



7 RURAL

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7

7.1

RURAL

INTRODUCTION

Over 90% of the District's 247,500 hectares can be described as rural, resulting in a character dominated by rural elements, despite the fact that over 60% of the District's population live in urban centres.

Physically the rural area is one of contrasts, brought about by the varied topography and climate and the range of human activities carried out within it. It is flanked in the west by the exposed, high energy Muriwai Beach and sand dunes, and by the broad shallow expanse of the Kaipara Harbour with its associated coastline and wildlife habitats. In the east, indented bays, sheltered gulf waters, harbours and sweeping ocean beaches backed by rolling hills characterise the coast. The central and northern areas comprise mainly rolling pastoral land and dissected hill country in a mixture of pasture, exotic forestry and indigenous bush. In the south the land is flat to rolling country with significant indigenous bush areas, and natural features such as the Te Henga wetland in the south western-most part of the District.

The climate and soils are of variable quality for production, with the most versatile soils being located in the south around Kumeu/Huapai/Waimauku, and in the north, in a much smaller area in the vicinity of Omaha. On these versatile soils numerous types of horticulture are carried out, including vineyards and related wineries.

Pastoral farming is carried out throughout the District, including dairy farming, beef, sheep and deer farming. Exotic forestry is also a major land use, particularly on the dune country backing Muriwai Beach, around Riverhead in the south and below Mangawhai in the north.

Many of the area's agricultural and forestry activities have been driven by its proximity to the Auckland market, even though forestry was established for soil conservation purposes and in some areas as a means of utilising land that was considered marginal for agricultural purposes. The land has proved to be especially suitable for forestry and some horticultural and viticultural purposes.

Mineral resources in the form of aggregate, limestone, and sand are quarried within the rural area. Aggregate is currently quarried at a number of locations throughout the District, and is used for roading, building, construction and concrete production. There are numerous locations throughout the District at which limestone is quarried, for farm tracks, some sub-base applications and for the application of agricultural lime.

Sand is extracted from dunes on the east coast and from the seabed adjacent to the District, at Pakiri and in the Kaipara Harbour.

The rural area contains a number of sites of high natural environment value, including areas of native forest, wetlands, freshwater lakes, coastal foreshore and headlands. A number of these sites have regional and national significance and all contribute to the amenity value of the rural part of the District. These features, combined with topography and features such as the sea, lakes and rivers, and the non-urban context collectively create attractive



Key pressure

landscapes, and high amenity values within the rural area. There are also combinations of features which have created areas of special character that distinguish Rodney from other Districts within the Auckland Region.

Traditionally the rural parts of the District have been where agricultural and primary production activities have taken place, but increasingly the lifestyle opportunities in the District have become an increasingly major component of its character. Lifestyle development has occurred in the areas close to the metropolitan Auckland and increasingly, along the coastal fringe on both coasts, where access is off the main road transport links - State Highway 1 or State Highway 16. In areas close to metropolitan Auckland, lifestyle development already dominates the character of the rural land and the expectations of many who live there. The transition of some parts of the District from production based activities to a mix of lifestyle and production activities, is likely to continue.

One of the key management pressures for the District relates to its proximity to metropolitan Auckland. The southern and south western rural parts of Rodney District abut North Shore City and Waitakere City. The urban growth pressures from these urban-based Councils spills into rural Rodney.

The Auckland Region continues to experience significant growth and the next fifty years may see a doubling of the population to 2 million. Although the Regional Growth Strategy envisages that the Metropolitan Urban Limits will be retained within both North Shore City and Waitakere City, continued demand for rural lifestyle opportunities within Rodney District is expected throughout the fifty year horizon of the Auckland Regional Growth Strategy.

Extensions to both the Northern Motorway, as far north as Puhoi, and the North Western Motorway, to Kumeu and beyond, will continue to bring the rural parts of the District closer to Auckland with respect to travel times.

Significant parts of the District around the metropolitan fringe of Auckland have been experiencing lifestyle development to the extent that lifestyle activities are now the dominant land use for a large portion of the District. The metropolitan fringe area faces considerable pressure from urban sprawl and conflicts between lifestyle and rural activities as well as urban related activities seeking to establish in the fringe areas.

As well as in the metropolitan fringe area the District continues to face growth pressures in coastal areas, particularly on the east coast north of Orewa. Once again the demand for lifestyle activities places significant pressure on the coastal landscapes, the beaches and harbours of the District. These coastal environments are of regional significance and require specific consideration with respect to the possible adverse effects of further subdivision and development.

The rural area has a dynamic nature. Rural activity has rarely stood still for long. It is marked by constant change of varying degrees, brought about by the interaction of human activity with the rural land resource, and the natural features and landscapes forming part of that resource.



7.2

Issue
7.2.1

Rural character

RESOURCE MANAGEMENT ISSUES

In the rural part of the District the significant resource management issues are as follows:

Rural character can be adversely affected by subdivision and land use activities.

Many factors come together to create rural character and distinguish rural areas from urban areas. This is particularly so in Rodney because of the size of the District, the physical variety in the natural environment and the diversity of activities undertaken within that environment.

In general, the elements making up "rural character" include:

- (a) The predominance of natural features over man made features
- (b) A very high ratio of space not built upon (open space) to built upon space on individual sites.
- (c) The presence of large areas of vegetation, in the form of grass, trees, crops and indigenous vegetation.
- (d) The presence of large numbers of farmed animals and extensive areas of plant or fruit crops and plantation forests.
- (e) Noises, smells and visual effects associated with the use of the land for a wide range of farming, horticultural, mineral extraction and forestry purposes.
- (f) A low density of building and structures because site sizes are in hectares rather than square metres.
- (g) Low population densities.
- (h) Generally narrow roads with swales/open drains, including a number of unsealed and low speed geometry roads; and generally low traffic volumes (except State Highways and arterial roads).
- (i) A general absence of urban scale and urban type infrastructure, such as roads with full kerb and channel, sealed footpaths and vehicle crossings, streetlights, electricity transformers, bus shelters, telephone cabinets and demarcated carparking areas on roads.
- (j) The use of land for mineral extraction activities.

Agriculture and farming

Agriculture and farming are important components of rural character. Although perhaps not as significant as they have been in the past the physical use of large parts of the District is still associated these activities. Changes have taken place in parts of the District that have eroded the dominance of agriculture and farming to create a different rural character particularly in those areas closest to metropolitan Auckland.

The economics of rural production continue to change, however part-



time production rather than full time production tends to dominate farming activity. Nevertheless agriculture and farming, in one form or another, is a key component in the character of most rural parts of the district. The range of farming activities extends from the traditional pastoral activities, forestry, vineyards, orchards and commercial vegetable growing, through to intensive farming activities, such as covered horticultural crops, poultry farming and the like.

The rural character of these more traditional farming portions of the District are that sites are generally larger than 20 hectares (in many cases significantly larger), and they are dominated by pastoral farming with extensive areas of open space, with houses and farm buildings scattered along roads or generally within a short distance from the road. There are few or no commercial centres or settlements with large distances between centres where they do exist. Schools tend to be the focus of these communities rather than shops or towns, although there is usually a town or settlement which serves a wide surrounding area. Commuting to Auckland for work becomes a less significant factor the greater the distance from Auckland itself. Thus, the northern parts of the District have a character based on traditional farming activities.

Key pressure

A key pressure on rural character is the growth pressure exerted from metropolitan Auckland. The Auckland Region has the potential to experience a doubling in population by 2050 to two million people. The rate of growth and how this is accommodated and managed has the potential to adversely affect Rodney's rural character. In particular, significant areas around Auckland's metropolitan fringe face considerable pressure from urban sprawl and conflicts between rural, lifestyle and urban activities.

A second key pressure is on the coastal areas of the District where demand for lifestyle activities is also high.

Urban-rural fringe around Auckland

The urban-rural fringe around metropolitan Auckland has over a period of years become fragmented into smaller titles with lifestyle residential development becoming widespread. In some areas the lifestyle development has become dominant. However, in most instances, remnants of the farming activities remain and there is a mix of farming and lifestyle activities. The character of these areas is significantly different from the more traditional farming areas.

Properties in this area are generally less than 10 hectares with many 4 hectares or less. Houses and buildings tend to be larger, more modern and have more significant capital investment and are closer together. People tend to work within Auckland and commute each day by car. Any use of the land tends to be less intensive and less productive, although there are many examples of both intensive and productive usage from small land holdings. Larger pastoral farms have become the exception rather than the rule. Full-time farmers are almost non-existent. The intensity of residential development, although sparse compared to urban areas, has increased. Although open space is a key element, it has become fragmented through fencing, planting, landscaping and the siting of buildings. There are far greater volumes of traffic generally in these areas, particularly on the main roads.



The process of subdivision creates separate legal entities (sites) with each new separate entity having a bundle of rights under the Plan and a set of landowner expectations about what can be done with each new separate entity, eg. erection of a household unit. Subdivision is therefore the first step in a process which can ultimately result in changes to and adverse effects on rural character.

Although individual subdivisions and resulting activities may only have limited adverse effects on their own, the cumulative effect of several or many subdivisions and subsequent activities may be significant. For example, in a landscape with a number of 50 hectare farms, subdivision and development of many of these into 4 hectare sites results in a different character than that of the 50 hectare farms. It may still be rural, but it is different. Subdivision therefore both individually and cumulatively can adversely affect rural character.

Coastal and harbour areas

The District is very large, with extensive coastal and harbour areas. There exist a number of landscapes and natural features of both regional and local significance which have been identified and protected for a number of years. The character of these areas is quite different from the lifestyle character of the urban rural fringe and the agricultural character of the farming areas beyond the fringe.

The character of these areas include coastal landscapes and landforms, remoteness, high value natural landscapes which are relatively unmodified, lake, river, harbour and estuary environments, island environments, special habitat environments and areas which contain significant areas of native bush.

Adverse effects

Areas with rural character, incorporating the elements outlined above, can be adversely affected by ongoing development (including subdivision). The adverse effects can be direct, on a defined area, and they can be cumulative, where the net result of a number of individual activities is to erode or cause the total loss of rural character.

Given the nature of rural character, it is the cumulative effects of the individual subdivisions and developments that are the basis of the issue. For example, in a traditional farming area (eg. inland Northern Rodney) comprised of 50 hectare farms, the natural features would almost certainly predominate over human made elements. However, subdivision of this area into a series of 1 or 2 hectare sites and the additional houses and accessory buildings, the additional traffic generated including pedestrians, the presence of vehicle crossings and driveways, letter boxes and other structures, would all change this perception significantly. It would contribute to the cumulative effect of individual subdivision and development on rural character. The cumulative effect is also significant in terms of the effects of additional trips generated by the household units on the transport network, particularly the State Highway network.

One other element of the issue is the erosion or loss of the distinctive character of various parts of the District which provide it with a unique identity and which exhibit more fully than other areas, the general elements making up rural character. The loss or erosion of rural character is likely to be more readily perceived in these areas, and can adversely affect the perception



that Rodney is, for the most part, still a rural district. In addition, the distinctive parts of the District, with their special character, provide a large part of Rodney's identity. They are typified by a high degree of "naturalness" and high amenity values, based on the existence of particular physical features such as beaches, coastline or distinctive landforms. Part of the District's identity can be lost when this special character is degraded or lost entirely. The coastline and related inland area on the eastern coast, and the dune lakes and sandhills on the South Head Peninsula, are examples of areas with special character contributing significantly to the Rodney identity.

Even the area closest to urban Auckland with its existing predominance of smaller sites can be adversely affected by levels of subdivision and activities representative of urban rather than rural areas. Providing for the dynamic nature of the rural area and at the same time avoiding adverse effects on the essential elements of rural character, is the crux of the issue.

Issue

7.2.2

Rural amenity values can be adversely affected by subdivision and land use activities.

Amenity values

Amenity values are the qualities and characteristics of an area on which people base their appreciation of its pleasantness or attractiveness. People make an assessment of amenity values by identifying the matters they find make their local environment a pleasant place to live and/or work. Such an assessment usually contributes to a decision to purchase land in a particular place.

Identified amenity values

The Council as part of the preparation of the District Development Strategy which was adopted in 1994 undertook surveys which identified the values that residents considered as "*good things about living in Rodney*". In one survey 819 adults or 5.7% of the population of south Rodney were questioned. A similar survey was undertaken in Northern Rodney. The findings of those surveys were reinforced through the results of more recent consultation such as that carried out during the preparation of *Vision Rodney*, the District Strategy document, and are considered to remain valid in terms of the community value placed on these matters.

The values identified were: the country lifestyle; the countryside; close to beaches; close to Auckland; friendly people; tranquil and peaceful; away from the City; community life; outdoor lifestyle; privacy and rural views. Individual environmental values which were considered to be important were also identified and these are important in determining amenity values within rural areas. The environmental aspects of value identified were: rivers and streams; coastal waters; air quality; coastline; native bush; bird life; peace and quiet; soil quality; trees; wide open spaces and cultural sites.

Variations in amenity values

With respect to rural amenity values these vary considerably across the District and they can change significantly within a short distance. A rural property with an outlook to a nearby major highway is likely, because of road traffic noise, to have entirely different amenity values to a neighbouring property which has no such outlook or exposure to road traffic noise. A property with an extensive rural or coastal outlook contrasts with a neighbouring one which may have no views at all. A lifestyle property surrounded by other lifestyle properties has different amenity value than one surrounded by large farms or one surrounded by an area of protected native



bush.

Adverse effects on amenity values

Amenity values can be adversely affected by activities which infringe upon them (eg. quarrying, landfill, earthworks, aerial spraying, subdivision and housing developments, etc). Such adverse effects include noise, traffic on roads, particularly heavy trucks, visual impact, lighting, odours, dust, vibration, inadequate disposal of effluent/water, and loss of privacy etc. Loss of native bush and negative effects on rural landscapes are also adverse effects on amenity values. Most activities in rural areas contain some element which can adversely affect amenity values in some way unless mitigation measures are adopted. Intensification of development in particular, can adversely affect rural amenity values, where mitigation measures do not accompany such development. As subdivision is most often the precursor to more intensive development, it is the first stage in a process that can result in adverse effects on many of the amenity values people live in rural areas to enjoy. The cumulative effects of a number of subdivisions can potentially adversely affect amenity values. Some activities can result in significant adverse effects on amenity values which cannot be adequately mitigated (eg. intensive horticulture, pig and poultry farming) in some situations.

The nature of the "receiving environment" throughout the rural area has some bearing on the degree to which an effect is considered to be adverse. Similar activities can be perceived as having lesser or greater adverse effects on amenity values depending on the nature of the environment in which they occur. For example, a quarry in a remote area of the District is less likely to impact on amenity values than an operation close to a lifestyle subdivision area where residential development is more intensive.

Perceptions of amenity values

Another element of this issue is the conflict arising from differing perceptions of which effects on amenity values are acceptable in rural areas. One of the major areas of conflict experienced in the District has been generated by those seeking to live in the rural area for "lifestyle" reasons perceiving effects generated by those using the rural resource base for productive purposes as adverse. The expectations, in terms of amenity values, held by these two groups can differ markedly. Experience to date has been that the "lifestylers" often expect fewer adverse effects on amenity values such as quietness and privacy, than some traditional rural production practices generate. Thus rural production activities which incorporate late night or early morning vehicle or stock movement, crop spraying, bird scaring, hay-making amongst other things can adversely affect what lifestyle residents regard as appropriate amenity values in the rural part of the District. At the same time these effects are considered a legitimate part of the rural environment by the rural producers.

This difference in expectations can mean that other "traditional" rural based activities, such as quarrying, landfilling, firearm ranges, dog kennels and catteries, which are often socially and physically acceptable in sparsely settled rural areas, become more difficult to establish as housing densities increase. Mineral extraction is one such activity potentially affected by this result of intensification because it can only be located where minerals occur. Some resources may become unrecoverable where they are located near more sensitive land uses, such as countryside living, because such activities demand a higher standard of amenity values than mineral extraction can readily provide.



Issue
7.2.3

The other element to this issue is adverse effects on amenity values of different rural production type activities. Examples are odour from pig farms or fertilising land causing nuisance, and the use of chemical sprays affecting enjoyment of neighbouring farms/properties. Dust and noise from mineral extraction activities affecting the amenity values of neighbouring farms is another example, as is a high traffic generating activity, which may affect road safety and efficiency for other road users in the vicinity.

Rural productivity can be adversely affected by activities.

Different rural based activities generate a range of adverse effects, some of which can affect the ability to undertake productive activities or the productivity of rural activities on neighbouring sites. For example, mineral extraction or landfill operations can generate dust which can affect the state of surrounding pasture or the quality of horticultural crops on neighbouring sites. Similarly activities involving spraying of fertilisers or insecticides/pesticides can adversely affect organic farming operations or other chemical sensitive activities on neighbouring properties, while organic production activities may conversely impact upon neighbouring non-organic production activities. Such effects can reduce productivity on the sites affected and have some adverse effect on the economic viability of particular operations.

Issue
7.2.4

Subdivision, land use and development can have adverse effects, including cumulative effects, on native plant and animal biodiversity.

Biodiversity is the variability amongst organisms, including the diversity within species (genetic diversity), between species (species diversity) and the diversity of ecosystems (ecological diversity).

Rodney District reflects the national trend of loss and modification of natural ecosystems and the resultant loss of biodiversity. While certain areas, especially in the northern part of the District, still retain large areas of bush or relatively unmodified landscapes, most of the ecosystems within the District are fragmented, isolated pockets of bush, wetlands, dunes and dune lakes, estuaries and scrubland. Less than 15% of the original bush remains, with the majority having been cleared between 1860 and 1984 to create pasture. Less than 1% of the wetlands remain, most having been drained between 1942 and 1977 for agriculture and urban development.

The ongoing threats to natural ecosystems include:

- (a) Subdivision in or within close proximity to significant areas of native plants or native animal habitats.
- (b) Stock grazing the understorey of bush or margins of wetlands or rivers and streams, due to inadequate fencing.
- (c) Clearance of areas of native plants or native animal habitats for forestry, agriculture and residential sites.



- (d) Recreation activities, such as biking, tramping and horse riding within or in close proximity to natural ecosystems.

The results include ongoing fragmentation, damage and destruction of ecosystems and habitats. The impacts of this include:

- (e) A reduction in the environmental carrying capacity and ability to sustain animal and plant species.
- (f) Increased edge effects (ie. increased sunlight and decreased humidity at the edge of the bush) resulting in less species diversity because the lower temperatures of the inner areas (ie. microclimates) are never reached and therefore species which need these cooler temperatures cannot grow and also species which are not tolerant to disturbance disappear and more tolerant species take over (eg. weeds).
- (g) Reduction in seed dispersal, especially where neighbouring bush remnants are too far apart.
- (h) Barriers to movement of animals if remnants are too far apart.

Research indicates that in order for areas of bush to be viable and to have the species diversity, the bush area should, ideally firstly, be a minimum of 10 hectares and, secondly, have another area of bush of a similar size within 1 kilometre. Areas of bush less than 10 hectares are, however, important (especially in the absence of larger areas). The value of these areas increases with their proximity to other such areas and where they form part of a network or corridor, and other factors such as species diversity, presence of weeds and pests and management regime also have a strong bearing on the value. In many instances animal and plant species will not move between native ecosystems unless there is a suitable vegetation connection between two areas (ie. an ecological corridor). If these corridors are destroyed the whole ecosystem becomes less viable.

Less is known about the viable size of other ecosystems.

Rural subdivision and development may adversely affect ecological values including intrinsic values of Okura estuary and the existing areas of native terrestrial vegetation and habitats. There is, however, opportunity through further subdivision and development to protect areas of native vegetation and wetland areas and for the maintenance and enhancement of ecological corridors.

Subdivision, land use and development can have adverse effects on riparian margins.

Traditionally, a large number of riparian margins have been cleared for agricultural purposes or during subdivision and land development. This has resulted in the following:

- (a) stock trampling the banks and causing stream bank erosion;
- (b) less habitat for nesting and terrestrial species;



- (c) loss of ecological corridors which link larger bush or scrub areas;
- (d) potential increase in flooding area and peaks as vegetation is important in absorbing and retaining water in the catchment and slowly releasing the water downstream throughout the summer;
- (e) changes in water quality and habitat as stream temperatures have increased through lack of shading and there is little or no vegetation to filter out nutrients and other contaminants or reduce erosion.

There is increasing realisation of the value in protecting riparian margins and some landowners are fencing off these areas, keeping stock out and replanting. Developers are also protecting these areas to mitigate the adverse effects of subdivision. Many community action groups, such as landcare groups see the replanting of riparian margins as key areas for restoration to mitigate some of the adverse effects, especially erosion and loss of habitat.

In the Auckland Region approximately 30,000 native trees are planted annually. An estimated 10% of these are for riparian enhancement or restoration.

Issue
7.2.6

The versatility of rural land can be lost through inappropriate subdivision and land use.

The rural parts of the District have experienced a high level of subdivision over recent years and this is still continuing. The net result has been a substantial increase in the number of smaller rural sites and a decline in the number of larger sites. A comparison of the valuation roll holdings over time shows that a major increase in the number of sites has occurred in the 1 to 8 and 8 to 20 hectare range.

The continuing subdivision of land into smaller lots reduces the potential of the land to be used for a range of more traditional types of farming activities such as beef and dairy farming. Subdivision is generally irreversible because in most instances amalgamation of sites for a particular rural production based purpose becomes too expensive. This results from the fact that once a site is created it is assigned rights for use under the District Plan, with these rights normally including the ability to establish a dwelling and the site is valued accordingly. Where houses are established, entranceways and infrastructure provided etc, the value of the site means that amalgamation is difficult except for the instances where the output from the land will be of extremely high value.

Fragmentation, therefore, reduces the ability of the land to be used for activities requiring larger land areas should market or cultural conditions dictate such an approach. Retention of land of differing soil types in a range of site sizes is necessary to maintain the versatility of rural land in order to respond to changing needs and aspirations of the present and future populations.

Loss of versatility can also occur through the physical location of activities that render the land unusable for primary production to all intents and



Issue
7.2.7

purposes. This is of particular concern in relation to land which is highly suitable for food production, given the relatively small proportion of soils that have this characteristic within Rodney ie. the limited areas of Class II soils (as defined on the New Zealand Land Resource Inventory Worksheets) within the District. Locating areas for urban purposes or the most intensive forms of Countryside Living on the most fertile soils, for example, could result in the long term loss of the land from productive use.

Degradation of soil resources can result from inappropriate land use.

Due to the time scales involved, for all practical purposes, soils are a non-renewable resource. Soil forming processes occur over thousands of years to produce a suitable medium for plant growth. It is essential therefore, to protect soil from both natural and induced forms of degradation and to ensure that the life supporting capacity of soils is maintained. In effect this means utilising the resource in a variety of ways while maintaining its inherent physical, chemical and biological properties.

The use and development of rural land for productive and other purposes, such as rural residential lifestyle, has the potential to cause soil erosion at a much faster rate than would occur naturally. The clearance of vegetation, inappropriate farm management practices, such as overstocking, or cultivation on steep slopes, and activities such as forming access roads, farm races, and areas for household activities could all expose soil and accelerate natural erosion processes.

These erosion processes can be dramatically slowed by retiring land areas that are steep and erosion prone and replanting these areas to restore a protective vegetative cover.

Soil structure

Loss of soil structure can occur and have adverse effects on soil drainage and fertility. Degradation of soil structure is accelerated by activities such as excessive cultivation, vehicle compaction or stock trampling.

Soil fertility

Soil can lose its fertility through cultivation processes resulting in leaching of minerals, and through plant uptake of nutrients exceeding nutrient (fertiliser) application or incorporation of nutrients by natural processes.

Chemical application

Soil degradation can also result from the wrong or inappropriate application of chemicals, such as herbicides and pesticides, and leakage of chemicals or toxic wastes from industrial processes or storage facilities.

Contaminated sites

There are over 100 known potentially contaminated sites in the District resulting from industrial processes or storage activities. The number of actually contaminated sites is unknown, but there must be many on rural land where herbicides and pesticides have been stored or applied.

Such contamination has the capacity to alter the chemical and biological balance of soils and the potential to adversely affect the health of humans and animals and vegetation. NZS 8409:2004 *Management of Agrichemicals* was prepared with the aim of ensuring that where agrichemicals are handled or used, the practices followed are safe, responsible and effective, with



minimal adverse impact on human, environmental and animal health.

Dairy shed discharge also affect soils adversely by increasing the nitrate levels and pH, potentially contaminating soils and waterways.

The aforementioned types of land degradation also result in off-site effects in the form of the discharge of sediment, chemical contaminants and excess nutrients to receiving water.

Issue
7.2.8

Water quality can be adversely affected by subdivision and land use.

Rural subdivision and land use activities can adversely affect water quality in a number of ways. Overland runoff in rural areas contributes significantly to water pollution, particularly because such runoff includes faeces and urine from grazing stock, herbicide and pesticide residues and fertilisers. Such pollution is exacerbated by the loss of riparian vegetation and damage to riparian margins and waterways by stock access. . Pastoral agricultural activities represent the main source of threat to water quality as such activities have resulted in pollution of surface and ground waters with sediment, animal waste and nutrients.

Land modification and earthworks

Land modification and earthworks can generate significant water pollution in the form of sediment. Common activities with this potential are the creation of building sites and accessways, and the removal of vegetation along waterways or on steep slopes. Subdivision of land generally necessitates the creation of additional accessways and building sites. Both these processes can involve disturbance of soil with potential for siltation of waterways or waterbodies.

Septic tanks

Septic tank systems associated with dwellings can also adversely affect water quality if the wastewater is not treated to an appropriate level, the systems are not operated and maintained correctly or disposal lines are inappropriately located. Appropriate standards need to be followed to ensure that there are no adverse affects on water quality.

Okura Catchment

Rural subdivision and development within the Okura catchment has the potential to adversely affect water quality of the Okura estuary and marine reserve.

Issue
7.2.9

Subdivision and land use can inhibit the operation of existing mineral extraction sites and the potential future utilisation of the mineral resource on the site.

Mineral deposits tend to be in fixed locations, unevenly distributed and generally non-renewable. In many instances mineral resources are scarce. Consumption of aggregates and other minerals is directly related to population growth. Even when growth is low, aggregates are required for the maintenance of infrastructure and buildings.

Subdivision or development, especially in areas adjacent to existing quarries can restrict quarrying activities. In some instances, this can result in the



Issue
7.2.10

closure of a quarry, especially as community values change and people become more aware of the adverse effects of mining on the environment, including dust, noise, vibration, destruction of land forms, sediment and chemical inputs of water, and disturbance of habitats and animals.

Matters of significance to Tangata Whenua can be adversely affected by subdivision and land use.

The issues identified by Tangata Whenua during the consultative process of the District Development Strategy and in subsequent representations are the despoliation of ancestral taonga and waahi tapu; inability of Tangata Whenua to exercise Kaitiakitanga in the traditional manner handed down through generations; the effects on traditional customary practices and implementation of iwi management plans. Rating levels is an issue raised which cannot be directly addressed by the District Plan.

Waahi tapu are sacred places held in the highest regard by Maori people. Throughout the District there are a number of waahi tapu including:

- (a) Urupa;
- (b) Pa sites - fortified (terraces, ditches, shell midden etc.);
- (c) Pa sites - papakainga (terraces, house sites, gardens, shell midden, etc.);
- (d) Battle sites (where significant slayings occurred);
- (e) Places where tupapaku (bones) were cleaned and rested;
- (f) Tapu trees, caves etc;
- (g) Mountains or rivers from which territory was claimed;
- (h) Place where a vision occurred, a famous song or chant was first recited, a place where a waka landed.

Tangata whenua have been alienated from such sites over time as many are now in private ownership. As land continues to be subdivided more waahi tapu are subject to interference of one kind or another eg. from earthworks, development and lack of access.

Effect of development

Land development of all kinds can destroy or modify waahi tapu sites, and the greater the density of sites, the greater the chances are of this occurring. Concentrations of waahi tapu and archaeological sites generally occur in all of the District's coastal areas, although particularly around the Kaipara Harbour.

Indirect effects of activities too, are of concern: the siltation and pollution of the Kaipara Harbour resulting from land development, including effluent discharge from sewage treatment plants and cowsheds, are all examples of adverse effects on areas or places considered waahi tapu.

Maori are not opposed to development, as long as the potentially adverse



Kaitiakitanga

effects are sufficiently controlled. The environmental effects of land uses resulting in siltation and contamination of coastal and inland waters, the application of chemicals and fertilisers, the dust and threat to pedestrian safety of heavy traffic on rural roads, and septic tank sludge disposal sites are all examples of activities which Maori consider have not been adequately controlled and monitored in the past.

With the concept of kaitiakitanga, Maori consider that all of these effects need to be adequately controlled or avoided, so that the "mauri" or life force of the land is protected.

One other component of this issue is the protection of the "mauri" through the concept of ahi ka roa, or long burning fires.

The marae houses the mauri or "life force" of the community and normally because of long term occupation it often provides a tangible link with the events and personages of the past. The marae is the focus of Maori community life. However it flourishes only when there is a core of people associated with it. The continued presence of people is necessary to "keep the marae warm" and to keep the fires of occupation burning. This concept is called ahi ka roa or long burning fires, and under the traditional system of tenure, a lack of a core of people on the marae results in the "fires becoming cold" and the rights to the land would be lost. To this day therefore, maintaining a continued presence of people is important to the Maori. The often expressed desire for housing around the marae is a consequence.

However, by increasing the housing density on the marae or papakainga, rural characters and amenity can be adversely affected. Therefore, there is a balance to keeping ahi ka roa.

Issues from other chapters

Readers should note that **Issues from the following chapters are also relevant:**

Chapter 5 – Natural Hazards

Chapter 6 – Highly Valued Natural Resources

Chapter 10 – Open Space and Recreation

Chapter 11 – Inland Waters

Chapter 17 – Cultural Heritage

Chapter 19 – Utilities

Chapter 20 – Hazardous Substances and Contaminated Sites

Chapter 21 – Transportation and Access

Chapter 22 – Financial Contributions and Works

Chapter 23 – Subdivision and Servicing



7.3

OBJECTIVES

From the significant Resource Management Issues stated in 7.2 above, the following objectives have been derived:

Objective
7.3.1

To maintain and enhance the rural character of the District.

(This objective relates to Issue 7.2.2)

Objective
7.3.2

To enhance and protect the distinctive special character of parts of the District which have a high degree of naturalness and high landscape and amenity values which contribute to the identity of the District.

