural B Zone. As with the Whitford Rural A Zone, a further incentive is given to encourage improvements to the natural and physical environment through "bonus lot" provisions.

### 12A.9.3 Road Corridor Indicative Constraints Area

The identified Road Corridor Indicative Constraints Area is based on a visibility out to 300 metres every 50 metres along the primary arterial roads within the Whitford Rural Area, being Whitford Park Road, Sandstone Road and Whitford-Maraetai Road (see Figure 12A.4).

The primary purpose of this Indicative Constraints Area is to maintain existing views of the wider countryside along the primary roading network. The secondary purpose is to maintain separation distances between development through the dispersal of household units or the dispersal of clusters of household units and associated structures.

For both residents and visitors alike a significant aspect of the appreciation of the landscape's character and rural amenity comes through the vistas and views obtained while travelling within the road network, particularly from those roads most frequently travelled. The perception of "rural" amenity is determined partially by the views of expanses of the "natural" landscape, both open and enclosed, and the balance of manmade buildings and structures within it.

In some instances the extent of the landscape actually visible from the road (the view corridor) is limited by foreground topography or vegetation. In other instances the road view corridor extends well beyond the foreground to distant features on the horizon such as hills, ridgelines or views out to sea. The maintenance of a road view corridor with a low ratio of manmade structures is important to the maintenance of rural amenity values and the perception that Whitford is essentially "rural" in character.

Typically road view corridors are prime development areas as the economics of connecting services and infrastructure encourages lineal or ribbon development along existing roads. As lineal development



encroaches on the most sensitive portion of the view corridor, the economic benefits to the individual of building near the road cumulatively erode the amenity benefit to the wider community. In order to achieve a degree of protection for rural amenity values, a limit on the extent of the development within the road corridor along key main roads has been recognised by the Road Corridor Indicative Constraints Area.

The rationale behind the extent of the Road Corridor Indicative Constraints Area is that from primary arterial roads a household unit (and associated buildings and structures) has the potential to become visually dominant within the context of the landscape in which it is seen. Beyond a distance of 300 metres, a building or structure (with the visual bulk and form of a typical development unit) is seen as part of the rural scenery rather than an obstruction between the viewer and wider landscape.

Within the Road Corridor Indicative Constraints Area, an applicant must demonstrate how the household units can be integrated into the landscape in the assessment of environmental effects which is required to accompany the subdivision or resource consent application. It would only be appropriate to locate household units within the Road Corridor Indicative Constraints Area where it can be demonstrated that topographical features would screen potential building sites from the road corridor and that the development will be able to be integrated into the landscape. It must be demonstrated that the development will not affect wider rural character and amenity values. Screen planting that is likely to restrict views from the road of existing rural land within or beyond the Road Corridor Indicative Constraints Area is not considered acceptable as it diminishes the overall purpose and intent of the Indicative Constraints Area.

#### **12A.9.4 Scenic Amenity Indicative Constraints Area**

The Scenic Amenity Indicative Constraints Area applies to all sensitive ridgelines above the 80m (RL) contour within the Whitford Rural Area that are visible from the main roads (see Figure 12A.3). The primary purpose of the Indicative Constraints Area is to maintain the existing balance between the built environment and existing 'natural' areas (including areas of native vegetation, pastoral lands and production forestry), in particular along the ridgelines that enclose the Whitford Rural Area. The secondary purpose of the Indicative Constraints Area is to maintain separation through the dispersal of development.

The hill country and ridge lines surrounding the Whitford Rural Area not only contribute significantly to landscape character and rural amenity values within the area, but also to the surrounding suburbs of Howick and Cockle Bay, and the wider Whitford area including the Rural 2 and Rural 4 zones. As with the Road Corridor Indicative Constraints Area, the perception of 'rural' amenity is partially determined by the 'natural' appearance of the hill country landscape. Limiting the number of buildings and structures in the skyline ridge and hill country areas is therefore critical to the maintenance of rural amenity and the perception that the Whitford Rural Area is rural in character.

The 80 metre (RL) contour has been identified as an appropriate boundary for this Indicative Constraints Area as development above this level is considered to have a more significant effect on landscape character than development below it. This is primarily due to the increased possibility of development being seen on or above the skyline when viewed from below and the increased potential viewing audience of development at higher elevations.

Within the Scenic Amenity Indicative Constraints Area, an applicant must demonstrate how the household units can be integrated into the landscape in the assessment of environmental effects which is required to accompany the subdivision or resource consent application. Household units should not be located on sites within the Scenic Amenity Indicative Constraints Area that are visually prominent and/or are of a size and style that is unable to be visually integrated into the surrounding landscape without affecting landscape character or visual amenity when viewed from the main roads. The Scenic Amenity Indicative Constraints Area is recognised as potentially having geotechnical constraints that could further restrict development opportunities.

### 12A.9.5 Riparian Management Indicative Constraints Area

The Riparian Management Indicative Constraints Area applies, as a minimum, to all land that lies 10 metres either side of all existing perennial streams within the Whitford Rural Area (see Figures 12A.1 and 12A.2). The Riparian Management Indicative Constraints Area therefore follows the natural drainage pattern of the Whitford Rural Area.

- The primary purpose of the Riparian Management Indicative Constraints Area is to:
- protect existing landscape features associated with riparian margins;
- allow for sediment control between household units and streams;
- provide visual screening opportunities between household units; and
- provide for possible future recreational and ecological corridors.

No development is permitted within the Riparian Management Indicative Constraints Area. The intent of the Riparian Management Indicative Constraints Area is to limit the amount of development in gully areas and in proximity to streams and to allow the setting aside and replanting of these areas with Native Vegetation.

The rules that apply to subdivision within the Whitford Rural Area require that all perennial streams are fenced and replanted with Native Vegetation to a minimum distance of 10 metres from either side of the stream bank. The purpose of this requirement is to effectively create a riparian margin along perennial streams by excluding stock and undertaking native planting. A combined width of 20 metres would enable indigenous vegetation succession and should result in a relatively low-maintenance riparian margin along the perennial streams. Where practicable, planting patterns should follow the natural contours and riparian margins of the stream system. The rules require that Riparian Management Indicative Constraints Areas be permanently legally protected by an appropriate instrument registered against the titles to the lots with requirements for on-going maintenance of the area by landowners (for weed control, pest control and stock exclusion). All wetland areas associated with perennial streams are to be included within the riparian margin retirement.

It is noted that the 20 metre width of the Riparian Management Indicative Constraints Area is the minimum requirement only. The actual area of riparian margin that may be required to be enhanced and/or protected may be greater, depending on the topography and physical characteristics of the stream. This is a matter that would need to be assessed at resource consent stage.

### 12A.9.6 Coastal Indicative Constraints Area

The coastal edge contributes to the existing character and amenity values of Whitford's landscape (see Figure 12A.3). Views of the coastal edge, estuarine areas and the inner Hauraki Gulf are a source of significant amenity to the area. The Coastal Indicative Constraints Area covers the area where land subdivision, use and development can influence coastal landscape and amenity within the Whitford Rural Area. The primary purpose of this Indicative Constraints Area is to therefore protect existing landscape character and amenity values associated with the coastal edge including beaches, intertidal areas, estuaries, cliffs, escarpments and coastal slopes. This will also promote the preservation of the natural character of the coastal environment.

Within the Coastal Indicative Constraints Area, an applicant must demonstrate how the household unit can be integrated into the landscape in the assessment of environmental effects which is required to accompany the subdivision or resource consent application. It would only be appropriate to locate household units within the Coastal Indicative Constraints Area where it can be demonstrated that the development would maintain and enhance the existing landscape character and amenity values associated with the coastal edge. The intent of the Coastal Indicative Constraints Area is to protect the

natural character of the coastal edge from the encroachment of development and to encourage ecological restoration of the coastal edge.

A Recommended Building Line Limitation applies, requiring that any building platforms identified on the seaward side of the line, be supported by appropriate geotechnical engineering information confirming that the building platforms are stable and recommending any appropriate mitigation measures against cliff instability to the satisfaction of Council.

The Planning Maps further identify a future recreational trail along the coastal edge. This recreational trail is required to be vested in Council as reserve at the time of subdivision.

### 12A.9.7 Native Vegetation Indicative Constraints Area

Native Vegetation is an important element of the Whitford Rural Area, particularly for its part in retaining biological diversity, ecosystem integrity, natural character and amenity values.

The Native Vegetation Indicative Constraints Area identifies areas of Native Vegetation for protection and enhancement (see Figure 12A.2).

The primary purposes of the Native Vegetation Indicative Constraints Area are to:

- Protect existing Native Vegetation for future generations;
- Provide opportunities for increased diversity through permanent legal protection of existing areas of Native Vegetation, through fencing, weed and pest control;
- Enhance the landscape to ensure ecological services are maintained during and after a potential development process;
- Protect the quality and resilience of the resource.

A subdivision or resource consent proposal will be the subject of assessment, through the consent process, to ensure that any effects on Native Vegetation identified for protection are minimised. An exception is made as a Discretionary Activity for the clearance of Native Vegetation where there is no or insufficient area for building or access that is not covered in Native Vegetation on the parent site. The clearance of Native Vegetation is limited to 350m<sup>2</sup> for each additional site created.

Environmental mitigation planting is required where subdivision is proposed, in areas identified in the rules, and further encouragement to undertake significant enhancement planting is given under the "bonus lot" provisions.

### 12A.9.8 Slopes Indicative Constraints Area

A significant portion of the Whitford Rural Area consists of slopes steeper than 15 degrees (see Figure 12A.1). The north and east parts of the Whitford Rural Area form a series of prominent hills and valleys. The steeper slopes leading down from the crest of these hills are often characterised by slope instability. Within the southern most extent of the Whitford Rural Area lie large tracts of unstable ground that is delineated as "Southern Landslide Zone". Within this "Southern Landslide Zone", which comprises of approximately one third of the Whitford Rural Area, are numerous signs of mass movement and benched topography, which have been considered as evidence of deep-seated block sliding.

The location of the slopes steeper than 15 degrees is mapped as an Indicative Constraints Area. The primary purpose of this Indicative Constraints Area is to:

- avoid development within these areas unless it can be proven that the building platform is stable; and
- encourage stabilisation and landscape and ecological enhancement through revegetation of steep and erosion-prone slopes.

Planting in areas where slopes are unstable would help to stabilise the land, is required under the rules where subdivision is proposed, and is encouraged through environmental mitigation and "bonus lot" planting.

### 12A.9.9 Landfill/Quarry Proximity Area

The Landfill/Quarry Proximity Areas (shown on Figures 12A.5 and 12A.6) have been identified to acknowledge the presence of existing landfill/quarries and minimise the potential for reverse sensitivity effects on those activities. It is not intended or proposed to be utilised to relax or lower the level of control on landfill/quarry activities that would otherwise apply if the Landfill/Quarry Proximity Areas did not exist.

## 12A.10 RULES - ACTIVITIES

### Rule

#### 12A.10.1 Activities in the Whitford Rural A Zone and Whitford Rural B Zone

Activities in the Whitford Rural A Zone and Whitford Rural B Zone shall comply with the following:

- (i) All Permitted Activities in Rule 12A.10.2 Activity Table shall comply with Rule 12A.10.3 General Development and Performance Standards and any relevant Additional Development and Performance Standards for Specified Activities in Rule 12A.10.4.
- (ii) For Controlled Activities in Rule 12A.10.2 Activity Table the Council shall exercise control over those matters specified in Rule 12A.11.
- (iii) All Restricted Discretionary activities shall comply with Rule 12A.10.3 General Development and Performance Standards and any relevant Additional Development and Performance Standards Rule 12A.10.4 and shall be assessed against the Matters for Discretion set out in Rule 12A.12.
- (iv) All Discretionary Activities shall comply with Rule 12A.10.5. All Discretionary Activities shall be assessed against the development and performance standards in Rule 12A.10.3 and Rule 12A.10.4 and the assessment criteria contained in Rule 12A.13 and any other relevant matters under Section 104 of the Act.
- (v) Where an application for resource consent is subject to more than one activity status the most restrictive activity status is to apply to the application.
- (vi) Any activity not listed in Rule 12A.10.2 is a Non-Complying Activity.
- (vii) An application for resource consent for a Restricted Discretionary Activity that complies with the Development and Performance Standards will not require public notification under s95A of the Resource Management Act 1991, nor will there be any affected persons under Section 95E of the Act unless there are special circumstances as provided for under s95A(4), or public notification is required under s s95A(2)(a)-(c) of the Act.
- (viii) Any decision on whether a Discretionary Activity will require public notification, or whether the consent of adversely affected parties is required is subject to sections 95A, 95B, 95D and 95E of the Resource Management Act 1991, provided that in respect of any application for a

Practicable Building Platform within a Landfill/Quarry Proximity Area the relevant landfill/quarry owner and operator shall be deemed to be an affected person upon whom the affects of the activity are deemed to be minor or more than minor under Section 95E.

**Rule****12A.10.2 Activity Table**

In Table 12A.10.2 the abbreviations used have the following meaning:

- P Permitted Activity
- C Controlled Activity
- R (D) Restricted Discretionary Activity
- D Discretionary Activity
- NC Non-Complying Activity

ACTIVITY (USE/BUILDINGS/SUBDIVISION)	WHITFORD RURAL A AND B ZONES
Access and Parking	Refer to Chapter 8 Transportation
Activities which have an adverse effect on any Scheduled Heritage Resource in Schedule 6A, 6B, 6D, 6E, 6F & 6G	Refer to Chapter 6 Heritage
Any activity that does not comply with one or more of the development and performance standards Rule 12A.10.3.1 (Height), Rule 12A.10.3.2 (Yards), Rule 12A. 10.3.3 (Maximum Site Coverage)	R (D)
Any activity that does not comply with one or more of the additional development and performance standards in Rule 12A.10.4	NC
Accessory building(s) less than or equal to 100m <sup>2</sup> in total floor area located inside the Practicable Building Platform	P
Accessory building(s) less than or equal to 100m <sup>2</sup> in total floor area located outside the Practicable Building Platform complying with Rule 12A.10.4.1	R (D)
Accessory building(s) greater than 100m <sup>2</sup> in total floor area	D
A single household unit per site comprised in a single Certificate of Title	P
Minor household unit and temporary household unit	NC
The addition, repair or alteration of an existing household unit or accessory building where any part of the addition, repair or alteration is located entirely within the Practicable Building Platform	P
The addition of any extension to a household unit where any part of the extension is located outside the Practicable Building Platform and complying with Rule 12A.10.4.1(i) - (ix)	R (D)
Animal Parks, Model Farms and Zoological Gardens complying with Rule 12A.10.5.1	D
Buildings and structures for communal use within clustered housing developments, less than or equal to 100m <sup>2</sup> in total floor area located inside a Practicable Building Platform complying with Rule 12A.10.4.2.	P
Buildings and structures for communal use within clustered housing developments, less than or equal to 100m <sup>2</sup> in total floor area and located outside the Practicable Building Platform complying with Rule 12A.10.4.2.	R (D)

ACTIVITY (USE/BUILDINGS/SUBDIVISION)	WHITFORD RURAL A AND B ZONES
Buildings and structures for communal use within clustered housing developments, greater than 100m <sup>2</sup> in floor area.	D
Communal Wastewater Treatment Plants or Facilities for Clustered Housing Developments.	R (D)
Cemeteries and Urupa	D
Clearance of Native Vegetation that is shown on Figure 12A.2 and complying with Rule 12A.10.5.2 and 12A.13.2.4	D
Trimming of Native Vegetation shown on Figure 12A.2 that is necessary for the operation, maintenance and minor upgrading of high voltage electric transmission lines designed to operate at or above 110kV	C
Clearance of Native Vegetation shown on Figure 12A.2 that is necessary for the operation, maintenance and minor upgrading of high voltage electric transmission lines designed to operate at or above 110kV	R (D)
Cleanfill Activities involving the depositing of more than 200m <sup>3</sup> and less than or equal to 500m <sup>3</sup> of material per site complying with Rule 12A.10.5.3	R (D)
Cleanfill Activities involving the depositing of more than 500m <sup>3</sup> of material per site complying with Rule 12.14.2.4.1 and Rule 12A.10.5.3, provided that the clean fill activity is necessary to establish a Permitted, Restricted Discretionary or a Discretionary Activity under Rule 12A.10.2	D
Childcare Services and Facilities for up to 10 children	P
Childcare Services and Facilities for between 10 and 50 children	D
Demolition and/or removal of existing buildings EXCEPT those listed in Schedule 6A - (refer Chapter 6 - Heritage)	P
Educational, charitable, religious and philanthropic institutions, where such activities are directly associated with and ancillary to a farming activity and complying with Rule 12A.10.5.1	D
Farming	P
Farmstay Accommodation complying with Rule 12.11.2.1	P
A single Greenhouse less than or equal to 100m <sup>2</sup> in floor area located inside the Practicable Building Platform and complying with Rule 12A.10.4.2	P
Greenhouse(s) greater than 100m <sup>2</sup> in floor area or located outside the Practicable Building Platform and complying with Rule 12A.10.4.2	D
Hazardous Facilities and Substances	Refer to Chapter 10.1, Hazardous Facilities and Substances
Home Enterprises	Refer Section 5.23, Chapter 5 General Procedures and Rules
Horse Training Facilities, Riding Clubs or Riding Schools and a single ancillary building less than or equal to 100m <sup>2</sup> in floor area and complying with Rule 12A.10.4.2	P