(This objective relates to Issues 7.2.1 and 7.2.2)

Objective
7.3.3

To maintain and protect the amenity values present in the rural parts of the District.

(This objective relates to Issue 7.2.2)

Objective
7.3.4

To avoid or minimise conflict between different land uses which can result in adverse effects upon amenity values.

(This objective relates to Issues 7.2.1 and 7.2.2)

Objective
7.3.5

To avoid or minimise conflict between land uses which can adversely affect the ability of other rural sites to be used for rural productive purposes and affect the viability of other rural production based activities.

(This objective relates to Issue 7.2.3)

Objective
7.3.6

To maintain and enhance a land tenure pattern which enables the rural land resource to be used for a range of activities on a sustainable basis for present and future generations.

(This objective relates to Issues 7.2.1, 7.2.2 and 7.2.6)

Objective
7.3.7

To manage, protect and enhance native biodiversity by avoiding, remedying or mitigating adverse effects of subdivision, land use and development.

(This objective relates to Issues 7.2.1, 7.2.2, 7.2.3, 7.2.5, 7.2.6, 7.2.8, and 7.2.10)

Objective
7.3.8

To manage, protect and enhance riparian margins, to stabilise and rehabilitate eroding, unstable hill country, and to protect both from further erosion, degradation and instability by avoiding, remedying or mitigating the adverse effects of subdivision, land use and development.

(This objective relates to Issues 7.2.5, 7.2.7 and 7.2.8)



Objective
7.3.9

To maintain and protect the inherent physical, chemical and biological properties and the life supporting capacity of the soil resource as far as is practicable.

(This objective relates to Issue 7.2.7)

Objective
7.3.10

To avoid, remedy or mitigate the adverse effects of subdivision and land use, including vegetation clearance, earthworks, stormwater and wastewater treatment and disposal on water quality.

(This objective relates to Issues 7.2.4, 7.2.5, 7.2.8 and 7.2.10)

Objective
7.3.11

To protect existing mineral extraction sites from the encroachment of activities which could create conflicts with extraction activities where the adverse effects on the natural and physical resources can be mitigated or minimised.

(This objective relates to Issue 7.2.9)

Objective
7.3.12

To promote the sustainable management of natural and physical resources in a manner which recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, significant sites, waahi tapu and other taonga.

(This objective relates to Issue 7.2.10)

Objective
7.3.13

To ensure that the safe and efficient operation of the strategic transport routes in the District are not compromised by the adverse effects of activities, particularly countryside living.

(This objective relates to Issues 7.2.1 and 7.2.2)

Objectives from other chapters

Readers should note that Objectives from the following chapters are also relevant:

Chapter 5 – Natural Hazards.

Chapter 6 – Highly Valued Natural Resources

Chapter 10 – Open Space and Recreation

Chapter 11 – Inland Waters.

Chapter 17 – Cultural Heritage

Chapter 19 – Utilities

Chapter 20 – Hazardous Substances and Contaminated Sites

Chapter 21 – Transportation and Access

Chapter 22 – Financial Contributions and Works

Chapter 23 – Subdivision and Servicing



7.4

Policy

7.4.1

Rural residential activities

POLICIES

Intensive subdivision and activities which are primarily rural residential based should be located close to metropolitan Auckland or along major routes where road access is able to accommodate increased traffic volumes and where trip length is minimised.

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.2 and 7.3.10)

The location of the Rodney District, on the periphery of Metropolitan Auckland, and the existence of State Highways 1, 16 and 17, mean that much of the land area within the District is easily accessible to the city for business, entertainment, recreational, or other facilities offered. For this reason many people choose to live in the Rodney District where they can enjoy a rural residential lifestyle whilst maintaining accessibility to Metropolitan Auckland. Improvements to transport routes and networks, within the foreseeable future, will improve the level of accessibility to Metropolitan Auckland.

With an increasing demand for rural residential living opportunities it is important for the majority, but not all, of rural residential living opportunities, for example the specifically identified countryside living areas, to be directed to areas of the District that are close to Metropolitan Auckland in a physical sense, and are close to major transport routes. This will allow the Rodney District to retain its rural character and will ensure that the effects of rural residential living opportunities on infrastructure can be appropriately and adequately managed. It will be necessary to ensure that access to such routes occurs in a safe and efficient manner to protect the function and safety of the routes.

Policy

7.4.1.1

Rural Subdivision and activities should be of a nature, scale, intensity and location that avoids or minimises transport inefficiency through generating longer trips.

Explanation and Reasons

(This policy seeks to achieve objective 7.3.13)

Some activities seeking to locate in the rural area, such as business or countryside living activities, could have an adverse effect on transport efficiency through increasing the number of longer trips that people have to make with consequent effects on the environment from emissions and run-off from roads.

Policy

7.4.2

Rural Character

Rural subdivision and activities should be of a nature, scale, intensity and location consistent with the existing rural character of the relevant part of the District and the foreseeable future rural character of those areas, and should be undertaken in a manner which avoids, remedies and mitigates adverse effects, including cumulative effects, and enhances the character, associated with rural areas, which includes but is not limited to:



- (a) a very high ratio of open space in relation to areas which contain buildings;
- (b) a predominance of natural features (sometimes modified by human activity);
- (c) the open space areas being in pasture, trees, crops or indigenous vegetation;
- (d) the presence of large numbers of farmed animals and extensive areas of plant or fruit crops, plantation forests and farm forests;
- (e) noises, odours, dust and visual effects associated with the use of the land for farming, horticultural, mineral extraction and forestry purposes;
- (f) streams, rivers, wetlands and ponds;
- (g) the presence of large numbers of native wildlife;
- (h) the presence of large and small areas of native bush, scrub and wetlands;
- (i) few buildings and activities of an urban scale and nature, other than residential dwellings, and appropriate rural production and related commercial activities as provided for as permitted activities or by way of resource consent;
- (j) generally narrow roads with open drains, a significant road and a number of unsealed and low speed geometry, low traffic volumes (except State Highways and arterial roads);
- (k) a general absence of urban scale and urban type infrastructure such as roads with full kerb and channel, sealed footpaths and vehicle crossings, streetlights, bus shelters, sealed and demarcated parking areas, and so on;
- (l) a low density of buildings and structures with site sizes being in hectares rather than square metres, and a land tenure with a diversity of site sizes and shapes;
- (m) low population densities;
- (n) accessory buildings which dot the landscape particularly where farming activities are the dominant activity.
- (o) the presence of existing mineral extraction activities and



the potential future extraction of resources that are identified in the Planning Maps as “Significant Mineral Extraction Resources”

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.3.8, and 7.3.13)

Rural character is not constant throughout the District. It varies from one locality to another. It is valued by all those people who live and work in the District and by those who visit the area. The reason people live and work in the rural parts of the District is that this environment provides opportunities for a different lifestyle and different activities to occur than are possible within the urban parts of the District or metropolitan Auckland.

It is essential that people are permitted to meet their own needs within the rural environment and be able to carry out activities, provided however that the character and amenity values of the rural environment are recognised, appreciated and enhanced rather than eroded by further subdivision, development and activities.

A very clear acceptance of the characteristics and the amenity values associated with each rural area is critical so that everyone can share the same vision for the long term future of each community and the overall rural environment.

All subdivision and activities need to be undertaken in a manner which improves rather than erodes the character, amenity and environmental values of rural areas. That is not to say that the rural areas will not experience changes as further subdivision and activities take place. Change can be managed however so that the character associated with a particular locality are reinforced and enhanced rather than compromised or lost. Transferring titles from zones such as General Rural, East Coast Rural and the Landscape Protection Rural Zone to areas zoned as Countryside Living Town is one method provided for in the Plan to manage and enhance rural character whilst still providing subdivision opportunity in these zones.

The open space character of rural areas can be retained, for example, by clustering new dwellings and undertaking a more comprehensive approach to subdivision and development. A shared vision of how a locality will be managed both now and in the future can give people certainty of environmental outcomes and avoid pressure for more intensive settlement or activities that would detract from widely held expectations.

Whether subdivision, development or activities are proposed in rural residential lifestyle areas, traditional farming areas, or areas where landscape or coastal features are dominant, a combination of the characteristics set out in this policy will establish the specific character, amenity and environmental outcomes that will establish the criteria that all new proposals will need to recognise and enhance.

Subdivision, use and development of land should be undertaken in a manner which maintains and enhances the distinctive special rural



Special rural character

character of parts of the District, this special character being a combination of a high degree of "naturalness" and high amenity values based on the existence of particular physical features such as beaches, ridgelines, estuaries, harbours, native bush, scrub and wetlands or similar unifying features.

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.1, 7.3.2, 7.3.3 and 7.3.12)

There are a number of areas of distinctive character within the District, contributing significantly to differentiating Rodney from other parts of the country. These areas contain a high proportion of natural features to human structures, the former generally being of high natural value or high landscape value. The character of the separate areas can be different, but they still contribute to and determine the main determinant of the overall rural character of the District. Maintaining the character of these individual areas retains the distinct Rodney identity, and the essential elements of "naturalness" within the District. The particular elements contributing to the special character are listed in part in the description of the zone or policy area.

Policy 7.4.4 Amenity values

Subdivision and activities should be undertaken so that adverse effects, including cumulative effects, on amenity values are avoided, remedied or mitigated and in particular that:

- (a) buildings and service areas, such as those for parking, are sited and designed so as to maintain and protect visual and aural privacy for neighbouring sites;
- (b) buildings and service areas are sited and designed so as to maintain admission of sunlight to neighbouring sites;
- (c) activities occur without generating dust nuisance, objectionable or offensive odours, or glare or intrusion from exterior lighting;
- (d) activities occur without generating unreasonable noise and vibration which adversely affect the health, safety and enjoyment of people on neighbouring sites;
- (e) activities occur without generating drifts of chemical sprays across neighbouring sites;
- (f) buildings and land uses are sited and designed so that they do not detract from, or impact on, in any more than a minor way, any significant natural features, including ridgelines, headlands, beaches, and areas of significant native vegetation and significant wildlife habitats;
- (g) subdivisions and buildings are of a scale and intensity that enable a high proportion of open space to buildings to



be maintained;

- (h) subdivisions, buildings and land uses are sited and designed so that they do not detract in any more than a minor way from both highly valued landscapes, or significant rural landscapes;
- (i) subdivisions and land uses do not adversely affect the safety and efficiency of the roading network; the safety and operation of airfields; or the amenity and use of adjacent land (i.e. split farms), through access design, location, number, frequency of use, parking provision, traffic volumes and traffic types generated, and the density of subdivision or intensity of land use;
- (j) subdivisions and land uses do not adversely affect water quality through landform modification, earthworks and vegetation removal and any other land use or associated activity;
- (k) activities do not generate adverse effects on the health and safety of people;
- (l) subdivision and activities do not unduly restrict or prevent public access to the coast or the margins of rivers or streams;
- (m) the removal, damage, destruction or modification of areas of native bush, scrub, wetlands, riparian vegetation and other significant trees and vegetation is avoided, remedied, or mitigated and these areas are managed, protected and enhanced as part of the design of the subdivision, or when any activity is carried out;
- (n) earthworks do not detract from visual amenity, particularly in areas containing significant natural features and vegetation.

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.2, 7.3.3, 7.3.4 and 7.3.5)

Rural subdivision, and land use activities have the potential to have adverse effects on the amenity values of surrounding areas. Factors such as the scale and intensity of development, the design and external appearance of buildings and their location in relation to topography and landscape values can create adverse effects on surrounding land. The location of buildings, for example, could affect visual and aural privacy of adjoining sites, or degrade the landscape generally if sited in a prominent location. Noise from activities can result in effects on health if effects such as sleep deprivation are the result, and reduce the overall pleasantness of a particular site. Therefore, it is important



that, the level of noise emitted and the hours in which it is emitted is not at a level which reduces amenity values, or is excessive, bearing in mind the nature of many primary production activities. Other effects such as impacts on air quality caused by dust or smell are equally likely to reduce amenity values.

Other effects such as traffic congestion on roads are effects on amenity values caused by subdivision and land use. The number of sites within a given area has a clear impact on traffic volumes on roads and reductions in amenity values for road users and landowners fronting roads alike. Such traffic effects not only impacts on amenity values but can also affect the transport network from congestion and consequent environmental effects such as air emission and runoff from roads. Countryside living activities in the rural area can also result in an increased length of trips as people go about their daily activities.

Policy
7.4.5
Reverse sensitivity

Rural residential living opportunities should be predominantly located in specific areas, which are able to accommodate such development, without significantly altering rural character, adversely affecting rural amenity values or impeding the establishment and operation of rural production activities by introducing residents with differing expectations of rural amenity values.

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.3.5, 7.3.12)

Rural residential living inevitably means the intensification of subdivision and development within rural areas. This activity has significant potential to adversely affect rural character as smaller sites and greater investment in housing and household improvements (eg. landscaping, fencing, driveways, etc) can alter the nature of an area to one more akin to an urban area. Similarly, the introduction of countryside living sites can affect amenity values, such as quietness, privacy and the presence of trees/bush and landscape quality, simply because of the physical introduction of additional houses and driveways etc, and related household activities, such as recreation and use of roads. In addition, the amenity expectations of "lifestyle" residents as opposed to people engaged in rural production activities have often proven to be different, with some residents not fully realising that the rural area is generally a "business" area which often has to operate 24 hours a day. Conflict arises with the differing expectations, which can ultimately act as a restraint on establishing and operating what would be traditional rural activities.

In order to avoid the adverse effects on rural character and amenities identified above, where extensive opportunities for countryside living are to be provided they need to be focused on specific locations (as opposed to widely dispersed) which have the characteristics and capacity to accommodate the effects on character and where the potential conflicts over amenity expectations can be minimised. Hence the Plan provides opportunity to transfer titles from the purely rural zones to areas zoned as Countryside Living Town.

Policy
7.4.6
Reverse sensitivity

Subdivision and activities, which require high amenity values, should not be located in areas where lower levels of amenity value are acceptable, and generate adverse effects capable of



Policy
7.4.7
Land tenure

constraining or preventing the operation of:

- (a) activities utilising the productive potential of the rural land resource;
- (b) the productivity of such activities on neighbouring sites.

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.4 and 7.3.5)

Some activities can generate adverse effects which prevent the use of neighbouring sites for productive purposes or which reduce the productivity of such productive activities. Ensuring that such conflict does not occur is important in ensuring the wise use of the rural land resource.

The rural land resource should remain in a land tenure pattern that has a range of site sizes so that a wide range of appropriate activities and different demands by present and future generations can be accommodated on the land.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.6)

The District has experienced significant subdivision in recent years with the greatest increase in rural rateable property numbers being in the 1 to 2, 2 to 4, and 4 to 20 hectare size range. At the same time the number of larger rateable properties is either static or declining marginally. The size of most of the new sites or properties created is relatively small for traditional rural activities such as sheep/beef dairy farming, horticulture and forestry. Given the general irreversibility of the subdivision process it is prudent to ensure that a number of larger sites do exist within the District so as to meet changing demands from various forms of rural production over time. The ability to be able to transfer sites from the purely rural zones to areas zoned as Countryside Living Town enables subdivision to occur but for the smaller sites to be located in Countryside Living Town zones and larger site sizes to be retained in the other rural zones. The retention of a range of site sizes provides flexibility for land use changes without the need to try and amalgamate smaller sites, with all the practical and legal processes and effects associated with this.

Policy
7.4.8
Natural environment

Subdivision, use and development of land should be undertaken in a manner which avoids, or where this is not practicable, remedies or mitigates adverse effects, including cumulative effects, on the natural environment and in particular that:

- (a) activities occur without adverse effects on the natural functioning of coastal processes;
- (b) activities occur without an adverse effect on the natural character of the coastal environment, significant natural features, including trees, bush, scrub, wetlands, dune areas,



and significant native vegetation and wildlife habitat;

- (c) activities do not adversely affect water quality through landform modification earthworks, vegetation removal and wetland modification;
- (d) subdivision and development occur in a manner that retains overland flows at pre-development levels;
- (e) the removal, damage, destruction or modification of areas of native bush, scrub, wetlands, riparian vegetation and other significant native trees and vegetation is avoided, remedied and mitigated and these areas are managed, protected and enhanced as part of the design of the subdivision and development.

Explanation and Reasons

(This policy seeks to achieved Objectives 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.3.7, 7.3.8, 7.3.9, 7.3.10 and 7.3.12)

The natural environment often plays an integral role in rural character and amenity values, including large and small areas of bush and scrub, remote coastal areas, wetlands and areas. Natural features in the environment are also important for their habitat values and their value in mitigation or reduction of natural hazards such as flooding, soil erosion and instability. There are important in retaining biodiversity. Finally, land based natural systems such as bush, wetlands and riparian vegetation planting and vital role in retaining water quality.

Subdivision and activities can adversely affect these natural areas and therefore the natural functioning of ecosystems. Therefore, it is important that subdivision and activities are undertaken in a manner which retains these natural areas intact, as far as is possible, so that the natural functioning of ecosystems is minimally affected.

Subdivision, land use and development should be undertaken in a manner which is sympathetic to and supports the needs of native biodiversity and ensures that:

- (a) habitats and ecosystems remain stable and resilient to stress;
- (b) species which naturally occur within the habitat or ecosystem, including sensitive species, are able to survive;

Policy
7.4.9
Native biodiversity



Policy
7.4.10
Native habitat and
enhancement planting

by avoiding the adverse effects of vegetation removal, earthworks, weed invasion, domestic animals and noise. Where avoidance is not possible, remediation or mitigation measures should be undertaken, including restoration or enhancement of ecosystems, and protection of natural areas.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.7)

The District has lost a large proportion of its original native vegetation and wetlands through agricultural activities, urban development, subdivision and other human activities. Therefore it is important that the areas which remain are managed in a sympathetic manner so that biodiversity is retained, protected and enhanced, as is appropriate. Where adverse effects are unavoidable, remediation and mitigation measures should be undertaken to compensate for the loss or degradation of habitat.

Mitigation of the adverse effects of subdivision, development and land use activities should include the enhancement and restoration of native habitats and ecosystems and should be undertaken when it would provide the following:

- (a) significant linkages between large (significant) areas of native bush, wetland, scrubland and dunelands; and
- (b) significant enhancement of an area which is already significant in terms of bush or natural values; or
- (c) significant restoration or enhancement of areas which are largely depleted, highly modified or destroyed in terms of native biodiversity within the District; and
- (d) compensation, mitigation or remediation to off-set the adverse effects of subdivision or development;

in circumstances where subdivision can occur without adverse effects on natural features, rural character, special character, or amenity values present in an area.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.8)

Research indicates that in order for areas of bush to be viable and to have sustainable species diversity, the bush area should ideally firstly be a minimum of 10 hectares and secondly have another area of bush of a similar size within 1 kilometre. In many instances animal species will not move between bush areas unless there is a vegetation connection (usually native plant species) between two areas (ie. ecological corridor). It is recognised however, that there are still benefits in protecting and preserving areas less than 10 hectares in area, particularly as many bush remnant areas in Rodney are less than 10



Policy
7.4.11
Land rehabilitation

hectares.

Therefore, if biodiversity is to be sustained or enhanced it is important that larger bush areas are retained with adequate proximity to each other. It is also important to enhance and recreate linkages between ecosystems and to restore ecosystems which have largely been destroyed or modified. Enhancement should also be encouraged as compensation for the adverse effects of subdivision and development.

Where enhancement is to occur, the extent of enhancement needs to be significant, and such enhancement should only occur where there is an existing natural area of high value, or where the enhancement would restore an area which is heavily degraded. Restoration/enhancement in other circumstances is not appropriate. Any enhancement itself should not be at the expense of loss in rural character or special character, or loss in amenity values present in an area.

The mitigation of adverse effects of subdivision and landuse should include the retention of existing native vegetation and the rehabilitation planting of degraded land, including:

- (a) unstable or potentially unstable hill country land; and**
- (b) eroding or potentially eroding riparian margins;**

where the species used (either exotic or native species) will not create a weed problem or exacerbate natural hazards, such as flooding and over the long term will create a self sustaining ecosystem.

Explanation and Reasons

(This policy relates to Objectives 7.3.8, 7.3.9 and 7.3.10)

The most effective form of control of soil erosion is prevention. The retention of vegetation can have a major impact in terms of preventing erosion occurring, particularly on steeper land. Where vegetation already exists, it is appropriate to retain and protect that vegetation, while revegetation of areas (particularly steeper areas) where vegetation has been removed will assist in controlling soil erosion. All vegetation has benefits in this regard, although revegetation using native species will usually result in the creation of more sustainable ecosystems in the long term.

Many of the hills and riparian areas in the District have been cleared of native vegetation for farming activities. A large number of areas are unstable because of the underlying base soil, Onerahi Chaos and therefore are slipping. Therefore, it is important that these areas are replanted in native vegetation or where severely eroding areas require rapid stabilisation it may be appropriate to plant exotic species as an interim measure to restabilise them.

Native species are recommended for replanting in recognition of the greater ecological benefits to the District (e.g. biodiversity, habitat and natural character). The longer lifespan of native vegetation and the process of



Policy
7.4.12
High quality soils

natural succession makes these plantings more viable and results in self-sustaining ecosystems.

Care needs to be taken with the exotic species used as some can cause flooding (eg. crack willows), or become a weed problem (eg. certain poplars which sucker from their roots).

Subdivision and land use not based upon the productive capability of the soil should avoid locating on the most versatile soils for food production (such as Class II soils) or not prevent their use for that purpose.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.9)

The District contains few areas of Class II soils (which are the most versatile for food production). These soils represent a valuable resource for the District's populations. Locating activities which do not use them or which prevent the use of these soils for food production (eg. urban development) represents a major opportunity foregone.

Locating activities such as residential, industrial or commercial development on or near higher quality soils can physically prevent them from being used. Given the versatility of the higher quality soils for a wide range of forms of production, this loss can affect sustainability for future generations.

Policy
7.4.13
Soils

Subdivision and land use activities should be designed, sited, and operated in a manner which avoids the degradation of the soils physical, chemical or biological properties.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.9)

The loss of the soil's productive and life supporting capacities is a concern in the District. Soil degradation can occur when its structure is broken down by frequent saturation, surface crusting, subsurface pan formation or structural disintegration. These processes are accelerated by inappropriate land management processes such as excessive cultivation, vehicle compaction or stock trampling.



Policy
7.4.14
Soil contamination

Rural activities should be undertaken so that:

- (a) where potential soil contaminants are used they are used in accordance with the appropriate New Zealand and industry standards, including NZS 8409:2004 Management of Agrichemicals(Standards NZ), the GROWSAFE training programmes (NZ Agrichemical Education Trust) and the Code of Practice for Fertiliser Use (New Zealand Fertiliser Manufacturers' Research Association);
- (b) the cumulative effect of the build up of chemicals on a site is considered prior to any application of chemicals.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.9)

Chemical contamination of soil resources can occur as the result of the use and disposal of chemicals and hazards substances. This can render the soil resource unusable and could constitute a health risk to people on or in the vicinity of the site. For these reasons major chemical use needs to be subject to control or be subject to an assessment of effects.

Policy
7.4.15
Earthworks

Subdivision and land use activities should be undertaken so that:

- (a) the area of exposed soils and the length of time they remain exposed during land modification is limited;
- (b) the clearance of vegetation on riparian margins, wetlands, steep slopes and soils prone to erosion or instability and visually significant and sensitive areas is minimised;
- (c) the scale and design of earthworks is such that any increase in the rate and volume of overland flows into waterways is minimised;
- (d) the scale and design of earthworks seek to minimise sediment discharges and dust nuisance;
- (e) effects of land uses on water quality, in particular waste water and stormwater treatment and disposal, are minimised;
- (f) the overland flows post development should be the same as pre-development (ie. hydrologically neutral).
- (g) the clearance of native vegetation and wildlife habitats should be avoided, or where this is not practicable, remedied or mitigated.



Policy
7.4.16
Cumulative effects

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.3 and 7.3.10)

Earthworks and land modification for a variety of purposes can adversely affect amenity values by creating adverse visual effects particularly in more "sensitive" landscapes. It can also affect amenity values by creating a dust nuisance. Earthworks can also adversely affect water quality in rural areas primarily by way of runoff and overland flows resulting in sedimentation of waterways. Limiting the extent of exposed soils and the time that they remain exposed is an important part of reducing any adverse effect on amenity values and on waterways. Similarly retaining riparian vegetation and wetlands is important in minimising reductions in water quality. Riparian vegetation helps prevent bank erosion and traps sediments and other contaminants as do wetlands. In addition, wetlands absorb water and slowly release the water, therefore peak and base flows are not as high and a steady flow of water is maintained. Forest and bush also play an important part in retaining water quality in a similar way.

Waste water and stormwater treatment and disposal systems must be designed, operated and maintained to ensure that buildings and activities do not create an adverse effect upon water quality and that overland flows after development are the same as before.

Subdivision, development and landuse should occur in a manner which does not have more than minor potential and/or cumulative adverse effects, including:

- (a) the effects of the proposed activity adding to or acting together with the effects of existing activities located in the area;**
- (b) the effects of new activities that could reasonably be expected to establish in the future which will add to, or act together with the proposed activity;**
- (c) the effects on highly valued natural resources, such as significant natural areas, and highly valued landscapes; on rural character and amenity values; including the effects of:**
 - (i) earthworks, vegetation removal and modification, and wetland modification;**
 - (ii) size, shape and location of sites and buildings.**
 - (iii) roading;**
 - (iv) provision of infrastructure.**

Explanation and Reasons

(This policy seeks to address Objectives 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.3.5, 7.3.7, 7.3.8, 7.3.9, 7.3.10 and 7.3.12)

It is often not the development or subdivision of an individual site which creates adverse effects on the rural character, amenity values, highly values landscapes



Policy
7.4.17
Minerals

and natural resources, rather it is the cumulative effects of a number of sites being developed which create the changes. Therefore, it is important that subdivisions and developments do not set precedents in an area which can irreversibly change the values of an area.

Subdivision and land use should occur in a manner that ensures existing mineral extraction sites and identified significant mineral resource sites are protected from subdivision and activities which would unduly limit operations on the mineral extraction site because of effects on health and safety, productivity and amenity values generated by the mineral extraction activities.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.11)

All mineral deposits are in fixed, unmovable locations. Therefore it is important that the development and use of land does not limit the operation of existing mining operations. Future opportunities for the extraction of highly valued mineral resources (based on demand and scarcity) can also be reduced or lost if development is allowed to occur adjacent to existing mineral deposits. This is particularly so when development proposing to locate near a mineral extraction site is sensitive to effects that mineral extraction may generate. This sensitivity can lead to imposition of constraints on extraction, which effectively prevent otherwise viable operations.

Policy
7.4.18
Tangata Whenua

Subdivision and land use activities should be carried out in a manner which avoids, remedies or mitigates adverse effects on:

- (a) waahi tapu, wai tapu, toanga and other heritage resources considered to be significant by Tangata Whenua as identified through Iwi Management Plans or similar documents and / or consultation with the recognised Iwi organisation or listed or identified New Zealand Historic Places Trust registers, or the Heritage Inventory or related documents;**
- (b) the coastal environment including ecosystems unique to the coastal environment and vulnerable to modification such as estuaries, coastal wetlands, mangroves and dunes;**
- (c) the natural character of wetlands, lakes, rivers and their margins and mauri or life force of these areas;**
- (d) traditional food gathering sites or localities;**
- (e) the concept of kaitiakitanga / stewardship, recognising the view that people are guardians of the land and its natural resources and toanga, with the role of ensuring that all resource use is carried out on a sustainable basis.**



Policy
7.4.19
Tangata Whenua

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.12)

Waahi Tapu means sacred place or precincts, a particular category of ancestral land which is held in the highest regard by Maori people. The term "tapu" is used to refer to something which is sacred or forbidden, while the term "waahi" refers to a particular location. Numerous categories of waahi tapu exist, some of the most common being Urupa; land associated with marae, traditional fishing grounds; and areas which contribute to spiritual and cultural heritage (eg. battle sites).

Kaitiakitanga means guardianship, preservation, conservation, fostering, protecting or sheltering. The use of land, waters, forests, and fisheries was a communal or tribal right. All natural resources and life were birthed from Mother Earth. Thus the resources of the earth did not belong to man but rather, man belonged to the earth. Man as well as animal, bird, fish could harvest the bounty of Mother Earth's resources but did not own them. The ancient ones (tawhito), the spiritual sons and daughters of Rangi and Papa were the "Kaitiaki" or guardians. Tane was the Kaitiaki of the forest, Tangaroa of the sea, Rongo of herbs and root crops, Hine Nui Te Po of the portals of death and so on. Different tawhito had oversight of the various departments of nature. And while man could harvest those resources they were duty bound to thank and propitiate the guardians of those resources (eg. when fishing, the first fish caught was set free as an offering to Tangaroa; and when felling a tree the first chips were burnt and their essence offered to Tane). Only then could man use the substance. In practical terms this means viewing the environment holistically and using resources only in a manner that is sustainable.

Recognition of the concept of ahi ka roa ("long burning fires") and the protection and preservation of the mauri of the community through provision of housing on Maori land associated with a marae.

Explanation and Reasons

(This policy seeks to achieve Objective 7.3.12)

This policy is part of an integrated approach to recognising and providing for "the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga" as set out in section 6(e) of the Resource Management Act 1991.

The marae houses the Mauri or life force of the community and normally because of long term occupation it often provides a tangible link with the events and personages of the past. It is the focus of Maori community life. The marae, however, only flourishes when there is a core of people associated with it. The continued presence of people is necessary to "keep the marae warm" and to keep the fires of occupation burning. This concept is called "ahi ka roa" or long burning fires and under the traditional system of tenure, a lack of core people on a marae results in the fires becoming cold and the rights to the land would be lost. To this day therefore, maintaining a continued presence of people is important to the Maori. The often expressed desire for housing around the marae is a consequence.



Policy
7.4.20
Rural Minor Household Units

To enable appropriate Minor Household units in rural zones, where they provide for separate accommodation in a manner that is visually integrated with the Principal Household Unit.

Explanation and Reasons

(This policy seeks to achieve Objectives 7.3.1, 7.3.3, 7.3.4, 7.3.5 and 7.3.6)

The intention of providing for minor household units in the rural zones is to provide a limited opportunity for an additional self contained living space, in a manner that closely integrates the principal dwelling on the site with the minor household unit. This provision recognises the social benefits of enabling small scale accommodation options for rural households, while recognising that uncontrolled minor household units could result in unsustainable patterns of rural growth, with adverse effects on transport, rural character, and amenity.

Policies from other chapters

Readers should note that Policies from the following chapters are also relevant:

*Chapter 5 – Natural Hazards
Chapter 6 – Highly Valued Natural Resources
Chapter 10 – Open Space and Recreation
Chapter 11 – Inland Waters
Chapter 17 – Cultural Heritage
Chapter 19 – Utilities
Chapter 20 – Hazardous Substances and Contaminated Sites
Chapter 21 – Transportation
Chapter 22 – Financial Contributions and Works
Chapter 23 – Subdivision and Servicing*





7.5

STRATEGY

This Plan intends to balance the need to maintain and where possible improve the natural environment, rural character and amenity values in rural areas, against the need to accommodate people and allow them to undertake activities. This balancing process will need to recognise all the competing pressures and manage the environment in a manner which meets the needs and expectations of both the existing and future generations.

The strategy for the rural part of the District sets out the overall approach to managing the natural and physical resources in order to promote sustainable management. The strategy derives from the issues, objectives and policies for rural areas.

The strategy adopted to address the issues, and to achieve the objectives and policies is as follows:

- (a) To recognise and where appropriate, protect and enhance rural character and rural amenity values.
- (b) To ensure subdivision, development and activities are of a rural character and occur with minimum adverse effects upon the existing rural character and amenity values in each part of the District.
- (c) To protect highly valued natural resources, such as significant native bush, significant wildlife habitats, significant landforms and significant landscapes.
- (d) To protect, manage and enhance native plant and animal biodiversity.
- (e) To identify and manage areas where particularly sensitive environments or landscapes or specific environmental outcomes are sought, through the identification of landscape or environmental zones and specific policy areas.
- (f) To concentrate intensive rural residential lifestyle development opportunities in those parts of the District where market forces, environmental conditions and transport efficiency have determined such locations, are suitable for sustainable rural residential lifestyle development, through the specific identification of zones for this purpose.
- (g) To allow rural residential subdivision opportunities in exchange for:
 - (i) the protection of significant native vegetation and wildlife habitat areas;
 - (ii) native enhancement planting which increases native biodiversity;
 - (iii) native or exotic restorative/enhancement planting which mitigate natural hazards, such as soil erosion, instability, hill country (ie. land rehabilitation);
 - (iv) the provision of additional public reserve land;
 - (v) the provision of additional esplanade reserve land;

where such subdivision itself does not create significant adverse effects.



- h) To ensure that subdivisions are designed so that adverse effects are minimised and environmental enhancement occurs by:
 - (i) protecting and managing riparian areas on site;
 - (ii) protecting significant bush, wetlands and scrub on site;
 - (iii) ensuring that overland flows are the same after the development as before;
 - (iv) minimising earthworks and vegetation clearance on site.
- i) To enable a range of rural production activities to occur as permitted activities, and to enable other rural production activities through obtaining a resource consent where they do not result in adverse effects on rural character or amenity values or on natural and physical resources, or on the transport network and transport efficiency.
- j) To enable existing mineral extraction activities to continue operation without being unduly affected by subdivision and land use activities occurring in the surrounding area and the future extraction of resources that are identified in the Planning Maps as "Significant Mineral Extraction Resources".
- k) To enable opportunities for Rural Hamlet Conservation Subdivision on sites identified as being suitable for locating a hamlet to provide a clustered rural living opportunity that achieves consolidation of rural settlement demand close to rural towns and villages, protection of rural production and the integrated management of effects through comprehensive management planning of large rural sites.

Explanation and Reasons

The strategy intends to balance the need for population growth against the need to protect, maintain and enhance the natural environment, especially sensitive and significant areas of vegetation and wildlife value; the areas of high landscape value; and the areas of general rural character and high amenity values. Therefore discrete areas (or zones) are identified based on the environment and landscape values. Control is exercised on the types of activities which can occur based on these values.

The strategy looks at providing for general rural activities, such as farming and forestry, which are part of the rural character and amenity values within the majority of the District. Subdivision is limited to that which will result in the protection of significant natural areas or bush, revegetation and land rehabilitation for erosion control, which to some extent offset the adverse effects of subdivision. If a larger number of rural residential sites are to be created then the sites are to be clustered to reduce the effects on rural character.

In areas of high landscape value, such as along the east coast from Waiwera to Pakiri, or areas of high ecological value, such as the dune lakes around Tomarata and on South Head Peninsula, activities are more restricted based on the sensitivity of these areas. The aim is to enhance and maintain these high values and not to compromise them, especially through the cumulative effects of development and land use activities.





Within specific areas the demand for more intensive rural residential living is recognised where it will not compromise environmental values or impede future urban development. These "lifestyle" areas tend to be on the periphery of Metropolitan Auckland or in proximity to existing urban areas to avoid the adverse effects of commuting between work, schools, shopping and other urban activities. These areas are strictly limited because of their intensive nature and their potential severe adverse effects on the environment and landscape values.

7.6

7.6.1

7.6.1.1

IMPLEMENTATION

District Plan Regulatory Methods

Zones and Policy Areas

A series of rural zones and policy areas have been developed in which different sets of rules apply to address the issues identified and to achieve the Objectives set out in section 7.3 and the Policies set out in section 7.4.

The different zones and policy areas give effect to the strategy and recognise the different types of rural environments throughout the rural part of the District and the differing levels of effects that can be tolerated in each of the different areas.

As overlays to the zones the Planning Maps identify Significant Mineral Extraction Resources and a Quarry Effects Management Area generally within 500 metres of such sites recognising that the adverse effects of quarrying on residential activity and the adverse effects on quarry operations of activities which are sensitive to effects such as noise may be incompatible.

The zones and policy areas are as follows:

- (a) General Rural Zone;
 - (i) West Coast Policy Area
- (b) East Coast Rural Zone;
- (c) Landscape Protection Rural Zone;
- (d) Dune Lakes Zone;
- (e) Countryside Living Rural Zone;
 - (i) Okura Policy Area;
- (f) Countryside Living Town Zone;
- (g) Kawau Island Zone;
 - (i) Kawau Island Bush Policy Area;
 - (ii) Kawau Island Settlement Policy Area;
- (h) Islands General Zone.



The General Rural Zone represents the area in which the greatest opportunities to enhance native biodiversity and protect significant natural features exist. It is also the area most suited to rural production activities (because of factors such as larger sites, distance from most significant rural residential lifestyle areas and from pressures for further countryside living subdivision). As such a lower density of subdivision and settlement and greater protection of significant natural features is a likely outcome.

Parts of the coastal/rural landscapes of South Head and the coast of the Kaipara Harbour are considered to be exposed to greater risk to the effects of development than other parts of the General Rural Zone. Insensitive development in these areas has the potential to significantly degrade the semi-remote coastal/rural character and environmental and amenity values present. A separate policy area 'West Coast Policy Area', identifies these significant landscapes within the General Rural Zone; and applies additional development controls over buildings, and more stringently controls earthworks, tree and bush removal, and wetland/watercourse modification. The basis for the separate policy area is to appropriately manage these areas in light of increasing pressure for further development of coastal landscapes north of metropolitan Auckland and is intended to ensure that development occurs in a manner that complements the coastal/rural landscape.

The East Coast Rural, Dune Lakes and Landscape Protection Rural Zones are all distinctive in character because of their high landscape and natural environment values. Therefore, it is important that these values are retained, especially in the East Coast Rural Zone where the pressure for subdivision is high because of access to and views of the coast. The density of subdivision, development and activities that can occur is controlled in these zones.

In the Countryside Living Town and Countryside Living Rural Zones the overall density of subdivision will be greater as rural residential subdivision is allowed at a more intensive scale than other rural parts of the District because the environmental effects are more easily mitigated (eg. roading effects because of the proximity of these areas to Auckland or rural settlements). The converse is that the range of activities is more limited because of the greater population density that will result and the potential amenity conflicts of this.

However the Okura Catchment is sensitive to the effects of land use and development activities which can adversely impact on the water quality of the Okura estuary and marine reserve. Accordingly a separate policy area has been identified for the Okura Catchment within the Countryside Living Rural Zone. The basis for the separate policy area is a study undertaken by NIWA to predict the risks of ecologically damaging sediment events occurring in the Okura estuary as a consequence of earthworks associated with three development scenarios.

The results indicated that all three scenarios posed a risk on the estuary. The results of further modelling demonstrated that when additional mitigation measures were implemented the risk of adverse effects of a 2 hectare minimum lot size across the entire catchment, decreased significantly. Accordingly, subdivision to 2 hectares with mitigation measures is acceptable in terms of the effect on the estuary. However, subdivision of less than 2 hectares, or with associated extensive earthworks, has the potential to generate adverse effects on water quality.



The Kawau Island Zone recognises the specific nature of the island and the two policy areas enable the distinction between the more densely settled area and the remainder of the island to be maintained.

The Islands General Zone recognises the specific remote nature of the islands off the coast of Rodney District and provides for very low levels of settlement and activity.

Each of the Zones with specific objectives and policies are described in more detail in section 7.8 - Description of Zones.

7.6.1.2

Activity Types

Permitted Activities within the Rural Zones are those which, provided they comply with specified development controls and performance standards are considered unlikely to generate adverse effects on the environment. A wide range of activities are listed as Permitted Activities in the General Rural Zone. In the Landscape Protection Rural, East Coast Rural and Dune Lakes Zones where special character, landscape or natural features exist the range of activities is also limited in recognition of the potential impact more intensive and non-rural type activities can have on the special character of these areas. The range of Permitted Activities in the Countryside Living Town and Rural Zones is the most limited because of the greater intensity of subdivision and therefore greater potential for conflict.

Controlled Activities are those which are unlikely to generate adverse effects, but which may have particular elements which require the Council to exercise its discretion over the activity through the imposition of appropriate conditions. For example, in the General Rural Zone this status is applied to small scale clean fill sites where matters are assessed including the type of material to be deposited, access to the site, etc.

Restricted Discretionary Activities are those which may be appropriate in the zone but comprise elements which may generate adverse effects which need to be addressed through application of conditions or refusal of consent. It is these elements to which the Council has restricted the exercise of its discretion and may impose conditions. For example, the use of existing marae as child care, kokiri cultural, vocational and religious centres can generate traffic and the need for parking, and have visual and other adverse effects. This status will enable the effects to be assessed and appropriate controls put in place.

Discretionary Activities are those which may be appropriate in a zone but have potential to have adverse effects on the environment. For example, quarrying is a Discretionary Activity in the General Rural Zone because of a wide range of potential adverse effects including visual effects, traffic effects, dust and noise effects, and effects on water and on natural features. In the Countryside Living Rural and Town Zones the range of activities requiring "testing" as Discretionary Activities is even greater, given the level of subdivision possible, and the amenity aspirations and expectations of the people who settle in these zones. In areas of high natural value, or where rural character is paramount such as the Landscape, Dune Lakes and East



Coast Rural Zones, the range of activities with Discretionary Activity status is also high because of the greater sensitivity in these areas to development.

Non-complying activities are those that the Council considers are not appropriate in the specific rural zone. Any application for a Non-complying Activity will be assessed against the relevant matters set out in section 104 of the Act.

7.6.1.3

Development Controls and Performance Standards

These are rules which apply to activities and the development of buildings and structures within the rural zones. They are intended to ensure that activities achieve the environmental standards desired in each zone.

Development Controls include maximum height and height in relation to boundary limits and minimum yards (including special minimum separation rules for buildings housing animals). There are also special height limits around the North Shore Airfield at Dairy Flat, and the Kaipara Flats and Parakai Airfields. The general height and yard limits are intended to ensure that the scale and location of buildings do not generate adverse effects on the amenity values of adjoining sites. The height limits around the airfields protect the operation of the airfields. Controls such as maximum site coverage also apply to protect both amenity values and rural character.

Performance Standards, for example, noise and exterior lighting rules, aim to ensure that the activities which occur do not create adverse effects on the environment, thereby affecting amenity values and rural character. These rules are set out in *Chapter 16 - General Rules*.

Controls which are a combination of development controls and performance standards are applied to land around the North Shore Airfield at Dairy Flat. These controls are based on the likely longer term sound exposure within defined airfield noise contour boundaries and are intended to ensure activities locating near the airfield are not subject to adverse noise effects and that the airfield itself is not subject to pressure to close because of complaints about any expected off site noise effects it may generate.

7.6.1.4

Subdivision Controls

Subdivision is provided for within the various rural zones as a Restricted Discretionary Activity where a proposal complies with the particular subdivision development controls specified. Otherwise the subdivision is Discretionary or Non-complying Activity. The level of subdivision provided in each zone and policy area is a key element in giving effect to the strategy. Generally the most intensive subdivision is anticipated in the Countryside Living Town and Rural Zones.

7.6.2

Other Regulatory Methods

7.6.2.1

Bylaws

The Council will continue to use bylaws to control the adverse effects resulting from activities such as stock on roads.



7.6.2.2

Statutory Acknowledgements and Statutory Areas

(Note: This section is not part of the District Plan. It has been inserted for information in accordance with the requirements of Section 63 of the Te Uri o Hau Claims Settlement Act 2002.)

A Statutory Acknowledgement is an acknowledgement by the Crown of a particular Maori entity's cultural, spiritual, historical and traditional associations with specified Statutory Areas. By the Te Uri o Hau Claims Settlement Act 2002, the Crown has acknowledged Te Uri o Hau's association with three such Statutory Areas in Rodney District. The Act requires the Council to serve on Te Uri o Hau summaries of applications for resource consent for activities within, adjacent to or directly impacting on these Areas, unless Te Uri o Hau has agreed otherwise. (See Appendix 7G for further information.)

7.6.3

Other Methods

There are a number of non-statutory methods which are being or can be used to achieve the objectives and policies of the Plan:

7.6.3.1

Education and Awareness Programmes

This encompasses the publication of a state of the environment report based on the results of monitoring. It also includes information pamphlets, and advice or input into community based schemes such as landcare groups. This approach involves persuading landowners and other resource users to act in a manner which is environmentally responsible and achieves the resource management objectives and policies set out in the Plan.

7.6.3.2

Structure Plans

Structure Plans identify areas suitable for Countryside Living or rural purposes on the periphery of urban areas. The areas delineated can then be given effect to through zonings applied in the Plan.

7.6.3.3

Community Action Groups

The Council supports the initiation of community action groups, such as landcare and beachcare groups. Programmes undertaken by such groups could include the restoration and enhancement of highly valued natural areas, riparian planting, erosion control plantings, fencing and pest species control.

7.6.3.4

Co-operation with Other Organisations

The Council will continue to co-operate with other organisations involved in erosion control, planting and the use and development of the rural part of the District such as the Auckland Regional Council, landowner groups and industry groups, such as Federated Farmers, Farm Forestry Association and the Royal Forest and Bird Association, the New Zealand Vegetable and Potato Growers Federation, the New Zealand Fruitgrowers Federation Inc and the nursery, berry fruit and flower grower industry organisations.



7.6.3.5

Direct Funding

The Council may provide funds in particular circumstances for activities such as the fencing of significant natural areas to ensure long term protection. This is highly dependent, however on the annual allocation of funds through the Annual Plan process.

7.6.3.6

Advice Notes — Reverse Sensitivity

The Council may utilise advice notes to provide explanatory details or further information on resource consents. One circumstance in which the Council will utilise advice notes for this purpose is in relation to consents being granted in rural areas. Advice notes will be added to resource consents for subdivision or development in rural zones to advise that a number of rural production activities may be undertaken as a permitted activity. Rural production and land use activities may involve noise, the use of machinery, sprays and fertiliser which can generate noise, dust and odour.





7.7

ANTICIPATED ENVIRONMENTAL RESULTS

The anticipated environmental results from the implementation of the above objectives, policies and methods are:

- (a) The maintenance and protection of the rural character of the rural area.
- (b) The maintenance of the distinctive special character of parts of the District.
- (c) The maintenance and protection of amenity values.
- (d) The minimisation of conflict, between different land uses.
- (e) The maintenance of the versatility of the rural land resource, including soils.
- (f) The maintenance, enhancement and protection of the native plant and animal biodiversity of the District.
- (g) The maintenance of the quality of water within the rural area.
- (h) The maintenance of soils of a standard safe for both humans and animals.
- (i) The sustainable management of natural and physical resources in a manner which recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- (j) The maintenance of the ability to utilise existing identified significant mineral extraction sites.



7.8

DESCRIPTION OF ZONES AND POLICY AREAS

This section contains the objectives and policies for the various rural zones which are additional to those in 7.3 and 7.4. It also provides a description.

7.8.1

General Rural Zone

7.8.1.1

General Rural Zone Objectives

Objective
7.8.1.1.1

To ensure that natural resources, rather than built forms, dominate the rural character and amenity values of the General Rural Zone.

(This objective relates to Issues 7.2.2 and 7.2.3)

Objective
7.8.1.1.2

To ensure the protection and enhancement of native biodiversity, natural landscape qualities and significant natural areas can occur.

(This objective relates to Issues 7.2.5 and 7.2.6)

Objective
7.8.1.1.3

To avoid, remedy, or mitigate adverse effects arising from conflict between residential and non-residential land use activities.

(This objective relates to Issues 7.2.1, 7.2.3, 7.2.4, and 7.2.10)

Objective
7.8.1.1.4

To enable the productive use of the rural land resource where this can occur while avoiding, remedying or mitigating the adverse effects of such land use on the natural and physical resources existing within the zone.

(This objective relates to Issues 7.2.4, 7.2.7, 7.2.8 and 7.2.9)

7.8.1.2

General Rural Zone Policies

Policy
7.8.1.2.1

Further subdivision and rural residential lifestyle opportunities should be limited in this zone.

(This policy seeks to achieve Objectives 7.8.1.1.1, 7.8.1.1.2, 7.8.1.1.3 and 7.8.1.1.4)

Policy
7.8.1.2.2

Rural residential development should not establish within the zone unless undertaken as part of protecting significant natural areas, enhancement planting or land rehabilitation meeting Policies 7.4.10 and 7.4.11, or the vesting of additional areas of reserve land as appropriate.

(This policy seeks to achieve Objectives 7.8.1.1.2 and 7.8.1.1.3)

Policy
7.8.1.2.3

Subdivision and development should be undertaken in a manner which results in:

- (a) riparian margin protection and enhancement;
- (b) hydrological neutrality;
- (c) protection and enhancement of bush, scrub and wetlands;
- (d) rehabilitation of steep, eroding or unstable land through appropriate exotic or native replanting.



Policy
7.8.1.2.4

(This policy seeks to achieve Objective 7.8.1.1.2)

The adverse cumulative effects of activities and subdivision upon the character and amenity values in the rural area should be avoided.

(This policy seeks to achieve Objective 7.8.1.1.1)

Policy
7.8.1.2.5

Distinctive and high quality landscapes should be protected and enhanced wherever possible, by ensuring development within these areas is in a location and of a scale and intensity that does not dominate or have significant adverse effects on those landscapes.

(This policy seeks to achieve Objectives 7.8.1.1.1 and 7.8.1.1.2)

Policy
7.8.1.2.6

The West Coast Policy Area, as shown in the planning maps, reflects the special and distinctive coastal and rural character of parts of the Kaipara Harbour and South Head areas. These rural and semi-remote areas are influenced by the Tasman Sea and Kaipara Harbour. The Policy area encompasses the following:

- rural coastal character
- high amenity values
- high natural character
- high landscape values

(This policy seeks to achieve Objectives 7.8.1.1.1 and 7.8.1.1.2)

Policy
7.8.1.2.7

Subdivision and landuse activities in the West Coast Policy Area shall be undertaken in a manner that enhances and protects the distinctive special character of the policy area and ensures that the landscapes and sensitive environments protected by the policy area are not adversely affected whilst enabling appropriately located rural based activities in the underlying General Rural zone.

(This policy seeks to achieve Objectives 7.8.1.1.1 and 7.8.1.1.2)

Policy
7.8.1.2.8

New non-residential activities should not result in any significant adverse effects upon existing amenity values.

(This policy seeks to achieve Objective 7.8.1.1.3)

Policy
7.8.1.2.9

Non-residential activities should seek to locate where the adverse effects of the proposed activity can be internalised on the site or any off site effects can be avoided, remedied or mitigated such that they are no more than minor.

(This policy seeks to achieve Objectives 7.8.1.1.3 and 7.8.1.1.4)

Policy
7.8.1.2.10

Activities based on production from the rural land resource should continue to occur and be recognised as an element of rural character within the General Rural Zone.

(This policy seeks to achieve Objectives 7.8.1.1.3 and 7.8.1.1.4)



Policy
7.8.1.2.11

Subdivision should result in a diversity of site sizes, including the retention of land in large holdings in order to maximise the diversity of activities that can be undertaken on the rural land resource.

(This policy seeks to achieve Objective 7.8.1.1.4)

Policy
7.8.1.2.12

The adverse effects of mineral extraction should be mitigated, as far as is practicable, where adverse effects cannot be avoided due to the fixed nature of naturally occurring mineral deposits.

(This policy seeks to achieve Objectives 7.8.1.1.2, 7.8.1.1.3 and 7.8.1.1.4)

Policy
7.8.1.2.13

Activities should not occur when, cumulative adverse effects will occur in relation to the rural character, amenity values, significant natural features, significant landscapes, road traffic and safety of an area.

(This policy seeks to achieve Objectives 7.8.1.1.1, 7.8.1.1.2 and 7.8.1.1.4)

Policy
7.8.1.2.14

Activities should avoid any adverse effects upon streams, rivers and wetlands and wherever possible new activities or subdivision should lead to the enhancement and revitalisation of these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.

(This policy seeks to achieve Objectives 7.8.1.1.2 and 7.8.1.1.3)

Explanation and Reasons

The General Rural Zone is characterised by minimal subdivision and development, large and small areas of bush, scrub, and wetlands which sustain the District's native plant and animal biodiversity, rural character and high amenity values. The area is largely oriented to primary production, including forestry, and pastoral farming. The policies seek to manage and protect and enhance the rural character, the high amenity values, biodiversity values by limiting rural subdivision and development to subdivision which results in the protection of significant vegetation, wetlands and wildlife habitats, or enhancement planting or the rehabilitation of steep eroding land, which can offset some of the adverse effects of subdivision on the environment and landscape values.

Activities which are based on primary production are largely permitted. However, those that potentially could have adverse effects on the natural environment or landscape values are controlled.

The areas identified as 'West Coast Policy Area' correspond to areas identified in the Auckland Regional Policy Statement as Significant Landscape Sensitivity or Significant Landscape Quality, and have higher landscape sensitivity and amenity values than other parts of the General Rural Zone. The proximity to metropolitan Auckland and the corresponding demand for rural residential development in coastal locations places the landscape and amenity values of the policy area at risk. To protect the landscape and amenity values, the location of buildings and structures in the policy area is further controlled as are earthworks, vegetation removal and wetland/watercourse modification.



7.8.1.3

General Rural Zone Description

The General Rural Zone is characterised by large properties, low intensity of settlement, significant natural areas and natural resources, an environment less modified by humans and opportunities to conserve and enhance native vegetation and wildlife. The pressure for subdivision for lifestyle purposes which exists closer to Auckland is either generally absent or less intense in the areas within this Zone.

While farming activities dominate the land within this zone, opportunities exist for a range of activities which seek large sites, generally unmodified landscapes and significant separation between buildings and activities on neighbouring sites. Further rural residential lifestyle opportunities can only be accommodated where the scale and intensity of settlement can avoid adverse effects, including cumulative effects, on the existing character and amenities of the environment and on natural areas, such as bush and wetlands, and where they result in native habitat restoration, land rehabilitation or the protection of significant bush, scrub, wetlands and wildlife habitat.

South Head and the coast of the Kaipara Harbour while generally meeting the above description, are noted as areas which are also recognised as being under pressure for development that is not directly related to rural production activity due to the coastal location and proximity to metropolitan Auckland. However there are areas of significant landscape — identified in the Auckland Regional Policy Statement which are considered to be at risk of degradation. Control over the built environment in these areas is considered prudent in order that the semi-remote character and the rural/coastal landscape, environmental and amenity values present are retained. An overlay approach is used which identifies these areas as 'West Coast Policy Area'. The overlay is appropriate as normal rural activities such as farming and forestry can continue as permitted activities, albeit subject to more stringent environmental controls (relating to building, earthworks on sites 40 hectares and less in area (that are not already provided for as a Permitted Activity), tree and bush removal, and wetland/watercourse modification to ensure they respond sensitively to the landscape qualities present.

7.8.2

East Coast Rural Zone

In addition to the objectives and policies in 7.3 and 7.4 the following additional objectives and policies apply to the East Coast Rural Zone.

7.8.2.1

East Coast Rural Zone Objectives

Objective 7.8.2.1.1

To retain the open, high quality coastal landscape character of, and the natural environmental values present within the Zone, whilst enabling the continued operation of rural production activities.

(This objective relates to Issue 7.2.2)

Objective 7.8.2.1.2

To protect and enhance natural areas and features, including landscapes, streams, rivers, lakes, estuaries, harbours and wetlands.



(This objective relates to Issues 7.2.5, 7.2.6, and 7.2.9)

7.8.2.2

East Coast Rural Zone Policies

Policy 7.8.2.2.1

Activities and subdivision should not adversely affect the high quality coastal landscape - in particular the extensive sandy beaches and related sand dunes, the steep headlands and small coves and beaches (including Leigh Harbour, Baddeleys Beach, Campbells Beach) indented coastline with sheltered outlets and strong landform and the large estuary areas (including Mahurangi and Waiwera) - through urbanisation, subdivision and the effects of activities.

Policy 7.8.2.2.2

Activities should be limited to those of a non-urban, rural nature and scale enabling the special characteristics and rural character in the Zone to be maintained.

Policy 7.8.2.2.3

The existence of the Tawharanui, Mahurangi and Wenderholm Regional Parks, and the special open space experience that these parks provide should be retained and protected by ensuring that activities and subdivision occurring in the locality of the parks do not adversely affect the character of the park or surrounding land areas or adversely affect activities within the park.

Policy 7.8.2.2.4

Subdivision and land use activities should be undertaken so that a non-urban, rural, open coastal character is retained, and cumulative adverse effects on the character, amenity values, significant natural areas, significant landscapes within the area, road traffic and safety do not result.

Policy 7.8.2.2.5

Subdivision and land use activities, such as earthworks, bush and vegetation removal, siting of buildings and landform modification should be undertaken in a manner which protects and enhances:

- (a) The natural functioning of the coastal processes;
- (b) The quality of water in the streams and the coastal environment;
- (c) Bush, scrub, wetlands and other natural features and areas of high natural environmental value and wildlife habitats; including
- (d) Riparian vegetation and riparian margins. and bush and wetlands;

Policy 7.8.2.2.6

Subdivision and land use activities should be undertaken in a manner which results in:

- (a) hydrological neutrality;
- (b) rehabilitation of steep, eroding or unstable land through appropriate exotic or native replanting.
- (c) enhancement of native habitats and ecosystems in accordance with the criteria set out in Policy 7.4.10.

Policy 7.8.2.2.7

Further subdivision and rural residential lifestyle opportunities should be limited in this zone and should only occur when undertaken as part of enhancement type subdivision such as protecting significant natural areas, enhancement planting or land rehabilitation meeting Policies 7.4.10 and 7.4.11 as appropriate.

Policy 7.8.2.2.8

Distinctive and high quality landscapes should be protected and enhanced wherever possible, by ensuring development within these areas is in a location and of a scale and intensity that does not dominate or have significant adverse



Policy
7.8.2.2.9

effects on those landscapes.

Buildings and structures should be designed and located and of a scale to ensure that they do not adversely affect the landscape quality or environmental sensitivity of the site or surrounding area.

Policy
7.8.2.2.10

Activities should avoid any adverse effects upon streams, rivers and wetlands and wherever possible new activities or subdivision should lead to the enhancement and revitalisation of these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.

Explanation and Reasons

(These policies seek to achieve Objectives 7.8.2.1.1 and 7.8.2.1.2)

The areas identified as part of the East Coast Rural Zone have high environmental and landscape values because of their proximity to the coast which has largely been identified as having outstanding or regionally significant landscape values, as well as having a number of significant and sensitive estuarine areas and natural features, such as bush. The location of buildings and structures, as well as the design of subdivision needs to occur in a manner which enhances or protects these environmental and landscape values. Therefore, subdivision is limited to subdivision which results in the protection of natural areas, enhancement planting or land rehabilitation.

Because of the high landscape and environmental values the location of buildings and structures are controlled as are earthworks and vegetation control removal. The coast is a dynamic environment. It is important that this natural functioning is retained. Therefore, the adverse effects of activities on the natural functioning of coastal processes, wetlands and estuaries should be avoided or mitigated.

7.8.2.3

East Coast Rural Zone Description

The East Coast Rural Zone extends from immediately north of Leigh to Waiwera. It is comprised of three distinct areas:

(a) Leigh

This area consists of the land extending from Te Rere Bay north of Goat Island, down to Cape Rodney, and then westward to the mouth of the Omaha River. It covers Cape Rodney, Leigh, Ti Point, Whangateau and their environs, Rodney and Greenwood Roads. Although it surrounds a number of smaller urban settlements, in general it is an area of limited settlement having a non-urban and remote character, with a significant proportion of the area's inhabitants residing in the coastal area between Cape Rodney and Whangateau.

(b) Tawharanui

This area consists of the Tawharanui Peninsula from Omaha Flats eastward to include the Tawharanui Regional Park. To the north, the south eastern corner of the Omaha spit is included. In the south, Buckletons Bay, Millon Bay and Christian Bay are included, although the actual settlements of Baddeleys and Campbells Beaches and Buckletons Bay in these locations have an urban zoning and are not within the zone.



The area is a considerable distance from any major settlement with commercial facilities, such as Warkworth and Matakana, and urban settlement in the near vicinity is confined to small beachside locations such as Baddeleys and Campbells Beaches and Buckletons Bay.

The main access to the area is via Takatu Road which is unsealed for a significant part of its length. This, coupled with the fact that the area is a peninsula, results in a natural and non-urban character over the area with the easternmost area outside the Regional Park having a "remote" character as well.

(c) Mahurangi- Waiwera

This area consists of the coastal land surrounding the Mahurangi Harbour and the estuary/tidal portions of the Puhoi and Waiwera Rivers, and extends along the coast to immediately south of Waiwera.