ACTIVITY (USE/BUILDINGS/SUBDIVISION)	WHITFORD RURAL A AND B ZONES
Horse Training Facilities, Riding Clubs or Riding Schools and an ancillary building greater than 100m <sup>2</sup> in floor area and complying with Rule 12A.10.4.2	D
Practicable building platform not meeting the requirement of Rule 12A.10.4.1(i)	D
Marina Complexes	NC
Mineral extraction activities contained within Lot 2 DP 54701 and Lot 2 DP 203289 comprised in Certificate of Title 131D1767 (Adams Quarry)	D
Mineral Extraction, excluding topsoil (refer 12.14.1 and the provisions of Chapter 17.8, Mineral Extraction Activities - 17.8.3)	NC
Network Utility Services	Refer Chapter 7: Network Utility Services
Outdoor Recreation, including the use of land and buildings and an ancillary household unit.	NC
Pig Keeping complying with Rule 12.11.2.2 and Rule 12A.10.4.2	P
Pig Farming and Intensive Farming	NC
Places of Assembly complying with Rule 12A.10.5.1	D
Processing of farm and forest products for the consumption or use on the site	P
Processing of farm or forest products where the consumption or use is on sites other than where the products are grown	D
Produce Stalls, not exceeding 15m <sup>2</sup> in floor area, for the direct sale of farm produce grown on the site	P
Produce Stalls either exceeding 15m <sup>2</sup> in floor area for the direct sale of farm produce grown on the site on which the stall is located; or for the co-operative sale of farm produce on nearby properties	R (D)
Production Forestry within the Road Corridor Indicative Constraints Area where the total planted area is less than or equal to 1 hectare of land per site	P
Production Forestry within the Road Corridor Indicative Constraints Area where the total planted area is greater than 1 hectare of land per site	D See Whitford Rural Area Design Guide for more information
Production Forestry outside the Road Corridor Indicative Constraints Area where the total planted area is less than or equal to 4 hectare of land per site [AM128]	P
Production Forestry outside the Road Corridor Indicative Constraints Area where the total planted area is more than 4 hectares of land per site complying with Rule 12A.10.4.4[AM128]	R (D) See Whitford Rural Area Design Guide for more information
Rural Services complying with Rule 12A.10.5.1	D

ACTIVITY (USE/BUILDINGS/SUBDIVISION)	WHITFORD RURAL A AND B ZONES
Relocated Buildings complying with Rule 12A.10.5.1	D
Restaurants complying with Rule 12A.10.5.1	D
Second and subsequent household unit(s) per site complying with Rule 12A.10.4.3	R (D)
Signs complying with Rule 5.14 "Rural"	Refer Section 5.14 Chapter 5 General Procedures and Rules
Land Modification, Development and Subdivision	Refer to Chapter 9 Land Modification, Development & Subdivision
Temporary Activities	Refer Section 5.16 Chapter 5 General Procedures and Rules
Travellers' Accommodation	NC
Travellers' Accommodation on the site legally described as Lot 1 DP 209716, Lot 4 DP 125200 and Lot 5 DP 125200 and contained in CT 82C185 (110 Jack Lachlan Drive - Formosa Country Club) - (complying with Rule 12.14.2.3 Travellers Accommodation)	D
Veterinary Clinics complying with Rule 12A.10.5.1	D
Wineries (including any ancillary sales areas, reception areas, wine-bars or restaurants) <sup>[AM128]</sup>	D

### 12A.10.3 GENERAL DEVELOPMENT AND PERFORMANCE STANDARDS

#### Rule

##### 12A.10.3.1 Height and Height in Relation to Boundary

- (i) The maximum height for buildings and structures shall be 9 metres.
- (ii) The rules in section 5.18.1, Chapter 5, General Procedures and Rules shall apply.

#### Rule

##### 12A.10.3.2 Yards

The yard requirements for buildings and structures are:

Front Yard	10 m
Side and Rear Yard	3 m
Coastal Yard	30 m
Yards fronting a Primary Road	20 m

**Rule****12A.10.3.3 Maximum Site Coverage**

The maximum site coverage is:

- (i) For sites equal to or less than 2,500m<sup>2</sup> in net site area - 350m<sup>2</sup>
- (ii) For sites between 2,500m<sup>2</sup> and 4,000m<sup>2</sup> in net site area - 450m<sup>2</sup>
- (iii) For sites 4,000m<sup>2</sup> and larger in net site area - 600m<sup>2</sup>

**Rule****12A.10.3.4 Noise**

Rule 12.11.1.5 shall apply.

**Rule****12A.10.3.5 Access Standards**

Rule 12A.14.5 shall apply as appropriate.

**Rule****12A.10.3.6 Activities Sensitive to Aircraft Noise (ASANs)**

ASANs located within the Aircraft Noise Notification Area (ANNA) shall comply with the requirements of Rule 5.21.

**12A.10.4 ADDITIONAL DEVELOPMENT AND PERFORMANCE STANDARDS****Rule****12A.10.4.1 Household Units and Accessory Buildings**

- (i) The household unit and accessory building(s) for each lot shall be located either on the existing Practicable Building Platform or on the Practicable Building Platform specified in the consent notice relating to that specific lot.
- (ii) An adequate sewage and wastewater disposal system together with a stormwater drainage system shall be installed for the household unit which will not create water pollution, erosion or land instability.
- (iii) No more than 2,500m<sup>2</sup> of earthworks shall be exposed on site at any one time. Prior to new earthworks in excess of 2,500m<sup>2</sup> being created, the existing areas of exposed earthworks, including cut and batter faces and filled areas, shall be stabilised and re-vegetated.
- (iv) Earthworks shall only be carried out during the period starting 1 October through to 30 April. Sites shall be re-vegetated or otherwise stabilised outside this period to minimise sediment runoff.
- (v) All stormwater and sediment control measures shall be installed prior to any earthworks being undertaken.
- (vi) Stormwater shall be managed on site to prevent increases in volumes and rates of runoff during rainfall events as a result of land development.
- (vii) The household unit and/or accessory buildings shall not be located within a corridor extending at least 10 metres either side of a perennial stream and/or any ephemeral stream.

- (viii) The household unit and/or accessory buildings shall be located clear of any archaeological sites. The archaeological sites shall not be adversely affected by the proposed development.
- (ix) Accessory buildings shall not be used for residential activities.

**Advisory Note:** Refer to the latest revision/version of Auckland Regional Council Technical Publication (TP) 58 with respect to wastewater disposal and Auckland Regional Council Technical Publication (TP) 90 with respect to storm water management.

#### Rule

##### **12A.10.4.2 Greenhouses, Horse Training Facilities, Riding Clubs, Riding Schools, Pig Keeping, Clean Fill and Buildings and Structures for Communal Use within Clustered Housing, Communal Wastewater Treatment Plants or Facilities for Clustered Housing Developments**

- (i) No more than 2,500m<sup>2</sup> of earthworks shall be exposed on site at any time. Prior to new earthworks in excess of 2,500m<sup>2</sup> being created, the existing areas of exposed earthworks, including cut and batter faces and filled areas, shall be stabilised and re-vegetated.
- (ii) Earthworks shall only be carried out during the period starting 1 October through to 30 April. Sites shall be re-vegetated or otherwise stabilised outside this period to minimise sediment runoff.
- (iii) Stormwater shall be managed on site to prevent increases in volumes and rates of runoff during rainfall events as a result of land development.
- (iv) All stormwater and sediment control measures shall be in place prior to any earthworks being undertaken.
- (v) The activity shall not be located within a corridor extending 10 metres either side of a perennial stream and/or any ephemeral stream.
- (vi) The activity shall be located clear of any archaeological sites. The archaeological sites shall not be adversely affected by the proposed development.
- (vii) The buildings shall not be used for residential activities.

#### Rule

##### **12A.10.4.3 Second or Additional Household Unit(s) per Site Located on a Nominal Allotment**

Where application is made for a second or additional household unit, the following standards shall apply:

- (i) The application is to be accompanied by a plan showing a "nominal allotment", within which no more than one household unit is to be allowed.
- (ii) The "nominal allotment" shall be subject to all of the standards that apply in Rule 12A.14, as if the nominal allotment was to be an allotment within a subdivision.
- (iii) Any future subdivision of the site following erection of the household unit(s) shall be in strict accordance with the "nominal allotment" defined in accordance with Rule 12A.10.4.3(i). This

standard is to be secured by a suitable legal instrument which shall be registered on Certificates of Title and binding on successors in title.

**Rule****12A.10.4.4 Production Forestry Outside the Road Corridor Indicative Constraints Area where the total planted area is more than 4 hectares of land per site**

All Restricted Discretionary Production Forestry activities shall comply with the development and performance standards specified in this Rule. An application that does not comply with the development and performance standards in this Rule shall be considered as a Discretionary Activity.

- (a) An application for resource consent for Production Forestry shall include a management plan prepared to the satisfaction of the council which includes the following information:
  - (i) Location and scale of areas proposed for Production Forestry.
  - (ii) An assessment of any archaeological or historic sites within the areas proposed for Production Forestry.
  - (iii) An assessment of the impact of the proposal on natural habitat values of the locality and measures to be used to protect those values.
  - (iv) An assessment of the impact of the proposal on any significant landscapes identified in the Auckland Regional Policy Statement and measures to be used to preserve and protect the quality, character and values of those landscapes.
  - (v) Methods to be used to prevent erosion during Production Forestry work.
  - (vi) The time period over which Production Forestry will take place.
  - (vii) Measures to be used to protect water flow and quality of any bodies of water or wetlands in the vicinity.
  - (viii) Methods to be employed to inhibit the spread of fire within and in the vicinity of the area to be forested.
  - (ix) Likely methods to be employed in harvesting operations.
  - (x) Estimated volumes of timber produced and intended methods of transport of harvested timber from the site.
  - (xi) The likely demands placed on roads and transportation facilities through the transportation of harvested timber.
- (b) The application shall also include a Sustainable Forest Management Plan pursuant to Section 67E of the Forests Act 1949 if required.

### 12A.10.5 ADDITIONAL DEVELOPMENT AND PERFORMANCE STANDARDS FOR SPECIFIED DISCRETIONARY ACTIVITIES

#### Rule

#### 12A.10.5.1 Animal Parks, Model Farms, Zoological Gardens, Educational, Charitable, Religious, and Philanthropic Institutions, Places of Assembly, Restaurants, Relocated Buildings, Rural Services and Veterinary Clinics

All Discretionary Activities for Animal Parks, Model Farms, Zoological Gardens, Educational, Charitable, Religious, and Philanthropic Institutions, Places of Assembly, Restaurants, Relocated Buildings, Rural Services and Veterinary Clinics shall comply with the development and performance standards specified in this Rule. Any application that does not comply with the development and performance standards in the Rule shall be considered as a Non-Complying Activity.

- (i) The activity shall not be located within a corridor extending 10 metres either side of a perennial stream and/or ephemeral stream.
- (ii) The activity shall be located clear of any archaeological site(s) such that the archaeological site(s) will not be compromised by the proposed development.
- (iii) No more than 2,500m<sup>2</sup> of earthworks shall be exposed on site at any time. Prior to new earthworks in excess of 2,500m<sup>2</sup> being created, the existing areas of exposed earthworks, including cut and batter faces and filled areas, shall be stabilised and re-vegetated.
- (iv) Earthworks shall only be carried out during the period starting 1 October through to 30 April. Sites shall be re-grassed or otherwise stabilised outside this period to minimise sediment runoff.
- (v) Stormwater shall be managed on site to prevent increases in volumes and rates of runoff during rainfall events as a result of land subdivision and development.
- (vi) All stormwater and sediment control measures shall be in place prior to any earthworks being undertaken.

#### Rule

#### 12A.10.5.2 Clearance of Native Vegetation Shown on Figure 12A.2

All Discretionary Activities for the clearance of Native Vegetation shown on Figure 12A.2 shall comply with the development and performance standards specified in this Rule. Any application that does not comply with the development and performance standards in the Rule shall be considered as a Non-Complying Activity.

- (i) Rules 12.14.2.7.1 and 12.14.2.8.1 shall apply.
- (ii) Any clearance of any Native Vegetation for a building platform, driveway or infrastructure provided that the clearance does not increase the total cleared area (including any existing cleared area) of the net site area to more than 350m<sup>2</sup>.
- (iii) No Native Vegetation shall be cleared within a corridor extending 10 metres either side of a perennial stream.

#### Rule

#### 12A.10.5.3 Cleanfill Activities

All Discretionary Cleanfill activities shall comply with the development and performance standards specified in this Rule. An application that does not comply with the development and performance standards in this Rule shall be considered as a Non-Complying Activity.



- (i) Rule 12.14.2.4.1 shall apply.
- (ii) The activity shall not be located within a corridor extending 10 metres either side of a perennial stream and/or ephemeral stream.
- (iii) The activity shall be clear of any archaeological sites such that the archaeological sites will not be affected by the proposed development.

**Rule****12A.10.5.4 Practicable Building Platforms**

Where application is made for a Practicable Building Platform for any allotment where subdivision is not proposed and where there are no existing household units, the following rules shall apply:

- (i) Buildings shall be limited to the Practicable Building Platform. The plan shall show a minimum 15 metre by 15 metre area within each Practicable Building Platform complying with development and performance standards and any site specific constraints to demonstrate that it can contain a household unit. The Practicable Building Platform and the access to each Practicable Building Platform shall be proven to be geotechnically stable.
- (ii) For any Practicable Building Platform that is located seaward of the Recommended Building Line Limitation as shown on the Planning Maps, a report shall be prepared by a suitably qualified geotechnical engineer confirming that the building platform is stable and recommending any appropriate measures to mitigate against cliff instability to the satisfaction of the Council.
- (iii) No Practicable Building Platform shall be located within a corridor extending 10 metres either side of a perennial stream (as indicated on Figures 12A.1 and 12A.2) or any ephemeral stream.
- (iv) All Practicable Building Platforms, rights of way and/or private roads shall be clear of any archaeological sites. The archaeological sites shall not be adversely affected by the proposed development.
- (v) The following rules shall apply to any Practicable Building Platform within the Landfill/Quarry Proximity Areas shown on Figure 12A.5 or Figure 12A.6:
  - (a) A report shall be prepared by a suitably qualified acoustic engineer confirming that in respect of noise emanating from the lawfully established quarry or landfill site in accordance with relevant designation conditions or resource consent conditions, the internal noise level of all habitable rooms within the Building Control Boundary (as shown on Figure 12A.5 - Landfill/Quarry Proximity Area), would not exceed 40dBA L<sub>10</sub> at any time; and
  - (b) Details shall be provided of the outcome of consultation with representatives of the owners and operators of the Whitford Quarry, Whitford Landfill and the Beachlands Quarry (as is relevant) concerning the proposed Practicable Building Platform.

**Advice Note:** *Methods for achieving the prescribed noise limits within Residential Buildings may include the incorporation of the accepted acoustic design solutions in the building as follows:*

- *standard external cladding with minimum surface density of 8kg/m<sup>2</sup> such as brick, concrete, plaster, timber or plastic weatherboard, fibre cement, and*
- *internal linings of external walls of gypsum plasterboard of at least 10mm thickness or similar density material, and*

- continuous ceiling linings without cut-outs and of gypsum plasterboard of at least 10mm thickness or similar density material, and
- fibrous thermal insulation batts (not polystyrene) in wall and ceiling cavities, and
- standard roof cladding of steel, tiles, metal tiles, bitumen roof singles or butynol, and
- standard external window and door glazing of minimum 4mm thickness, and
- aluminium external joinery, and
- room glazing with a total area of no more than 50% of the floor area, and
- alternative ventilation if the internal noise level cannot be achieved with the ventilating windows open.

**Rule****12A.10.5.5 Wineries (including any ancillary sales areas, reception areas, wine-bars or restaurants)[AM128]**

All Discretionary Winery activities shall comply with the development and performance standards specified in this Rule. An application that does not comply with the development and performance standards in this Rule shall be considered as a Non-Complying Activity.

- (i) Wineries shall be located on a minimum site area of 3.5ha, and 65% of the site area shall be planted in fruit suitable for use in the winery.
- (ii) Annual output shall not exceed 100,000 litres.
- (iii) No less than 25% of wine produced shall be from the vineyard on the site.
- (iv) Wine sales shall be limited to:
  - (a) Wine produced on the site;
  - (b) Wine produced off-site carrying the same label as wine produced on the site;
  - (c) Any other wine produced under the label of vineyards in the Whitford and Clevedon area.
- (v) Any sales areas, reception areas, wine-bars or restaurants must be associated with and ancillary to a vineyard or winery meeting the standards in (i), (ii) and (iii) and (iv) above.

**12A.11 RULES - MATTERS FOR CONTROL: CONTROLLED ACTIVITIES****Rule****12A.11.1 Trimming of Native Vegetation shown on Figure 12A.2 that is necessary for the operation, maintenance and upgrading of high voltage electric transmission lines designed to operate at or above 110kV**

Council reserves control over the following matters in respect of the above activity in Rule 12A.11.1 and may impose conditions in respect of each:

- (a) The extent and frequency of works;
- (b) The methodology of the works.

**Rule****12A.11.1.1**

When assessing an application for resource consent for the above activity Rule 12A.11.1 the Council will have regard to the Assessment Criteria set out below:

- (a) Whether the works are required for compliance with the Electricity (Hazards from Trees) Regulations 2003;
- (b) Whether the works will adversely affect the overall quality of the area of Native Vegetation, including:
  - (i) the botanical and ecological qualities of the Native Vegetation;
  - (ii) the impact on form, integrity and longevity of the remaining Native Vegetation on site;
- (c) The protection of the rural character and amenity values of the area.