The land has common natural environmental and visual characteristics based on tidal/estuary areas, steep topography, partially bush clad slopes and coastal location. The western boundary of the Zone is generally a line running parallel with State Highway One, up to 1,500 metres east of the Highway for the most part, except in the area south of the Waiwera River where it extends westward of the State Highway along the river.

All three of these areas have been ranked as mainly either regional or outstanding landscape significance. While there are distinctive features with each of the areas, there are many common facets, which make up the distinctive characteristics of the Zone. The particular elements are as follows (although not each element is necessarily present or experienced by each site in the Zone):

- (i) significant coastal landforms (e.g. Mahurangi Estuary);
- (ii) "remoteness", "naturalness" and non-urban character, with small number of houses and structures;
- (iii) views both out to sea and back into steep country;
- (iv) a rich variety of landform and vegetation;
- (v) an indented and variable coastline with steep cliffs (e.g. Leigh, Tawharanui and Mahurangi- Waiwera);
- (vi) small coves and beaches along the coastline (e.g. Leigh);
- (vii) estuaries and river mouths (e.g. Whangateau Harbour, Mahurangi Estuary, Waiwera Estuary and Puhoi Estuary);
- (viii) large areas of native bush (e.g. Mahurangi- Waiwera);
- (ix) the existence of primary production based activities, such as various forms of farming and forestry;



- (x) areas of settlement tucked into the landscape but not part of the zone (e.g. Baddeleys Beach, Millon Bay, Buckleton's Bay).

Within the Zone there are also a number of unique areas, such as Cape Rodney Marine Reserve, which draws a large number of visits to the area. The Leigh Recreation Reserve serves as the main land based visitor support area for use of the marine reserve. The University of Auckland has a research and farm facility (outside the zone) located adjacent to the Leigh Recreation Reserve which is also often used for recreation in conjunction with the reserve. The reserve complex is considered to be a nationally important recreation destination receiving an estimated 100,000 visitors per year. In addition to the marine reserve, there are a number of other sites of high natural environmental value (generally native bush) within the Zone. The area also contains the Te Kiri marae on the northern side of Omaha Cove.

Other examples are the Tawharanui Regional Park, which occupies the eastern and end of the Tawharanui Peninsula, the Mahurangi Regional Park and the Wenderholm Regional Park, north of the Hibiscus Coast. These areas are important in retaining the natural remote character of the Zone, as well as important enclaves for biodiversity management.

The Department of Conservation administers a number of sites within the Zone and considers many of them as key within its Conservation Management Strategy because of their high natural environmental values, especially in the Mahurangi-Waiwera area.

Mahurangi River is a major source of sprat for the oyster industry and there are a number of oyster farms based around the tidal inlets. The Mahurangi Harbour, Puhoi and Mahurangi Estuaries and the Whangateau Harbour are all heavily used for recreational purposes.

These are also sites of huge significance to Tangata Whenua in this Zone because of the historic linkages to areas, such as, Mahurangi Estuary, Puhoi and Waiwera Estuaries, with many of these areas having been settled for at least 1,000 years by Maori. There are many taonga and waahi tapu sites within this Zone. Additionally, there are European historical associations dating back to the 1830's in this Zone.

Because of the high landscape and environmental values and the relative proximity of most of the Zone to Auckland, there is increasing pressure to subdivide and develop this area. However, this needs to be done in a manner which does not adversely affect these high values. Retaining the high landscape and environmental values of this area will enable the area to be utilised for a range of recreational and land use activities that rely on or are based on high landscape and environmental values. Therefore, the purpose of the East Coast Zone is to ensure the distinctive character of this area remains largely intact.

The range of activities is limited and the nature and type of subdivision is controlled so as to retain rural character generally and the distinctive character and landscape and environmental issues that exist in this Zone as well as amenity values appropriate in this setting.



7.8.3	Landscape Protection Rural Zone
	In addition to the objectives and policies in 7.3 and 7.4 the following additional objectives and policies apply to the Landscape Zone:
7.8.3.1	Landscape Protection Rural Zone Objectives
<i>Objective</i> 7.8.3.1.1	To protect and retain the natural, coastal, non-urban and "remote" character of the Mangawhai to Pakiri (J Greenwood Road) coastline and related inland area on the east coast and the Te Henga wetland and the coast between Muriwai and Bethells, on the west coast. <i>(This objective relates to Issue 7.2.2)</i>
<i>Objective</i> 7.8.3.1.2	To protect and enhance wherever possible, the high value landscapes, and significant natural areas and features, including streams, rivers, lakes, estuaries, harbours and wetlands within the zone. <i>(This objective relates to Issues 7.2.5, 7.2.6 and 7.2.9)</i>
7.8.3.2	Landscape Protection Rural Zone Policies
<i>Policy</i> 7.8.3.2.1	Activities and subdivision should not adversely affect, and wherever possible, should enhance the high quality landscape in the Zone; in particular the rugged coastline between Bethells and Muriwai, and the bushclad landscape surrounding the Te Henga wetland, and the coastline, dunelands and inland backdrop from Mangawhai to Pakiri (J Greenwood Road).
<i>Policy</i> 7.8.3.2.2	The existing rural based activities should continue, subject to environmental controls ensuring protection of adjoining native bush, streams and rivers and wildlife habitats, and maintenance of amenity values enjoyed within the Zone.
<i>Policy</i> 7.8.3.2.3	The "remote" and non-urban character of the Zone should be retained by limiting the creation of additional sites and by making no provision for extensive urban settlement or permanent activities which would draw large numbers of people to a site or introduce significant urban elements to the Zone.
<i>Policy</i> 7.8.3.2.4	The natural functioning of waterways and the coastal processes occurring within the Zone area should not be adversely affected by activities such as earthworks, bush and vegetation removal, siting of buildings. and landform modifications in close proximity to the coast, or the Te Henga wetland.
<i>Policy</i> 7.8.3.2.5	The quality of water and water habitat in the streams in the area in the Waitakere River and in the Te Henga wetland and along the sea coast should not be adversely affected by activities such as earthworks, bush and vegetation removal.
<i>Policy</i> 7.8.3.2.6	Features and areas of high natural environment value or high landscape value and wildlife habitats including riparian vegetation should be protected and maintained through controls on earthworks and bush and vegetation removal and limitations on activities and subdivision.



Policy
7.8.3.2.7

The location, nature and scale of buildings should not adversely affect the high quality landscape within the Zone.

Policy
7.8.3.2.8

Activities should avoid any adverse effects upon streams, rivers and wetlands, and wherever possible new activities or subdivision should lead to the enhancement and revitalisation of these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.

Explanation and reasons

(These policies seek to achieve Objectives 7.8.3.1.1 and 7.8.3.1.2)

The landscapes in this Zone are characterised by minimal subdivision and development, areas of coastal beaches and dunes, and rugged cliffs, bush, scrub and the Te Henga Swamp which is of natural/international significance. The area is ranked of outstanding landscape value. All of these values are very sensitive to subdivision and development. Therefore the policies seek to ensure that subdivision, development and land use is undertaken in a manner which retains the functioning of coastal processes, the distinctive landscape and character of these areas, and the water quality of the Te Henga Swamp and stream by controlling earthworks, the clearance of bush, the modification of wetlands and the location of housing.

7.8.3.3

Landscape Protection Rural Zone Description

The Landscape Protection Rural Zone is comprised of two distinct areas. On the west coast is the Muriwai Bethells area while on the east coast the Zone is applied to the Mangawhai-Pakiri (J Greenwood Road) coastal strip and related inland area. These areas are considered to be remote within the context of the Rodney District and contain landscapes that are identified as regionally significant or of outstanding significance. The Landscape Protection Zone provides a higher level of environmental protection than that applied to the East Coast Rural Zone. The focus of the East Coast Rural Zone is retaining and enhancing the environment. Within the Landscape Protection Zone the focus is on protecting, retaining and enhancing the environment. The provisions applying to the Landscape Protection Rural Zone are more restrictive than those applying within the East Coast Rural Zone to reflect the greater sensitivity of features and landscapes within the Landscape Protection Zone to the effects of subdivision and land use activities.

These areas are of extreme importance and value locally and regionally because they are characterised by a predominance of natural qualities including open space that is largely unmodified by the built environment. They have strong qualities of remoteness and wildness as a result of the rugged coastline, high energy coastal environment and the interrelationship of the adjoining landforms to the coastline.

(a) Muriwai- Bethells

The land in this area is located on the west coast of the District running down to the boundary between Rodney District and Waitakere City at a number of points. It consists of the rugged Coastal Strip between Te Henga (Bethells Beach) and Muriwai, and the area inland as far as the edge of the hill country west of Waitakere.



The significant elements making up the character of this area are:

- (i) the steep rugged indented coastal cliffs along the west coast, with small beaches amidst high, rocky headlands, largely uninhabited;
- (ii) extensive wetland bordering (but not within) the south western most part of the zone;
- (iii) river estuary (Waitakere River);
- (iv) rolling to steep hills extending inland from the coast;
- (v) areas of regenerating and good quality bush;
- (vi) a remote quality created by the combination of the above factors, a low density of settlement, particularly along the coast and the lack of roads and other landscape modifications associated with urban development;
- (vii) limited areas of pasture along the coastal edge behind the cliffs and amidst the bush areas.

The steep cliffs along the coast have geological significance and contain rare deepwater fossils and lava flows.

The Te Henga Swamp which borders the Waitakere River and forms the south western part of the area is the largest coastal freshwater swamp in the Auckland Region and provides a habitat for a number of animal species.

The area has been settled by Maori for possibly 1,000 years and contains many sites of cultural significance including villages, pa and cultivation sites. Despite the long history of both Maori and European settlement the area retains a "remote" and "wild" character. Much of the area is retained in bush or regenerating scrub but there are some areas devoted to pastoral activities within the Zone.

The areas of native bush, wetlands and lakes are of high natural environment value, while the landscape, particularly along the coast have been rated as both regionally significant and outstanding.

(b) Mangawhai- Pakiri

This area is comprised of the coastal strip extending from just south of Mangawhai Heads to Te Rere Bay (J Greenwood Road), north of Goat Island. It extends inland between 2 and 3 kilometres from the coast. The main feature of the landscape is the long white sandy beach, and the dune lands and rolling hills backing the beach. The beach is the longest non-urbanised beach on the east coast of the District and the natural environmental and landscape values of the area are high. There are a relatively small number of houses and rural buildings sited within folds in the landscape and the overall character is of a non-urban and remote area by contrast to other coastal parts of the District.

7.8.4

Dune Lakes Zone

The Dune Lakes Zone is comprised of the land immediately surrounding the South Head Dune Lakes and the Tomarata Dune Lakes.

In addition to the objectives and policies in 7.3 and 7.4 the following additional objectives and policies apply to the Dune Lakes Zone:



7.8.4.1

Objective 7.8.4.1.1

Dune Lakes Zone Objective

To protect the landscape and natural character of the land around the Dune Lakes and the high natural environmental values of the lakes themselves, whilst enabling the area to continue to be used for appropriately located rural based activities.

(This objective relates to Issues 7.2.2, 7.2.6 and 7.2.9)

7.8.4.2

Policy 7.8.4.2.1

Dune Lakes Zone Policies

The quality and quantity of water in the dune lakes should not be adversely affected by earthworks, bush and vegetation removal, siting of buildings, and/or landform modification, pastoral/horticultural or forestry activities and other activities.

Policy 7.8.4.2.2

Features and areas of high natural environmental value and habitats should be protected and maintained through controls on earthworks and bush and vegetation removal, wetland modification and limitations on activities and subdivision.

Policy 7.8.4.2.3

High quality landscapes, in particular the open nature of the landscapes, should be protected from significant change or modification from their present state, particularly by buildings and structures.

Policy 7.8.4.2.4

The natural and non-urban character of the areas within the Zone should be retained by limiting the creation of additional sites, and by limiting the range of activities so that more intensive activities and activities of an urban nature do not establish within the Zone.

Policy 7.8.4.2.5

Activities should avoid any adverse effects upon streams, rivers and wetlands and wherever possible new activities or subdivision should lead to the enhancement and revitalisation of these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.

Explanation and reasons

(These policies seek to achieve Objective 7.8.4.1.1)

The dune lakes areas within this Zone are sensitive in terms of their landscape and ecological values. There are few built structures within the Zone, the holdings are large, and the area is mainly pastoral farming or forestry activities. The lakes, because they are closed systems, are sensitive to inputs, such as nutrients and sediment. Therefore, the policies seek to retain the open, high landscape values of this area by limiting subdivision, development, native vegetation clearance and earthworks, and wetland modification

7.8.4.3

Dune Lakes Zone Description

This Zone encompasses the land surrounding the Tomarata Dune Lakes (ie. Lakes Spectacle, Tomarata and Slipper - immediately inland from the Mangawhai Forest at Te Arai Point) and the land around the larger lakes on the Kaipara/South Head Peninsula, including the land to the immediate north and south of Lakes Ototoa and Kawakatai, and the land on three sides of Lake Kereta.



Although the lakes themselves are not included they have a significant influence on the character and nature of the area. The lakes are considered of high landscape, as well as high environmental value supporting common wetland birds and certain lakes supporting a number of threatened birds, such as the Australian bittern, the fern birds and the banded rail.

The dune lakes are sensitive because they are mostly closed systems and their sustainability is threatened by contaminant inputs, including nutrients and sediment.

The landscape values are also sensitive to development and subdivision as at present there are few built structures, the holdings are large and areas are relatively isolated, consisting mainly of pastoral farming or forestry activities, creating open undeveloped landscapes.

The purpose of the Zone is to ensure the distinctive character of this area remains largely intact.

The range of activities is limited and the nature and type of subdivision is controlled so as to retain rural character generally and the distinctive character that exists in this Zone, as well as amenity values appropriate to this setting.

7.8.5

Countryside Living Zones - General Objectives and Policies

7.8.5.1

Countryside Living Zones - General Objectives

Objective 7.8.5.1.1

To enable people to undertake rural lifestyle development and activities in a context where open space and amenity values reflect residential lifestyle outcomes and expectations.

(This objective relates to Issues 7.2.1 and 7.2.3)

Objective 7.8.5.1.2

To minimise conflict between lifestyle and non-lifestyle activities.

(This objective relates to Issues 7.2.3, 7.2.4 and 7.2.9)

Objective 7.8.5.1.3

To protect and enhance wherever possible significant natural areas and features, including landscapes, streams, rivers, lakes and wetlands.

(This objective relates to Issues 7.2.5, 7.2.6 and 7.2.9)

Objective 7.8.5.1.4

To enable more intensive countryside living opportunities in locations where environmental conditions enable such activities to occur without more than minor adverse effects on rural character, amenity values and the quality of the environment.

(This objective relates to Issues 7.2.1, 7.2.2, 7.2.3, 7.2.5, 7.2.6 and 7.2.9)

Objective 7.8.5.1.5

To minimise the impact of countryside living on the rural landscapes and natural environment.

(This objective relates to Issues 7.2.4, 7.2.6 and 7.2.9)



Objective
7.8.5.1.6

To ensure that the safe and efficient operation of the strategic transport routes in the District are not compromised by the effects of countryside living.

(This objective relates to Issues 7.2.2, 7.2.3 and 7.2.4)

7.8.5.2

Countryside Living Zones -General Policies

Policy
7.8.5.2.1

Urban type development should not intrude into the open space environment provided by the Zone.

(This policy seeks to achieve Objectives 7.8.5.1.1 and 7.8.5.1.5)

Policy
7.8.5.2.2

Opportunities for rural residential subdivision and development should be provided within these Zones where the open space character of the greenbelt can be retained.

(This policy seeks to achieve Objectives 7.8.5.1.1 and 7.8.5.1.5)

Policy
7.8.5.2.3

Activities which have significant adverse effects on rural amenity values because of adverse effects such as noise, dust, traffic volumes, smell, visual effects, effects on health, safety and cultural values should not locate within the Zone.

(This policy seeks to achieve Objectives 7.8.5.1.1, 7.8.5.1.2, 7.8.5.1.3, 7.8.5.1.4 and 7.8.5.1.5)

Policy
7.8.5.2.4

New buildings and structures within the Zone should be designed, sited and constructed so that they enable the open space, non-urban character of the zone to be retained.

(This policy seeks to achieve Objectives 7.8.5.1.1 and 7.8.5.1.2)

Policy
7.8.5.2.5

Activities should avoid any adverse effects upon streams, rivers and wetlands and wherever possible new activities or subdivision should lead to the enhancement and revitalisation of these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.

(This policy seeks to achieve Objectives 7.8.5.1.3 and 7.8.5.1.5)

Policy
7.8.5.2.6

Significant natural areas and significant landscapes should be protected and enhanced wherever possible.

(This policy seeks to achieve Objectives 7.8.5.1.3 and 7.8.5.1.5)

Policy
7.8.5.2.7

Mineral extraction activities should not occur in the Zone unless the adverse effects are mitigated on the site and the mineral resource is sufficiently rare that practical alternatives within the District do not exist.

(This policy seeks to achieve Objectives 7.8.5.1.2, 7.8.5.1.4, 7.8.5.1.5 and 7.8.5.1.6)



Policy 7.8.5.2.8	<p>Countryside Living should be in locations that are clear of the expected growth paths of the District's urban settlements, and where no undue pressure will arise for Countryside Living areas to be further developed to an urban density.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.1 and 7.8.5.1.2)</i></p>
Policy 7.8.5.2.9	<p>Countryside Living Zones should be located in the parts of the District that are less sensitive to more intensive development in terms of impact on the natural and landscape values.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.2, 7.8.5.1.3 and 7.8.5.1.5)</i></p>
Policy 7.8.5.2.10	<p>Countryside Living Zones should as far as practical be located in areas that are clear of the areas of best soils and established intensive rural production activities and are already subdivided into small blocks.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.2, 7.8.5.1.4 and 7.8.5.1.5)</i></p>
Policy 7.8.5.2.11	<p>Buildings in the Countryside Living Zones should be well set back from roads and site boundaries to maintain the open space nature sought within the Zone.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.1 and 7.8.5.1.5)</i></p>
Policy 7.8.5.2.12	<p>Rural landscape character, amenity values and native biodiversity in the Countryside Living Zones should be protected by limiting the extent to which native vegetation may be removed (for visual, hydrological and erosion control reasons), and requiring larger areas of native vegetation within subdivisions to be fenced and legally protected.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.3 and 7.8.5.1.5)</i></p>
Policy 7.8.5.2.13	<p>The quality of water in streams and rivers should be protected by controlling earthworks and bush and vegetation removal, protecting riparian margins through fencing and planting, and avoiding the siting of buildings and discharge points from sewage treatment facilities along the margins of streams and rivers.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.3 and 7.8.5.1.5)</i></p>
Policy 7.8.5.2.14	<p>The range of activities permitted should be limited to those which do not generate adverse effects on the quality or character of the Countryside Living environment.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.1 and 7.8.5.1.4)</i></p>
Policy 7.8.5.2.15	<p>Subdivision and activities shall not increase overland flows above pre-development levels.</p> <p><i>(This policy seeks to achieve Objectives 7.8.5.1.3 and 7.8.5.1.5)</i></p>
Policy 7.8.5.2.16	<p>Activities within the Countryside Living Zones should not adversely impact on the strategic transport routes of the District in such a manner as to decrease the safe and efficient operation of the network.</p>



(This policy seeks to achieve Objective 7.8.5.1.6)

Explanation and Reasons

Within specifically identified Zones more intensive rural residential subdivision is allowed, where the environmental and landscape values are less sensitive to the effects of more intensive development, but not urban scale development.

The Zones are also located away from the expected growth paths of urban settlements so that there is no undue pressure to further subdivide these areas within the resultant adverse effects on natural and physical resources.

Site design includes retaining native vegetation and wetlands and fencing off riparian areas to minimise the adverse effects of intensive development and to not compromise ecological processes. It also includes setting houses back from roads to maintain the open nature within the Zone and not allowing an urban scale or type of development.

Because of the increase in density of residential dwellings and the resultant increase in population density the range of activities permitted is limited to those which will not create conflict and which are based on residential and non-intrusive rural based production (eg. pastoral farming but not quarrying or intensive farming).

7.8.5.3

Countryside Living Rural Zone

In addition to the objectives and policies in 7.3 and 7.4 and 7.8.5.1 and 7.8.5.2 the following additional objectives and policies apply to the Countryside Living Rural Zone.

7.8.5.3.1

Countryside Living Rural Zone Objectives

Objective **7.8.5.3.1.1**

To concentrate the majority of Countryside Living Rural in the southern part of the District, within commuting distance of Auckland.

(This objective relates to Issue 7.2.1)

Objective **7.8.5.3.1.2**

To maintain and wherever possible enhance the quality of the water of the Okura estuary and its streams and watercourses and the marine reserve through the management of subdivision and development in the Okura Policy Area of the Countryside Living Rural Zone.

(This objective relates to Issue 7.2.9)

7.8.5.3.2

Countryside Living Rural Zone Policies

Policy **7.8.5.3.2.1**

The intensity of development should retain an open space nature and in the Dairy Flat/Redvale/Okura/Riverhead area should operate as a means of reinforcing the distinction and separation between the Auckland metropolitan area and the Hibiscus Coast.

(This policy seeks to achieve Objective 7.8.5.3.1.1)



<i>Policy</i> 7.8.5.3.2.2	<p>Sites within any subdivision in the Countryside Living Rural Zone should be a minimum of 1 hectare in area, with an average site size across any subdivision and each area zoned as Countryside Living Rural of at least 2 hectares in order to retain the open space nature of the zone.</p>
[Amendment 141]	<p><i>(This policy seeks to achieve Objective 7.8.5.1.1)</i></p>
<i>Policy</i> 7.8.5.3.2.3	<p>Subdivisions containing average site sizes smaller than 2 hectares should not occur given the need to retain the rural context of the Countryside Living Rural Zones and lack of urban concentrations around the Countryside Living Rural Zone at Dairy Flat/Redvale/Coatesville/Riverhead.</p>
[Amendment 141]	<p><i>(This policy seeks to achieve Objective 7.8.5.3.1.1)</i></p>
<i>Policy</i> 7.8.5.3.2.4	<p>Subdivision and development in the Okura Policy Area shall be designed and managed in a way that ensures the scale and intensity of rural development avoids adverse effects on water quality.</p>
	<p><i>(This policy seeks to achieve Objective 7.8.5.3.1.2)</i></p>
<i>Policy</i> 7.8.5.3.2.5	<p>Subdivision and development in the Okura Policy Area shall be sited and undertaken in a manner that retains water courses in their natural state and avoids extensive earthworks, re-contouring of land and vegetation removal.</p>
	<p><i>(This policy seeks to achieve Objective 7.8.5.3.1.2)</i></p>
<i>Policy</i> 7.8.5.3.2.6	<p>Subdivision and development within the Okura Policy Area shall be designed and managed in a way that ensures the protection and enhancement of streams and water courses, wetlands and the coast and their margins through the protection of existing native vegetation and the restoration of riparian margins.</p>
	<p><i>(This policy seeks to achieve Objective 7.8.5.3.1.2)</i></p>
<i>Policy</i> 7.8.5.3.2.7	<p>Subdivision and development in the Okura Policy Area shall be designed and managed in a way that ensures the protection and enhancement of streams and water courses, wetlands and the coast and their margins through the restoration of vegetation cover on steeper slopes (>15°).</p>
	<p><i>(This policy seeks to achieve Objective 7.8.5.3.1.2)</i></p>
<i>Policy</i> 7.8.5.3.2.8	<p>The grouping or clustering of dwellings/buildings in the Okura Policy Area may be undertaken in areas where the environmental constraints such as slope and the presence of native vegetation are low and where significant environmental benefits can be achieved, particularly in terms of enhancing water quality through the appropriate placement of roads and building sites, restoration of riparian margins and low impact stormwater management techniques.</p>
	<p><i>(This policy seeks to achieve Objective 7.8.5.3.1.2)</i></p>
	<p>Explanation and Reasons</p>
	<p><i>Subdivision within Countryside Living Rural Zone allows for intensive residential subdivision but at site sizes no smaller than 2 hectares so that the rural character</i></p>



and open space nature of the area is retained.

The Zone is intended to focus countryside living opportunities in an area which is able to accommodate this type of activity without undue adverse effects being generated.

The area is to be managed to maintain its non-urban character while facilitating its use for countryside living activities, including the carrying out of part time farming/hobby farming where this does not have an adverse effect on the environment, in particular the level of amenity values expected by the residential use and low intensity, small scale non-residential activities.

Most of the selected areas are located away from existing settlements, and it is not intended that these countryside living areas be a stepping stone to conventional urban development. The continued management of the area between the Auckland urban fringe and the Hibiscus Coast as a non-urban area is seen as consistent with retaining a greenbelt around the Auckland metropolitan area. By allowing for a more fragmented subdivisional pattern the later development of this land for conventional urban expansion will be impeded.

7.8.5.3.3

Countryside Living Rural Zone Description

This Zone is applied to several locations throughout the District which have been identified for countryside living opportunities including part-time farming. The locations to which this Zone applies are in the vicinity of:

- (a) Puhoi;
- (b) Stillwater – Dairy Flat- Redvale- Coatesville- Riverhead;
- (c) Parakai – Helensville;
- (d) Waimauku (Hinau Road/ School Road);
- (e) Waimauku (Taylor Road).
- (f) Okura

Much of the land within this Zone is relatively close to urban Auckland.

The land within the Zone is mainly characterised by an already highly fragmented subdivision pattern. The land is being used primarily for countryside living purposes combined with some part time or hobby farming. In many instances the income generated from the land is minimal, with one or more of those living on the land retaining urban based employment.

The physical character of the area is typically one of small paddocks, relatively numerous and in many cases large dwellings, and a limited number of farm buildings. The land is largely compromised for conventional farming because of the already small site sizes.

The Zone also contains the Okura Catchment which drains broadly northwards to the Okura estuary which in turn forms part of the Long Bay / Okura Marine Reserve. The Okura Catchment is sensitive to the effects of land use and development activities which can adversely impact on the water quality of the Okura estuary and marine reserve. Accordingly a separate policy area has been identified for the Okura Catchment within the Countryside Living Rural Zone.



7.8.5.4

Countryside Living Town Zone

In addition to the objectives and policies in 7.3 and 7.4, and 7.8.5.1 and 7.8.5.2, the following additional objectives and policies apply to the Countryside Living Town Zone.

7.8.5.4.1

Countryside Living Town Zone Objectives

Objective

7.8.5.4.1.1

To enable the most intensive countryside living in locations where residents will have easy access to urban-type services and community facilities, but where expansion of urban settlements at conventional residential densities will not be impeded.

(This objective relates to Issues 7.2.1, 7.2.2 and 7.2.6)

Objective

7.8.5.4.1.2

To enable more intensive countryside living on the periphery of urban areas at an intensity which recognises the countryside living is occurring in that context.

(This objective relates to Issue 7.2.1)

7.8.5.4.2

Countryside Living Town Zone Policies

Policy

7.8.5.4.2.1

To enable more intensive countryside living development on land immediately adjacent to Wellsford, Matakana, Warkworth, Algies Bay, Kaukapakapa, Helensville and Kumeu-Huapai.

(This policy seeks to achieve Objectives 7.8.5.4.1.1 and 7.8.5.4.1.2)

Policy

7.8.5.4.2.2

Sites in the Countryside Living Town Zone should be no smaller than 1.5 hectares in order to retain the open space nature of the Zone, unless Transferable Title Rights are obtained.

[Amendment 141]

Policy

7.8.5.4.2.3

Subdivision of sites smaller than 1 hectare should not occur unless the layout ensures a similar overall intensity of 1 hectare and rural/open space character is retained.

Explanation and Reasons

Subdivision in the Countryside Living Town Zone allows for the most intensive rural residential subdivision but at site sizes no smaller than 1-1.5 hectares on the periphery of certain urban areas, including Wellsford, Warkworth, Kaukapakapa, Helensville and Kumeu-Huapai, so that residents have access to urban type services and community facilities. The level of subdivision allowed is not an urban type subdivision and the location will not impede conventional urban residential subdivision. The intensity is permitted because of the proximity to urban areas and also because areas identified for this level of subdivision are less sensitive in terms of the environmental and landscape values. However, this intensity of subdivision is not a transition stage to more intensive urban type subdivision.

The suite of controls applied, such as the subdivision standards, the development



7.8.5.4.3

controls such as yards, the location of accessways, and the range of activities provided for, is directed towards retaining rural character and preventing the zone becoming a de facto urban area or a significant step towards that.

Countryside Living Town Zone Description

The land in this Zone represents the rural land close to existing settlements which is capable of being developed for countryside living activities without losing its essential rural character. The Zone exists in the immediate vicinity of:

- (a) Wellsford;
- (b) Matakana;
- (c) Warkworth;
- (d) Algies Bay;
- (e) Kaukapakapa;
- (f) Helensville;
- (g) Kumeu/Huapai.

The proximity to towns enables convenient access to urban type services such as schools, convenience shopping, community centres and employment and reduces the need for extensive vehicle travel. It is not intended that this Zone be a transition stage to a more intensive urban type subdivision and settlement pattern.

It is anticipated that a rural character will be retained in these areas in terms of allowing sites that are large enough to enable the construction of a dwelling and accessory buildings whilst maintaining areas of open space between dwellings and sufficient land area so that animals may be grazed, trees planted and a range of rural activities undertaken. Activities that are noxious or would be likely to generate adverse effects that could not be contained on sites of the size provided for are either restricted from, or not provided for within the zone. This recognises the primary purpose of the zone in providing for countryside living opportunities whilst maintaining a rural character.

7.8.6

Kawau Island Zone

Kawau Island Zone is applied to Kawau Island and comprises two Policy Areas:

- (a) Bush Policy Area;
- (b) Settlement Policy Area.

7.8.6.1

Kawau Island Zone Objectives

Objective 7.8.6.1.1

To retain the unique features and non-urban character of the island intact and to enhance the environmental quality where appropriate whilst providing for a range of appropriate residential, recreational, visitor accommodation and related commercial opportunities.

Objective 7.8.6.1.2

To achieve control of the wallaby and possum populations on the island and to re-establish the ecology of the island.

(These objectives relate to Issues 7.2.2, 7.2.4, 7.2.5 and 7.2.9)



7.8.6.2

Policy 7.8.6.2.1

Kawau Island Zone Policies

The natural functioning of the coastal processes occurring around Kawau Island should not be adversely affected by activities such as earthworks, bush and vegetation removal, landform modification and the siting of buildings and structures.