## **12A.12 RULES - MATTERS FOR DISCRETION: RESTRICTED DISCRETIONARY ACTIVITIES**

**Rule**

### **12A.12.1 Activities listed as Permitted in the Activity Table Rule 12A.10.2 that do not comply with the development and performance standards in 12A.10.3.1 - 12A.10.3.3**

The Council restricts the exercise of its discretion to the following matters for an activity that does not comply with the development and performance standards of Rules 12A.10.3.1 - 12A.10.3.3:

- (a) Height and Height in Relation to Boundary - Matters for Discretion in Rule 12.13.1 shall apply.
- (b) Yards - Matters for Discretion in Rule 12.13.2 shall apply.
- (c) Maximum Site Coverage - Matters for Discretion in Rule 12.13.3 shall apply.

**Rule**

### **12A.12.2 Produce Stalls exceeding 15m<sup>2</sup> in floor area**

The Council restricts the exercise of its discretion to the following matters when considering an application for produce stalls and may impose conditions in respect of each:

- (a) Matters for Discretion in Rule 12.13.4.1 shall apply.

**Rule**

### **12A.12.3 The Addition of a Habitable Room to a Household Unit where any part of the Room is Located Outside Practicable Building Platform, Accessory Buildings Less than or Equal to 100m<sup>2</sup> in Floor Area Located Outside of Practical Building Platform**

The Council restricts the exercise of its discretion to the following matters when considering applications for the addition of a habitable room to a household unit and for accessory buildings less than or equal to 100m<sup>2</sup> in floor area where any part is located outside of the Practical Building Platform and may impose conditions in respect of each:

- (a) Rural Character
- (b) Site Stability
- (c) Native Vegetation
- (d) Archaeological Sites

**Rule****12A.12.3.1**

When assessing an application for resource consent for the above activity Rule 12A.12.3 the Council will have regard to the Matters for Discretion set out below:

- (i) Whether the scale and location of the activity is in keeping with the rural character of the area.
- (ii) Whether the area onto which the activity is to extend is stable enough to support the structure.
- (iii) Whether any Native Vegetation shown on Figure 12A.2 is adversely affected.
- (iv) Whether any known archaeological site is affected.

**Rule****12A.12.4 Buildings and Structures for Communal Use within Clustered Housing Developments**

The Council restricts the exercise of its discretion to the following matters for buildings and structures for communal use within clustered housing development and may impose conditions in respect of each:

- (a) Effects on rural character and amenity values
- (b) Earthworks and sediment control
- (c) Site stability
- (d) Wastewater and stormwater disposal
- (e) Alternative locations for building(s) or structure(s)
- (f) Native Vegetation and archaeological features

**Rule****12A.12.4.1**

When assessing an application for resource consent for the above activity in Rule 12A.12.4, the Council will have regard to the Matters for Discretion set out below:

- (a) Effects on rural character and amenity values
  - (i) The extent to which the location of the building or structure takes into account the description, explanation and purpose of any Indicative Constraints Area it lies within.
  - (ii) The extent to which open space is maintained within the site taking into consideration the position of the building or structure in response to the landform.
  - (iii) The design, orientation, layout and external appearance of the building or structure in terms of blending in with the rural landscape.

- (iv) The degree to which the use and activities associated with the building or structure are compatible with the rural environment and whether the activity is likely to cause conflicts with adjoining land uses.
  - (v) The extent to which the building or structure complies with the development and performance standards in Rule 12A.10.3.
  - (vi) The extent to which the purpose of the building or structure is ancillary to the clustered housing development it serves.
- (b) Earthworks and sediment control
  - (i) Whether the earthworks needed to create the building and structure (and any resulting services or infrastructure) are integrated with the surrounding landforms, surrounding vegetation patterns and natural boundaries (i.e. streams, gullies, ridgelines).
  - (ii) Whether the proposed earthworks and sediment controls minimise contamination of adjacent waterways through the discharge of sediment.
- (c) Site stability
  - (i) Whether the location of the building or structure is geotechnically stable and will not create an instability problem.
- (d) Wastewater and stormwater disposal
  - (i) Whether the building or structure has been incorporated into an adequate sewage and wastewater disposal system together with a stormwater drainage system which will not create an erosion or instability problem or water pollution.
- (e) Alternative locations for building and structure
  - (i) The extent to which the environmental effects of other alternative locations for the building or structure have been considered and whether the proposed location provides the best environmental outcome with respect to its overall design.
  - (ii) The location of the building or structure in relation to the clustered housing development it serves.
  - (iii) The location of the building or structure within the clustered housing development it serves.
- (f) Native Vegetation and archaeological sites
  - (i) Whether the building or structure will require the removal of Native Vegetation.
  - (ii) Whether the building or structure will impact on an archaeological feature.

**Rule****12A.12.5 Communal Wastewater Treatment Plants or Facilities within Clustered Housing Developments**

The Council restricts the exercise of its discretion to the following matters when considering applications for communal wastewater treatment plants or facilities within clustered housing developments and may impose conditions in respect of each:

- (a) Technical Standards and Capacity
- (b) Ongoing Ownership Structure
- (c) Maintenance
- (d) Location
- (e) Design and External Appearance
- (f) Site Stability
- (g) Land Drainage, Sanitary Sewerage and Water Reticulation

**Rule****12A.12.5.1**

When assessing an application for resource consent for the above activity Rule 12A.12.5, the Council will have regard to the Matters for Discretion set out below:

- (a) Technical Standards and Capacity
  - (i) Whether the design of the plant or facility is of an appropriate technical standard and has sufficient capacity to service the requirements of the subdivision.
- (b) Ongoing Ownership Structure
  - (i) Whether there will be ongoing ownership by means of a properly Incorporated Legal Society or other entity which will have the physical and financial responsibility for repairing and maintaining the plant or facility, subject to rules and provisions for ongoing performance and maintenance to Council's satisfaction.
- (c) Maintenance
  - (i) The extent to which the requirements for maintenance of the plant or facility will ensure its continued effective functioning.
- (d) Location
  - (i) Whether any Native Vegetation shown on Figure 12A.2 or known archaeological site is adversely affected.
- (e) Design and External Appearance
  - (i) Whether the design and external appearance is in keeping with the rural character of the area.
- (f) Site Stability
  - (i) Whether the area onto which the plant or facility is to be located is stable enough to support the structure.
- (g) Land Drainage, Sanitary Sewerage and Water Reticulation
  - (i) The extent to which the facility complies with the Engineering Performance Standards set out in Appendix 1 of Chapter 9 - Land Modification, Development and Subdivision for Land Drainage, Sanitary Sewerage and Water Reticulation.



**Rule****12A.12.6 Cleanfill Activities depositing between 200m<sup>3</sup> and 500m<sup>3</sup> of material**

The Council restricts the exercise of its discretion to the following matters when considering applications for Cleanfill activities and may impose conditions in respect of each:

- (a) Noise and dust
- (b) Visual amenity
- (c) Design and appearance
- (d) Site layout
- (e) Site rehabilitation
- (f) Sediment control
- (g) Traffic generation and routes
- (h) Hours of operation

**Rule****12A.12.6.1**

When assessing an application for resource consent for the above activity Rule 12A.12.6, the Council will have regard to the Matters for Discretion set out below:

- (a) Whether measures to mitigate potential noise and dust nuisance and the visual impact will retain the rural character and amenity values of the area.
- (b) The appropriateness of the Cleanfill regarding design and appearance of the activity and the site layout including location of the Cleanfill on the site and site access.
- (c) Whether the Cleanfill in its completed state will be sensitive in terms of appearance, form and location to the existing amenity values of the neighbourhood.
- (d) Whether a rehabilitation plan for the clean fill has been prepared for implementation at the completion of the Cleanfill taking account of visual and soil stability effects.
- (e) Proposals for sediment control.
- (f) The degree to which traffic generated by the Cleanfill and access to the site will adversely affect any residential amenity values and whether measures to avoid, remedy or mitigate such potential adverse effects are proposed (see also Section 8.25 Chapter 8, Transportation).

**Rule****12A.12.7 Second or Additional Household Unit(s) per Site Located on a Nominal Allotment**

Rule 12A.14.6 shall apply.

**Rule****12A.12.8 Clearance of Native Vegetation shown on Figure 12A.2 that is necessary for the operation, maintenance and minor upgrading of high voltage electric transmission lines designed to operate at or above 110kV**

The Council restricts the exercise of its discretion to the following matters in respect of the above activity Rule 12A.12.8 and may impose conditions in respect of each:

- (a) The extent of works;
- (b) The methodology of the works;
- (c) Mitigation planting.

**Rule****12A.12.8.1**

When assessing an application for resource consent for the above activity in Rule 12A.12.8 the Council will have regard to the Assessment Criteria set out below:

- (i) Tree clearance works should be limited to those necessary to ensure the safety and integrity of existing transmission lines;
- (ii) The extent to which the works will adversely affect the overall quality of the area of Native Vegetation, including its botanical and ecological qualities, its impact on form, integrity and longevity of the remaining Native Vegetation on site;
- (iii) The extent to which the works will adversely affect the rural character and amenity values of the area;
- (iv) The outcome of any consultation with the property owner;
- (v) Replacement species and location.

**Rule****12A.12.9 Production Forestry Outside the Road Corridor Indicative Constraints Area Where the Total Planted Area is More Than 4 Hectares of Land Per Site<sup>[AM128]</sup>**

When assessing an application for resource consent for the above activity Rule 12A.12.9, the Council restricts the exercise of its discretion to the following matters and may impose conditions in respect of each:

- (a) The location and scale of Production Forestry activities;
- (b) Whether the location and scale take into account the description, explanation and purpose of any Indicative Constraints Area(s) it lies within;
- (c) Management of archaeological or historic sites;
- (d) Management of areas of natural habitat value;
- (e) Management of areas identified as significant landscapes in the Auckland Regional Policy Statement;
- (f) Management of areas potentially subject to erosion;
- (g) Management of traffic to and from the site;

- (h) Rehabilitation of land at the conclusion of Production Forestry activities.

## 12A.13 RULES - ASSESSMENT CRITERIA: DISCRETIONARY ACTIVITIES

### Rule

#### 12A.13.1 General Assessment Criteria

For all Discretionary Activities, including where it is proposed to erect a new building within an existing allotment and/or modify the landscape, particular regard shall be had to the General Assessment Criteria in Section 12.14.1 and Rule 12A.14.5.2 and any relevant matters contained in section 104 of the Resource Management Act 1991.

#### 12A.13.2 Assessment Criteria for Specific Discretionary Activities

In deciding whether to grant or refuse consent for a Discretionary Activity application and in imposing conditions if consent is granted, the Council shall have regard to the General Assessment Criteria in Rule 12.14.1, and Rule 12A.14.5.2, and the following assessment criteria and any relevant matters contained in section 104 of the Resource Management Act 1991:

### Rule

#### 12A.13.2.1

- (i) Animal Parks, Model Farms, Zoological Gardens, Educational, Charitable, Religious and Philanthropic Institutions, Greenhouses, Horse Training Facilities, Riding Clubs or Riding Schools, Places of Assembly, Restaurants, Relocated Buildings, Rural Services and Veterinary Clinics and Buildings and Structures for Communal Use within Clustered Housing Developments

The extent to which the activity retains the landscape character and rural amenity values of the Whitford Rural Area in terms of:

- (a) The design, orientation, layout and external appearance of any proposed buildings and structures in terms of blending in within the rural landscape.
  - (b) The degree to which the frontage and entranceway of the site is low-key and in keeping with the rural environment. This means avoiding the use of urbanising elements such as boundary walls, lighting, signage, entrance features and landscaping to attract attention to the activity.
  - (c) The degree to which the activity is compatible with the surrounding rural environment and whether the activity is likely to conflict with adjoining rural land uses.
  - (d) The relevance of the goods or services available for sale to the rural environment. For restaurants this means the produce used in the restaurant is to be grown on site and is to be used in the food and beverages available for consumption and/or for retail sale on the site.
  - (e) Where the activity is to be located within an Indicative Constraints Area, the degree to which the activity recognises the purposes for which the Indicative Constraints Area has been identified (see sections 12A.9.3 - 12A.9.9).
- (ii) Processing Farm and Forest Products

The assessment criteria in Rule 12.14.2.1 shall apply.

- (iii) Travellers' Accommodation on the site legally described as Lot 1 DP 209716, Lot 4 DP 125200 and Lot 5 DP 125200 and contained in CT 82C185 (110 Jack Lachlan Drive - Formosa Country Club).

The assessment criteria in Rule 12.14.2.3.2 shall apply.

- (iv) Cleanfill Activities

The assessment criteria in Rule 12.14.2.4.2 shall apply.

- (v) Cemeteries and Urupa

The assessment criteria in Rule 12.14.2.10 shall apply.

- (vi) Child Care Services and Facilities for between 10 and 50 children

Council will have regard to matters stated in Rule 13.13.2.2 and the following:

- (a) Effects on rural character and amenity values
  - (i) The extent to which the location of the building or structure takes into account the description, explanation and purpose of any Indicative Constraints Area it lies within.
  - (ii) The extent to which open space is maintained within the site taking into consideration the position of the building or structure in response to the landform.
  - (iii) The design, orientation, layout and external appearance of the building or structure in terms of blending in with the rural landscape.
  - (iv) The degree to which the use and activities associated with the building or structure are compatible with the rural environment and whether the activity is likely to cause conflicts with adjoining land uses.
  - (v) The extent to which the proposal serves the needs of the Whitford Rural Area community and whether it can be located on urban zoned land.
- (b) Wastewater and stormwater disposal
  - (i) Whether the building or structure has been incorporated into an adequate sewage and wastewater disposal system together with a stormwater drainage system which will not create an erosion or instability problem or water pollution.

## Rule

### 12A.13.2.2 Household Units and Buildings

In deciding whether to grant or refuse consent for a Discretionary Activity application and in imposing conditions if consent is granted, the Council shall have regard to the Assessment Criteria in Rule 12.13.4.2, the following assessment criteria and any relevant matters contained in section 104 of the Resource Management Act 1991:

- (i) Within any Indicative Constraints Area
  - The extent of compliance with Rule 12A.10.4.1.

## (ii) Within the Coastal Indicative Constraints Area

- The natural character and landscape values of the coastal environment should not be adversely affected.
- Development should be consistent with the key national and regional policy documents on the management of the coastal environment, including the New Zealand Coastal Policy Statement, the Auckland Regional Policy Statement and the Auckland Regional Plan: Coastal.
- Buildings should be sited and designed so as not to break the line and form of the landscape with special regard to ridgelines, headland, promontories and prominent slopes. Generally buildings should be located in less prominent locations and be designed to use topography or existing vegetation to screen adverse visual effects.
- The design, orientation, layout and external appearance of any proposed buildings and structures should avoid or remedy adverse effects on the natural character of the coastal environment, coastal landscapes, amenity values, public access and the potential for future public access, natural features and ecosystems.

## (iii) Within the Road Corridor Indicative Constraints Area

- Where possible existing topographical features should be utilised to screen any buildings and development within the Road Corridor Indicative Constraints Area shown on Figure 12A.4 from view from any primary roads. Buildings and, where practicable, driveways should not be visually obtrusive from the primary roads.
- Where the location of household units within the Road Corridor can not be screened by existing topographical features (such as geotechnical reasons), then consideration should be given to minimising the visual effects of such buildings by other means. This may include limiting the height to one storey and/or other techniques may be used such as building material and colours sympathetic to surroundings. The location of such buildings should also where possible take advantage of screening afforded by the required enhancement planting.
- The location of new amenity and/or screen planting should not restrict views from the road of existing rural land and the ability to retain areas of open space within the Road Corridor Indicative Constraints Area and the maintenance of views of the landscape beyond.
- Development within the Road Corridor Indicative Constraints Area should not lead to an over concentration of visible development in one vicinity.
- No lineal and ribbon development should be located within the Road Corridor.

## (iv) Within the Slopes Indicative Constraints Area

- The siting of buildings should where possible avoid land steeper than 15 degrees and susceptible to erosion.

## (v) Within the Scenic Amenity Indicative Constraints Area

- Buildings should not be visually obtrusive as viewed from any public road, reserve, coastal environment or public place. In prominent locations buildings should either be avoided or, if the location is necessary (for instance for geotechnical reasons), height should be limited to one storey, visible building bulk minimised, and other techniques used such as building materials and colours sympathetic to surroundings.

- Driveways should as far as practicable be located so as not be visually obtrusive as viewed from any public road, reserve, coastal environment or public place.

**Rule****12A.13.2.3 Identification of a New Practicable Building Platform, where Subdivision is not Proposed and where there are no Existing Household Units**

In deciding whether to grant or refuse consent for a Discretionary Activity application and in imposing conditions if consent is granted, the Council shall have regard to the General Assessment Criteria in Rule 12A.13.1 the following assessment criteria and any relevant matters contained in section 104 of the Resource Management Act 1991:

- (i) The extent to which the new practicable building platform takes into account the description, explanation and purpose of any Indicative Constraints Area it lies within.
- (ii) The extent to which the new practicable building platform (and any resulting earthworks needed to create or to provide infrastructure or services to the platform) are integrated within the surrounding landforms, surrounding vegetation patterns and natural boundaries (i.e. streams, gullies, ridgelines).
- (iii) The extent to which the environmental effects of other alternative locations for a new practicable building platform have been considered and whether the proposed location provides the best environmental outcome with respect to its overall design.
- (iv) Practicable Building Platform located within the Landfill/Quarry Proximity Area
  - (a) Adverse effects (including reverse sensitivity effects) arising from development in the proximity of lawfully established and lawfully operated quarry or landfill sites, and in particular whether the development is located and designed to avoid the potential for impacts on sensitive land uses, including odour and the other matters contained in section 9.12.12(a) - (h), with references to quarries to read as references to landfills where appropriate.