Policy 7.8.6.2.2

Features and areas of high natural environmental value and wildlife habitats including riparian vegetation should not be adversely affected by activities such as earthworks and bush and vegetation removal and non-compatible activities and subdivision.

Policy 7.8.6.2.3

The special non-urban character of the Island should be retained through the limitation of intensive subdivision and activities of an urban scale and nature.

Policy 7.8.6.2.4

The special non-urban and unique character of the island based on access from the sea should be retained through discouraging and limiting the formation of roads and the introduction of motor vehicles to the island. Where roads are unavoidable, it should be ensured that they are as unobtrusive as possible from sea approaches and the foreshore and do not lead to a connecting road network, proliferation of wharves and jetties, or motor vehicles replacing the present sea access and use of vessels by the community.

Policy 7.8.6.2.5

The existing range of primary production activities, including production forestry and horticulture, should be provided for as they contribute to the unique character of the Island and that those activities may be expanded onto additional land where adverse effects are avoided or mitigated.

Policy 7.8.6.2.6

The sheltered western side of the island between Kawati Point and Elizabeth Point which includes Vivian Bay, North Cove, Bon Accord Harbour, and South Cove, and is adjacent to the Kawau Island Mooring Management Area provides for low intensity residential development, and for small scale tourism and commercial activities based upon but not detrimental to the natural character of the island.

Policy 7.8.6.2.7

Land within the Hauraki Gulf Marine Park and other historical features should be protected from incompatible residential, commercial or recreational use.

Policy 7.8.6.2.8

The natural and non-urban character of the Island should be protected through the limitation of development to a scale and intensity which can be sustained by the utility services available without detrimentally impacting upon natural values including water quality.

Policy 7.8.6.2.9

The landscape created by the hilly topography and vegetation covered hills should be protected by ensuring that buildings are not sited in highly visible locations by limiting their height and bulk and controlling their design and external appearance.

Policy 7.8.6.2.10

To allow for the differential treatment of residential and tourism/commercial development between that area where most residential development has already occurred and the remainder of the Island through the use of different policy areas.



Policy 7.8.6.2.11	Subdivision in the Settlement Policy Area should be limited to the creation of sites suitable for low intensity residential development, and for tourist/commercial developments having minor adverse effects on the environment.
Policy 7.8.6.2.12	Significant native bush and other natural features in the Bush Policy Area should be protected by limiting the creation of residential sites with respect to position, number and size so as to avoid destruction of significant native bush and other natural features, and by limiting activities which would require bush removal or the formation of public roads.
Policy 7.8.6.2.13	Activities should avoid any adverse effects upon streams, rivers and wetlands and wherever possible new activities or subdivision should lead to the enhancement and revitalisation of these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.
Policy 7.8.6.2.14	The special non-urban and unique character of the island based upon access from the sea should be retained through encouraging jointly owned wharves and jetties where practicable to ensure that wharves and jetties are established only where there is a need and by obtaining and requiring esplanade reserves, esplanade strips and access strips in accordance with the provisions set out in Chapter 23 to provide linkages to or towards existing public land or other places of public interest and between private properties sharing facilities such as wharves or jetties.
Policy 7.8.6.2.15	Bush clearance will be limited so as to retain the bushclad character of the island.
	<p>Explanation and Reasons</p> <p><i>(These policies seek to achieve Objectives 7.8.6.1.1, and 7.8.6.1.2)</i></p> <p><i>The Kawau Island Zone is unique because of its remote, unspoilt nature being an island. The Bush and Settlement Policy Areas while distinctive play an integral role in creating the character of this Zone, as well as the scrub and bush areas, the coastal areas, the mooring areas of Vivian Bay, North Cove, Bon Accord Harbour and South Cove. These features are all sensitive to subdivision, development and intensive land uses. Therefore the policies seek to protect the coastal processes, bush areas and high landscape values by limiting subdivision and development. More intensive subdivision is allowed in the Settlement Policy Area as long as the landscape values and coastal processes are not compromised. The policies also recognise that the island is attractive for a range of activities. These may involve development or other initiatives which enhance vegetation patterns over time. The retention of an ecological base is dependent on the eradication of the wild wallaby population.</i></p>
7.8.6.3	<p>Kawau Island Zone Description</p> <p>This Zone is applied to Kawau Island. The island is located off the east coast of the main land of Rodney District 8.4 kilometres from Sandspit and 1.5 kilometres south of the Tawharanui Peninsula.</p> <p>The topography can be described as hilly to steep, but there are also some relatively large flat to gently sloping areas, both elevated and in valleys. High</p>



cliffs face the open sea to the east, providing few landing places for a boat. Inlets and harbours formed by drowned valleys penetrate the more sheltered western shoreline. Named from north to south they are the North Cove, Bon Accord Harbour, and South Cove. Two large sandy bays occur at the extremities of the inlets and harbours: Vivian Bay in the north and Bostaquet Bay in the south. Intertidal flats and wetlands are found at the head of some bays, and several steeply cliffed islets lie close inshore. The area of the Island is a little more than 2,000 hectares, 177 hectares of which comprise the Kawau Island Historic Reserve.

Kawau Island has a long history associated with human activity and was used extensively by Maori as a base for fishing expeditions. The present settlement originated in the late 1830's, based upon grazing and agriculture. The discovery of sulphide copper ore in 1844 led to the establishment of an underground mine and a village of some 600 people. After the mine closed the store and post office continued to operate and in 1862 the Island was purchased by the former Governor of New Zealand, Sir George Grey.

The lengthy human occupation and activity on the Island and the introduction of exotic flora and fauna by Sir George Grey and others has led to a unique and highly modified landscape and vegetation. In particular the introduction of several wallaby species to the island and their subsequent release from captivity has created a large population of wallabies which, over the course of the last 100 years, have severely depleted the ground level vegetation cover of the island. The destruction caused by the wallaby and possum populations is evident throughout an extensive part of the bush cover. In these parts, the ground's natural absorption and detention capacity of rainwater has been adversely affected. Ageing stands of kanuka are reaching the end of their life and are beginning to collapse in high winds, with no replacement vegetation growing below the bush canopy. The majority of dwellings are situated close to the sea and legal access to most lots is from the sea. The settlement relies on sea based transport and access in the absence of a road network. There are two short roads at Schoolhouse Bay and South Cove. All other residents use wharves or the beach for access, and boats as a means of conveyance. The major subdivisions completed just after the turn of the century were designed to avoid the creation of land-locked property and the need for costly road construction over the hilly topography.

The settlement is low density, with about 250 dwellings (1995) distributed along the sheltered western coastline, and several other places. Many houses are constructed close to the sea, and with the wharves they form a significant part of the Island's character. The sea based transport and access avoids the more serious and permanent environmental consequences of roads and motor vehicles, and gives rise to high landscape values on the Island.

Because of its relatively short distance from Auckland and the large sheltered harbours the Island is a traditional destination for thousands of cruising boats from the Region each year. It is also an important tourist destination in the District with several enterprises transporting visitors to see the unique Island settlement and the Kawau Island Historic Reserve which is administered by the Department of Conservation and centred upon the Mansion House, Sir George Grey's former home.

Significant elements contributing to the unique character of Kawau Island are:



- (a) It is an island settlement;
- (b) the topography is generally hilly, often with steep land or cliffs;
- (c) the vegetative cover is highly modified, containing large areas of kanuka/manuka and areas of both planted and wilding pine forest, as well as being depleted of much ground level regeneration and plant life by the browsing and grazing habits of the wallaby population.
- (d) reliance by the community on sea based transport and access as an alternative to a road network;
- (e) concentration of almost all of the settlement on the sheltered western side of the Island;
- (f) the majority of dwellings are sited close to the sea;
- (g) the rich and interesting history of the Island, including Maori use, coppermining, time of Sir George Grey and the long maritime use of the sheltered harbours;
- (h) the presence of the Kawau Historic Reserve including Mansion House, comprising about 10% of the Island's area, and administered by the Department of Conservation.

The purpose of the Zone is to ensure the distinctive character of the Island remains largely intact. The Zone contains two policy areas - the "Settlement" policy area applying to the most densely settled areas on the western side of the Island, and the Bush Policy Area applying to the remainder of the Island.

The Settlement Policy Area enables a greater range of urban scale activities to be undertaken than in the Bush Policy Area.

7.8.7

Islands General Zone

The Islands General Zone applies to the islands contained within the District's boundaries, with the exception of Kawau Island, which has a separate zoning.

In addition to the objectives and policies in 7.3 and 7.4 the following additional objectives and policies apply in the Islands General Zone.

7.8.7.1

Islands General Zone Objective

Objective 7.8.7.1.1

To protect, retain and enhance the natural character of the islands within Rodney District, including valued components of natural character such as native bush, wetlands and vegetation, wildlife habitat, the intrinsic high landscape values of the islands, and their value as a recreational resource within the District.

(This objective relates to Issues 7.2.1, 7.2.4, 7.2.5, and 7.2.6)



7.8.7.2

Policy 7.8.7.2.1

Islands General Zone Policies

The natural functioning of the coastal processes occurring on the Islands should not be adversely affected through activities such as earthworks, vegetation removal, landform modification, and the erection of buildings, and the formation of roads.

Policy 7.8.7.2.2

Activities should result in or contribute to the protection, enhancement and preservation of indigenous vegetation, and indigenous wildlife habitats, high quality landscapes and the existing landform within the Zone.

Policy 7.8.7.2.3

The non-urban and remote character of the islands should be retained by limiting the range of activities to those occurring at present, making no provision for further dwellings or for the extension of primary productive activities onto additional land areas, or for further subdivision.

Policy 7.8.7.2.4

Protection of the existing character and natural features of the island should occur by providing for outdoor recreation activities based on resources in their natural state.

(These policies seek to achieve Objective 7.8.7.1.1)

Explanation and Reasons

The islands within the Zone are sparsely populated and tend to be of significance as wildlife habitat. They also tend to have high landscape values. Therefore, activities are limited to those occurring already on the islands or to those based on outdoor recreation. The erection of new dwellings is limited and subdivision is not allowed to occur, as this could adversely affect the significant natural environment and landscape values.

7.8.7.3

Islands General Zone Description

The Zone is applied to approximately 30 Islands within the District's boundaries. On the west coast the islands are small and uninhabited, while on the east coast there are a number of larger islands which are inhabited.

The largest of the islands is Tiri Tiri Matangi Island, on the east coast, with an area of 220 hectares approximately, while the smallest islands are only several hundred square metres in area and generally consist of rock outcrops.

A number of the larger islands are reserves administered by the Department of Conservation, and provide facilities associated with outdoor recreation, and in a small number of instances, accommodation. The Department of Conservation Reserve Islands include Tiri Tiri Matangi; Motuora; Motutara; Kohututara; Saddle Island and Moturemu and Moturekareka.

The largest of the privately owned islands is Motuketekete Island, with an area of 23 hectares. All the other privately owned islands are significantly smaller. Several of the privately owned islands have dwellings on them.

Generally, the islands are either rocky outcrops with little cover, or alternatively more substantial islands covered with bush and other vegetation. A small number are covered in pasture and grazed. The islands in general have



significance as a landscape feature off the coast and are visible from a number of points within mainland Rodney. The islands also have significance as areas of natural value, being the habitat for a range of flora and fauna, and birds in particular. Their relative isolation contributes to their value as a wildlife habitat and provides an opportunity for lower levels of interference by humans, not generally available on the mainland.

The islands have recreational value and those administered by the Department of Conservation provide for public recreation.

The purpose of the Zone is to ensure the distinctive character of this area is protected.

Rule 7.9

Rule 7.9.1 Activities in the Rural Zones

Rule 7.9.1.1

ACTIVITY RULES

Activities in the Rural Zones

Activities in the Rural Zones shall comply with the following:

- (a) All Permitted Activities in the Activity Tables (1 and 2) shall comply with Rule 7.10 Development Controls and Performance Standards and Rule 7.9.4 Earthworks and Vegetation and Wetland Modification Activities, Rule 7.9.5 Activities Within the Airfield Noise Contours at Dairy Flat and any other relevant Rule in the District Plan.
- (b) All Controlled Activities in the Activity Tables (1 and 2) shall comply with Rule 7.10 Development Controls and Performance Standards and Rule 7.9.4 Earthworks and Vegetation and Wetland Modification Activities, Rule 7.9.5 Activities Within the Airfield Noise Contours at Dairy Flat and any other relevant Rule in the District Plan.
- (c) All Restricted Discretionary Activities (except where the application is required for non-compliance with the Development Controls and Performance Standards) in the Activity Tables (1 and 2) shall comply with Rule 7.10 Development Controls and Performance Standards and Rule 7.9.4 Earthworks and Vegetation and Wetland Modification Activities and Rule 7.9.5 Activities Within the Airfield Noise Contours at Dairy Flat and will be assessed against the criteria set out in Rule 7.12.
- (d) All Discretionary Activities in the Activity Tables (1 and 2) will be assessed against the assessment criteria for Discretionary Activities in Rule 7.13 any relevant Discretionary Assessment criteria in any other chapter of this Plan and the relevant matters set out in section 104 of the Act.
- (e) Any activity not listed in the Activity Tables (1 and 2) and any Earthworks and Vegetation and Wetland Modification Activities not listed in Rule 7.9.4, and any activity within the Airfield Noise Contours at Dairy Flat not listed in Rule 7.9.5 is a Non-complying Activity.



Rule 7.9.2
Activity Table 1

- (f) All Discretionary Activities in Activity Table 1 shall comply with Rule 7.10.5 Protection from Aircraft Noise from the North Shore Airfield at Dairy Flat.
- (g) All Non-complying Activities in Activity Tables 1 and 2 shall be assessed against the relevant matters in section 104 of the Act.

Activity Table 1
General Rural Zone, Countryside Living Rural Zone (excluding the Okura Policy Area), Countryside Living Town Zone

In the following table:

P	=	Permitted Activity
C	=	Controlled Activity
RD	=	Restricted Discretionary Activity
D	=	Discretionary Activity
NC	=	Non-complying Activity
NA	=	Not Applicable
PRO	=	Prohibited Activity

Note: Words in capitals are defined in Chapter 3

ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
Any activity not listed in this Activity Table	NC	NC	NC
Any Permitted, Controlled or Restricted Discretionary Activity not complying with the Development Controls and Performance Standards in rule 7.10.	RD	RD	RD
BUILDINGS other than a HOUSEHOLD UNIT or ACCESSORY BUILDING within an area identified as SNA except for buildings associated with Mineral Extraction and Processing Activities of identified Significant Mineral Extraction Resources shown on the Planning Maps.	NC	NC	NC
BUILDINGS other than a HOUSEHOLD UNIT within an area identified as SNA associated with Mineral Extraction and Processing Activities of identified Significant Mineral Extraction Resources shown on the Planning Maps.	D	PRO	PRO



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
The ERECTION, relocation, DEMOLITION, addition to, or alteration of BUILDINGS and ACCESSORY BUILDINGS for any Permitted Activity in this Table (except FARMSTAY/HOMESTAY, OUTDOOR RECREATION) except in areas identified as a SNA and subject to Rule 7.9.4) (and except in the West Coast Policy Area.)	P	P	P
On SITES 40 hectares and less, the ERECTION, relocation, DEMOLITION, addition to, or alteration of farm or forestry, ACCESSORY BUILDINGS in the West Coast Policy Area where the accessory building does not exceed 200m ² GFA and the density of farm or forestry accessory buildings does not exceed one accessory building per 10 hectares of site area, and where the building complies with the performance standards in Rule 7.10.8	P	NA	NA
On SITES greater than 40 hectares, the ERECTION, relocation, DEMOLITION, addition to, or alteration of farm or forestry, ACCESSORY BUILDINGS in the West Coast Policy where the accessory building does not exceed 300 m ² GFA and the density of farm or forestry accessory buildings does not exceed one accessory building per 10 hectares of site area, and where the building complies with the performance standards in Rule 7.10.8	P	NA	NA
Farm fencing, stockyards, artificial shelter belts and maimai no greater than 5m ² and with a height not exceeding 2 metres, in the West Coast Policy Area only.	P	NA	NA
DEMOLITION OF BUILDINGS AND ACCESSORY BUILDINGS for any Permitted Activity in this table except in areas identified as SNA and subject to Rule 7.9.4	P		
The ERECTION, relocation, DEMOLITION, addition to, or alteration of BUILDINGS and ACCESSORY BUILDINGS for any Restricted Discretionary Activity in this Table except in areas identified as a SNA.	RD	RD	RD



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
The ERECTION, relocation, DEMOLITION, addition to, or alteration of BUILDINGS and ACCESSORY BUILDINGS for any Discretionary Activity in this Table except in areas identified as a SNA. Consent for vegetation removal associated with the proposed household unit and/or accessory building and any required access within the SNA must be obtained under Rule 7.9.4.1.3.	D	D	D
Breeding and boarding establishments for domestic animals, provided that there is no vehicle entry or exit to the areas to be used for the purpose from any State Highway, East Coast Road, or the Coatesville-Riverhead Highway	D	NC	PRO
CAMPING GROUNDS	D	NC	NC
CHILD CARE FACILITIES for <u>not</u> more than 10 children at any one time	P	P	P
CHILD CARE FACILITIES for more than 10 children at any one time	D	D	NC
CHILD CARE FACILITIES for not more than 10 children at any one time in Quarry Effects Management Areas identified on the Planning Maps.	RD	NA	NA
Cemeteries, URUPA, and Crematoria	D	NC	NC
CLEAN FILL SITES of up to 200m ³ (solid measure) and up to 750m ² of deposited material excluding DEMOLITION material.	P	P	P
CLEAN FILL SITES exceeding 200m ³ (solid measure) or 750m ² but not exceeding 1,000m ³ (solid measure) or 2,500m ² of deposited material excluding DEMOLITION material.	C	NC	PRO
CLEAN FILL SITES exceeding 1,000m ³ (solid measure) or 2,500m ² of deposited materials and sites for the disposal of DEMOLITION material.	NC	NC	PRO
EARTHWORKS	Refer to Rule 7.9.4 in this Chapter		
EDUCATIONAL FACILITIES	D	NC	NC



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
FARMING	P	P	P
FARM airstrips used for agricultural horticultural, FORESTRY or similar rural production purposes at least 2 kilometres from any urban zone or Countryside Living Zone	P	NC	NC
FARM airstrips not allowed as a Permitted Activity	D	NC	NC
FARMSTAY OR HOMESTAY accommodation for not more than 10 guests accommodated within an existing HOUSEHOLD UNIT	P	P	P
FARMSTAY OR HOMESTAY accommodation not allowed as a Permitted Activity	D	NC	NC
FARMSTAY OR HOMESTAY accommodation for not more than 15 persons inclusive of owner, family and staff within the Matakana Village Overlay Area	N/A	N/A	P
FIRE SERVICE EMERGENCY SERVICES	D	D	D
FORESTRY (except in areas identified on the planning maps as a SNA) and subject to Rule 7.9.4	P	RD	NC
The establishment of new FORESTRY in areas identified on the planning maps as SNA.	NC	NC	NC
The erection of, or alteration to a GREENHOUSE where the greenhouse is a maximum of 50m ² in area (except in areas identified as a SNA).	P	P	P
The erection of, or alteration to a GREENHOUSE where the greenhouse is over 50m ² in area but covers less than 10% of the NET SITE AREA (except in areas identified as a SNA).	P	D	NC
The erection of, or alteration to a GREENHOUSE where the greenhouse covers more than 10% of the NET SITE AREA, provided that the greenhouse covers less than 20% of the net site area and the total footprint of all greenhouses on the site does not exceed 1 hectare (except in areas identified as a SNA).	RD	NC	NC



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
The erection, relocation, demolition, addition to or alteration of a GREENHOUSE not otherwise provided for.	D	NC	NC
HEALTH AND WELFARE SERVICES	D	NC	NC
HOME OCCUPATIONS	P	P	P
HORSE RIDING SCHOOLS or HORSE RIDING FACILITIES or HORSE TRAINING where either the horses are not kept permanently on the SITE or riders do not permanently reside on the SITE and provided that no direct access is gained onto any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway	P	D	NC
HORSE RIDING SCHOOLS or HORSE RIDING FACILITIES or HORSE TRAINING where either the horses are not kept permanently on the SITE or riders do not permanently reside on the SITE and where direct access is gained onto any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway	D	NC	NC
HORSE TRAINING where the horses are kept permanently on the SITE	P	P	P
Horse and dog racing, MOTORSPORTS and showgrounds except where a Permitted Activity under "The use of a SITE on not more than a total of three days" in this Table, provided that there is no vehicle entry or exit to the areas to be used for the purpose from any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway	D	PRO	PRO
HORSE TRAINING support services (such as farrier, specialised veterinary services) within the specified horse training area around Boord Crescent, Kumeu. (See Planning Maps 30 and 113.)	D	NA	NA





ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
<p>HOUSEHOLD UNITS and ACCESSORY BUILDINGS within an area identified as an SNA where there is an alternative location on the site.</p> <p>An alternative location is:</p> <ul style="list-style-type: none"> (a) an existing cleared area within the SNA; or (b) an area outside of the SNA <p>equal to or greater than 400m² with minimum dimensions of 20m x 20m.</p>	NC	NC	NC
<p>HOUSEHOLD UNITS and ACCESSORY BUILDINGS within an area identified as SNA where there is no alternative location on the site.</p> <p>An alternative location is:</p> <ul style="list-style-type: none"> (c) an existing cleared area within the SNA ; or (d) an area outside of the SNA <p>equal to or greater than 400m² with minimum dimensions of 20m x 20m.</p> <p>Consent for vegetation removal associated with the proposed household unit and/or accessory building and any required access within the SNA must be obtained under Rule 7.9.4.1.3.</p>	RD	RD	RD
<p>HOUSEHOLD UNITS (including SLEEPOUTS) in Quarry Effects Management Areas identified on the Planning Maps: one per site where the site meets the requirements of rule 23.8.4 to 23.8.10 inclusive (except in areas identified as a SNA).</p>	RD	NA	NA
<p>HOUSEHOLD UNITS: one per SITE where the SITE meets the requirements of Rule 23.8.4 to 23.8.10 inclusive, provided that:</p> <p>Where the HOUSEHOLD UNIT is to be located on land in the Countryside Living Rural and Countryside Living Town Zones, the HOUSEHOLD UNIT shall be sited at least 50 metres from the boundary of any RURAL ZONE other than Countryside Living Rural and Countryside Living Town (except in areas identified as a SNA or in the West Coast Policy Area).</p>	P	P	P
<p>HOUSEHOLD UNITS - one HOUSEHOLD UNIT in addition to an existing HOUSEHOLD UNIT per SITE, on:</p> <ul style="list-style-type: none"> (a) Any SITE over 40 hectares used for FARMING or FORESTRY; or (b) Any established horticultural SITE with more than 8 hectares in PERMANENT CROPS; or (c) Any Greenhouse unit with 2,500m² or more growing area permanently under cover. <p>Except in the West Coast Policy Area.</p>	<p>P</p> <p>(except in areas identified as a SNA).</p>	NC	NC



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
HOUSEHOLD UNITS and ACCESSORY BUILDINGS; other than ACCESSORY BUILDINGS for farm or forestry purposes that meet the permitted activity standard; in the West Coast Policy Area.	RD	NA	NA
HOUSEHOLD UNITS on MAORI LAND up to 6 units and not exceeding 1 unit per hectare NET SITE AREA, where the applicant belongs to the same HAPU as the trustees of the associated MARAE.	P (except in areas identified as a SNA). G93	NC	NC
HOUSEHOLD UNITS on MAORI LAND other than MARAE, where the owner belongs to the same HAPU as the Trustees of the associated Marae and subject to the following limitations: (a) More than 1 HOUSEHOLD UNIT and not exceeding 6 HOUSEHOLD UNITS, and at a density exceeding 1 HOUSEHOLD UNIT per hectare NET SITE AREA; (b) More than 6 HOUSEHOLD UNITS and not exceeding 25 HOUSEHOLD UNITS, and at a density not exceeding 1 HOUSEHOLD UNIT per hectare.	D	NC	NC
INTENSIVE FARMING	D	NC	NC
Use of MARAE (existing) including associated existing BUILDINGS as childcare, craft, KOKIRI, cultural, vocational, recreational and religious centres by HAPU members	RD	NC	NC
MARAE extensions and new BUILDINGS for MARAE existing on 12 October 1995, including where hui, wharekai, childcare centres, KOKIRI and craft centres, community halls, churches, dwellings and kaumatua housing	D	NC	NC
New MARAE and associated BUILDINGS including wharehui, wharekai, childcare centres, KOKIRI and craft centres, community halls, churches, dwellings and kaumatua housing	D	NC	NC
MINERAL EXTRACTION AND PROCESSING ACTIVITIES	D	PRO	PRO
MINOR HOUSEHOLD UNIT (a) at a density of one per SITE; and (b) where the development complies with the Development Controls in Rule 7.10	RD	RD	RD



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
MINOR HOUSEHOLD UNIT (a) at a density of one per site; and (b) where the development does not comply with the Development Controls in Rule 7.10	D	D	D
MINOR HOUSEHOLD UNITS in Quarry Effects Management Areas identified on the Planning Maps: where the development complies with the development controls in rule 7.10	RD	NA	NA
OUTDOOR RECREATION not involving BUILDINGS except for goal posts, seating, fencing and ancillary buildings (eg. toilets, ticket offices, storage) up to a combined total floor area of 25m ² per site and excluding HORSE RIDING SCHOOLS or HORSE RIDING FACILITIES and HORSE TRAINING FACILITIES	P	NC	NC
OUTDOOR RECREATION involving BUILDINGS not allowed for as a Permitted Activity	D	NC	NC
PIG KEEPING	P	NC	NC
PLACES OF ASSEMBLY	D	NC	NC
Planting and tending of TREES for amenity or conservation purposes	P	P	P
POULTRY KEEPING	P	P	P
Prospecting and exploration for minerals not involving the use of explosives	P	PRO	PRO
Prospecting and exploration for minerals not allowed for as a Permitted Activity	D	PRO	PRO
REMOTE CAMP SITE	D	NC	NC
Replacement and extensions of existing public halls provided that the resulting floor area is no more than 50% larger than that existing on 12 October 1995	RD	RD	RD



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
RESTAURANTS provided that no direct access is gained onto any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway	D	NC	NC
RURAL SERVICES wholly serving activities of a rural nature.	D	NC	NC
Sales of primary produce grown on the property, honey, or the products of HOME OCCUPATIONS undertaken on the property, provided that: (a) There is no vehicle entry or exit to the sales area from any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway; (b) The sales area is served by an access point constructed in compliance with the standard specified in Rule 21.10.1.6	P	P	P
(c) The sales area has parking for at least 4 cars and a turning area, all clear of the ROAD; (d) Sales and display area does not exceed 25m ² floor area. (For the purposes of this rule "primary produce grown on the property" does not include plants or animals brought onto the property from elsewhere and sold in generally the same state of development.)			
Sales of primary produce, honey or the products of HOME OCCUPATIONS undertaken on the property not provided for as a Permitted Activity	D	D	D
Extensions of existing URUPA on MAORI LAND	P	D	D
Use of a SITE on not more than a total of 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings and rallies (including temporary structures for such activities) provided that the number of persons catered for and attending such events does not exceed 200 for each event and where access for the activity is not obtained from a STATE HIGHWAY.	P	P	P
Use of a SITE on not more than a total of 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings and rallies (including temporary structures for such activities) provided that the number of persons catered for and attending such events does not exceed 200 for each event and where access for the activity is obtained from a STATE HIGHWAY.	RD	RD	RD



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
Use of a SITE on not more than a total of 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings, rallies (including temporary structures for such use) provided that the number of persons catered for an attending each event does not exceed 1,000 for each event	D	NC	NC
VEGETATION REMOVAL	Refer to Rule 7.9.4 of this Chapter		
VISITOR ACCOMMODATION for a maximum of 50 guests, provided that no direct access is gained onto any STATE HIGHWAY, East Coast Road, or Coatesville-Riverhead Highway	D	NC	NC
VISITOR ACCOMMODATION for a maximum of 15 guests within the Matakana Village Overlay Area	N/A	N/A	RD
WETLAND MODIFICATION	Refer to Rule 7.9.4 in this Chapter		
WINERIES which may include SALES and wine tasting AREAS where the following criteria are met: (a) An annual output not exceeding 100,000 litres; and (b) SITE area not less than 4 hectares, and 65% of the SITE planted in fruit suitable for use in the WINERY; and (c) Wine sales limited to wine produced on the SITE; and (d) No vehicle entry or exit to the WINERY or SALES AREA from any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway; and (e) Access points to the WINERY and SALES AREAS constructed in compliance with Rule 21.10.1.7; and (f) Compliance with the NOISE controls specified in <i>Chapter 16 - General Rules</i>	RD	NC	NC
WINERIES (which may include ancillary SALES AREAS, wine tasting areas) not provided for as a Restricted Discretionary Activity and WINERIES including RESTAURANTS and guest accommodation and not dependent for access on STATE HIGHWAY, or East Coast Road, or the Coatesville-Riverhead Highway	D	PRO	PRO



ACTIVITY	General Rural Zone	Countryside Living Rural Zone (excluding the Okura Policy Area)	Countryside Living Town Zone
District Wide Activities	Refer to <i>Chapter 16 - General Rules</i>		
Transport activities	Refer to <i>Chapter 21 - Transportation and Access</i>		
Use and Storage of Hazardous Substances	Refer to <i>Chapter 20 — Hazardous Substances and Contaminated Sites</i>		
UTILITIES	Refer to <i>Chapter 19 — Utilities</i>		

Rule 7.9.2A
Activity Table 1A

Activity Table 1A
Okura Policy Area within the Countryside Living Rural Zone

In the following table:

P	=	Permitted Activity
C	=	Controlled Activity
RD	=	Restricted Discretionary Activity
D	=	Discretionary Activity
NC	=	Non-complying Activity
PRO	=	Prohibited Activity

Note: Words in capitals are defined in Chapter 3

ACTIVITY	Okura Policy Area within the Countryside Living Rural Zone
Any activity not listed in this Activity table	NC
ERECTION, DEMOLITION, addition to, or alteration of ACCESSORY BUILDINGS not exceeding 25m ² GROSS FLOOR AREA, provided that the prime activity on the SITE is a permitted or a controlled activity	P