**Rule****12A.13.2.4 Clearance of Native Vegetation Shown on Figure 12A.2**

In deciding whether to grant or refuse consent for a Discretionary Activity application and in imposing conditions if consent is granted, the Council shall have regard to the General Assessment Criteria in Rule 12.14.1, the following assessment criteria and any relevant matters contained in section 104 of the Resource Management Act 1991:

- (i) The extent to which existing cleared areas are utilised for proposed development;
- (ii) The extent to which the proposed Native Vegetation clearance is necessary to accommodate development otherwise permitted by the Plan;
- (iii) The significance of the Native Vegetation to the landscape of the area;
- (iv) The significance of the Native Vegetation in ecological terms;
- (v) The contribution the vegetation makes to the amenity values of the area;
- (vi) The impact on wildlife habitats and on adjacent areas of Native Vegetation;
- (vii) The impact on natural landforms in terms of potential for subsidence and erosion;
- (viii) The impact on adjacent water courses, wetlands, estuaries or coastal waters;



- (ix) The extent to which other areas of Native Vegetation on the site are to be protected;
- (x) Whether the Native Vegetation clearance will enhance management and use of the land.
- (xi) The extent to which the Native Vegetation clearance creates edge effects from wind or light on the remaining Native Vegetation;
- (xii) Whether the clearance of Native Vegetation adversely affects the rural character and amenity values of the Whitford Rural Area.

**Rule****12A.13.2.5 Wineries (including any ancillary sales areas, reception areas, wine-bars or restaurants)[AM128]**

- (i) Whether the location, scale, design and height of any proposed buildings or structures takes into account the description, explanation and purpose of any Indicative Constraint Area it lies within.
- (ii) Whether any proposed winery or ancillary activity, buildings and structures are visually integrated with the vineyard and rural landscape through techniques such as:
  - (a) siting buildings well back from the road;
  - (b) planting the space between the road and the buildings and parking areas with vines or trees;
  - (c) lining entry drives to buildings and parking areas with vines or fruit trees; and
  - (d) using topography and screening and backdrop planting to reduce the impact of outdoor storage tanks.
- (iii) Whether any proposed winery, outdoor processing areas, solid waste storage and disposal areas and carparks or ancillary activity, buildings and structures are designed and sited so as to:
  - (a) avoid adverse effects on the amenity values of dwellings on neighbouring land;
  - (b) minimise risk of contamination of natural water systems through accidental leakage of toxic wastes and wash water;
  - (c) provide space for initial and replacement soakage fields for the disposal of treated winery effluent; and
  - (d) avoid, remedy or mitigate any potential contamination of natural water systems.
- (iv) The degree to which the activity is compatible with the surrounding rural environment and whether the activity is likely to conflict with adjoining rural land uses.
- (v) Whether the location and design of proposed access and parking areas serving a winery or ancillary activity may adversely affect the safe and efficient operation of roads in the vicinity of the site.
- (vi) Whether any sales areas, reception areas, wine-bars or restaurants are of a scale that is ancillary to the winery activity conducted on the site.

**12A.14 SUBDIVISION****Rule****12A.14.1 Subdivision in Whitford Rural A and B Zones**

Subdivision in the Whitford Rural A and B Zones shall comply with the following:

- (i) Any application for subdivision that complies with Rule 12A.14.2 and Rule 12A.14.3 is a Restricted Discretionary Activity and shall be assessed against the Matters for Discretion set out in Rule 12A.14.6.
- (ii) Any application for subdivision that does not comply with Rule 12A.14.5.1 and 12A.14.5.2 is a Restricted Discretionary Activity and:
  - shall be assessed against the Matters for Discretion set out in Rule 9.12.2 and Rule 12A.14.6.2 in respect of activities that do not comply with Rule 12A.14.5.1; and
  - the Matters for Discretion set out in Rule 8.12.2 and Rule 12A.14.6.2 in respect of activities that do not comply with Rule 12A.14.5.2.
- (iii) Any application for subdivision that does not comply with one or more of the development and performance standards set out in Rule 12A.14.2 EXCEPT Rule 12A.14.2.1(i) or (ii) or Rule 12A.14.3 shall be considered as a Discretionary Activity.
- (iv) Any application for subdivision that does not comply with Rule 12A.14.2.1(i) or (ii) or Rule 12A.14.3 is a Non-Complying Activity.
- (v) All Discretionary Activities shall have regard to the development and performance standards in Rule 12A.10, the assessment criteria contained in Rule 12A.14.7 and any other relevant matter of section 104 of the Resource Management Act 1991.
- (vi) Where an application for resource consent is subject to more than one activity status the most restrictive activity status is to apply to the application.
- (vii) An application for resource consent for a Restricted Discretionary Activity that complies with the development and performance standards and matters for discretion, will not require public notification under s95A of the Resource Management Act 1991, nor will there be any affected persons under Section 95E of the Act unless there are special circumstances as provided for under s95A(4), or public notification is required under s 95A(2)(a)-(c) of the Act, provided that in respect of any application for subdivision within a Landfill/Quarry Proximity Area the relevant landfill/quarry owner and operator shall be deemed to be an affected person upon whom the affects of the activity are deemed to be minor or more than minor under Section 95E.
- (viii) Any decision on whether a Discretionary Activity will require public notification, or whether the consent of adversely affected parties is required is subject to sections 95A, 95B, 95D and 95E of the Resource Management Act 1991, provided that in respect of any application for subdivision within a Landfill/Quarry Proximity Area the relevant landfill/quarry owner and operator shall be deemed to be an affected person upon whom the affects of the activity are deemed to be minor or more than minor under Section 95E.

**Rule****12A.14.2 Subdivision Development and Performance Standards for Restricted Discretionary Activities****Rule****12A.14.2.1 Subdivision density**

Subdivisions meeting the following Development and Performance Standards are Restricted Discretionary Activities:

- (i) In the Whitford Rural A Zone, the subdivision lot density shall not be more than one lot per 3.5 hectares gross across the entire existing lot. In the Whitford Rural B Zone, the subdivision lot

density shall not be more than one lot per 5 hectares gross across the entire existing lot provided that:

- (a) for the purposes of this rule the calculation of subdivision lot density shall ignore access lots and any lot created for utility or communal purposes for which a land use consent has been granted, and that does not allow for the establishment of a future household unit, but includes the area occupied by those lots; and
  - (b) this rule shall apply only until such time as the number of household units in the Whitford Rural A and B Zones (calculated by combining approved lots allowing the construction of household units, existing household units, and household units for which there are land use consents, certificates of compliance and building consents that have not lapsed) does not exceed a total of 925 household units.
- (ii) The calculation of maximum permitted lot density shall exclude from the area of the existing lot any area of planting that has been previously legally protected or previously required to be legally protected pursuant to Rule 12A.14.3 and 12A.14.4.

#### **Rule**

#### **12A.14.2.2 Land Parcels**

- (i) The existing lot shall be held in a separate Certificate of Title on 8th July 2005 (date of public notification of Proposed Plan Change No.8- Whitford Rural).
- (ii) For the purposes of this Rule "existing lot" means all the land held in a separate Certificate of Title on 8th July 2005 (date of public notification of Proposed Plan Change No.8 - Whitford Rural). Subdivisions are permitted to be made in stages by making reference back to the parent allotment existing at the time of public notification of the Plan Change No. 8 - Whitford Rural provided that the total number of lots that may be subdivided shall not exceed the maximum lot density for Restricted Discretionary Activities specified for the relevant zone calculated for the land at the date of public notification of the plan change.
- (iii) Where an application for subdivision consent incorporates two or more adjoining existing lots, the total area of the land subject to the application may be treated as one lot for the sole purpose of subdivisional configuration and design. The number and size of proposed lots in the application shall not exceed the total number and size of lots that would otherwise be created as a Restricted Discretionary Activity for each of the individual existing lots.
- (iv) In respect of any lot within a subdivision that would be capable of further subdivision under these rules no further subdivision shall be undertaken of that lot that would result in the total permitted density being exceeded with respect to the existing lot. This requirement is to be secured by a suitable legal instrument which shall be registered on Certificates of Title to ensure ongoing compliance with this rule.
- (v) Where an application for subdivision consent is for an "existing lot" that is held in a separate Certificate of Title on 8th July 2005 (date of notification of Proposed Plan Change No.8 - Whitford Rural) and that contains land both inside and outside of the Whitford Rural Area, the area of land contained within the Whitford Rural Area shall be considered the "existing lot" or "parent allotment" under Rule 12A.14.2. The land outside of the Whitford Rural Area shall not be used in the calculation of the average lot size for subdivision.
- (vi) Where an application for subdivision consent includes proposed sites that cross the Whitford Rural A and Whitford Rural B Zone boundary, no less than 50% of the net site area of a

proposed lot shall be located within the Whitford Rural A Zone to qualify as a site meeting the minimum site area requirement under Rule 12A.14.2.1(i).

#### Rule

#### 12A.14.2.3 Practicable Building Platforms

- (i) The plan of subdivision shall specify a Practicable Building Platform for each proposed household unit. All buildings within each lot shall be limited to the Practicable Building Platform. The plan of subdivision shall show a minimum 15 metre by 15 metre area within each Practicable Building Platform complying with development and performance standards and any site specific constraints to demonstrate that it can contain a household unit. The Practicable Building Platform and access to each Practicable Building Platform shall be proven to be geotechnically stable.
- (ii) It shall be demonstrated that any Certificate of Title to be used in a boundary alteration is capable of locating a Household Unit in a manner that would comply with Rule 12A.10.4.1 as a permitted activity.
- (iii) For any Practicable Building Platform that is located seaward of the Recommended Building Line Limitation as shown on the Planning Maps, a report shall be prepared by a suitably qualified geotechnical engineer confirming that the building platform is stable and recommending any appropriate measures to mitigate against cliff instability to the satisfaction of the Council.
- (iv) No Practicable Building Platform shall be located within the Riparian Management Indicative Constraints Area or within 10 metres of any ephemeral stream .
- (v) All Practicable Building Platforms, rights of way and/or private roads shall be clear of any archaeological sites. The archaeological sites shall not be adversely affected by the proposed development.
- (vi) Where the Practicable Building Platform is to be located within the Landfill/Quarry Proximity Area shown in Figure 12A.5 or Figure 12A.6, the following rules shall apply:
  - (a) A report shall be prepared by a suitably qualified acoustic engineer confirming that in respect of noise emanating from the lawfully established quarry or landfill site in accordance with relevant designation conditions or resource consent conditions, the internal noise level of all habitable rooms within the Building Control Boundary (as shown on Figure 12A.5 - Landfill/Quarry Proximity Area), would not exceed 40dBA L<sub>10</sub> at any time; and
  - (b) Details shall be provided of the outcome of consultation with representatives of the owners and operators of the Whitford Quarry, Whitford Landfill and the Beachlands Quarry (as is relevant) concerning the proposed subdivision.

**Advice Note:** *Methods for achieving the prescribed noise limits within Residential Buildings may include the incorporation of the accepted acoustic design solutions in the building as follows:*

- *standard external cladding with minimum surface density of 8kg/m<sup>2</sup> such as brick, concrete, plaster, timber or plastic weatherboard, fibre cement, and*
- *internal linings of external walls of gypsum plasterboard of at least 10mm thickness or similar density material, and*
- *continuous ceiling linings without cut-outs and of gypsum plasterboard of at least 10mm thickness or similar density material, and*
- *fibrous thermal insulation batts (not polystyrene) in wall and ceiling cavities, and*

- standard roof cladding of steel, tiles, metal tiles, bitumen roof singles or butynol, and
- standard external window and door glazing of minimum 4mm thickness, and
- aluminium external joinery, and
- room glazing with a total area of no more than 50% of the floor area, and
- alternative ventilation if the internal noise level cannot be achieved with the ventilating windows open.

**Rule****12A.14.2.4 Riparian Management Indicative Constraints Area**

- Figures 12A.1 and 12A.2 illustrate the indicative location of perennial streams. Where there is conflict between the location of a perennial stream mapped in Figures 12A.1 and 12A.2 and the physical location of the perennial stream on the site, the physical location of the perennial stream on the site shall apply.
- A minimum 10 metre strip shall be planted in accordance with Rule 12A.14.4 and fenced off from each bank of all perennial streams (refer to Figures 12A.1 and 12A.2) and shall constitute the Riparian Management Indicative Constraints Area, provided that Council may approve an alternative means of excluding livestock. The Riparian Management Indicative Constraints Area shall also include any wetland areas associated with perennial streams on the site. Where there is no obvious stream bank, a 2 year Average Recurrence Interval (ARI) event water level (as determined by a suitably qualified engineer) shall be used to determine the stream bank.
- All buildings and structures (excluding fencing) shall be set back a minimum of 5 metres from the Riparian Management Indicative Constraints Area.
- Where the planting and revegetation required will be contiguous over more than three lots, a management structure or ongoing arrangement shall be established to ensure the ongoing integrated management and maintenance of this planting and revegetation.

**Note:** Where there is a production forest that was in existence as at 8th July 2005 and is located within the Riparian Management Indicative Constraint Area, the Council may consent to a postponement of the required planting under this rule. This postponement may be no longer than 12 months after the clear felling harvest of trees within the Riparian Management Indicative Constraint Area at which time the required planting will be undertaken.

A condition of subdivision consent to this effect will be imposed to ensure compliance on a continuing basis by the subdividing owner and subsequent owners. A consent notice will also be issued under section 221 of the Resource Management Act 1991 specifying any such condition. The consent notice will be registered against the Certificates of Title to the relevant lots and will bind all subsequent owners of the land.

**Note:** In respect of the required planting and management procedures in these circumstances see Part 2(c) of the Appendix A - Guidelines For Native Revegetation Plantings.

**Advice Note 1:** Note that this rule refers to a "minimum" 10 metre strip. The actual width of the Riparian Management Indicative Constraints Area will be determined at the time of resource consent.

**Advice Note 2:** Where perennial streams are already fenced, there will be flexibility in the 10m requirement, especially if the existing fence is located on a boundary.

**Rule****12A.14.2.5 Wastewater Disposal**

- (i) Each lot shall contain an area of at least 2,500m<sup>2</sup> exclusive of any access areas and shall contain a Practicable Building Platform along with sufficient land for effluent disposal fields. The land identified for effluent disposal shall include provision for a nominated wastewater disposal method appropriate to the site characteristics. The design and assessment shall include an appropriate engineering and geotechnical assessment in compliance with Appendix E of TP 58 (see advisory note below).
- (ii) Rule 12A.14.2.5(i) shall not apply when a suitable package treatment plant shared between two or more lots is constructed and operated. The treatment and land application disposal system shall be approved by the Auckland Regional Council. The minimum lot size for a lot serviced by a package treatment plant shall be 1,000m<sup>2</sup>.
- (iii) Any wastewater disposal system shall be maintained on an ongoing basis. Maintenance records shall be retained and made available on each site for inspection by Council officers or their agents.
- (iv) Each wastewater disposal system shall be located on the same lot as any household units that it services unless a binding agreement is entered into between any independent lot and the household units served by that wastewater disposal system confirming that an ongoing arrangement exists for the wastewater disposal system to continue to take and treat the wastewater from those household units.

**Advice Note:** Applicants may wish to refer to the latest revision/version of ARC Technical Publication No. 58 "On Site Wastewater Systems: Design and Management Manual" (TP 58) in complying with the requirements of this Rule.

**Rule****12A.14.2.6 Stormwater Management**

- (i) Rule 9.9.1.7 shall apply and all stormwater management measures shall be in place prior to impervious surfaces being formed on the site and may need to be constructed at the time of subdivision to the edge of the Practicable Building Platform. The following design principles shall be incorporated into the layout and design of subdivisions and roads:
  - That the perennial and ephemeral stream patterns shall be retained;
  - There shall be no direct piping of stormwater discharges to perennial streams;
  - Modifications to perennial streams shall be avoided;
  - Appropriate methods of stormwater detention shall be undertaken before stormwater is dispersed into perennial streams. These may include the following methods where appropriate: water reuse, swales and depression landscaping, dispersion into vegetative filters, dispersal trenches, detention ponds, detention tanks and vegetation planting.
- (ii) Calculations of pre-development flow, volume and time of concentration shall be undertaken in accordance with the Auckland Regional Council Technical Publication 108 "Guidelines for Stormwater Runoff Modelling in the Auckland Region" and included in the application for subdivision consent.

**Advice Note:** Applicants may wish to refer to the latest revision/version of ARC Technical Publication 124 - Stormwater Low Impact Design Manual in complying with the requirements of this Rule.



**Rule****12A.14.2.7 Coastal Indicative Constraints Area**

- (i) For any Practicable Building Platform that is located seaward of the Recommended Building Line Limitation as shown on the Planning Maps, a report shall be prepared by a suitably qualified geotechnical engineer confirming that the building platform is stable and recommending any appropriate measures to mitigate against instability to the satisfaction of the Council.

**Rule****12A.14.2.8 Environmental Mitigation and Enhancement**

- (i) The permanent protection of all areas of existing Native Vegetation on the site and which is shown on Figure 12A.2 is to be secured by a suitable legal instrument which shall be registered on Certificates of Title and binding on successors in title, and is to provide for the following:
  - A requirement not to destroy or damage existing areas of Native Vegetation shown on Figure 12A.2, the exact dimensions to be confirmed at the stage of subdivision (allowing, as necessary, provision for site access);
  - Ensuring that the protected area shall remain undisturbed and weeds and pests are adequately controlled;
  - All legally protected areas shall be fenced to prevent undergrazing, unless the Council approves an alternative fencing layout which effectively excludes all livestock from such areas.
- (ii) Where the area of existing vegetation required to be protected under Rule 12A.14.2.8(i) is less than 1ha for each additional lot created, additional planting shall be required to provide a minimum of 1ha (Whitford Rural A) and 5,000m<sup>2</sup> (Whitford Rural B) of Native Vegetation for each additional lot.
- (iii) The minimum requirement of 1ha (Whitford Rural A) and 5,000m<sup>2</sup> (Whitford Rural B) may include:
  - The planting requirement for the Riparian Management Indicative Constraints Area (Rule 12A.14.2.4); and/or
  - The planting required for slopes greater than 15 degrees (Rule 12A.14.2.9); and/or
  - Areas of Native Vegetation that can be shown to have been specifically planted for the purposes of enhancement or mitigation, provided that this shall not include any area planted as a condition of any previous resource consent, or through public funding (such as local authority or QE II funding).
- (iv) The planting requirement shall be located within the Whitford Rural Area and shall be confined to areas where planting will:
  - Provide valuable ecological linkages; and/or
  - Provide significant benefits and improvements to water quality and land stability within the Whitford Rural Area; and/or
  - Provide enhancement of existing water courses and any wetland areas to ensure their long term health and viability; and/or
  - Provide a significant and sustainable forest in its own right.