ACTIVITY	Okura Policy Area within the Countryside Living Rural Zone
ERECTION, DEMOLITION, addition to, or alteration of ACCESSORY BUILDINGS exceeding 25m ² GROSS FLOOR AREA but not exceeding 100m ² GROSS FLOOR AREA, provided that the prime activity on the SITE is a permitted or a controlled activity and including ACCESSORY BUILDINGS located on a Defined Area(s) for building specified on a plan of subdivision for CLUSTER HOUSING.	C
ERECTION, DEMOLITION, addition to, or alteration of ACCESSORY BUILDINGS exceeding 100m ² GROSS FLOOR AREA, provided that the prime activity on the SITE is a permitted or a controlled activity.	RD
The ERECTION DEMOLITION, addition to, or alteration of ACCESSORY BUILDINGS located wholly or partly outside a Defined Area(s) for building specified on a Plan of Subdivision or within 50 metres of the boundary of another RURAL ZONE.	RD
CEMETERIES	D
CHILD CARE FACILITIES for not more than 10 children at any one time.	P



ACTIVITY	Okura Policy Area within the Countryside Living Rural Zone
<p>CLEANFILL SITE on Part Lot 2 DP 655500, Part Lot 1 DP 37329, Part Lot 4 DP 32247, Lot 1 DP 165504 and Section 1 SO 245671 and Lot 3 DP 655500: Prior to 30 December 2012 involving;</p> <ul style="list-style-type: none"> • Cleanfill operations and associated buildings, works and use of machinery. • Stabilising and reinstatement works. • Salvaging and recycling of concrete and building materials etc, including transporting materials to the site and stock piling. • Wholesale (no retail) reselling of scoria, rock metal and topsoil. • Salvaging and recycling of topsoil and other related materials. • Ancillary activities and accessory building. <p>Provided there are no more than 75 truckloads of material per day with an annual average per day of 50 truck loads.</p> <p>Post 30 December 2012, activities not otherwise occurring on Lot 2 DP 340945, Lots 2 and 3 DP 366297 and Section 1 SO 69059 at Redvale, involving:</p> <ul style="list-style-type: none"> • Offices and storage of vehicles and machinery. • Salvaging and recycling of concrete and building materials etc, including transporting materials to the site and stock piling. • Wholesale (no retail) reselling of scoria, rock metal and topsoil. • Salvaging and recycling of topsoil and other related materials. • Ancillary activities and accessory buildings. <p>Provided there are no more than 75 truck loads of material per day with an annual average per day of 50 truck loads.</p>	D
<p>CLEANFILL SITE on those parts of Lot 2 DP 340945, Lots 2 and 3 DP 366297 and Section 1 SO 69059 depicted as 'Cleanfill Footprint' with access to East Coast Road, as shown on the Plan in Appendix 14U of Chapter 14 involving:</p> <ul style="list-style-type: none"> • Cleanfill operations and associated buildings, works and use of machinery. • Salvaging and recycling of concrete and building materials etc, including transporting materials to the site and stock piling. • Wholesale (no retail) reselling of scoria, rock metal and topsoil. • Salvaging and recycling of topsoil and other related materials. • Ancillary activities and accessory buildings. <p>Provided there are no more than 100 truckloads of material per week day and 50 truck loads per Saturday.</p>	D
CLEANFILLS except as provided for above.	PRO



ACTIVITY	Okura Policy Area within the Countryside Living Rural Zone
FARMING	P
FARMSTAY or HOMESTAY accommodation for not more than 10 guests accommodated within an existing HOUSEHOLD UNIT.	P
FORESTRY	RD
HOME OCCUPATIONS	P
HORTICULTURE that does not involve aerial spraying of plants or crops.	P
<p>HOUSEHOLD UNITS: one per SITE where the SITE meets the requirements of Rule 23.8.4 to 23.8.10 inclusive, provided that the household unit is:</p> <ul style="list-style-type: none"> (i) Located on a Defined Area for Building specified on the Plan of Subdivision (on SITES other than those subdivided as CLUSTER HOUSING SITES). (ii) Located on a defined area(s) for building specified on a plan of subdivision for CLUSTER HOUSING, as provided for by Rule 7.14.11.5. (iii) Located at least 50 m from land in an adjoining activity area that is used for horticultural purposes. 	C
HOUSEHOLD UNIT sited within 50 m of land in an adjoining activity area that is used for horticultural purposes and / or a HOUSEHOLD UNIT located wholly or partly outside a Defined Area for Building specified on a Plan of Subdivision (on SITES other than those subdivided as CLUSTER HOUSING SITES).	RD
HOUSEHOLD UNIT (for CLUSTER HOUSING) located wholly or partly outside a Defined Area for Building specified on a Plan of Subdivision.	RD
INTENSIVE FARMING	PRO
MINOR HOUSEHOLD UNITS	NC
PLACES of ASSEMBLY	D
RESERVES	P
Sanitary landfills	PRO



ACTIVITY	Okura Policy Area within the Countryside Living Rural Zone
<p>Sales of Primary Produce grown on the property, honey or the products of HOME OCCUPATIONS undertaken on the property and ACCESSORY BUILDINGS provided that:</p> <p>(a) There is no vehicle entry or exit to the SALES AREA from any STATE HIGHWAY, East Coast Road, or the Coatesville - Riverhead Highway;</p> <p>(b) The SALES AREA is served by an access point constructed in compliance with the standard specified in Rule 21.10.1.6</p> <p>(c) The SALES AREA has parking for at least 4 cars and a turning area, all clear of the ROAD;</p> <p>(d) SALES and display AREA does not exceed 25m² floor area.</p> <p>(for the purposes of this rule “primary produce grown on the property” does not include plants or animals brought onto the property from elsewhere and sold in generally the same state of development).</p>	RD
<p>Use of a SITE on not more than a total of 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings and rallies (including temporary structures for such activities) provided that the number of persons catered for and attending such events does not exceed 200 for each event.</p>	P
<p>Winning and / or processing of minerals, rock, sand, gravel or clay</p>	PRO
<p>District Wide Activities</p>	Refer to Chapter 16 — General Rules
<p>Transport Activities</p>	Refer to Chapter 21 — Transportation and Access
<p>Use and Storage of Hazardous Substances</p>	Refer to Chapter 20 — hazardous Substances and Contaminated Sites
<p>Utilities</p>	Refer to Chapter 19 — Utilities





Rule 7.9.3
Activity Table 2

Activity Table 2
Landscape Protection Rural Zone; Dune Lakes Zone; East Coast Zone;
Kawau Island Zone (Bush and Settlement Policy Areas) (KI); and
Islands General Zone

In the following table:

P	=	Permitted Activity
C	=	Controlled Activity
RD	=	Restricted Discretionary Activity
D	=	Discretionary Activity
NC	=	Non-complying Activity
NA	=	Not Applicable
PRO	=	Prohibited Activity

Note: Words in capitals are defined in Chapter 3

ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
Any activity not listed in this Activity Table	NC	NC	NC	NC	NC	NC
Any Permitted, Controlled or Restricted Discretionary Activity not complying with the Development Controls and Performance Standards in Rule 7.10	RD	RD	RD	RD	RD	RD
The ERECTION, relocation, DEMOLITION, addition to, or alteration of BUILDINGS and ACCESSORY BUILDINGS for any Permitted Activity in this Table, except in areas identified as a SNA.	RD	RD	RD	RD	P	D
The ERECTION, relocation, DEMOLITION, addition to, or alteration of BUILDINGS and ACCESSORY BUILDINGS for any Restricted Discretionary Activity in this Table, except in areas identified as a SNA.	RD	RD	RD	D	RD	D
The ERECTION, relocation, DEMOLITION, addition to, or alteration of BUILDINGS and ACCESSORY BUILDINGS for any Discretionary Activity in this Table, except in areas identified as a SNA.	D	D	D	D	D	D



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
BOAT building, BOAT repairs and servicing	NC	NC	NC	D	D	NC
Breeding and boarding establishments for domestic animals provided that there is no vehicle entry or exit to the areas to be used for this purpose from any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway	NC	NC	D	NC	NC	NC
BUILDINGS other than a HOUSEHOLD UNIT or ACCESSORY BUILDING within an area indentified as SNA.	NC	NC	NC	NC	NC	NC
CAMPING GROUNDS excluding Motuora Island	D	D	D	D	D	NC
CAMPING GROUND at Motuora Island only	NA	NA	NA	NA	NA	D
CHILD CARE FACILITIES for not more than 10 children at any one time accommodated within existing BUILDINGS	P	P	P	P	P	NC
CHILD CARE FACILITIES not allowed as a Permitted Activity	D	D	D	D	D	NC
EARTHWORKS	Refer to Rule 7.9.4 in this chapter					
Facilities on shore including BUILDINGS (excluding VISITOR ACCOMMODATION) associated with water based tourist activities	NC	NC	NC	D	D	NC
Farm airstrips at least 2 kilometres from any urban zone or Countryside Living Rural or Countryside Living Town Zone	D	D	D	D	NC	NC
FARMING	P	P	P	NC	NC	D
FARMSTAY OR HOMESTAY accommodation for not more than 10 guests accommodated within an existing HOUSEHOLD UNIT	P	P	P	P	P	P





ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
FARMSTAY OR HOMESTAY accommodation not allowed as a Permitted Activity	D	D	D	D	D	NC
The establishment of new FORESTRY in areas identified on the planning maps as a SNA.	NC	NC	NC	NC	NC	NC
FORESTRY on land currently cleared of TREES or bush (except in areas identified on the planning maps as a SNA).	P	D	P	P	P	NC
FORESTRY not otherwise provided for (except in areas identified on the planning maps as a SNA) and subject to Rule 7.9.4 and Rule 7.10.7	P	D	P	NC	NC	NC
The erection of, or alteration to a GREENHOUSE where the greenhouse is a maximum of 50m ² in area (except in areas identified as a SNA).	P	P	P	P	P	P
The erection of, or alteration to a GREENHOUSE not otherwise provided for.	D	D	D	D	D	D
HEALTH AND WELFARE SERVICES	NC	NC	NC	NC	D	NC
HOMES FOR THE AGED and DAYCARE FACILITIES FOR THE ELDERLY accommodating not more than 15 persons inclusive of owner, family and staff	NC	NC	NC	NC	P	NC
HOMES FOR THE AGED not allowed as a Permitted Activity accommodating a maximum of 50 persons	NC	NC	NC	NC	D	NC
HOME OCCUPATIONS	P	P	P	P	P	P
HORSE RIDING SCHOOLS or HORSE RIDING FACILITIES where either the horses are not kept permanently on the SITE or riders do not reside on the SITE permanently	D	D	D	NC	NC	NC
HORSE TRAINING where the horses are kept permanently on the SITE	P	P	P	NC	NC	NC



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
HOUSEHOLD UNITS and ACCESSORY BUILDINGS within an area identified as an SNA, where there is an alternative location on the site. An alternative location is: (a) an existing cleared area within the SNA; or (b) an area outside of the SNA equal to or greater than 400m ² with minimum dimensions of 20m x 20m.	NC	NC	NC	NC	NC	NC
HOUSEHOLD UNITS and ACCESSORY BUILDINGS within an area identified as SNA where there is no alternative location on the site. An alternative location is: (a) an existing cleared area within the SNA ; or (b) an area outside of the SNA equal to or greater than 400m ² with minimum dimensions of 20m x 20m. Consent for vegetation removal associated with the proposed household unit and/or accessory building and any required access within the SNA must be obtained under Rule 7.9.4.1.3.	RD	RD	RD	RD	RD	RD
HOUSEHOLD UNITS - one SINGLE HOUSEHOLD UNIT where the total GROSS FLOOR AREA of the HOUSEHOLD UNIT, any SLEEPOUTS and MINOR HOUSEHOLD UNIT does not exceed a maximum of 300m ² ; and ACCESSORY BUILDINGS up to a maximum combined GROSS FLOOR AREA of 50m ² ; Provided that on any SITE subdivided after 28 November 2000 the HOUSEHOLD UNIT and ACCESSORY BUILDINGS shall be located on a defined area(s) for building specified on the plan of subdivision creating the SITE where a defined area for building is required in the subdivision rule, and the SITE shall meet the requirements of Rules 23.8.4 to 23.8.10 inclusive (except in areas identified as a SNA).	RD	RD	RD	RD	P	RD
HOUSEHOLD UNITS - one SINGLE HOUSEHOLD UNIT per SITE where the total GROSS FLOOR AREA of the HOUSEHOLD UNIT, any SLEEPOUTS and MINOR HOUSEHOLD UNIT is greater than 300m ² , and ACCESSORY BUILDINGS greater than 50m ² combined GROSS FLOOR AREA per SITE.	D	D	D	D	P	D



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
HOUSEHOLD UNITS - one HOUSEHOLD UNIT in addition to an existing HOUSEHOLD UNIT per SITE, on: (a) Any SITE over 40 hectares used for FARMING or FORESTRY; or (b) Any established HORTICULTURE SITE with more than 8 hectares in PERMANENT CROPS; or (c) Any GREENHOUSE unit with 2,500m ² or more growing area permanently under cover. (except in areas identified as a SNA).	RD	RD	RD	RD	P	D
HOUSEHOLD UNITS - One per SITE where the SITE meets the requirements of Rules 23.8.4 to 23.8.10 inclusive, on land subdivided after 28 November 2000 but located outside the defined area(s) for building specified in the plan of subdivision.	D	D	D	D	P	D
HOUSEHOLD UNITS on MAORI LAND: up to 6 units and not exceeding 1 unit per hectare NET SITE AREA, where the applicant belongs to the same HAPU as the trustees of the associated MARAE (except in areas identified as a SNA).	RD	RD	RD	D	D	NC
HOUSEHOLD UNITS on MAORI land other than MARAE, where the applicant belongs to the same HAPU as the Trustees of the associated MARAE and subject to the following limitations: (a) More than 1 HOUSEHOLD UNIT and not exceeding 6 HOUSEHOLD UNITS, and at a density exceeding 1 HOUSEHOLD UNIT per hectare NET SITE AREA; (b) More than 6 HOUSEHOLD UNITS and not exceeding 25 HOUSEHOLD UNITS, and at a density not exceeding 1 HOUSEHOLD UNIT per hectare.	D	D	D	D	D	NA
INTENSIVE FARMING	D	D	D	NC	NC	NC
LANDFILLS	NC	NC	PRO	NC	NC	NC



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
Use of MARAE (existing) including associated existing BUILDINGS as childcare, craft, KOKIRI, cultural and vocational, recreational centres by HAPU members	RD	RD	RD	NA	NA	NA
MARAE extensions and new BUILDINGS for MARAE existing on 12 October 1995, including whare hui, wharekai, childcare centres, KOKIRI and craft centres, community halls, churches, dwellings and kaumatua housing	D	D	D	NA	NA	NA
New MARAE and associated BUILDINGS including wharehui, wharekai, childcare centres, KOKIRI and craft centres, community halls, churches, dwellings and kaumatua housing	D	NC	D	NC	NC	NC
MINOR HOUSEHOLD UNIT (a) at a density of one per SITE; and (b) where the development complies with the Development Controls in Rule 7.10; and (c) where the total floor area of both the PRINCIPAL HOUSEHOLD UNIT and the MINOR HOUSEHOLD UNIT combined does not exceed a maximum of 300m ² ;	RD	RD	RD	RD	NA	RD
MINOR HOUSEHOLD UNIT (a) at a density of one per SITE; and (b) where the development does not comply with the Development Controls in Rule 7.10; or (c) where the total floor area of both the PRINCIPAL HOUSEHOLD UNIT and the MINOR HOUSEHOLD UNIT combined exceeds 300m ² ;	D	D	D	D	NA	D
MINOR HOUSEHOLD UNIT (a) at a density of one per SITE where the SITE meets the standards in Rule 7.14 and (b) where the development complies with the Development Controls in Rule 7.10 in the Kawau Island zone, Settlement Policy Area only.	NA	NA	NA	NA	RD	NA



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
MULTIPLE HOUSEHOLD UNITS not exceeding one HOUSEHOLD UNIT per 2,000m ² NET SITE AREA and not exceeding 2 units per SITE in the Kawau Island zone, Settlement Policy Area only.	NA	NA	NA	NA	P	NA
MULTIPLE HOUSEHOLD UNITS exceeding two units per SITE and not exceeding one HOUSEHOLD UNIT per 2,000m ² NET SITE AREA in the Kawau Island zone, Settlement Policy Area only.	NA	NA	NA	NA	D	NA
MULTIPLE HOUSEHOLD UNITS not exceeding two units per SITE and not exceeding one household unit per 2 hectares NET SITE AREA on land identified with special development provisions on Planning Maps 22, 69 and 72 only.	NA	NA	RD	NA	NA	NA
OUTDOOR RECREATION not involving BUILDINGS except for goal posts, seating, fencing, and ancillary buildings (e.g. toilets, ticket offices, storage) up to a combined total floor area of 25m ² per site and excluding HORSE RIDING SCHOOLS or HORSE RIDING FACILITIES and HORSE TRAINING facilities	P	P	P	P	P	P
OUTDOOR RECREATION involving BUILDINGS not allowed for as a Permitted Activity.	NC	NC	D	NC	NC	NC
PLACES OF ASSEMBLY accommodating a maximum of 100 persons	NC	NC	NC	NC	D	NC
Planting and tending of trees for amenity/ conservation purposes	P	P	P	P	P	P
Prospecting and exploration for minerals not involving the use of explosives	P	P	P	NC	PRO	NC
Prospecting and exploration for minerals not allowed for as a Permitted Activity	D	D	D	NC	PRO	NC
Replacement of and extensions to existing public halls provided that the resulting floor area is no more than 25% larger than that existing on 12 October 1995	RD	D	RD	D	D	NC



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
RESTAURANTS accommodating a maximum of 50 persons	D	NC	D	NC.	D	NC
RURAL SERVICES wholly serving activities of a rural nature	D	D	D	D	D	NC
Sales of primary produce grown on the property, honey, or the products of HOME OCCUPATIONS undertaken on the property, provided that: in all zones except Kawau Island Zone Bush Policy and Settlement Policy Areas.	P	P	P	P	P	P
(a) There is no vehicle entry or exit to the SALES AREA from any STATE HIGHWAY; (b) The SALES AREA is served by an access point constructed in compliance with the standard specified in Rule 21.10.1.6; (c) The SALES AREA has parking for at least 4 cars and a turning area, all clear of the ROAD; (d) The SALES and display AREA does not exceed 25m ² floor area.						
(For the purposes of this rule "primary produce grown on the property" does not include plants or animals brought onto the property from elsewhere and sold in generally the same state of development.)						
Sales of primary produce grown on the property, honey or the products of HOME OCCUPATIONS undertaken on the property not provided for a Permitted Activity	D	D	D	D	D	D
SHOPS with a maximum floor area of 100m ²	NC	NC	NC	NC	D	NC
Extension of URUPA on MAORI LAND	P	P	P	P	D	P
Use of a SITE on not more than a total of 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings and rallies. (Including temporary structures for such uses) provided that the number of persons catered for and attending such events does not exceed 200 for each event where access for the activity is not obtained from a STATE HIGHWAY.	P	P	P	P	P	P



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
Use of a SITE on not more than a total of 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings and rallies (including temporary structures for such uses) provided that the number of persons catered for and attending such events does not exceed 200 for each event and where access for the activity is obtained from a STATE HIGHWAY.	RD	RD	RD	RD	RD	RD
Use of SITE on not more than 3 days within any 12 month period for events such as festivals, carnivals, markets, race meetings and rallies (including temporary structures for such activities) providing that the number of persons catered for and attending each event does not exceed 1,000 for each event	D	D	D	D	D	D
VEGETATION REMOVAL	Refer to Rule 7.9.4 in this chapter					
VISITOR ACCOMMODATION accommodating a maximum of 30 persons	D	D	D	D	D	NC
VISITOR ACCOMMODATION accommodating 20 guests on Motuora Island only	NA	NA	NA	NA	NA	D
WETLAND MODIFICATION	Refer to Rule 7.9.4 in this chapter					
WINERIES which may include SALES and wine tasting AREAS where the following criteria are met: (a) An annual output not exceeding 100,000 litres; and (b) SITE area not less than 4 hectares, and 65% of the SITE planted in fruit suitable for use in the WINERY; and (c) Wine sales limited to wine produced on the SITE; and (d) No vehicle entry or exit to the winery or sales area from any STATE HIGHWAY, East Coast Road, or the Coatesville-Riverhead Highway; and (e) Access points to the WINERY and SALES AREAS constructed in compliance with Rule 21.10.1.6; and (f) Compliance with the noise controls specified in Chapter 16 - General Rules	D	NC	D	NC	NC	NC



ACTIVITY	Landscape Protection Rural Zone	Dune Lakes Zone	East Coast Rural Zone	Bush Policy Area Within KI Zone	Sett Policy Area Within KI Zone	Islands General Zone
District Wide Activities	Refer to <i>Chapter 16 - General Rules</i>					
Transport activities	Refer to <i>Chapter 21 - Transportation and Access</i>					
Use and storage of Hazardous Substances	Refer to <i>Chapter 20 - Hazardous Substances and Contaminated Sites</i>					
UTILITIES	Refer to <i>Chapter 19 - Utilities</i>					

Rule 7.9.4 Earthworks, Vegetation Removal and Wetland Modification Activities

Earthworks, Vegetation Removal and Wetland Modification Activities

- (a) Rule 7.10 - Development Controls and Performance Standards does not apply to activities in Rule 7.9.4.
- (b) Earthworks are controlled by Rule 7.9.4.2.
- (c) Vegetation Removal is controlled by Rule 7.9.4.1, which applies to the removal of trees and native bush, and Rule 7.9.4.4 which applies to the removal of native riparian vegetation.
- (d) Natural watercourse and wetland modification activities are controlled by Rule 7.9.4.3

Rule 7.9.4.1 Tree and Bush Removal

Tree and Bush Removal

Note: The following terms used in Rule 7.9.4.1 are defined in Chapter 3 — Definitions: building, forestry, native bush, native tree, native vegetation, plantation forest, significant natural area, site, trees, vegetation removal

Rule 7.9.4.1.1 All Zone

All Zones

The following activities are Permitted Activities in all Zones and all Policy Areas within the Zones in this chapter:

Permitted Activities (except within Significant Natural Areas)

- (a) The cutting, damaging or destroying of any exotic tree or area of exotic



trees not listed as protected in Appendix 17C, or not listed as part of a Restricted Activity in Rule 14.8.3.

- (b) The cutting, damaging or destroying of any native tree planted specifically for forestry or cropping purposes except in the Okura Policy Area.
- (c) The cutting or removal of plants planted for farming and forestry.
- (d) The removal of vegetation (excluding removal of native bush) to maintain pasture, cropping areas and orchards.
- (e) The cutting, damaging or destroying of any native vegetation understorey in any exotic or native plantation forest as part of forestry operations, except in the Okura Policy Area.
- (f) The treatment or removal of dead, damaged or diseased native trees or other works relating to native trees immediately necessary to avoid any actual or potential damage to the life, health or property on the site on which the trees are located or any adjacent site.
- (g) The operation of any statute or delegated legislation which may conflict with this part of the District Plan or to which this part of the District Plan is subordinate.
- (h) The cutting or removal of vegetation for walking tracks up to and including 1.7 metres in width **except** within areas identified as a Significant Natural Area on the Planning Maps.
- (i) The removal of any plant pest identified pursuant to the Biosecurity Act 1993 or listed as a plant pest in the Auckland Regional Pest Management Strategy 2007-2012.
- (j) In the West Coast Policy Area, the removal of, or other works involving the minimum amount of native bush, native trees or native vegetation immediately necessary to remedy any actual or potential danger to human life or health on the site on which the vegetation is located, subject to the area being subsequently protected to allow for regeneration of the vegetation as soon as practicable after the danger has been remedied.

Rule 7.9.4.1.2
Within Height Limits Around
North Shore, Parakai and
Kaipara Flats Airfields

Within Height Limits Around North Shore, Parakai and Kaipara Flats Airfields

The following are Permitted Activities on all land within the airfield height limits for the North Shore, Parakai and Kaipara Flats Airfield within a Zone in this chapter:

Rule 7.9.4.1.2.1
Permitted Activities

Permitted Activities

- (a) The removal or topping of any tree on land within the airfield height limits for the airfields at North Shore, Parakai and Kaipara Flats which exceeds the height limits specified on the relevant Planning Maps.



Rule 7.9.4.1.3
Within Significant Natural Areas

Rule 7.9.4.1.3.1
Permitted Activities

Within Significant Natural Areas

Within areas defined as Significant Natural Areas on the Planning Maps, trees and bush removal have the following status:

Permitted Activities

- (a) The Permitted Activities in 7.9.4.1.1.1 (a), (d) (e) and (g) provided that the adverse effects to the SNA are avoided or where avoidance is not possible appropriate action is undertaken to ensure the adverse effects are minimised.
- (b) The harvesting or any exotic or native tree/s planted specifically for forestry or cropping purposes.
- (c) The cutting, damaging or destroying of any native vegetation understorey in any exotic or native plantation forest as part of forestry operations provided for under clause (b) above.
- (d) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is:
 - (i) less than or equal to 3 metres in height; and
 - (ii) less than or equal to 100m² in area, provided that this is the maximum total area cut, damaged or destroyed on the site after 28 November 2000.

Advice note: Any person/s undertaking activities under (a), (b) or (c) above within SNA shall take measures or adopt methods, to the extent practicable, to minimise damage to established or regenerating native vegetation within the Significant Natural Area.

Rule 7.9.4.1.3.2
Restricted Discretionary Activities

Restricted Discretionary Activities

- (a) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is:
 - (i) greater than 3 metres in height; and
 - (ii) less than or equal to 400m² in area, provided that this is the maximum total area cut, damaged or destroyed on the site after 28 November 2000.

Where the purpose is:

- to create a building platform for a household unit and/or associated accessory buildings; or
- prospecting for minerals.

Except in the Okura Policy Area

Note: Buildings within a SNA must comply with activity tables 7.9.2 and 7.9.3.



Rule 7.9.4.1.3.3
Discretionary Activities

Discretionary Activities

- (a) The cutting, damaging or destroying of any individual native tree or number of native trees constituting native bush:
- (i) greater than 400m² in area; or
 - (ii) not otherwise a Permitted Activity or Restricted Discretionary Activity.

Where the purpose is:

- to create a building platform for a household unit and/or associated accessory buildings; or
- for access to a building platform; or
- for public pedestrian access.

Except in the Okura Policy Area

- (b) The cutting, damaging or destroying of any individual native tree or number of native trees constituting native bush associated with Mineral Extraction and Processing Activities of identified Significant Mineral Extraction Resources in the General Rural zone, or prospecting for minerals.

Rule 7.9.4.1.4
Kawau Island Zone - Both Policy Areas

Kawau Island Zone - Both Policy Areas

Rule 7.9.4.1.4.1
Permitted Activities

Permitted Activities

- (a) The Permitted Activities in 7.9.4.1.1.1.
- (b) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is;
- (i) less than or equal to 3 metres in height; and
 - (ii) less than or equal to 500m² in area.
- (c) The cutting of manuka and kanuka for:
- (i) property maintenance and fire protection within 10 metres of any existing building;
 - (ii) clearance from electricity supply line routes;
 - (iii) conservation, including cutting or ringbarking manuka and kanuka to open up the canopy for re-vegetation with native species and for clearance from other existing native species;
 - (iv) harvesting for non-commercial firewood collection;
 - (v) harvesting as a renewable raw material for crafts, utility uses and home occupations;

provided that for the purposes specified at Rule 7.9.4.1.4.1 (c)(iii), (iv) and (v), the manuka or kanuka shall not be cleared to a density of less than 25 trees per 1,000m².



Rule 7.9.4.1.4.2
Restricted Discretionary Activities

Restricted Discretionary Activities

- (a) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is:
 - (i) greater than 3 metres in height; or
 - (ii) greater than 500m² in area.

Rule 7.9.4.1.5
East Coast Rural Zone

East Coast Rural Zone

This rule applies to areas of native bush within the East Coast Rural Zone not specified as Significant Natural Areas on the Planning Maps. See Rule 7.9.4.1.3 for rules on Significant Natural Areas.

Rule 7.9.4.1.5.1
Permitted Activities

Permitted Activities

- (a) The Permitted activities in 7.9.4.1.1.1
- (b) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is
 - (i) less than or equal to 3 metres in height, and
 - (ii) less than or equal to 250m² in area, provided that this is the maximum area cut, damaged or destroyed on the site after 28 November 2000.

Rule 7.9.4.1.5.2
Restricted Discretionary Activities

Restricted Discretionary Activities

- (a) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is
 - (i) greater than 3 metres in height; or
 - (ii) greater than 250m² in area.

Rule 7.9.4.1.6
Landscape Protection Rural Zone, Dune Lakes Zone, Islands General Zone - except Significant Natural Areas

Landscape Protection Rural Zone, Dune Lakes Zone, Islands General Zone - except Significant Natural Areas

This Rule applies to areas of native bush within the Zones specified above not identified as Significant Natural Areas on the Planning Maps. See Rule 7.9.4.1.3 for Rules on Significant Natural Areas.

Rule 7.9.4.1.6.1
Permitted Activities

Permitted Activities

- (a) The Permitted Activities in 7.9.4.1.1.1.
- (b) The cutting, damaging or destroying of any individual native tree or



Rule 7.9.4.1.6.2
**Restricted Discretionary
Activities**

number of trees constituting native bush, which is:

- (i) less than or equal to 3 metres in height, and
- (ii) less than or equal to 500m² in area, provided that this is the maximum area cut, damaged or destroyed on the site after 28 November 2000.

Restricted Discretionary Activities

- (a) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is:
 - (i) greater than 3 metres in height; and
 - (ii) greater than 500m² in area.

Rule 7.9.4.1.7
**Countryside Living Rural and
Town Zones**

**Countryside Living Rural and Countryside Living Town Zones, except
Significant Natural Areas**

This Rule applies to areas of native bush within the Zones specified above not identified as Significant Natural Areas on the Planning Maps.
See Rule 7.9.4.1.3 for Rules on Significant Natural Areas.

Rule 7.9.4.1.7.1
Permitted Activities

Permitted Activities

- (a) The Permitted Activities in 7.9.4.1.1.1.
- (b) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is:
 - (i) less than or equal to 6 metres in height; and
 - (ii) less than or equal to 250m² in area, provided that this is the maximum area cut, damaged or destroyed after 28 November 2000.