*Note: For the avoidance of doubt, the planting required under this rule is not required to be located on the existing lot.*

- (v) Where the planting and revegetation required under this rule will be contiguous over more than three lots, a management structure or other appropriate ongoing arrangement shall be established to ensure the ongoing integrated management and maintenance of this planting and revegetation.
- (vi) Rule 12A.14.4 shall apply in respect of planting and revegetation areas required or proposed pursuant to this Rule.
- (vii) Exception

Where there is existing production forestry that was in existence as at 8th July 2005 and is located within the Riparian Management Indicative Constraints Area or the Slopes Indicative Constraints Area, the Council may consent to a postponement of the required planting. This postponement may be no longer than 12 months after the clear felling harvest of trees within the Riparian Management Indicative Constraint Area or the Slopes Indicative Constraints Area.

A condition of subdivision consent to this effect will be imposed to ensure compliance on a continuing basis by the subdividing owner and subsequent owners. A consent notice will also be issued under section 221 of the Resource Management Act 1991 specifying any such condition. The consent notice will be registered against the Certificates of Title to the relevant lots and will bind all subsequent owners of the land.

- (viii) Alternatives

Alternatives or partial alternatives to the standards in Rule 12A.14.2.8(ii) - (iv) will be considered where it can be shown that an alternative method has achieved, is achieving, or will achieve an equivalent or better means of vegetation enhancement or mitigation. Methods may include rehabilitation of existing areas of degraded vegetation, and a contribution to a Vegetation Enhancement Fund.

Applications made under this Rule 12A.14.2.8(viii) will be considered as a Restricted Discretionary Activity. In respect of any alternative involving a contribution, applications will not require public notification under s95A of the Resource Management Act 1991, nor will there be any affected persons under Section 95E of the Act unless there are special circumstances as provided for under s95A(4), or public notification is required under s95A(2)(a)-(c) of the Act. The Council reserves control over the matter of Native Vegetation enhancement and mitigation, and the alternatives proposed. In all cases, such alternatives shall be shown to achieve at least the equivalent environmental enhancement or mitigation within the Whitford Rural area as would be the case for the establishment of the planting that would otherwise be required pursuant to Rule 12A.14.2.8 (ii) - (iv).

*Advice Note: For the purposes of these rules "Vegetation Enhancement Fund" is a Fund administered by The Whitford Rural Land Rehabilitation Trust.*

## **Rule**

### **12A.14.2.9 Slopes Indicative Constraint Area**

- (i) For sites containing slopes steeper than 15 degrees (Figure 12A.1), a report shall be prepared by a suitably qualified specialist identifying each of:
  - (a) slopes that are steeper than 21 degrees;
  - (b) any slopes that exhibit signs of instability or past erosion; and

- (c) any slopes that are subject to erosion in view of their soil and slope characteristics.
- (ii) All land identified under Rule 12A.14.2.9(i) shall be planted in accordance with Rule 12A.14.4, provided that the planting obligation in this rule shall not apply in respect of slopes steeper than 21 degrees if a report prepared by a suitably qualified specialist confirms that there is no need to plant because those slopes do not exhibit signs of instability or past erosion, or are not subject to erosion in view of their soil and slope characteristics (for example rocky cliffs), but provided also that:
  - stock is to be permanently excluded from those slopes; and
  - the area is to be maintained in accordance with a management plan that controls weeds and pests.

**Advice Note:**

*Where there is a production forest that was in existence as at 8th July 2005 and is located within the Slopes Indicative Constraint Area, the Council may consent to a postponement of the required planting under this rule. This postponement may be no longer than 12 months after the clear felling harvest of trees within the Slopes Indicative Constraint Area at which time the required planting will be undertaken.*

*A condition of subdivision consent to this effect will be imposed to ensure compliance on a continuing basis by the subdividing owner and subsequent owners. A consent notice will also be issued under section 221 of the Resource Management Act 1991 specifying any such condition. The consent notice will be registered against the Certificates of Title to the relevant lots and will bind all subsequent owners of the land.*

**Rule****12A.14.2.10 Recreational Trails**

- (i) Where land through which recreational trails as shown on the Planning Maps are to pass is subdivided or developed, or where the first of any one or more of the allotments legally described as Allotment 57 Parish of Maraetai, Allotment 58 Parish of Maraetai, or Allotment 59 Parish of Maraetai is subdivided or developed, then provision for the trails shall be made as follows: [\[AM128\]](#)
  - The route of the trail shall be generally in accordance with that indicated on the Planning Maps except that on Planning Map 65 a trail between Points A and B is to be established on land owned by Auckland Council unless an alternative route is established between Points A and B by agreement between Auckland Council and the owner(s) of the land through which the alternative route would pass. [\[AM128\]](#)
  - Where practicable, the trail shall provide access to features of scenic, historic and ecological interest in the locality. [\[AM128\]](#)
  - Where practicable, the trail shall be independent of the road.
  - Where it is necessary for the trail to be provided in conjunction with a road, the Council may require widened berms and other amenity features along the trail route.
  - Where it is necessary to cross a major traffic route, the Council will consider the practicality of requiring traffic control devices to help ensure the safety of trail users.
  - The trail route should be sited clear of the 1% annual exceedence probability flood path of any natural stream system.

- Where the trail route is provided by means of a pedestrian accessway, the legal width of the access way at any point shall not be less than 6 metres unless in the opinion of the Council a reduced width provides the required level of access.
  - The trail shall be vested in the Council. Rule 15.15.2 - Reserve Contributions shall apply.
- (ii) Where a recreational trail is required as a condition of approval for a resource consent (including subdivision) the following design standards shall apply:
- (a) Recreational trails independent of road:
- Minimum width between boundaries of 5 metres and minimum metalled formation width of 3 metres.
  - Water tables and culverts shall be provided when required for stormwater control.
- (b) Recreational trails along road berms:
- Minimum width of 3 metres and a minimum metalled width of 2 metres.
- (iii) Provision shall be made in the plan of subdivision to vest with Council, any recreational trail shown on the Planning Maps that traverses the site. The trail shall be located at a practicable alignment and grade.

**Rule****12A.14.2.11 Land Stability**

- (i) Rule 9.9.1.9 shall apply.

**Rule****12A.14.2.12 Roding**

- (i) All plans of subdivision are to comply with Rule 9.9.2.1 (a) and (b) Engineering Design Information.

**Rule****12A.14.2.13 Network Utility Services**

- (i) Rule 9.9.2.6 shall apply.

**Rule****12A.14.2.14 Legal Access**

- (i) Rule 9.9.2.9 shall apply.

**Rule****12A.14.3 Additional Subdivision For Significant Enhancement Planting**

The Council may consent to the subdivision of land for the purposes of enabling significant enhancement planting areas where the following standards are met:

**Rule****12A.14.3.1 Number of Lots**

Lots may be created, additional to the number that would otherwise be possible pursuant to Rule 12A.14.2.1, provided that:-

- (i) 4 hectares of Native Vegetation is to be planted for each additional lot, in accordance with Rule 12A.14.4; and
- (ii) the maximum number of lots created from any existing lot shall not exceed that provided for in the following table:

SIZE OF PARENT LOT (HECTARES)	MAXIMUM NUMBER OF SITES CREATED UNDER THIS RULE
Up to 7 (Whitford Rural A Zone )	0
Up to 10 (Whitford Rural B Zone)	0
7 to 20 (Whitford Rural A Zone)	3
10 to 20 (Whitford Rural B Zone)	3
20 to 35	4
35 to 55	5
55 to 65	6
65 to 75	7
Greater than 75	8

- (iii) this rule shall apply only until such time as the number of household units in the Whitford Rural A and B Zones (calculated by combining approved lots allowing the construction of household units, existing household units, and household units for which there are land use consents, certificates of compliance and building consents that have not lapsed) does not exceed a total of 925 household units.

#### Rule

#### 12A.14.3.2 Location of Significant Enhancement Planting

- (i) The significant enhancement planting shall be located within the Whitford Rural Area and shall be confined to areas where planting will:
- Provide valuable ecological linkages; or
  - Provide benefits and improvements to water quality and land stability; or
  - Provide enhancement of existing water courses (including ephemeral streams) and any wetland areas to ensure their long term health and viability; or
  - Provide a significant and sustainable area of native bush,
- and may include:
- The planting requirement for the Riparian Management Indicative Constraints Area (Rule 12A.14.2.4); and
  - The planting required for slopes greater than 15 degrees (Rule 12A.14.2.9); and
  - Any planting provided under Rule 12A.14.2.8(iii).

**Rule****12A.14.3.3 Alternatives**

Alternatives or partial alternatives to the standards in Rule 12A.14.3.1(i) or Rule 12A.14.3.2 will be considered where it can be shown that an alternative method will achieve an equivalent or better means of vegetation enhancement or mitigation.

Methods may include rehabilitation of existing areas of degraded vegetation, and a contribution to a Vegetation Enhancement Fund (but excluding any contribution otherwise made in respect of the same resource consent application under Rule 12A.14.2.8), where sites have been identified and appropriately secured for planting utilising that fund.

Applications made under this rule will be considered as a Restricted Discretionary Activity. In respect of any alternative involving a contribution, applications will not require public notification under s95A of the Resource Management Act 1991, nor will there be any affected persons under Section 95E of the Act unless there are special circumstances as provided for under s95A(4), or public notification is required under s s95A(2)(a)-(c) of the Act. Council reserves control over the matter of Native Vegetation enhancement and mitigation, and the alternatives proposed. In all cases, such alternatives shall be shown to achieve at least the equivalent environmental enhancement or mitigation within the Whitford Rural area as would be the case for the establishment of the planting that would otherwise be required pursuant to Rule 12A.14.3.1(i).

**Advice Note:** For the purposes of these rules "Vegetation Enhancement Fund" is a Fund administered by The Whitford Rural Land Rehabilitation Trust.

**Rule****12A.14.4 Minimum standards for planting**

This rule shall apply to planting required or proposed pursuant to Rules 12A.14.2.4 (Planting in the Riparian Management Indicative Constraints Area), 12A.14.2.8 (Planting for Environmental Mitigation and Enhancement), 12A.14.2.9 (Planting in the Slopes Indicative Constraints Area) and 12A.14.3 (Significant enhancement planting for "Bonus Lots").

- (a) A revegetation plan/programme, shall be required, covering the following matters:

- (i) Pre-Planting Site Assessment;
- (ii) Planting Plan Assessment; and
- (iii) Annual Monitoring Programme.

The revegetation plan/programme shall be prepared having regard to Appendix A - Guidelines for Native Revegetation Plantings.

- (b) Planting shall be at a minimum density of 1.4 metre centres (5,100 stems per hectare) provided that a greater density may be required in some situations, for instance where there is significant weed infestation or the planting is in the proximity of streams or wetlands.
- (c) Permanent protection of planting and revegetation areas is to be secured by a suitable legal instrument which shall be registered against the Certificates of Title for relevant lots before the issue by the Council of the section 224(c) certificate under the Resource Management Act 1991, and shall include requirements:
- Not to destroy or damage protected vegetation;
  - For protected vegetation to remain undisturbed and weeds and pests adequately controlled;

- For all protected areas to be fenced to prevent undergrazing, unless the Council approves an alternative method which effectively excludes all livestock from such areas.
- (d) A bond may be required to ensure that any planting is fully established and sustainable. Any such bond will be registered against the Certificates of Title for relevant lots and will bind successors in title.

**Rule****12A.14.5 Roads and Private Ways****Rule****12A.14.5.1 Construction Standards for Roads and Private Ways**

- (i) Chapter 9 including Appendix 1 "Engineering Performance Standards" shall apply with the addition of Rule 12A.14.5.1 (ii) to (vii) below.
- (ii) Accesses serving up to 5 lots or potential lots shall be constructed as Private Ways (Type A - see Appendix B - Access Standards). This includes accesses to individual lots.
- (iii) Accesses serving 6 to 10 lots or potential lots shall be constructed as Private Ways (Type B - see Appendix B - Access Standards).
- (iv) Accesses serving more than 10 lots or potential lots shall be constructed and vested as Local Roads.
- (v) Where Private Ways and Local Roads intersect with Primary Roads and Secondary Roads the geometric design of the entrance to the Private Way shall be in accordance with Diagrams A or B (see Appendix B - Access Standards).
- (vi) Passing bays to achieve a carriageway width of 6.0 metres for a length of at least 10.0 metres shall be provided on Type A Private Ways at not less than 200 metre intervals, and in other locations where sight lines are restricted.
- (vii) Table 12A.B.1 - "Construction Standards for Roads and Private Ways" (see Appendix B - Access Standards) shall also apply.

**Rule****12A.14.5.2 Access to Primary and Secondary Roads**

- (i) Rule 8.12.2 shall apply to all instances where an individual lot access, Private Way or Local Road is created to gain access to a Primary Road, with the addition of clauses (ii) to (vii) below.
- (ii) Minimum sight distances for individual site accesses, Private Ways and Local Roads connecting to a Primary Road shall be in accordance with Rule 8.12.2.3 (a).
- (iii) Spacing of accesses from Primary Roads to individual lots, Private Ways and new Local Roads shall be in accordance with Table 12A.B.2 and Diagram C (see Appendix B - Access Standards).
- (iv) Spacing between new Local and Collector Roads and/or Private Ways serving 6 or more lots shall be a minimum of 200 metres regardless of the 85th percentile speed of the Primary Road.
- (v) Access from an individual lot to a Primary Road shall only be provided where there is no practicable alternative to a Private Way or a road of a lesser standard.
- (vi) An existing lot with access to a Primary Road that provides access to a road of a lesser standard as part of a subdivision application shall remove all Primary Road access points.
- (vii) Any new vehicle access onto a road shall be by way of a formed vehicle crossing (constructed in accordance with Councils Bylaws and Quality Engineering Standards).

**Rule****12A.14.6 LIMITS OF DISCRETION AND ASSESSMENT CRITERIA: RESTRICTED DISCRETIONARY ACTIVITIES**

When assessing an application for resource consent under Rule 12A.14.1 and Rule 12A.14.3 the Council will have regard to the Matters for Discretion set out below:

**Rule****12A.14.6.1 Land Modification, Development and Subdivision**

For all land modification, development and subdivision that is a Restricted Discretionary Activity under Rule 12A.14.2 and Rule 12A.14.3, regard shall be had to the matters set out in Rule 9.11 and Rule 9.12 Chapter 9 Land Modification, Development and Subdivision. In addition, Council restricts the exercise of its discretion to the following matters and may impose conditions in respect of:

- (a) Extent of compliance with development and performance standards
- (b) Earthworks and sediment control
- (c) Site stability
- (d) Wastewater disposal
- (e) Protection and enhancement of riparian areas and vegetation
- (f) Location of building platforms
- (g) Protection and enhancement of open space
- (h) Stormwater management



- (i) Location of internal private ways and right of ways
- (j) Provision of recreational trails
- (k) Compatibility of application with the Whitford Rural Area Design Guide
- (l) Riparian Management Indicative Constraints Area
- (m) Coastal Indicative Constraints Area
- (n) Road Corridor Indicative Constraints Area
- (o) Slopes Indicative Constraints Area
- (p) Scenic Amenity Indicative Constraints Area
- (q) Revegetation Planting
- (r) Effects on landscape character and rural amenity values
- (s) Subdivisions to create new allotments within 20 metres of the centre line of high voltage (110 Kv or higher) transmission lines (refer Figures 12A.1 to 12A.4)
- (t) Landfill/Quarry Proximity Area
- (u) Subdivisions for significant enhancement planting

**Rule****12A.14.6.2**

When assessing an application for resource consent for the above activity Rule 12A.14.6.1 the Council will have regard to the Matters for Discretion set out below:

- (a) Extent of compliance with development and performance standards
 

The extent of non-compliance with the development and performance standards in Rule 12A.14.2 shall be assessed together with any adverse effect of that non-compliance.
- (b) Earthworks and sediment control
  - (i) The proposed earthworks and sediment controls shall be sufficient to minimise the contamination of adjacent waterways through the discharge of sediment.
  - (ii) Impervious areas shall be limited to the minimum practical requirement.
- (c) Site stability
 

The Practicable Building Platforms specified on the application plan shall be stable and capable of supporting a household unit.
- (d) Wastewater disposal
 

The site has sufficient area available to accommodate an adequate sewage and wastewater disposal system together with a stormwater drainage system which will not create an erosion or instability problem or water pollution.
- (e) Protection and enhancement of protected vegetation

Any household unit, accessory building, Practicable Building Platform or access driveway shall be located so as to minimise adverse effects on any Native Vegetation shown on Figure 12A.2.