Rule 7.9.4.1.7.2
**Restricted Discretionary
Activities**

Restricted Discretionary Activities

- (a) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is:
 - (i) greater than 6 metres in height; and
 - (ii) greater than 250m² in area.Except in the Okura Policy Area

Rule 7.9.4.1.8
Okura Policy Area

Countryside Living Rural — Okura Policy Area

This Rule applies to any native bush or other native vegetation (regardless of height) on land within the Okura Policy Area.



Rule 7.9.4.1.8.1
Non- Complying Activities

Non- Complying Activities

- (a) Any removal of native bush or other native vegetation (regardless of height) associated with the development of each lot (site) in the Okura Policy Area in excess of 500m² (from 28th April 2006). 500m² is the total allowable lifetime native bush or other native vegetation removal (regardless of height) for each lot (site) in the Okura Policy Area.
- (b) Any removal of native bush or other native vegetation (regardless of height) associated with the subdivision for cluster housing in the Okura Policy Area in excess of 2.5% of the area of the parent site (from 28th April 2006). The total allowable lifetime native bush or other native vegetation removal (regardless of height) shall be 2.5 % of the area of the parent site.

Rule 7.9.4.1.9
General Rural Zone

General Rural Zone, except Significant Natural Areas

This Rule applies to areas of native bush within the General Rural Zone not identified as Significant Natural Areas on the Planning Maps.
See Rule 7.9.4.1.3 for Rules on Significant Natural Areas.

(Note: see definition of Native Bush in *Chapter 3 — Definitions*)

Rule 7.9.4.1.9.1
Permitted Activities (except within the West Coast Policy Area)

**Permitted Activities
(except within the West Coast Policy Area)**

- (a) The Permitted Activities in 7.9.4.1.1.1.
- (b) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush where the total contiguous bush area from which the tree or trees is/are to be affected is less than or equal to 1 hectare in area.
- (c) Where any area of native bush is over 1 hectare in area, the clearing of a single area or a series of smaller areas of native bush totalling up to 2.5% of the total area of the canopy of any contiguous area of native bush and other native vegetation existing on a site on 18 December 1984.
- (d) The harvesting of manuka and kanuka which is not an integral and functioning part of native bush.
- (e) The clearance of scattered stands of manuka and kanuka within areas of pasture which do not constitute native bush.

Rule 7.9.4.1.9.2
**Restricted Discretionary Activities
(except within the West Coast Policy Area)**

**Restricted Discretionary Activities
(except within the West Coast Policy Area)**

- (a) The cutting, damaging or destroying of any individual native tree or



number of trees constituting native bush, not provided for as a permitted activity in Rule 7.9.4.1.9.1.

Explanation and Reasons

Areas of trees and bush contribute to the amenity values in the rural part of the District. They also contribute to landscape quality and are important as habitats for indigenous fauna. Trees and bush also have a function in maintaining and enhancing the quality of the environment by preventing non point source erosion and retaining soils in place. It is appropriate therefore to exercise control over the nature and extent of tree/bush removal that can occur. Control is exercised in relation to native vegetation through the these controls in recognition of the fact that most exotic species are planted and managed specifically for various purposes and that blanket controls on these exotic trees would be in an inefficient mechanism in the rural context. The Rule on the removal of vegetation in Significant Natural Areas are more stringent recognising the significance of these areas for their wildlife habitat and vegetation values.

Rule 7.9.4.1.9.3 Permitted Activities (within the West Coast Policy Area)

Permitted Activities (within the West Coast Policy Area)

- (a) The Permitted activities in 7.9.4.1.1.1
- (b) The cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is
 - (i) less than or equal to 3 metres in height, and
 - (ii) less than or equal to 250m² in area, provided that this is the maximum area cut, damaged or destroyed on the site after 10 September 2009.

Rule 7.9.4.1.9.4 Restricted Discretionary Activities (within the West Coast Policy Area)

Restricted Discretionary Activities (within the West Coast Policy Area)

- (a) the cutting, damaging or destroying of any individual native tree or number of trees constituting native bush, which is
 - (i) greater than 3 metres in height, or
 - (ii) greater than 250m² in area.

Rule 7.9.4.2 Earthworks

Earthworks

Note: Resource consent may also need to be obtained from the Auckland Regional Council for activities in Rule 7.9.4.2.1 and Rule 7.9.4.2.2

Notes: The following terms used in Rule 7.9.4.2 are defined in *Chapter 3 — Definitions*: cluster housing, dam, earthworks, forestry, impervious surface, native bush, native tree, native vegetation, plantation forest, rural zone, significant natural area, trees, water, watercourse, wetland,



wetland modification

For clarification, reference in the Rules to “volumes” means the sum of cut volume plus fill volume on the site during any 12 month period.

Where evidence of a burial site or any other possible archaeological site (including shell deposits, artefacts or unexpected building foundations) are found or exposed on an area where earthworks is occurring, all work must cease immediately and the Council and the Historic Places Trust advised immediately.

Rule 7.9.4.2.1 Permitted Activities

Rule 7.9.4.2.1.1

Permitted Activities

Earthworks are Permitted Activities as set out in the table below, except that the activities provided for in Rule 7.9.4.2.1.2 do not need to comply with this volume control.

ZONE/POLICY AREA/DEFINED AREA	Permitted Activities Volume (m ³)
Significant Natural Areas as defined in the Planning Maps	Nil (see additional controls relating to Earthworks within the Okura Policy Area)
Okura Policy Area	Less than or equal to 200m ³ (except within 10m of a wetland or natural watercourse) and/or less than or equal to 500m ² (see additional controls relating to earthworks within the Okura Policy Area)
East Coast Rural, Landscape Protection Rural, Dune Lakes, Countryside Living Rural, Countryside Living Town, Kawau Island Zone (both Policy Areas), Islands General Zones.	Less than or equal to 200 m ³ (except within 10m of a wetland or natural watercourse)
General Rural	Less than or equal to 200 m ³ (except within 10m of a wetland or natural watercourse); Greater than 200 m ³ but less than or equal to 1000 m ³ (except within 10m of a wetland or natural watercourse) subject to compliance with performance standards in Rule 7.9.4.2.1.3

Rule 7.9.4.2.1.2

Earthworks for the following activities are Permitted Activities and do not need to comply with the volume control in Rule 7.9.4.2.1.1.



(a) **All Zones and Policy Areas**

- (i) Those activities associated with good farm management practice, (eg. fencing, tilling/hoeing, cultivation and harvesting of crops and fertilising of the soil, planting or erecting shelter and planting of other trees, including for conservation).
- (ii) The construction and maintenance of stock races.
- (iii) The construction and maintenance of farm drains, except that the construction and maintenance of such drains shall not lead to the modification of natural watercourses or wetlands in excess of the limits specified as a Permitted Activity in Rule 7.9.4.3.
- (iv) The construction and maintenance of farm tracks on land with a slope of less than 15 degrees.
- (v) The formation and maintenance of forestry roads, tracks and landings within plantation forests provided that associated excavation or deposition **does not occur within 10m of a wetland or natural watercourse.**
- (vi) Ground surface disturbance arising from harvesting of a plantation forest, provided that the plantation forest was a permitted activity at the time of its establishment and it does not occur within 10m of a wetland or natural watercourse.
- (vii) The formation of silage pits providing that associated excavation or deposition **does not occur within 10 m of a wetland or natural watercourse.**

(b) **General Rural Zone**

In the General Rural Zone the following activities are also permitted:

- (i) The construction of dams or ponds, where the structure does not contain water of a depth greater than 3 metres nor a capacity exceeding 20,000m³, provided that the construction will not lead to the modification of natural water courses or wetlands in excess of the limits specified as a Permitted Activity in Rule 7.9.4.3.
- (ii) The formation and maintenance of farm roads.

Rule 7.9.4.2.1.3
Performance Standards

Performance Standards for Earthworks in the General Rural Zone greater than 200 m³ and less than or equal to 1000 m³.

In order to be a permitted activity in the Table in Rule 7.9.4.2.1.1, earthworks in the General Rural Zone greater than 200m³ and less than or equal to 1000m³ must comply with the following standards:

- (a) All earthworks are undertaken using erosion and sediment control measures to ensure that soil erosion and the entry of sediment into



wetlands or natural watercourses is minimised. Acceptable methods or techniques include earth bunds, silt ponds, silt fences or haybales, diversion bunds/channels and contour drains leading to silt detention measures.

Note: Examples of each of these measures are provided in ARC earthworks publications.

Note: Where the earthworks are to form a building platform, methods to show compliance with (a) must be provided with the building consent application.

(b) Earthworks shall not be located within 10 metres of a natural watercourse, wetland, lake or mean high water springs.

(c) Earthworks shall not be located within an overland flow path identified in an integrated Catchment Management Plan.

Note: Please contact the Council for information on Integrated Catchment Management Plans.

(d) Earthworks shall not be located within an area identified in the Land Information Register as prone to instability, erosion or flooding, unless it can be clearly demonstrated by a person qualified and experienced in the relevant discipline that the works shall not be carried out in a manner that would exacerbate the instability, erosion or flooding.

(e) Any surplus excavated material which is not reused on site must be disposed of in a lawful manner.

(f) The earthworks do not disturb a Threatened Species Site as identified on Appendix 17 to the planning maps.

Note: Please contact the Council for information in relation to the detail of the Threatened Species Sites.

(g) With the exception of working surfaces of roads or tracks, any bare areas shall be stabilised or reinstated with grass or vegetation within 6 months of the completion of the activity.

(h) The earthworks shall not be located on landforms of geological significance listed in Appendix 6A.

(i) The earthworks shall be located so as to avoid disturbance (including covering of root zone with soil) of Significant Natural Areas, native trees and native bush protected by a rule in the plan or any protected trees listed in Appendix 17C.

Rule 7.9.4.2.2 Restricted Discretionary Activities

Restricted Discretionary Activities

Earthworks are Restricted Discretionary Activities as set out in the following table where they are not otherwise provided for in Rule 7.9.4.2.1.



**Rule 7.9.4.2.3
Earthworks/ Stormwater
Management and Impervious
Surfaces -Okura Policy Area**

ZONE/POLICY AREA/DEFINED AREA	Restricted Discretionary Activities Excavation and/or Deposition Quantity (m³)
Significant Natural Areas as defined on the Planning Maps	Any Earthworks (see additional controls relating to earthworks within the Okura Policy Area)
Okura Policy Area	Greater than 200m ³ or Greater than 500m ² or Works within 10m of a wetland or natural watercourse
East Coast Rural, Landscape Protection Rural, Dune Lakes, Countryside Living Rural, Countryside Living Town, Kawau Island Zone (both Policy Areas), Islands General Zones.	Greater than 200m ³ or Works within 10m of a wetland or natural watercourse
General Rural	Greater than 1000m ³ or Works within 10m of a wetland or natural watercourse or Works that would otherwise be permitted but fail to comply with the performance standards in 7.9.4.2.1.3

Earthworks/Stormwater Management and Impervious Surfaces within the Okura Policy Area

- (a) The total amount of earthworks associated with the development of each lot (site) in the Okura Policy Area shall not exceed 1900m² (from 28th April 2006). 1900m² is the total allowable lifetime earthworks for each lot (site) in the Okura Policy Area.
- (b) Any total lifetime earthworks on a lot (site) (from 28th April 2006) in excess of 1900m² will be a non-complying activity.
- (c) The total amount of earthworks associated with subdivision for cluster housing in the Okura Policy Area shall not exceed 9.5% of the area of the parent site (from 28th April 2006). The total allowable lifetime earthworks shall be 9.5% of the area of the parent site.
- (d) In the case of lots created by subdivision for cluster housing, any total lifetime earthworks in excess of 9.5% of the area of the parent site (from 28th April 2006) will be a non-complying activity.
- (e) No earthworks shall be undertaken outside of the period of 1 October to 30th April unless associated with gardening activities and planting using hand held, non-mechanised equipment.



- (f) All subdivision and subsequent development should have regard to any relevant adopted Catchment Management Plan and / or Comprehensive Discharge Consent, and should be hydrologically neutral (i.e. the flows (2 year, 10 year and 100 year return period storms), volumes and time of concentration of overland flows from an area during rainfall shall be the same, both before and after subdivision has occurred. See Rule 7.14.2.6.
- (g) Areas of bare earth shall be re-grassed or otherwise stabilized no later than 30th April in any year.
- (h) The extent of impervious surfaces shall not exceed 9.5% of the site area, or in the case of subdivision for cluster housing, 9.5% of the area of the parent site. Where a lot is less than 2 hectares in area, the extent of impervious surface shall not exceed 1900m².
- (i) The extent of impervious surfaces on lots exceeding 2 hectares in area may be increased up to a maximum of 10% as a Restricted Discretionary Activity, or in the case of a subdivision for cluster housing, 10% of the area of the parent site.

Note: Resource Consent may also need to be obtained from the Auckland Regional Council for activities in Rule 7.9.4.2.1 and in Rule 7.9.4.2.2.

Explanation and Reasons

The excavation and deposition of materials results in sediment runoff and potentially degradation of aquatic habitats. It also results in loss of habitats and can affect landscape values, geologically significant sites, and amenity values.

Restrictions on earthworks are based on the values of the area, with the identified Significant Natural Areas having the most restrictive of the provisions applied. The restrictions also allow for earthworks for farming practices to occur.

Rule 7.9.4.3 Modification of Natural Watercourses and Wetlands

Modification of Natural Watercourses and Wetlands

Note: The following terms used in Rule 7.9.4.3 are defined in Chapter 3 — Definitions: earthworks, lake, modification of wetlands, rural zone, significant natural area, wetlands.

Rule 7.9.4.3.1 Permitted, Restricted Discretionary and Discretionary Activities

Permitted, Restricted Discretionary and Discretionary Activities

Rule 7.9.4.3.1.1

The modification of wetlands and natural watercourses or lakes is a Permitted, Restricted Discretionary or Discretionary Activity as set out in the table below, except that the activities provided for in Rule 7.9.4.3.1.2 do not need to comply with this volume control.

Note: Resource Consent may need to be obtained from the Auckland Regional Council for this activity.



ZONE/POLICY AREAS/DEFINED AREA	Permitted Modification Area (m ²)	Restricted Discretionary Modification Area (m ²)	Discretionary Activity
Significant Natural Areas as defined on the Planning Maps,	NIL	Up to and including 100m ²	over 100m ²
Dune Lakes Zone and Landscape Protection Rural Zone	Up to and including 100m ²	over 100m ²	N/A
East Coast Rural, Countryside Living Rural, Countryside Living Town, Kawau Island (both Policy Areas) Islands General Zone	Up to and including 250m ²	Over 250m ² (see additional controls relating to earthworks within the Okura Policy Area)	N/A
General Rural Zone	Up to and including 500m ²	Over 500m ²	N/A
West Coast Policy Area	Up to and including 250m ²	Over 250m ²	N/A

Note: Freshwater Fish passage is to be maintained; where it is not the approval of the Director General of Conservation is required.

Rule 7.9.4.3.1.2

Modification of natural watercourses undertaken to clear debris to maintain drainage capability does not need to comply with the volume control in Rule 7.9.4.3.1.1 provided that:

- The activity has permitted activity status in the provisions regarding clearance of streams in the Auckland Regional Plan: Air Land and Water;
- The activity is not within a Significant Natural Area or wetland;
- The activity does not widen, deepen or straighten the channel of the natural watercourse;
- The activity has a continuous length of less than 100 metres, and a minimum 2 month period has elapsed since the activity was conducted within 100 metres of the length of watercourse affected by the activity; and
- If the activity affects a natural watercourse that flows into or out of a Significant Natural Area or wetland, the activity is not within 25 metres upstream or 10 metres downstream of the Significant Natural Area or wetland.

Explanation and Reasons

Wetlands are important for their habitat values as well as in mitigating flooding and filtering out contaminants. Within the District relatively few wetlands still exist.



Therefore, it is important that as little modification as possible of these areas occurs, especially in the Significant Natural Areas where the habitat values tend to be the highest.

Many streams support native aquatic species including native fish populations. It is important that these species are able to migrate freely within their habitat. Culverting of watercourses is discouraged as it disrupts aquatic function and habitat, however it is recognised this activity is not avoidable in some circumstances. Any culverting should be undertaken with care and should not inhibit the passage of native aquatic species.

Rule 7.9.4.4 Removal of Native Riparian Vegetation

Removal of Native Riparian Vegetation

Note: The following terms used in Rule 7.9.4.4 are defined in Chapter 3 —
Definitions: coastal marine area, exotic species, forestry, lake, river, trees.

Rule 7.9.4.4.1 Permitted Activities

Permitted Activities: All Zones (except the Okura Policy Area)

The following are Permitted Activities:

- (a) The removal of any native plants, within 10 metres of the coastal marine area or a tidal river as defined by the line of Mean High Water Springs; or a permanently running stream, river or lake where it is for the purpose of providing walkway access up to a maximum of 1.7 metres wide where:
 - (i) The trees to be removed are less than or equal to 6m in height.
 - (ii) The walkway is set back a minimum distance of 1.7m from the edge of the bank of a stream, river, lake, or cliff edge
- (b) The removal of native plants regardless of height within an established exotic forest as a consequence of harvesting that exotic forest, except within 10 metres of a permanently running stream, river, lake, wetland or coastal edge in the Landscape Protection Rural Zone and East Coast Rural Zone.
- (c) The removal of riparian vegetation regrowth to maintain the areal (m²) extent of lawfully established pasture, cropping areas, orchards and existing access provisions. This rule does not enable clearance of native riparian vegetation for the extension or expansion of such production areas.

Within the Okura Policy Area

- (a) There shall be no removal of any native plants, regardless of height, within 10 metres of a permanently running stream, river or lake, or coastal edge as defined by the line of mean high water springs unless it is for the purposes of either:



Rule 7.9.4.4.2

Restricted Discretionary Activities

- Providing walkway access or a defined access point where there are no practicable alternative access routes or methods; or
- Replanting with more ecologically suitable native plant species.

Restricted Discretionary Activities: All Zones

The removal of any native plants, regardless of height, within 10m from the top of any cliff edge or, where a cliff does not exist, within 10 metres of the coastal marine area or a tidal river as defined by the line of mean high water springs; or a permanently running stream, river, lake or wetland not allowed as a Permitted Activity.

Explanation and Reasons

Riparian vegetation acts as a filter for contaminants and reduces bank erosion. It is also important for its habitat values often acting as corridors for wildlife to move along, as well as improving the habitat value of waterways by decreasing temperatures and adding nutrients. Therefore, it is important to retain a strip of vegetation adjacent to waterbodies.

Notwithstanding, control is exercised only in relation to native riparian vegetation in recognition of the fact that most exotic species have been planted and managed specifically for farm management purposes. Additional controls on removal of these exotic species (over and above the general tree and bush removal and wetland/watercourse modification provisions) would be impractical in the rural context and have not been imposed for this reason.

Provision has been made in the rules to enable the removal of riparian vegetation which has re-established itself into pasture or horticultural fields. This approach recognises the rotational nature of pastoral farming and horticulture and recognises in particular that established pasture and/or fields utilised for various crops may be temporarily rested as a matter of normal farming practice in order to maintain their health and fertility. The provisions clarify that the removal of riparian vegetation under these circumstances is a Permitted Activity and is to ensure that there is not unintentional erosion of existing use rights provided for under section 10 of the Resource Management Act.

Rule 7.9.5

Activities Within the Airfield Noise Contours at Dairy Flat and Kaipara Flats

Activities Within the Airfield Noise Contours at Dairy Flat and Kaipara Flats

Note: The following terms used in Rule 7.9.5 are defined in Chapter 3 — Definitions: childcare facility, erection, habitable room, household unit,

Prohibited Activities

The erection or use of any Household Unit or Child Care Facility within the Ldn 65 dBA contour at Dairy Flat and Kaipara Flats as shown on the Planning Maps (see Maps 26 and 14 and Map Appendix 2-Sheet 1, Appendix 2-Sheet 2) shall be a Prohibited Activity, except for any household unit provided for as a

Rule 7.9.5.1

Prohibited Activities



Rule 7.9.5.2
Restricted Discretionary Activities

Restricted Discretionary or Discretionary Activity within the Kaipara Flats Aeropark under Rule 12.8.15.2.2.

Restricted Discretionary Activities

The erection or use of any Household Unit or Child Care Facility within the area between the Ldn 55 and 65 dBA contours at Dairy Flat as shown in the Planning Maps (see Map 26 and Map Appendix 2 - Sheet 1) shall be a Restricted Discretionary Activity provided that the Household Unit or Child Care Facility is acoustically insulated so that the internal noise environment in habitable rooms does not exceed 40 dBA. This Rule does not apply to any Household Unit associated with the Kaipara Flats Aeropark, where a household unit is a Restricted Discretionary, or Discretionary Activity under Rule 12.8.15.2.2.

Rule 7.10

DEVELOPMENT CONTROLS AND PERFORMANCE STANDARDS

Rule 7.10.1
Maximum Building Height

Maximum Building Height

Rule 7.10.1.1

Subject to Rule 7.10.1.2 and Rule 7.10.1.4 below, the maximum height of any building shall be:

Zone	Height (metres)
General Rural Zone	A = 9m B = No limit
West Coast Policy Area	A = 5m B = 9m C = 7m
Islands General Zone	7m
Kawau Island Zone (both Policy Areas)	7m
Countryside Living Town and Rural Zones	9m
Landscape Protection Rural Zone	A = 4m A* = 7m B = 7m



East Coast Rural Zone	<p>A = 4m</p> <p>A* = 7m</p> <p>B = 7m</p>
Dune Lakes Zone	<p>A = 4m</p> <p>A* = 7m</p> <p>B = 7m</p>

- A = Maximum height for household units and accessory buildings for household units and buildings incorporating accommodation.
- A* = Maximum height for household units and accessory buildings for household units and buildings incorporating accommodation where those parts of the building exceeding the height in A have an average roof slope greater than 22 degrees. For curved roofs to comply with this exception, no more than half of the total area of the roof can have a slope less than 22 degrees.
- B = Maximum height for all buildings and structures other than those in A above and A* above.
- C = Maximum height for all farm or forestry ACCESSORY BUILDINGS in an OUTSTANDING NATURAL LANDSCAPE

Rule 7.10.1.2 Exemptions

The Height Rules in 7.10.1.1 above shall not apply to:

- domestic satellite dishes less than 1 metre in diameter,
- the apex of any roof or gable not exceeding 5m² in area when measured in plan view,
- dormers not exceeding 2 metres in width when measured in side elevation (not more than two per building facing the same boundary).

Rule 7.10.1.3

No building or tree shall exceed the height limits specified on the relevant Planning Maps for land around the airfields at Dairy Flat, Kaipara Flats and Parakai (see Maps 26, 27, 84-86, 92, 93, 98 and Map Appendix '1'; Maps 13 and 14; and Map 24) respectively.

Rule 7.10.1.4

For the North Shore airfield at Dairy Flat, the height limits within the area shown on the Planning Maps are:

- In areas below the take off fan all buildings and trees are subject to a maximum height limit determined by a 2.5% upward slope from the threshold end of the runway. Width of threshold 90 metres, fan expansion 10%, the length of fan 5.5 kilometres.
- Areas below the transitional side surfaces are subject to a maximum height restriction determined by a 14.3% upward slope from the outer edge of the runway, 45 metres from the runway centreline or take off fan



measured at right angles from the centreline of the runway.

- (c) Maximum height limit for buildings and trees within the outer limit not including areas affected by the take off fan and the transitional side surface is 107 metres above MSL.
- (d) Notwithstanding the above height restrictions, existing electricity transmissions or supply lines or telecommunication lines, equipment and structures may be modified, replaced or re-erected provided that:
 - (i) any such modification or replacement shall not increase the degree of non-compliance with the height restriction; and
 - (ii) except in the case of emergencies, notification of the work shall be given to the airfield operator and the statutory authority responsible for the regulation of airfields, not later than 21 days prior to the erection of any lines. The purpose of this notification is solely to ensure that any required hazard warning may be installed by the airfield operator at the time of erection.

Explanation and Reasons

The height of buildings can adversely affect the amenity values of the area in which they are located. In the General Rural Zone the need to cater for larger buildings/structures (eg. woolsheds, silos, barns) is mitigated generally by the large size of the sites and the large amount of open space between buildings. However, given the intensity of activities such as household units or buildings used for accommodation, an upper limit is necessary to ensure such buildings remain at a scale where rural character is retained. In the case of other buildings, the intensity of the activity is generally less and no upper limit is therefore necessary. In both the Countryside Living Zones a 9 metre limit is imposed to ensure buildings are not out of scale given the site size of 1 to 4 hectares, and the greater density of buildings than in the General Rural Zone.

The Landscape Protection Rural, East Coast Rural and Dune Lakes Zones consist of areas of high natural or amenity value and are often steeper land. In this context buildings have greater potential to adversely affect the visual quality of an area. A lower limit of 4m is therefore appropriate in these zones for buildings with predominantly shallow pitched or flat roofed buildings for households. In some circumstances two storey buildings with variously pitched or curved roofs can integrate well into sensitive rural landscapes, make efficient use of sloping sites, and reduce the extent of earthworks needed. A 7 m limit is therefore provided in these zones for buildings incorporating these features. The Islands General Zone and the Kawau Island Zone (both Policy areas) have some of the same sensitive visual qualities and a 7m limit is appropriate in these zones. In the West Coast Policy Area, which overlays parts of the General Rural Zone, a slightly higher height of 5 metres is applied for household units, with a 7 metre maximum applied to farm and forestry rural accessory buildings within an identified Outstanding Natural Landscape, to reflect the values associated with the underlying General Rural zoning.

The height limits imposed around the airfields are intended to allow the airfields to continue to operate without obstructions being placed in critical areas around the





**Rule 7.10.2
Maximum Height in
Relation to Boundary**

airfield. This ensures safety for the users of the airfield and surrounding landowners.

Maximum Height in Relation to Boundary

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary.

Explanation and Reasons

The height in relation to boundary rules complement the height rules and will help maintain the admission of sunlight to adjoining sites.

**Rule 7.10.3
Minimum Yards**

Minimum Yards

**Rule 7.10.3.1
Standards**

Standards

- (a) The minimum Front Yard, Side Yard, Rear Yard and Shoreline Yard in the Rural Zones shall be as listed below:

Zone/Policy Area	Front Yard (metres)	Side Yard (metres)	Rear Yard (metres)	Shoreline Yard (metres)
General Rural Zone	10m	6m	6m	50m
Islands General Zone	50m	50m	50m	50m
Kawau Island Zone	6m	3m	6m	6m
Countryside Living Rural and Town Zone	30m	10m	10m	50m
East Coast Rural Zone	10m	6m	6m	50m
Landscape Protection Rural Zone	10m	6m	6m	50/200m*
Dune Lakes Zone	10m	6m	6m	100m

- * The Shoreline Yard in the Landscape Protection Rural Zone is 50 metres except in the areas shown in the Planning Maps where the Shoreline Protection Yard is 200 metres.

**Rule 7.10.3.2
Yards to Remain
Unobstructed by Buildings**

Yards to Remain Unobstructed by Buildings

All yards shall remain unobstructed and unoccupied by buildings except that:

- (a) Eaves may overhang any yard by not more than 0.3 metres;



Rule 7.10.3.3
**Buildings Housing Animals
Minimum Separation**

- (b) Boats may be sited within the shoreline yard;
- (c) Decks with a maximum height of 0.3 metres may be sited within any yard, except the shoreline yard, **provided that** they do not in themselves prevent vehicular access to a required parking space;

Buildings Housing Animals Minimum Separation

Buildings (in excess of 25m² in area) housing animals other than horses shall be located a minimum of 100 metres from any site boundary.

Explanation and Reasons

This explanation and reasons relates to Rule 7.10.3.1, 7.10, 8.2 and 7.10.3.

Yards have a number of functions. Generally they provide a degree of separation between buildings on adjoining sites to ensure reasonable standards of daylight and sunlight admission, and privacy. In addition, front yards function to:

- (a) Provide a separation between households and road traffic noise and dust.*
- (b) Provide a set back in case of later road realignment or improvements.*
- (c) Provide a separation from the road to retain amenity value.*
- (d) Permit manoeuvring of vehicles within the site rather than on roads.*

The front yards in the Countryside Living Rural and Town Zones are greater, to ensure that the area retains a rural character, given that the actual site sizes themselves are smaller than many production based sites.

Shoreline Yards have the function of protecting the amenity values and natural character of the coastline or shoreline/riverbank, and to act as a precaution against the effects of erosion and inundation by the sea/river. They also ensure that future reserve areas are not compromised by the siting of buildings within future reserve areas. A 200 metre Shoreline Yard is applied behind high energy beaches to protect the functioning of coastal processes and protect against erosion and inundation.

Separation from buildings housing animals is appropriate because concentrations of animals may produce adverse effects such as odour, pests, etc on adjoining sites. In the case of horses however, the effects such as odours etc are considered to be less likely to cause offence or be considered adverse effects.

Rule 7.10.4
Maximum Site Coverage

Maximum Site Coverage

The maximum building coverage of a site in any Zone (excluding sites in the Matakana Village Overlay Area. Refer to Rule 7.10.8.1 Maximum Site Coverage for sites in the Matakana Overlay Area) shall be:



- (i) For sites less than 4,000m² - 35% of the net site area;
- (ii) For sites 4,000m² or greater - 1400m² plus 15% of the net site area in excess of 4000m².
- (iii) For sites of 8000m² or greater - 2000m² plus 10% of the net site area in excess of 8000m².

Explanation and Reasons

Maximum site coverage requirements ensure that amenity values and rural character are retained by retaining a high proportion of open space compared to buildings.

**Rule 7.10.5
Access to State Highways**

Rule 7.10.5.1

Access to State Highways

The standards in Table 1 shall be met by the following Permitted, Controlled or Restricted Discretionary Activities in the General Rural Zone, the Countryside Living Rural and Town Zones, and the East Coast Rural Zone where access is directly to a state highway:

- (i) Child Care Facilities;
- (ii) Forestry;
- (iii) Marae extensions and new buildings;
- (iv) Use of a site on not more than a total of 3 days;
- (v) Rural Hamlet Conservation Subdivision.