In assessing the revegetation programme/plan that has been prepared for the establishment, maintenance and monitoring of any proposed planting, regard shall be had to the following matters:

- (i) Plants should be appropriate to the locality having regard to matters such as slope, soil type, exposures to winds, degree of shading and wetness of the site;
- (ii) Site preparation should include the removal of any weeds and/or pests and the provision of stock proof fencing;
- (iii) The timing of the planting (by season) and the size of planting being appropriate to the locality;
- (iv) The planting and revegetation should protect and enhance ecological values and natural landscape patterns and values.

(f) Location of Practicable Building Platforms

Any Practicable Building Platforms shall be located on the site in such a way as to minimise adverse effects on rural amenity, stormwater runoff and sediment loss.

(g) Protection and enhancement of open space

The extent to which landscape or rural character needs to be protected by a suitable legal mechanism preventing the future establishment of household units in any area identified as having particular landscape or rural character value.

(h) Stormwater management

The proposed stormwater management techniques shall be appropriate to avoid or mitigate the adverse effects of stormwater runoff on neighbouring properties, waterways and on land stability.

(i) Location of internal private ways, rights of way or public road

Any internal private way, right of way or public road shall be located at a grade, width, alignment and with a finished surface that will avoid or mitigate adverse effects on the rural character of the site.

(j) Provision of recreational trails<sup>[AM128]</sup>

Any recreational trails shown on the plan of subdivision shall be generally in accordance with the recreational trails shown on the Planning Maps, shall be at a practical grade and alignment and shall link to any recreational trails shown or formed on adjacent properties that are also generally in accordance with the recreational trails shown on the Planning Maps.

Recreational trails in addition to those shown on the Planning Maps volunteered by a landowner or applicant may also be shown on a plan of subdivision. Any volunteered recreational trail should be of a practical grade and alignment and, where practicable, linked to any recreational trails shown on the Planning Maps or formed on adjoining properties.

## (k) Compatibility of application with the Whitford Rural Area Design Guide

Whether the location of any Practicable Building Platforms and the general layout of the subdivision along with any proposed planting comply with the principles contained in the Design Guide.

## (l) Riparian Management Indicative Constraints Area

- (i) The location of the fencing should relate to the topography and the physical characteristics of the natural landform within the vicinity, including streams, wetlands and slopes.
- (ii) The planting undertaken should reflect the composition of former natural vegetation likely to have occupied the site and have regard to natural processes of succession.
- (iii) The protection of existing exotics should be supported where these are non-invasive and have positive environmental values, such as landscape and amenity value.
- (iv) The protection and planting out of the riparian margins should take account of the ecological health of the stream, and the opportunities to enhance the stream/ riparian margin ecosystem.

## (m) Coastal Indicative Constraints Area

- (i) The natural character and landscape values of the coastal environment should not be adversely affected.
- (ii) Development should be consistent with the key national and regional policy documents on the management of the coastal environment, including the New Zealand Coastal Policy Statement, the Auckland Regional Policy Statement and the Auckland Regional Plan: Coastal.
- (iii) Buildings should be sited and designed so as not to break the line and form of the landscape with special regard to ridgelines, headland, promontories and prominent slopes. Generally buildings should be located in less prominent locations and be designed to use topography or existing vegetation to screen adverse visual effects.
- (iv) The design, orientation, layout and external appearance of any proposed buildings and structures should avoid or remedy adverse effects on the natural character of the coastal environment, coastal landscapes, amenity values, public access and the potential for future public access, natural features and ecosystems.

## (n) Road Corridor Indicative Constraints Area

- (i) Where possible existing topographical features should be utilised to screen any buildings and development within the Road Corridor Indicative Constraints Area shown

on Figure 12A.4 from view from any primary roads. Buildings and driveways should not be visually obtrusive from the primary roads, unless mitigation planting is otherwise required under the rules relating to the Riparian Management and Slopes Indicative Constraints Areas.

- (ii) Where the location of household units within the Road Corridor cannot be screened by existing topographical features (such as geotechnical reasons), then consideration should be given to minimising the visual effects of such buildings by other means. This may include limiting the height to one storey and/or other techniques may be used such as building material and colours sympathetic to surroundings. The location of such buildings should also where possible take advantage of screening afforded by the required enhancement planting.
- (iii) The location of new amenity, mitigation and/or screen planting should not restrict views from the road of rural land, the coast and the ability to retain areas of open space within the Road Corridor Indicative Constraints Area and the maintenance of views of the landscape beyond, unless mitigation planting is otherwise required under the rules relating to the Riparian Management and Slopes Indicative Constraints Areas.
- (iv) Development within the Road Corridor Indicative Constraints Area should not lead to an over concentration of visible development in one vicinity.
- (v) No lineal and ribbon development should be located within the Road Corridor.
- (o) Slopes Indicative Constraints Area
  - (i) The siting of buildings should where possible avoid land steeper than 15 degrees and susceptible to erosion.
- (p) Scenic Amenity Indicative Constraints Area
  - (i) Buildings and driveways should not be visually obtrusive as viewed from any public road, reserve, coastal environment or public place. In prominent locations buildings should either be avoided or, if the location is necessary (for instance for geotechnical reasons), height should be limited to one storey, visible building bulk minimised, and other techniques used such as building materials and colours sympathetic to surroundings.
- (q) Revegetation Planting
  - (i) The location of the revegetation planting on site should take into account the purpose of the planting, including:
    - Revegetation of slopes steeper than 15 degrees shown on Figure 12A.1 which are subject to significant risk of erosion and instability
    - Riparian margin and wetland restoration and coastal margin restoration.
    - Extension of existing ecological corridors
    - Enhancement of ephemeral streams
    - Enhancement of existing Native Vegetation
  - (ii) Revegetation or mitigation planting should integrate with surrounding vegetation patterns and natural boundaries (i.e. streams, gullies, ridgelines).

- (iii) The location of the revegetation planting should not adversely affect the rural character and amenity values of the Whitford Rural Area.
  - (iv) The location of the revegetation planting should not be contradictory to the intent of the various Indicative Constraints Areas.
  - (v) The location of the revegetation planting should achieve the best environmental outcome for the site.
  - (vi) Whether a better environmental outcome can be achieved by transferring the planting to a different site within the Whitford Rural Area.
  - (vii) Where the revegetation planting is located within an area measured 20 metres either side of the centre point of a high voltage (110Kv or higher) transmission line, the species of trees to be planted should maintain safe clearance distances at a mature height [in accordance with the Electricity (Hazards from Trees) Regulations 2003] and replanting should not prevent vehicular access to existing transmission lines.
  - (viii) In assessing the revegetation programme / plan that has been prepared for the establishment, maintenance and monitoring of any proposed planting, regard should be had to the following matters:
    - Plants shall be appropriate to the locality having regard to matters such as slope, soil type, exposure to winds, degree of shading and wetness of the site.
    - Site preparation should include the removal of any weeds and/or pests and the provision of stock proof fencing.
    - The timing of the planting (by season) and the size of the planting being appropriate to the locality;
    - The planting and revegetation should protect and enhance ecological values and natural landscape patterns and values.
- (r) Effects on rural character and rural amenity values
- (i) The extent to which the subdivision design takes into account the description, explanation and purposes of any Indicative Constraints Areas it lies within;
  - (ii) The extent to which open space is maintained within the site taking into consideration the positioning of buildings (dispersed or clustered) in response to the landform;
  - (iii) The extent to which any earthworks are integrated with surrounding natural landforms;
  - (iv) The extent to which revegetation or mitigation planting integrates with surrounding vegetation patterns and natural boundaries (i.e. streams, gullies, ridgelines);
  - (v) The extent to which any proposed urbanising elements (such as kerb and channel, subdivision entrances and entry statements, curtilage, boundary fences, boundary walls and exterior lighting) are incompatible with the rural character of the Whitford Rural Area;
  - (vi) The extent to which the appearance of a working rural landscape is maintained (e.g. pasture, vineyards, agriculture);
  - (vii) The extent to which the locations of any buildings to be constructed, and/or any proposed planting and/or earthworks (e.g. building platforms, road cuttings etc)

restricts or impedes existing views of the surrounding open countryside from surrounding properties.

- (viii) The extent to which the environmental effects of other alternative locations for the proposed boundaries of any new lots, the proposed practicable building platforms or activities on the site have been considered and whether the proposed location provides the best environmental outcome with respect to its overall design.
- (s) Subdivisions to create new allotments within 20 metres of the centre line of high voltage (110 Kv or higher) transmission lines

Where it is proposed to subdivide land to create new allotments within an area measured 20 metres either side of the centre point of a high voltage (110 Kv or higher) transmission line (refer Figures 12A.1 to 12A.4), particular regard shall be had to the following matters:

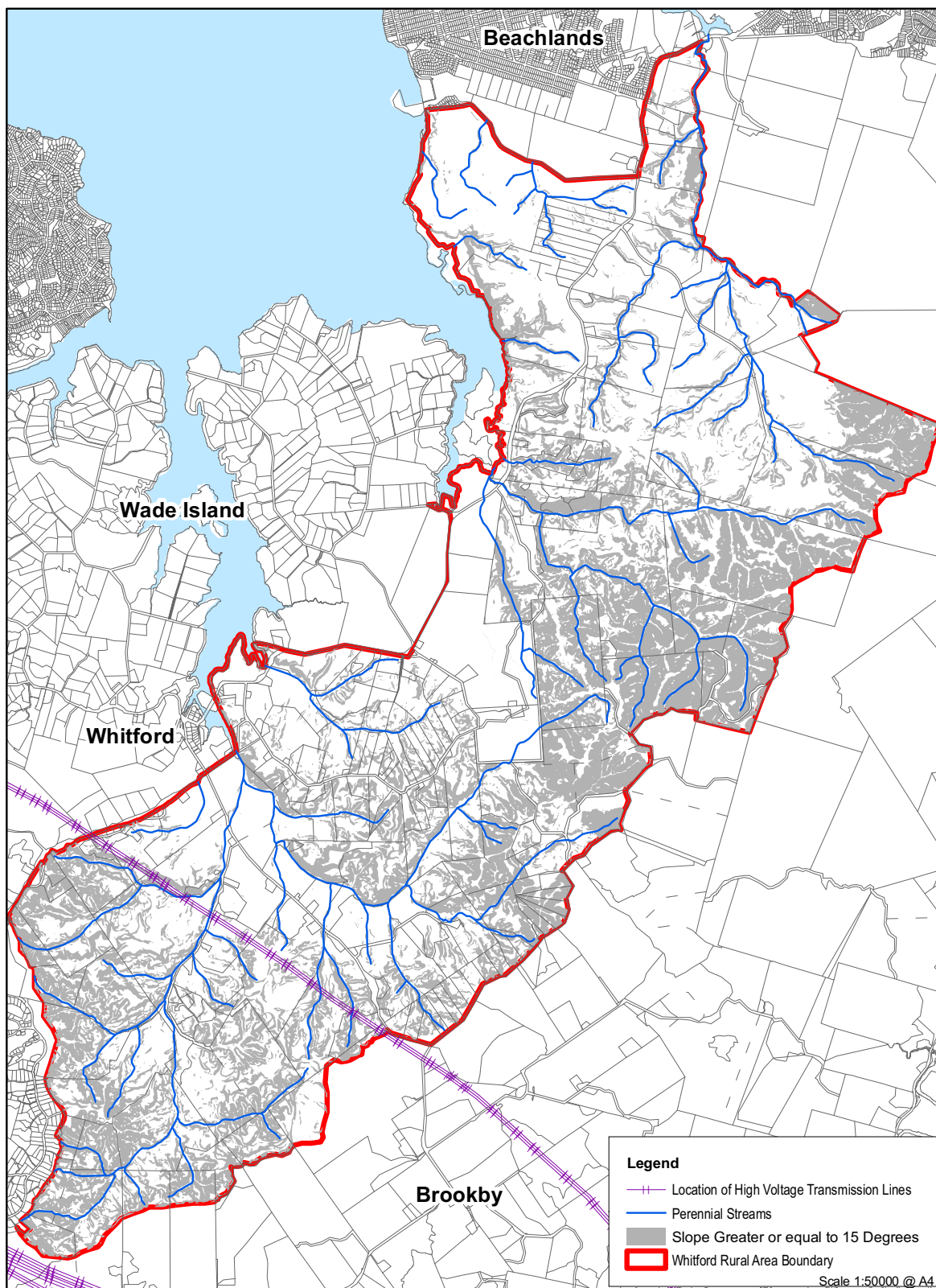
- (i) The extent to which the subdivision design mitigates the effects of the lines through the location of roads and reserves under the route of the line;
- (ii) The ability for continued access to existing transmission lines for maintenance, inspection and upgrading;
- (iii) The minimisation of risk or injury and/or property damage from such lines;
- (iv) The extent to which potential adverse visual effects are mitigated through the location of Practicable Building Platforms;
- (v) The outcome of any consultation with the affected utility operator;
- (vi) The extent to which any earthworks and the construction of any subsequent buildings will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 342001);
- (vii) The nature and location of any proposed vegetation to be planted in the vicinity of transmission lines.
- (t) Landfill /Quarry Proximity Area
  - (i) Adverse effects (including reverse sensitivity effects) arising from development in the proximity of lawfully established and lawfully operated quarry or landfill sites, and in particular whether the subdivision or development is located and designed to avoid the potential for impacts on sensitive land uses, including odour and the other matters contained in section 9.12.12(a) - (h), with references to quarries to read as references to landfills where appropriate.
- (u) Subdivision for significant enhancement planting
  - (i) There should be no adverse effects on the rural character and amenity values within the Whitford Rural Area.
  - (ii) It should be illustrated that the proposal can achieve good environmental outcomes on the parent allotment or an appropriate alternative site.
  - (iii) Adequate legal and physical protection should be provided for the replanted area, including fencing, weed and animal pest control.
  - (iv) The native planting should be appropriate for the site (example, ecosourced, soil type, aspect, wetness etc).

- (v) The replanted area should be sustainable in the long term and should become an ecosystem in its own right.

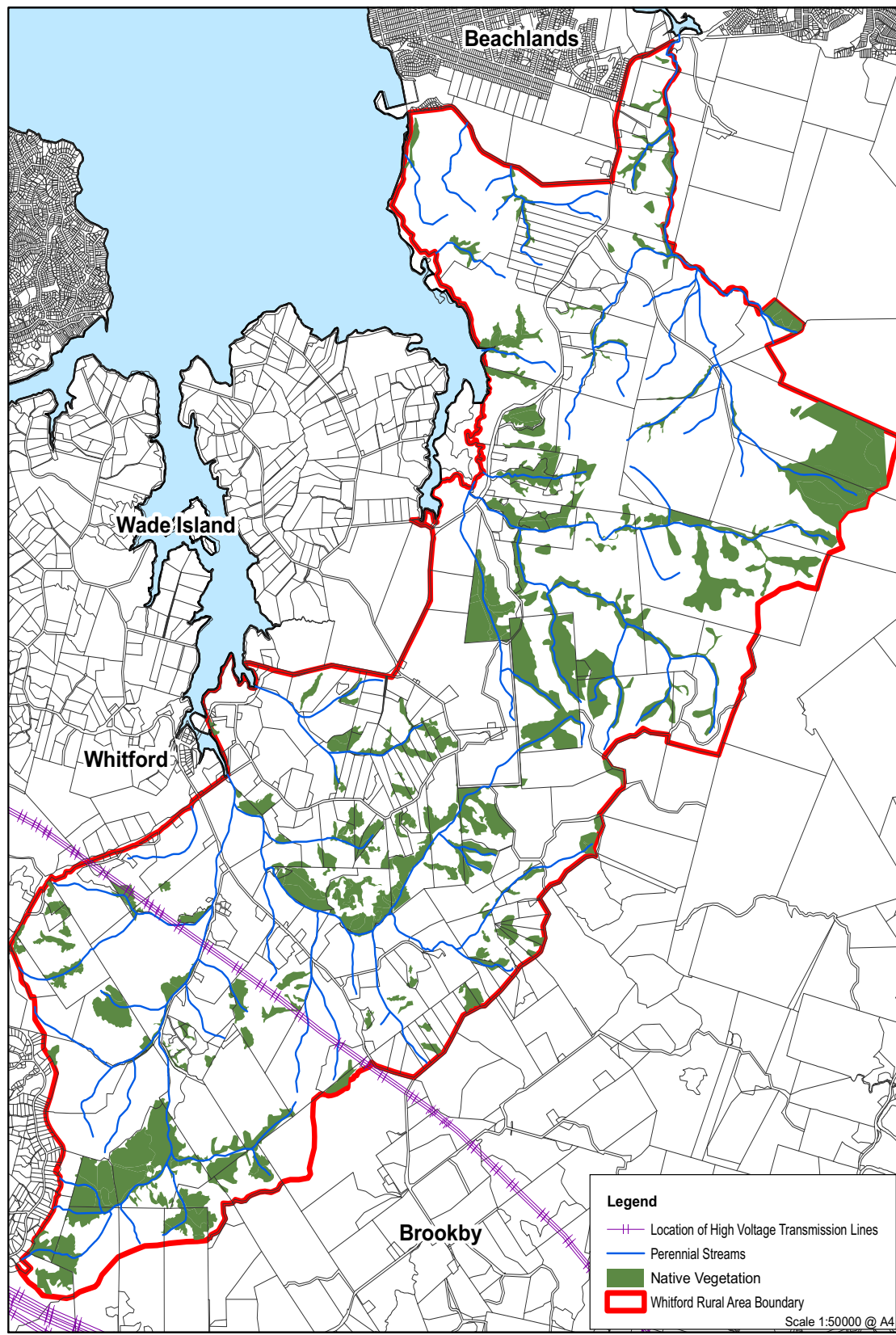
**Rule****12A.14.7 ASSESSMENT CRITERIA DISCRETIONARY ACTIVITIES**

In deciding whether to grant or refuse consent for a discretionary activity application and in imposing conditions if consent is granted the Council shall have regard to the assessment criteria in Rule 12A.13.6 and any relevant matters contained in section 104 of the Resource Management Act 1991.

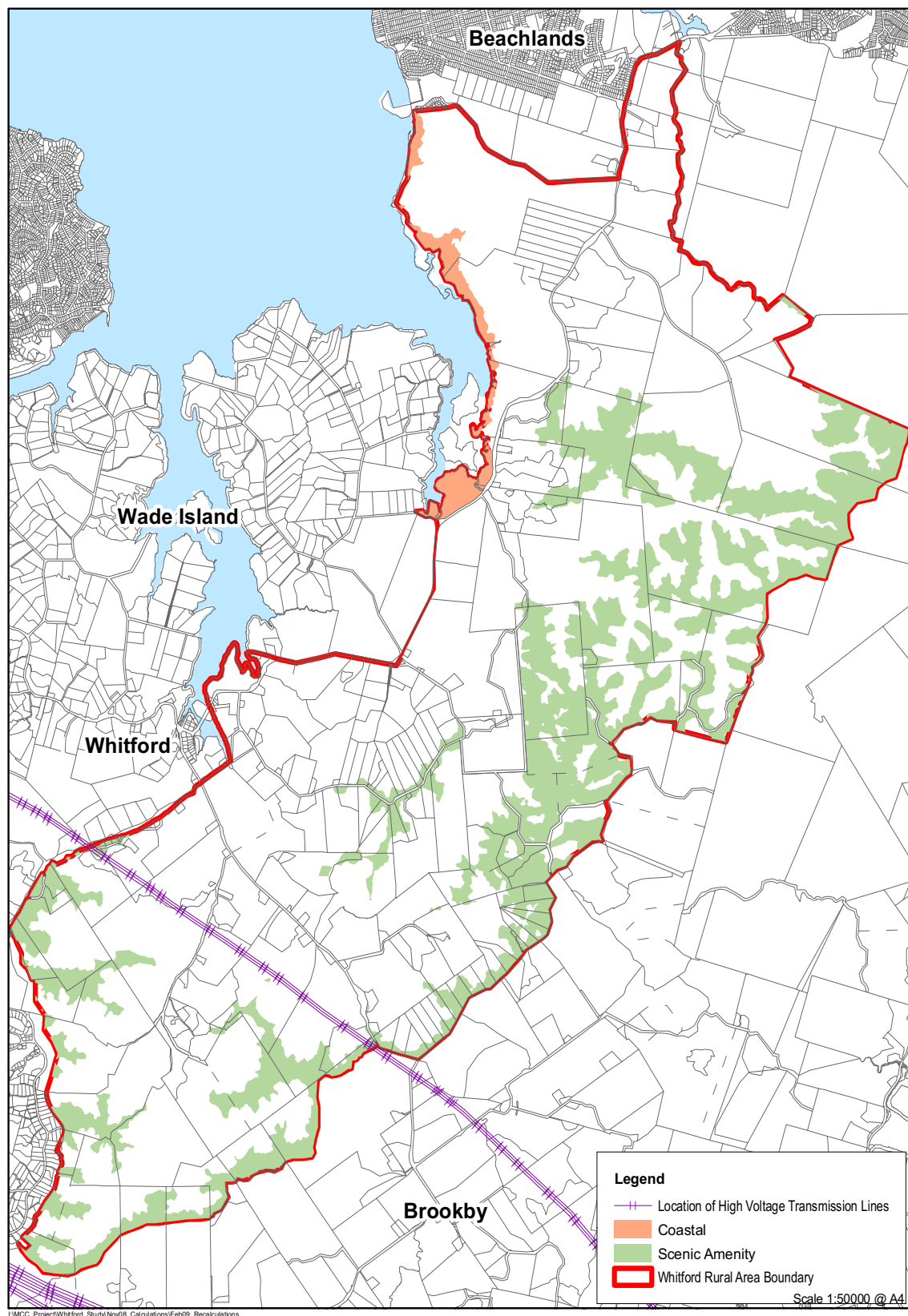




**Figure 12A.1 - Location of Perennial Streams and Slope Indicative Constraints Areas**

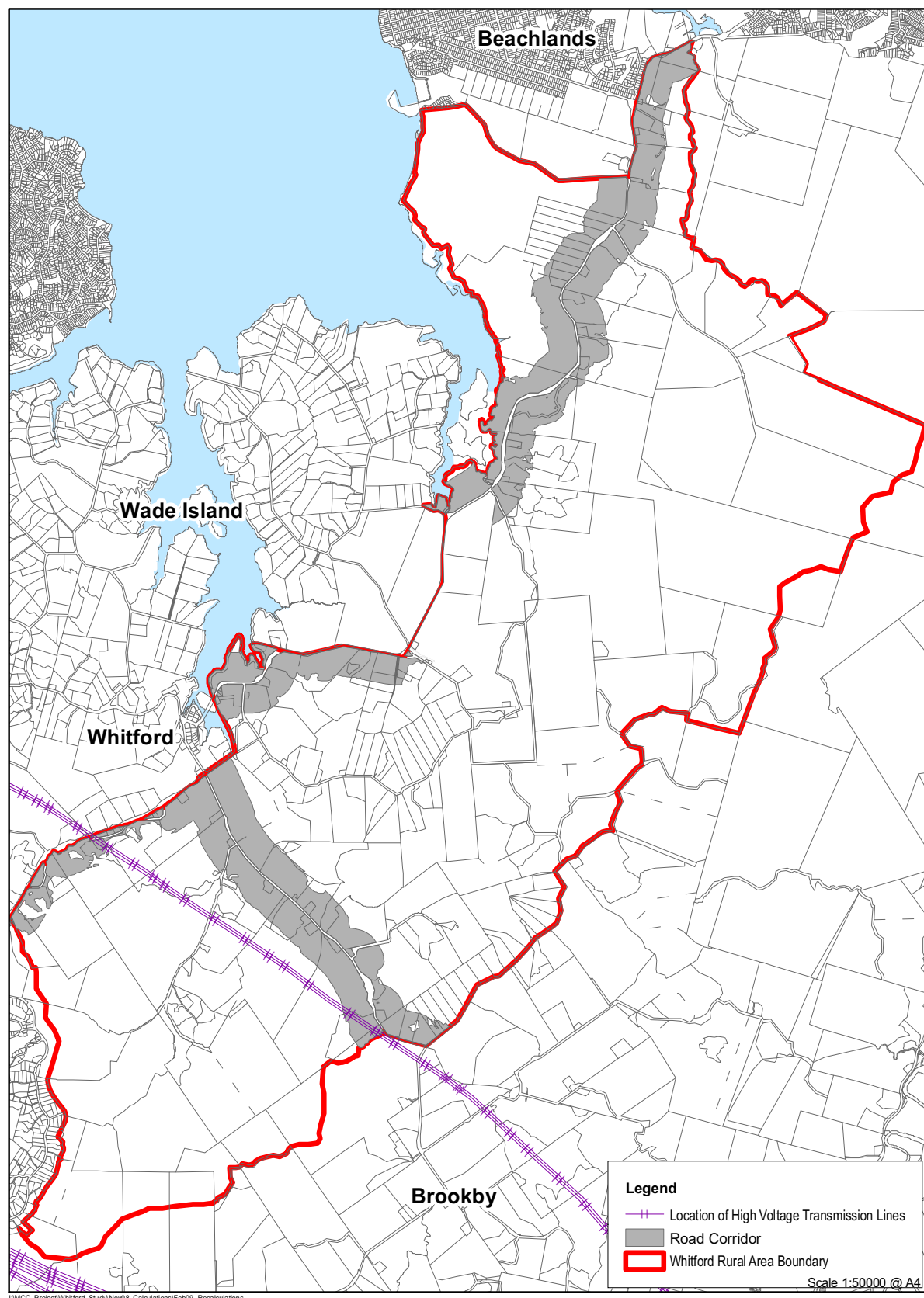


**Figure 12A.2 - Location of Perennial Stream and Native Vegetation Indicative Constraints Areas**

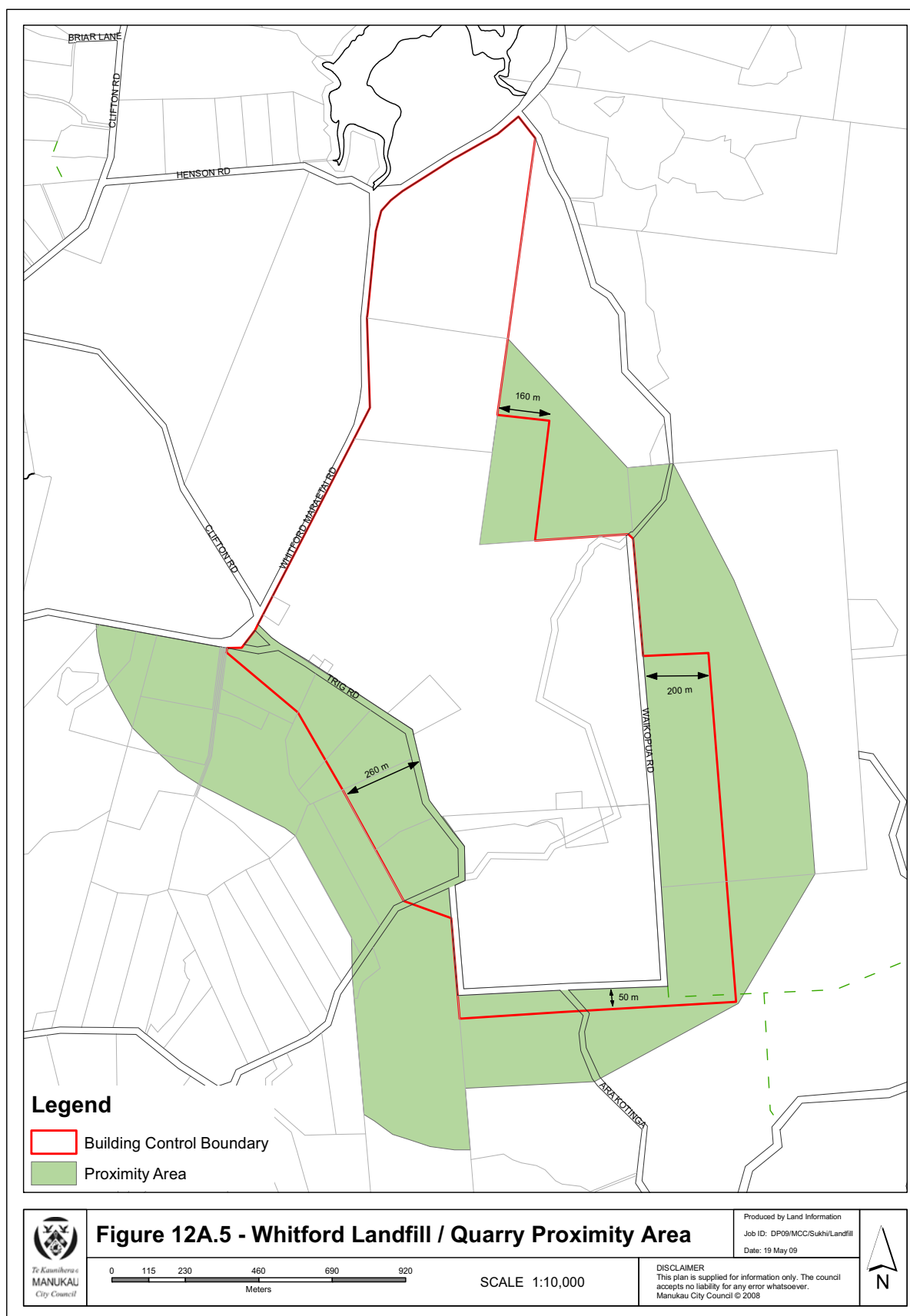


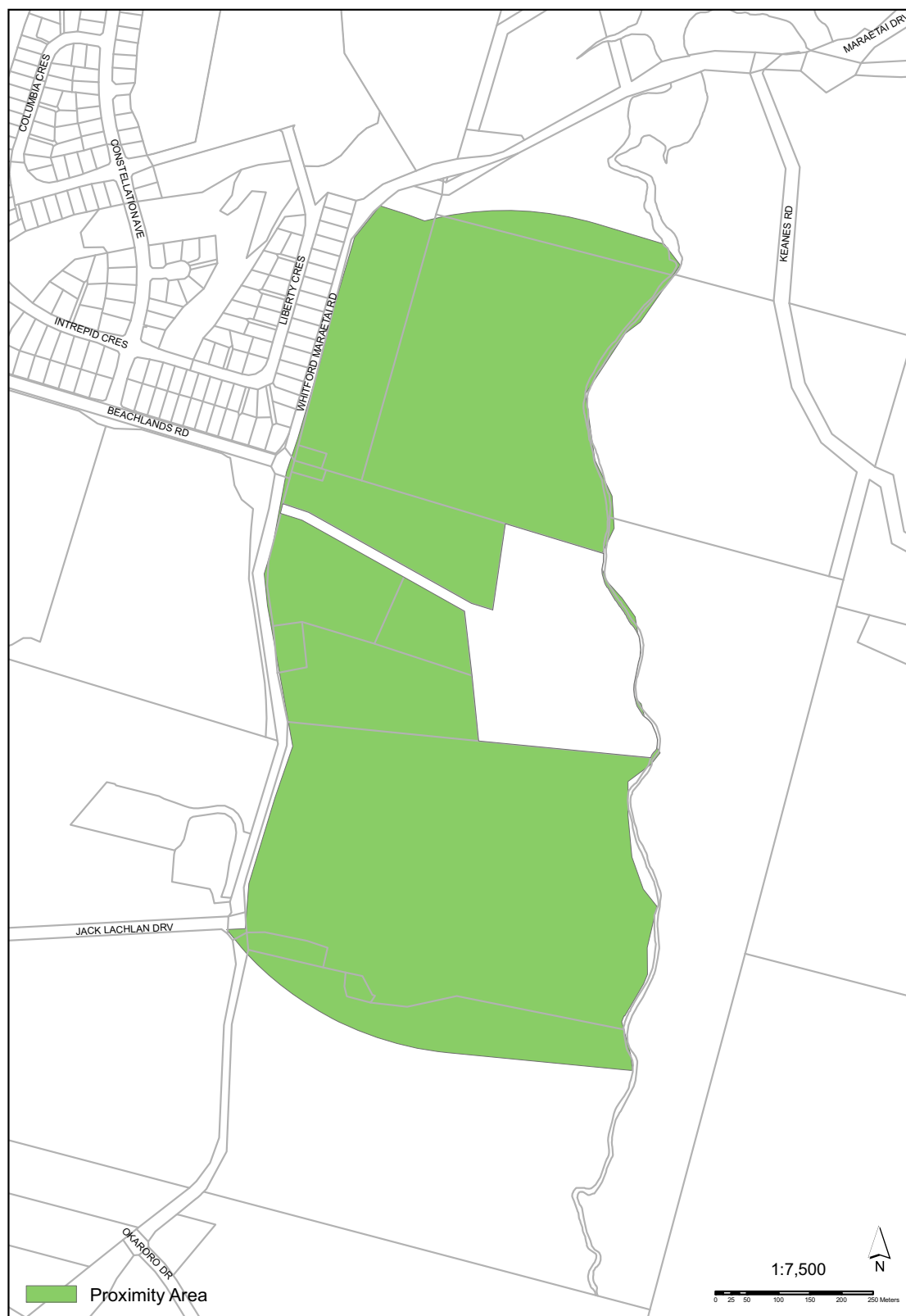
**FIG 12A.3 - Location of Coastal and Scenic Amenity Indicative Constraints Areas**





**FIG 12A.4 - Location of Road Corridor Indicative Constraints Areas**





**Figure 12A.6 Beachlands Landfill/Quarry Proximity Area**

## APPENDIX A - GUIDELINES FOR NATIVE REVEGETATION PLANTINGS

### 1. INTRODUCTION

These Guidelines are intended to assist applicants in preparing proposals for native revegetation planting.

The Guidelines contain three parts:

- (a) Pre-Planting Site Assessment;
- (b) Planting Plan Assessment; and
- (c) Annual Monitoring Programme.

### 2. PRE-PLANTING SITE ASSESSMENT

Plants are adapted to survive in specific areas. Not every plant will do well in the same environment. In order to ensure the survival of revegetation planting, and to ensure indigenous biodiversity, it is important that the appropriate plants are selected for the site. There are two aspects to selecting appropriate plants for a site. They are:

- (a) Sourcing from the Ecological District (i.e. eco-sourcing):

New Zealand has been divided into ecological districts based on the underlying geology, landforms, and soils which affect the plant species found within an area. Within these ecological districts the same plant species often have slight variations, which are adapted to the specific conditions of the area. In order to retain these variations and in essence the genetic diversity, it is important that plants which are sourced in the specific ecological district are used.

- (b) Appropriate plants for the locality of the planting:

Plants grow best on sites for which they are best adapted. Therefore, in order to ensure the success of a revegetation programme it is important that plants which are used are appropriate to the following:

- (i) Slope (i.e. steepness affects the species which will survive);
- (ii) Characteristics of the soil (i.e. certain species do not grow well in certain soils);
- (iii) Wind (i.e. certain species are not wind tolerant);
- (iv) Aspect (i.e. direction the slope faces, as this affects the dryness of a slope);
- (v) Degree of shading (i.e. certain species are light intolerant (i.e. secondary succession plants such as nikau and ferns), whereas others cannot survive in low light conditions (i.e. primary succession plants such as manuka and kanuka);
- (vi) Distance from the coast (i.e. this affects salt spray and wind conditions. Many plants are not tolerant to salt spray and therefore struggle to survive in coastal environments);
- (vii) Wetness of the site (i.e. many plants either do not grow in wet conditions (e.g. kauri) or only grow in wet soil conditions (e.g. kahikatea); and
- (viii) Frost Zones (certain species are frost intolerant).



In order for the Council to ensure that appropriate plant species are being selected for planting the Council expects a Pre-Planting Site Assessment by a suitably qualified professional, with the following information to be provided with each application for native revegetation plantings:

- (i) The ecological district of the site;
- (ii) The characteristics of the soil (i.e. clay, silt, loam etc);
- (iii) Soil drainage;
- (iv) Topography and aspect of the area to be planted;
- (v) Exposure of the site to wind, frost, sunlight and salt spray;
- (vi) Extent of existing bush or Native Vegetation on the site and its species composition; and
- (vii) Distance from established bush if there is none on the site and its condition.

Points (vi) and (vii) above will assist the Council in determining what plants would grow naturally on the site and therefore what species should be in the Planting Plan Assessment.

Where an applicant proposes to defer planting requirements under Rule 12A.13.2.4, Rule 12A.13.2.8 or Rule 12A.13.2.9 it is important that the production forest and its harvest be managed so as to facilitate native revegetation planting and minimise any adverse effects of production forestry on any naturally occurring native revegetation.

- (c) Management of planting where planting requirements are deferred in areas of existing production forest within a Riparian Management Indicative Constraints Area or Slopes Indicative Constraints Area:

Native species may naturally regenerate as an under-storey beneath existing production forestry. In order to encourage this process, the Pre-Planting Site Assessment must include a management plan detailing methods for:

- (i) Optimising the development of a naturally regenerating native under-storey; and
- (ii) Harvesting the production forest in a way which minimises loss and damage to the naturally regenerating native under-storey; and
- (iii) Minimising the loss of and damage to any naturally regenerating Native Vegetation with in-stream habitats or in areas adjacent to the Riparian Management Indicative Constraints Area or Slopes Indicative Constraints Area; and
- (iv) Managing and minimising weeds and pests; and
- (v) Excluding livestock.

### 3. PLANTING PLAN ASSESSMENT

In order to assist the Council in establishing whether a planting proposal is adequate a Planting Plan Assessment needs to be produced by a suitably qualified professional containing the following information:

- (a) Purpose of the planting, including hill country erosion control, stream bank erosion, habitat control, habitat restoration, ecological corridor creation, buffer planting to protect the edges of existing bush, water quality enhancement;
- (b) Location and extent of planting on a plan;
- (c) Site preparation for planting, including stock-proof fencing of areas, weed and animal pest control;
- (d) Site planting, including species to be planted, size of plants and where they are to be planted, density of planting, sourcing of plants and fertilisers;
- (e) Maintenance of planting, including fertiliser, releasing plants, animal and plant pest control, and mulching.

The reasons for the detail required in the Planting Plan Assessment are discussed below under the following headings:

- Site Preparation (including identifying and removing weeds, animal pest control, and stock control);
- Site Planting (including canopy closure and plant spacing, fertiliser, size of plants to be planted, time of planting); and
- Site Maintenance (including mulching and animal and plant pest control).

### 3.1 Site Preparation

Many of the areas that are to be replanted have relatively harsh conditions for native plants to grow because of animal pests, stock and weeds and grasses, which compete with the new plants. Therefore, it is important to ensure that the effects of these are minimised. This includes the following:

- (a) Identifying and Removing Weeds

Weeds compete with native plants which are planted by reducing moisture and nutrients available. Because the weeds are usually better able to do this than many natives, especially in open and exposed situations, they need to be removed, either manually or with sprays before planting occurs. Continual management needs to occur after the planting to ensure that the replanting site is not re-infested. Then it is important that canopy closure occurs as soon as possible after planting, as most weed species do not survive in shady conditions.

Kikuyu is one of species which competes vigorously with native plants. It also suppresses their growth through the release of a chemical into the soil, which reduces root growth. Therefore it is very important that kikuyu is removed from the site of the planting hole for each plant and that the plants are released regularly after planting (i.e. kikuyu is removed from around the base of planted native trees) so that the new plantings are not strangled. Canopy closure is the best mechanism in the long term of controlling kikuyu as it is a shade intolerant species.

Mulching can be an effective means of suppressing weed growth in the initial phases of the revegetation, reducing the need for weed control (see section 3.3(a) of this Appendix).

The Auckland Regional Council has a number of pamphlets on weed species and various techniques for their removal.

## (b) Animal Pest Control

Browsers, such as possums, feral goats and feral deer are a large threat to native plantings. Therefore it is important that they are controlled and eliminated to levels where the plantings are not severely affected. In the case of possums this entails eradicating them using bait stations, trapping or shooting. In the case of feral deer and goats this entails fencing the area around the plantings to keep them out or eradicating them.

After the planting is established it is important that animal pest control continues in order to ensure the long-term survival of the plants and also so that undergrowth can generate beneath the planted species.

The Auckland Regional Council has a number of pamphlets on animal pest control and eradication.

## (c) Stock Control

Stock can cause a huge amount of damage to native planting through the browsing of the plants or trampling them. Therefore it is important that the planting area is fenced with a stock proof fence to keep the stock out. The fence needs to be maintained in the long term to prevent stock entering into the area so that under growth regeneration can occur, allowing for a diversity of species to establish.

**3.2 Site Planting**

## (a) Canopy Closure and Planting Spacing

Once the site preparation has occurred then the plants can be planted. Ensuring canopy closure as quickly as possible is vital. Canopy closure has the following advantages:

- Many weeds and kikuyu are more easily suppressed and controlled, as they tend to be shade intolerant;
- Summer water stress is greatly reduced;
- Frost intensity is greatly reduced or eliminated;
- The problems caused by wind is reduced (ie. wind and cold); and
- A closed canopy is more likely to attract seed eating birds which nest and roost in trees and therefore increases the number of seeds deposited in the floor beneath the trees.

All of the above results in greater species diversity, especially for sensitive plants which require shade and conditions free of extreme conditions such as wind and frost. Plant species are more likely to survive once they germinate as well.

In order for there to be rapid canopy closure the native plants should be planted at a minimum density of 1.4 metre centres (5,100 stems per hectare).

## (b) Size of Plants

The size of plants affects their ability to survive when planted out. Very small plants are less likely to survive, as their root system is not well established. Very large plants are also less likely to survive because of the physical conditions of most revegetation sites, including wind

and salt exposure, extremes of conditions, drought and damp conditions. Larger plants take longer to establish extensive root system to anchor the plants and to provide nutrients for growth, often resulting in their being toppled over by wind or damaged.

Based on the above, the most appropriate sizes for planting out are considered to be root trainers, PB3/4 or PB2s and PB5s.

(c) Fertiliser

The decision to apply fertiliser, what type and in what quantity, will vary depending on the site. The following are basic considerations:

The application of a suitable fertiliser can proactively assist the native plants to establish, grow quickly and close the canopy, especially in coastal environments or where they are planted into kikuyu. Too much fertiliser however can be toxic to native plants and can lead to poor growth.

In many cases the ground will already be quite fertile and support good growth. It is worth considering however, that although many areas where native revegetation is occurring have been fertilised in the past for pasture growth, this is not appropriate for native tree establishment as these fertilisers tended to be nitrogen based. Trees require trace elements, minerals and phosphorous based fertilisers.

Certain environments will be adversely affected by the application of fertiliser. Consideration should be given to the proximity of plantings to waterways and riparian areas. In some circumstances there will be good reason to avoid the application of fertiliser or a particularly cautious approach adopted. A conservative method for the application of fertiliser is the use of slow release tablets in each planting hole. The advantage of this method is the utilisation of the soil as a natural filter. A cautious approach needs to be applied where fertiliser is to be a side dressing. In particular, the timing of application needs to be considered. Application should coincide with the plants growth spurts during spring and autumn to maximise nutrient uptake and prevent nutrient enrichment of receiving water bodies.

(d) Time of Planting

The timing of the planting is important. Late autumn and winter (i.e. late April to September) are the best months as most native plants are adapted to moist conditions and watering is required at the time of planting. Rainfall is the best means of ensuring adequate watering as it encourages the development of deep roots. Hand or surface watering can encourage the development of surface roots, resulting in the plants being more adversely affected in low rainfall periods. However, the disadvantage of planting in winter is the exposure to frost, particularly on level, exposed sites in inland areas. Therefore it is important to use hardier pioneer species to provide shelter before planting more sensitive species. It should be noted that mulching greatly increases the chances of survival as it assists in retaining soil moisture by reducing evapotranspiration (see section 3.3(a) of this appendix).

### 3.3 Maintenance Planting

(a) Mulching

Mulching involves spreading permeable material around newly planted trees to:

- protect the roots;
- reduce moisture loss from the soil;
- insulate the soil, thus stabilising soil temperatures; and

- suppress weed growth.

Mulches can be either organic (e.g. straw, sawdust, bark chip, wood shavings, compost, grass, leaves) or synthetic (e.g. wet paper / cardboard, and tar paper). Mulching greatly increases the chances of survival for plants on dry, open, exposed sites.

The disadvantages of mulch are that they can:

- introduce plant diseases or insect pests to the site;
- introduce weed species;
- prevent water from reaching the roots and therefore it is important to wet the soil before applying mulches; and
- increase costs.

Certain mulches also can be toxic to plants, such as sawdust and bark chip which need to be well rotted down.

Mulches comprising compost and grass clippings should be treated with caution. Unless temperatures high enough to 'cook' the seeds have been reached the mulch has the potential to introduce unwanted weed species to the area. Cheap mulches should be treated with caution. They have a tendency to rob the soil of nitrogen, stunting adjacent plant growth unless compensated for with fertiliser application.

(b) Weed Control and Animal Control

This involves the ongoing plant and animal pest control to ensure the survival of the planting (see section 3.1(a) and (b) of this appendix).

#### 4. MONITORING PROGRAMME

Monitoring needs to be undertaken for 5 years, as it takes between 3-5 years before native replantings are well established and their certainty of survival is assured. The following needs to be monitored:

- Survival rates: this is because the Council requires a 90% survival rate which is thought to be appropriate to ensure that the replanting will become ecologically viable;
- Size of plants: this is an indication of the health of the plantings. The greater the growth, the healthier the planting and therefore the more likely a planting is to survive.
- Canopy closure: if a planting is healthy, canopy closure should occur at year 3, although it can take to year 5 if the conditions of the site are particularly harsh. Therefore, this is an important indication of the health of the planting.

Replacement of plants which do not survive is important to ensure that gaps are not created which could allow weeds to enter the planting and to ensure that there is an adequate canopy cover in the long term.

#### REFERENCE

Evans, B. 1983. Revegetation Manual: Using New Zealand Native Plants. Produced for the Queen Elizabeth National Trust II.

## APPENDIX B - ACCESS STANDARDS

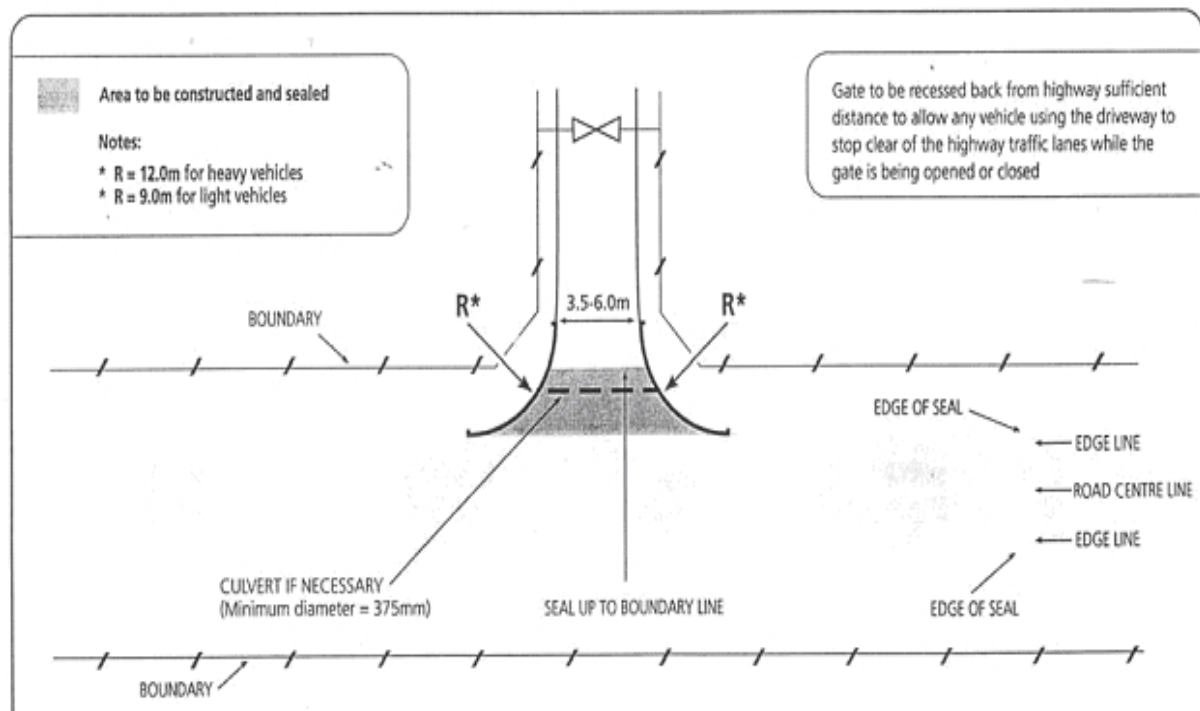
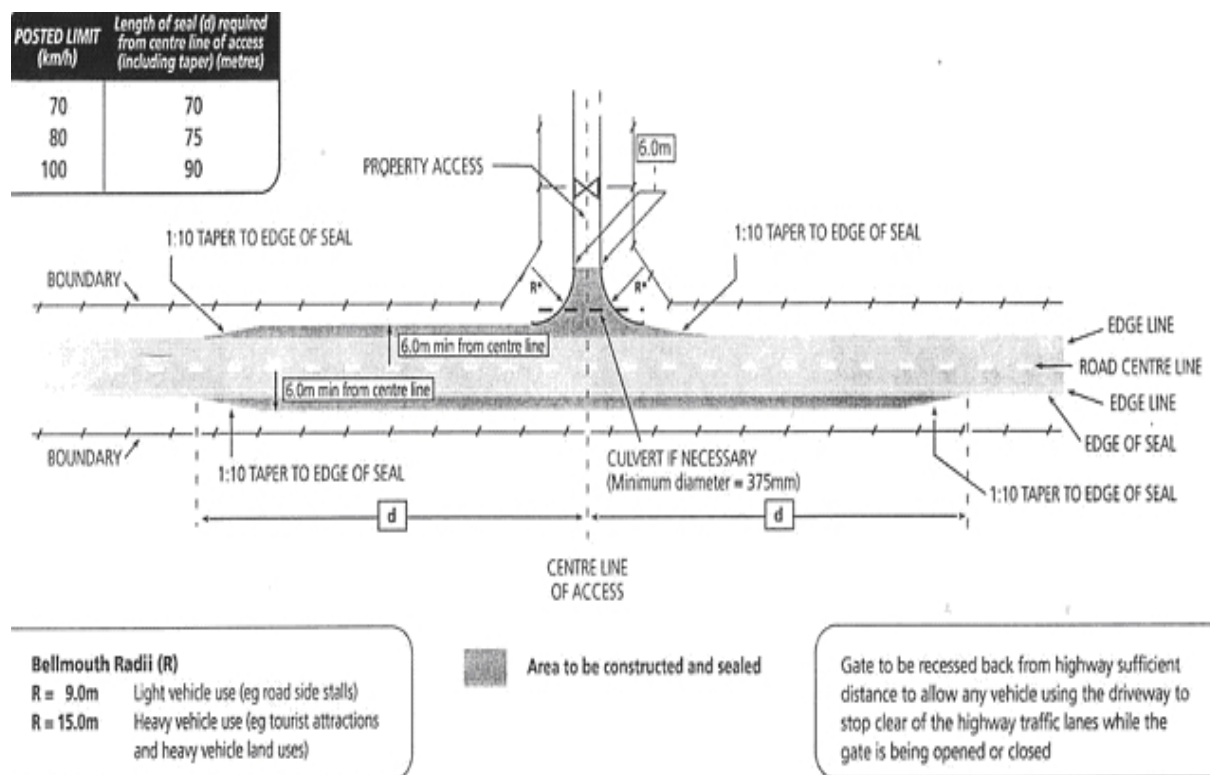
**Diagram A - Low use access standard****Diagram B - Moderate use access standard**

Table 12A.B.1 Construction Standards for Roads and Private Ways

Road Category	Type of Road	Minimum Width (m)		Maximum Grade	Road Function
		Legal Width	Sealed Carriageway		
Whitford Roads	Collector Roads AADT greater than 1,000 vehicles per day	20	7.5	8.33%	Local access. Connects with arterial road network.
	Local Roads serving over 15 lots	20	7.0	10.0%	Local access.
	Local Roads serving up to 15 lots	12.0	6.0	10.0%	Local access.
	Private Ways (Type B)	12.0	6.0	20%	Local access.
	Private Ways (Type A)	12.0	3.5 with passing bays	20%	Local access.



Table 12A.B.2 Location of Private Ways

85 Percentile Speed (km/hr)	Location of Private Ways serving up to 5 Lots Relative to Intersection with Secondary Road or Private Way serving 6 or more lots See Diagram C		Minimum Spacing Between Private Ways serving up to 5 lots N (m)
	Minimum Distance K (m)	Minimum Side Road Distance M (m)	
70	30	20	-
80	50	30	-
90	100	45	40
100	120	60	100
120	200	60	200

**Diagram C Location of Privateways**