TABLE 1 : Property Access Performance Criteria Where Traffic Generation is Less than 100 Equivalent Car Movements Per Day (see Appendix 7A)

Posted (Legal) Speed Limit (km/h)	Required Sight Distances (m) <i>see Diagram A</i>	Location of Property Access Relative to Intersection <i>See Diagram B</i>		Minimum Spacing Between Adjacent Property Accesses) Distance N on Diagram B
		Minimum Distance K (m)	Minimum Side Distances M (m)	
50	140	30	20	-
60	175	50	30	-
70	210	100	45	40
80	250	120	60	100
100	330	200	60	200*

** There shall be no more than 5 individual accesses along any 1 km section of State Highway (on both sides), measured 500m either side of a proposed access."*

NOTE: The New Zealand Transport Agency (NZTA) requires that all works carried out on State Highways also comply with The New Zealand Transport Agency (NZTA)'s Planning Policy Manual. All works within the State Highway require the approval of The New Zealand Transport Agency (NZTA).

Rule 7.10.6

Minor Household Units

Rule 7.10.6.1

Minimum Site Size

Minor Household Units

Minimum Parent Site Size

The minimum size of the parent site on which a Minor Household Unit can be constructed is 1 hectare.

Explanations and Reasons

A 1 hectare parent site is of a large enough size to be able to absorb the Minor Household Unit without creating a visual impression of urban density residential activity.

Rule 7.10.6.2

Vehicle Crossing and Driveway

Vehicle Crossing and Driveway

The Minor Household Unit shall be accessed by the same vehicle crossing and driveway as the Principal Household Unit

Explanation and Reasons

Where a Minor Household Unit is proposed, to all appearances it should look from the road as though there is only one household unit on a given site. By avoiding a proliferation of access points this will also reduce the potential for adverse traffic safety effects.



Rule 7.10.6.3
Separation from the Principal Household Unit

Sites less than 100ha

Separation from the Principal Household Unit

The Minor Household Unit shall be separated from the Principal Household Unit by a maximum distance of 6 metres on all sites less than 100ha in rural zones.

Sites of 100 ha or greater

The Minor Household Unit shall be separated from the Principal Household Unit by a maximum distance of 30 metres on all sites of 100ha or greater in rural zones.

Explanation and Reasons

A maximum separation distance of 6 metres between the Principal and Minor Household Units is required on sites less than 100ha to limit the effects of the residential buildings on rural character and to retain the appearance of a single residential household unit on the site. Sites of 100ha or greater are generally considered large enough to absorb these effects with a separation of up to 30 metres. Sites over 100ha are also more likely to require accommodation for farm workers. This rule is intended to ensure that Minor Household Units are not wholly separate and isolated from the Principal Household Unit.

Rule 7.10.7
Forestry in the Landscape Protection Rural Zone and East Coast Rural Zone

Forestry in the Landscape Protection Rural Zone and East Coast Rural Zone

- (a) No forestry shall be planted within 10 metres of a:
 - (i) site boundary with a public road; or
 - (ii) any other site boundary, except where multiple adjoining sites are held in common ownership and then no forestry planting shall occur within 10 metres of the external boundaries of the landholding.
- (b) No forestry shall be planted within 10 metres of a permanently running stream, river, lake, wetland or coastal edge.
- (c) Forestry that does not comply with Rule 7.10.7(a) or (b) shall be a Restricted Discretionary Activity.

7.10.8
Buildings in the West Coast Policy Area

Buildings in the West Coast Policy Area

Standards:

- a) ALL BUILDINGS shall comply with the following
 - i. the use of natural timber or stone, or unpainted concrete as exterior building materials, such materials not being subject to (ii) below; OR
 - ii. exterior building materials which, when graded using the British Standard BS5252:1976 Framework for Colour Coordination for



7.10.9 Matakana Village Overlay Area

Rule 7.10.9.1 Maximum Site Coverage

Building Purposes, meet the following standards;

- a. Where the materials are not used for a roof cladding, they are of a colour which has a reflectivity value of no more than:
 - i. 60 percent for greyness groups A or B
 - ii. 40 percent for greyness group C
- b. Where the materials are used for a roof cladding, they are of a colour which has a reflectivity value of no more than 40 percent for greyness groups A, B or C.

Provided that (ii) does not apply to windows, window frames, bargeboards, stormwater guttering, downpipes or doors. These items may be of any colour.

Additional controls in the Matakana Village Overlay Area

Maximum Site Coverage

The maximum building coverage of a site shall be 500m².

Explanation and Reasons

A maximum building coverage of 500m² in the Matakana Village Overlay Area is considered appropriate to ensure sufficient land is available for landscaping and to mitigate the potential effects of stormwater runoff from this area and ensure that there is an integrated approach to stormwater management. It also ensures that amenity values and rural character are retained by retaining a high proportion of open space compared to buildings.

Impervious Surfaces

No more than 15% of the net site area of any site (post subdivision and, not including roads or reserves) may be covered in an impervious surface.

Explanation and Reasons

This rule has been imposed in order to ensure sufficient land is available for landscaping and to mitigate the potential effects of stormwater runoff from this area and ensure that there is an integrated approach to stormwater management.

Finishing of Accessways

Any concrete accessways shall be formed and finished using coloured (pigmented) concrete or landscaping shall be undertaken along both sides of the entire accessway. This landscaping shall form a dense visual screen capable

Rule 7.10.9.2 Impervious Surfaces

Rule 7.10.9.3 Finishing of Accessways



of reaching a minimum height of 1 metre for the first 4 metres from the road boundary, and 1.5 metres there after.

Explanation and Reasons

This rule has been imposed in order to minimise the effect of Countryside Living Town development on the landscape features and natural environment which contribute to the character of the Matakana Village.

7.10.10 Rules in Other Chapters of the Plan

Rules in Other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with:

Chapter 5 - Natural Hazards

Chapter 16 - General Rules

Chapter 17 - Cultural Heritage

Chapter 19 - Utilities

Chapter 20 - Hazardous Substances and Contaminated Sites

Chapter 21 - Transportation and Access

Chapter 22 - Financial Contributions and Works

Chapter 23 - Subdivision and Servicing

Rule 7.11

CONTROLLED ACTIVITIES : MATTERS FOR CONTROL AND ASSESSMENT CRITERIA

In accordance with section 76(3A) of the Act, the Council will limit its control to the matters listed against each specified activity when considering resource consent applications for Controlled Activities.

Rule 7.11.1 Clean Fill Sites Exceeding 200m³ and Not Exceeding 1,000m³

Clean Fill Sites Exceeding 200m³ and Not Exceeding 1,000m³ in the General Rural Zone

Rule 7.11.1.1 Matters for Control

Matters for Control

The Council will limit its control to the following matters:

- (a) The quantity and type of material to be deposited and measures employed to protect against dust nuisance.
- (b) The extent and location of the area to be filled.
- (c) The design and location of access to the site and tipping area.
- (d) The number of vehicle movements per day, including number of vehicles



on site.

- (e) The hours of operation and the duration of the operation.
- (f) Noise attenuation measures
- (g) Landscaping and reinstatement measures.
- (h) Site stability.
- (i) The protection of significant natural features such as trees, bush, waterways and significant landforms, and features identified as SNAs on the Planning Maps.

7.11.1.2

Assessment Criteria

Assessment Criteria

In order to exercise its control the Council will require applicants to provide a Management Plan addressing matters set out in the assessment criteria.

When considering an application the Council will have regard to the following criteria:

Off-site effects

- (a) Whether off site effects such as noise, dust, vibration, and traffic generation will adversely affect or inhibit the use of the surrounding land for productive purposes or for the carrying out of any permitted, controlled or approved restricted discretionary or discretionary activity.

Amenity values

- (b) Whether off-site effects such as noise, dust, vibration and traffic generation adversely affect the amenity values of sites in the vicinity.

Traffic effects

- (c) Whether the number or timing of vehicle movements adversely affects road and traffic safety and efficiency.

Visual effects

- (d) Whether there are adverse visual impacts on significant landscapes or natural features.

Restoration or rehabilitation programme

- (e) Whether any restoration or rehabilitation programme will enable the land to be used for productive purposes or returned to some other state suitable for permitted, controlled or approved restricted discretionary or discretionary activities.

Note: Separate consent approvals may be required from the Auckland Regional Council. The applicant should contact that agency.

Mitigation measures

- (f) Whether measures are taken to manage and mitigate adverse effects on trees, bush, waterways and significant landforms, and whether works in Significant Natural Areas as defined on the Planning Maps and riparian margins are avoided and these areas physically and legally protected.

Significant Natural Areas

- (g) Whether the works proposed in an area identified as a Significant Natural Area as defined in the Planning Maps are undertaken in such a manner and at such times as to have no adverse effect, or minimum adverse



effect on the ecology and wildlife of the area and in particular, where relevant:

- (i) nesting, feeding and breeding of species;
- (ii) biological processes;
- (iii) connections between ecosystems;
- (iv) the diversity of species;
- (v) the habitat of threatened or protected species;
- (vi) cumulative effects.

Rule 7.11.2

Assessment Criteria — Okura Policy Area

Assessment Criteria — Okura Policy Area

(a) All controlled activities

- (i) Buildings and structures should not require extensive landform modification, but rather be sited so as to utilise the existing landform as a basis as far as is practicable so as to minimise landscape impacts and discharge of silt. Access and servicing should also involve minimal earthworks/ landform modification and any effects of providing access and servicing should be mitigated.
- (ii) Earthworks should not increase the potential for erosion, instability, flooding and/or sediment to enter streams and watercourses to occur.
- (iii) Earthworks should not affect or contribute to the degradation of the quality of streams and watercourses or marine reserves.
- (iv) Any increase in impervious surfaces should not result in:
 - Siltation, sedimentation, or a reduction in the quality of streams and watercourses
 - A reduction in the quality of the marine reserve/ coastal marine area
 - An increase in stream channel erosion potential.
- (v) Runoff or stormwater from the development or activity should not result in siltation, sedimentation, or a reduction the quality of streams and watercourses.
- (vi) Any runoff or stormwater from the development or activity should not result in a reduction in the quality of the marine reserve/ coastal marine area.
- (vii) Runoff should not increase stream channel erosion potential.
- (viii) Vegetation removal should not increase the potential for erosion and instability and/or sediment to enter streams and watercourses.
- (ix) A replanting plan must be prepared and implemented which compensates for the removal of vegetation.



- (x) Buildings and structures should be located, and be of a scale and form, that results in a rural and non-urban character being maintained. No building or structure should result in the visual impression of urban development within the "greenbelt" in south-eastern Rodney, and sites should be landscaped accordingly.
- (xi) Buildings and structures shall be located so that the highest point of any building or structure is below that of the natural landform of any ridge or hill on which it is sited or is immediately adjacent, and so that the highest point of any building or structure is below that of any existing native trees or stand of native trees or bush screening the building site from any public road. Where there will be more than one building on a site, the cumulative effect of the buildings on the landscape should be minimised by grouping them together where practicable.
- (xii) The scale and form of buildings or structures, including colour and materials, should be such that they complement the natural landscape and are not readily discernible from land outside the Okura Policy Area.
- (xiii) The landscape values in the Okura Policy Area should not be adversely affected or diminished by the location, scale or form of buildings or structures when viewed from any public road or other public place, including reserves and the sea.



Rule 7.12

Rule 7.12.1 Activities in Activity Tables 1 and 2 that Do Not Comply with Development Controls and Performance Standards

Rule 7.12.1.1 Matters for Discretion

7.12.1.2 Assessment Criteria

Amenity values

Rural character

Health and safety

RESTRICTED DISCRETIONARY ACTIVITIES : MATTERS FOR DISCRETION AND ASSESSMENT CRITERIA

In accordance with sections 76(3B) and 105(3A) the Council will restrict its discretion to the matters listed against each specified activity when considering resource consent applications for Restricted Discretionary Activities.

Any Permitted, Controlled or Restricted Discretionary Activity in Activity Tables 1 and 2 that Do Not Comply with Development Controls and Performance Standards in Rules 7.10.1 Maximum Height; 7.10.2 Maximum Height in Relation to Boundary; 7.10.3 Minimum Yards; 7.10.4 Maximum Site Coverage and 7.10.9 Additional Controls in the Matakana Village Overlay Area

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Building height.
- (b) Building height in relation to boundary.
- (c) Building or tree height and location within any airfield height limits.
- (d) Site coverage.
- (e) Yard dimensions and building siting.
- (f) On site manoeuvring areas.
- (g) Location and Extent of Impervious Surfaces within the Matakana Village Overlay Area.
- (h) Design, finishing and landscaping associated with accessways within the Matakana Village Overlay Area

Where these are relevant to the application.

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the proposed height and location of buildings will adversely affect the visual character of adjacent sites.
- (b) Whether the proposed height and scale of the building will have an adverse effect on the rural character of a site.
- (c) Whether the proposed height and scale of the building will adversely affect amenity values of neighbouring sites by reducing privacy, reducing sunlight admission and causing overbearing by buildings on adjacent sites.
- (d) Whether the proposed height and scale of the building will have an



	adverse effect on the use and enjoyment of sites, and the health and safety of people in the vicinity of the site(s).
<i>Natural hazards</i>	(e) Whether the site coverage will exacerbate or create a natural hazard.
<i>Alternatives</i>	(f) Whether there are alternative methods, actions or siting of development or buildings that could achieve the applicant's objectives.
<i>Airfield protection</i>	(g) Whether the projection of any building or tree into the airfield height restrictions adversely affects the safe and efficient functioning of the airfield concerned or could result in a reduction in the capabilities of the airfield concerned.
<i>Reserves</i>	(h) Whether in the case of a coastal protection yard the future ability to acquire an esplanade reserve or strip where subdivision of sites less than 4 hectares can occur, is compromised through the location of buildings.
<i>Coastal environment</i>	(i) Whether in the case of a coastal protection yard the ecological values of the coastal environment will be adversely affected including coastal landforms, water quality, natural coastal processes and habitats.
<i>Mitigation</i>	(j) Whether there are appropriate mitigation measures available and are applied.
	(k) Whether adequate provision can be made for on-site vehicle manoeuvring.
<i>Matakana Village Overlay Area</i>	(l) Whether the additional coverage will adversely affect the stormwater drainage system, flooding and overland flow paths.
	(m) Whether the amount of stormwater produced from the site is similar to a complying situation through the use of mitigation and reduction measures.
	(n) Whether the adverse effects of stormwater generation are avoided, remedied or mitigated.
	(o) Whether treatment of stormwater is provided on site to remove adverse effects on receiving waters.
	(p) Whether any potential adverse visual effects of the proposed accessway, to and within the site, are mitigated by the proposed location of the access, any tree planting near the access, or by the finishing/formation of the access such as pigmentation (colouring) of concrete.
	(q) Whether the site access is located and designed to ensure safe access and exit from the site, and does not adversely affect the safety and efficiency of the frontage road, or create conflict with adjoining site access.
	(r) Whether street trees are planted in the road berm in a location which does not adversely affect the safety and visibility of the road.



**Rule 7.12.2
Access to State Highways**

**Rule 7.12.2.1
Matters for Discretion**

**7.12.2.2
Assessment Criteria**

Traffic safety

Alternative site

**Rule 7.12.3
Buildings for any Permitted
and Restricted
Discretionary Activities in
Specified Zones**

**Rule 7.12.3.1
Matters for Discretion**

**7.12.3.2
Assessment Criteria**

**Any Permitted, Controlled or Restricted Discretionary Activity Not
Complying with Development Controls and Performance
Standards in Rule 7.10.5 Access to State Highways**

Matters for Discretion

The Council will restrict its discretion to the following:

- (a) Location and design of access onto the State Highway.

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the access onto the State Highway is designed and located so that it does not create a traffic safety issue with regard to the number and nature of vehicles accessing the highway, the potential for congestion and the effects on neighbouring properties which already gain access directly to the State Highway.

- (b) Whether there is no alternative site for the activity proposed.

Note: Where a State Highway is declared to be a limited access road, the Council will consider whether the approval of The New Zealand Transport Agency (NZTA) has been obtained. Where a State Highway has not been declared to be a Limited Access Road, the Council will consider whether The New Zealand Transport Agency (NZTA) is an affected person/party.

**The Erection, Demolition, Addition to, or Alteration of Buildings
and Accessory Buildings for any Permitted or Restricted
Discretionary Activity in the Landscape Protection Rural Zone,
Dune Lakes Zone, East Coast Rural Zone, Kawau Island Settlement
Policy Area; or any Restricted Discretionary Activity in the General
Rural Zone, West Coast Policy Area or in the Countryside Living
Rural and Town Zones or in the Kawau Island Zone - Bush Policy
Area**

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Building siting, height, design and external appearance.
- (b) Landscape and landform modification.

Assessment Criteria



	When considering an application the Council will have regard to the following criteria:
<i>Landform modification</i>	(a) Whether buildings and structures are sited so that they do not require extensive landform modification, but use the existing landform as far as is practicable so as to minimise adverse effects on landscape and discharges of silt.
<i>Access</i>	(b) Whether access and servicing can occur with minimal earthworks and landform modification so that adverse effects on the visual environment do not occur or are minimal.
<i>Trees and bush</i>	(c) Whether buildings and structures will adversely impact upon trees or bush making a significant contribution to the visual and environmental qualities in the vicinity of the site.
<i>Ridgelines</i>	(d) Whether buildings and structures visually intrude on any significant ridgeline or skyline and adversely affect landscape values when viewed from any public road or other public land including any beach, the sea or regional park.
<i>Rural character</i>	(e) Whether the scale and form of buildings and structures including their colour and materials complements rural character and the particular elements making up that character in the zone.
<i>Views</i>	(f) Whether buildings or structures detract from any view or vista of natural features obtained from any public road, or other public place including parks and reserves.
<i>Amenity values</i>	(g) Whether the proposed height and scale of the building will adversely affect amenity values of neighbouring sites by reducing privacy, reducing sunlight admission and causing overbearing by buildings on adjacent sites.
Rule 7.12.4 Forestry in the Countryside Living Rural Zone	Forestry in the Countryside Living Rural Zone
Rule 7.12.4.1 Matters for Discretion	Matters for Discretion
	The Council will restrict its discretion to the following matters:
	(a) The location, scale and timing of forestry operations
7.12.4.2 Assessment Criteria	Assessment Criteria
	When considering an application the Council will have regard to the following criteria:
<i>Shading, loss of light and views</i>	(a) Whether the forestry will result in shading, loss of light or loss of views



Effects on adjacent sites

Safety hazard

Access

Amenity values

Water quality

Significant Natural Areas

from existing dwellings on adjoining sites or dwelling sites on adjoining land identified on a plan of subdivision.

- (b) Whether the forestry will adversely affect pasture growth or horticultural crops on adjoining sites.
- (c) Whether the forestry constitutes a safety hazard because of proximity to existing dwellings or other buildings and their associated outdoor living areas, because of potential fire hazard or windfall damage.
- (d) Whether the access, particularly for harvesting, is of such a design, location and nature to ensure no significant adverse effects result on adjoining sites, the roading network, and on the access itself where that access is a joint access.
- (e) Whether the forestry practices such as burning off or spraying generate significant adverse effects on the amenity value and safety of adjoining sites and sites in the general vicinity.
- (f) Whether the forestry will adversely or positively affect the quality or quantity of water flowing into any waterbody and the management of stormwater and sediment generation.
- (g) Whether the forestry will adversely impact on SNA's and other areas of native vegetation.

Rule 7.12.5

Household Units: One Single Household Unit up to a Maximum Floor Area of 235m²; and Accessory Buildings up to a Maximum of 50m² in Specified Zones

Household Units: One Single Household Unit up to a Maximum Floor Area of 235m²; and Accessory Buildings up to a Maximum of 50m².

For Matters for Discretion and Assessment Criteria see Rule 7.12.3.

Rule 7.12.6

Household Units - A Second Household Unit in Addition to One Household Unit per Site

Household Units - One Household Unit in Addition to an Existing Household Unit per Site, on:

- (a) Any over 40 hectares site used for farming and forestry; and
- (b) Any established horticulture site with more than 8 hectares in permanent crops; or
- (c) Any greenhouse unit with 2,500m² or more growing area permanently under cover



For Matters for Discretion and Assessment Criteria see Rule 7.12.3.

Rule 7.12.7 Household Units on Maori Land

Rule 7.12.7.1 Outline Plan

Household Units on Maori Land: Up to 6 Units and Not Exceeding 1 Unit per Hectare Net Site Area, where the Applicant Belongs to the Same Hapu as the Trustees of the Associated Marae

Outline Plan

In order to exercise its discretion the Council requires any applicant to provide an Outline Plan showing access, location of buildings, service areas, landscaping and screening and methods and design of water supply, sewage disposal and drainage.

Rule 7.12.7.2 Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Location and scale of building.
- (b) Provision of access and service areas.
- (c) Landscaping and screen.
- (d) Provision of services.

7.12.7.3 Assessment Criteria

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

Access

- (a) Whether the physical location of the access point or points, and their physical characteristics such as width and surface treatment will adversely affect the safe and efficient operation of the surrounding road network.

Parking

- (b) Whether sufficient parking is provided to meet the expected number of vehicles using the site.

Rural character

- (c) Whether the scale and siting of buildings and other facilities is in keeping with and enables the retention of the rural character of the surrounding area.

Amenity values

- (d) Whether the site is screened or the buildings sited in such a way that the amenity values of adjoining sites are not diminished by effects such as the glare from vehicle lights or noise from service or parking areas.

Landscaping

- (e) Whether landscape planting or fencing and open space is provided to enhance the amenity values of the area and mitigate the effects of



Servicing

Rule 7.12.8 Multiple Household Units

buildings, carparks and service areas.

- (f) Whether the method and design of water supply, sewage disposal and site drainage is appropriate to ensure that no adverse effects on the environment (including the surrounding land and waters) result.

Multiple Household Units Not Exceeding Two Units per Site and Not Exceeding One Household Unit per 2 hectares net site area on Land identified with Special Development Provisions on Planning Maps 22, 69 and 72.

For Matters for Discretion and Assessment Criteria see Rule 7.12.3.

Rule 7.12.9 Marae Use

The Use of Marae (existing) including Associated Existing Buildings as Child Care, Craft, Kokiri, Cultural, Vocational, Recreational and Religious Centres by Hapu Members

For Matters for Discretion and Assessment Criteria see Rule 7.12.3.

Rule 7.12.10 Replacement of and Extensions to Existing Public Halls

Replacement of and Extensions to Existing Public Halls etc

For Matters for Discretion and Assessment Criteria see Rule 7.12.2.

Rule 7.12.11 Wineries which May Include Sales and Reception Areas

Wineries which May Include Sales and Winetasting Areas etc.

Rule 7.12.11.1 Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) The location, design and external appearance of buildings and structures.
- (b) Landscaping and screening.
- (c) The location and design of access points to the site, and parking areas on the site.
- (d) The location and design of waste treatment facilities.

7.12.11.2 Assessment Criteria

Assessment Criteria

When considering an application the Council will have regard to the following criteria:



Rural landscape

- (a) Whether the buildings and structures are visually integrated with the vineyard and rural landscape through techniques such as:
 - (i) siting buildings well back from the road;
 - (ii) planting the space between the road and the buildings and parking areas with vines or trees;
 - (iii) lining entry drives to buildings and parking areas with vines or fruit trees;
 - (iv) using topography and screening and backdrop planting to reduce the impact of outdoor storage tanks.

Siting and design of facilities

- (b) Whether buildings and structures, outdoor processing areas, solid waste storage and disposal areas and car parks are designed and sited so as to:
 - (i) avoid adverse effects on the amenity values of dwellings on neighbouring land;
 - (ii) minimise risk of contamination of natural water through accidental leakage of toxic wastes and wash water;
 - (iii) provide space for initial and replacement soakage fields for the disposal of treated effluent; and
 - (iv) avoid, remedy or mitigate contamination of natural water.

Access and parking

- (c) Whether the location and design of access and parking areas do not adversely affect the safe and efficient operation of roads in the vicinity of the site.

Rule 7.12.12 Earthworks, Tree and Bush Removal, Riparian Vegetation Removal and Wetland Modification

Earthworks, Tree and Bush Removal, Riparian Vegetation Removal and Wetland Modification

All Restricted Discretionary Activities in Rule 7.9.4 shall be considered under this Rule.

Rule 7.12.12.1 Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, location and visibility of vegetation removal and earthworks.
- (b) Scale of riparian vegetation removal and wetland modification.
- (c) Duration of works proposed.

7.12.12.2 Assessment Criteria

Assessment Criteria



	When considering an application the Council will have regard to the following criteria:
<i>Natural Hazards</i>	(a) Whether the activity will create on-site or off-site instability, or flooding downstream in the catchment or increase the erosion of the edges of rivers, streams, lakes, estuaries or the coastal edge.
<i>Landscape and amenity values</i>	(b) Whether the scale and location of the activity will adversely affect the visual quality and amenity values of the landscape, and the natural landform of any ridgeline or visually prominent areas.
<i>Ecological values of vegetation</i>	(c) Whether the vegetation proposed to be removed forms part of an ecological corridor, or is adjacent to a watercourse and acts as a filter for sediment and water runoff, or protect threatened plants or animal species and the extent to which the activity will adversely affect these values.
<i>Significant Natural Areas</i>	(d) Whether the works proposed in an area identified as a Significant Natural Area defined on the Planning Maps are undertaken in such a manner and at such times as to have no adverse effect, or minimum adverse effect, on the ecology and wildlife of the area and in particular, where relevant: <ul style="list-style-type: none"> (i) nesting, feeding and breeding of species; (ii) biological processes; (iii) connections between ecosystems; (iv) the diversity of species; (v) the habitat of threatened or protected species; (vi) cumulative effects.
<i>Vegetation adjacent to Significant Natural Areas</i>	(e) Whether the removal of bush or trees adjacent to Significant Natural Areas as defined on the Planning Maps will result in: <ul style="list-style-type: none"> (i) fragmentation of the bush and wildlife corridors. (ii) edge effects from wind or light on remaining native vegetation.
<i>Ecological values of waterbodies</i>	(f) Whether the waterbody which is to be modified is significant or provides a significant habitat, or is part of an ecological corridor, or protects threatened plant and animal species and the extent to which the activity will adversely affect these values.
<i>Water quality and quantity</i>	(g) Whether the scale or location of the activity will adversely affect water quality or quantity and the habitat value of watercourses, wetlands, estuaries or coastal waters and the sensitivity of the waterbody to these adverse effects.
<i>Conservation</i>	(h) Whether the activity will contribute to the greater conservation or protection of natural features within the zone as a whole.
<i>Necessity of works</i>	(i) Whether the work is necessary for an existing farming or forestry operation, and alternatives are not possible.
<i>Geologically significant sites</i>	(j) Whether the earthworks will adversely affect landforms of geological significance as listed in Appendix 6A.
<i>Mauri</i>	(k) Whether the works will adversely affect the mauri of water.



Duration of works

- (l) Whether the works will be completed in a short period reducing the duration of any adverse effects.

Mitigation measures

- (m) Whether mitigation measures are proposed to minimise or mitigate adverse effects, especially in Significant Natural Areas defined on the Planning Maps.

Rule 7.12.13
Activities within the
Airfield Noise Contours at
Dairy Flat

Activities within the Airfield Noise Contours at Dairy Flat

Rule 7.12.13.1
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) The location of the Household Unit or Child Care Facility.
- (b) The measures taken to ensure occupants are adequately isolated from aircraft noise.

7.12.13.2
Assessment Criteria

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

Acoustic performance

- (a) Whether there are sufficient acoustic insulation measures proposed in the design and siting of the Household Unit or Child Care Facility to ensure an internal noise environment in habitable rooms that does not exceed L_{dn} 40 dBA.
- (b) Whether the application contains sufficient detail on the acoustic insulation measures to show how an internal noise environment in habitable rooms that does not exceed L_{dn} 40 dBA can be met.

Reasonable use of the site

- (c) Whether the acoustic insulation measures enable reasonable use of a site without undue hardship to the occupiers.

Rule 7.12.14
Minor Household Units

Minor Household Units

Rule 7.12.14.1
Matters for Discretion

Matters For Discretion

The Council will limit its discretion to the following matters:

- (a) Building siting, design and external appearance.
- (b) Access.



7.12.14.2

Assessment Criteria

Rural Character

External Appearance

Landform Modification

Density

Visual Impact

Rural Character

Visual Impact

Access

Amenity Values

- (c) Servicing.
- (d) Proximity to principal household unit.
- (e) Cumulative effects.
- (f) Effect on landscape and rural character.

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the Minor Household Unit detracts from any view or vista of natural features obtained from any public road, or other public place including parks and reserves.
- (b) Whether the buildings will be of the same or similar exterior finish and style, including materials and colour, as the Principal Household Unit to maintain a consistent visual appearance on the site complementary to the rural character.
- (c) Whether the Minor Household Unit is sited so that it does not require extensive landform modification, but uses the existing landform as far as practicable so as to minimise adverse effects on landscape and discharges of silt.
- (d) Whether the addition of a Minor Household Unit will create the impression of higher than usual residential density in an area, taking into account the proposed location of the Minor Household Unit in relation to the Principal Household Unit, any site or topographical restraints, and related facilities such as letter boxes and service areas.
- (e) Whether the Minor Household unit is in close proximity to the Principal Household Unit so that buildings for living purposes remain close to one another, and are not dispersed over a rural site, leading to separate entrances, driveways, and visual effects, and potential desires to subdivide the land on which the minor household unit is to be located from the land on which the principal unit stands.
- (f) Whether the location of the Minor Household Unit will enable the site to retain the feeling of openness and the sense of rural character that exists at present.
- (g) Whether the Minor Household Unit when considered in conjunction with other buildings for living, driveways, and service areas, both on and off the site, will have adverse cumulative effects on rural character and landscape.
- (h) Whether access and servicing can occur with minimal earthworks and landform modification so that adverse effects on the visual environment do not occur or are minimal.
- (i) Whether the Minor Household Unit has an adverse effect on the amenity values of the surrounding area, such as by reducing privacy to neighbouring sites.



Servicing

- (j) Whether the method and design of water supply, sewage disposal and site drainage is appropriate to ensure that no adverse effects on the environment (including the surrounding land and waters) result.

Zoning

- (k) Where the Minor Household Unit is located in the Landscape Protection Rural Zone or the Dune Lakes Zone, whether the high natural environmental values of these zones will be adversely affected by the addition of a Minor Household Unit. See also the assessment criteria in Rule 7.12.3.

Explanation and Reasons

It is important that the increased intensity of activity resulting from the erection of a Minor Household Unit does not adversely affect the rural character and amenity values of the surrounding area. The Minor Household Unit should be located where it best relates to the Principal Household Unit or the characteristics of the site and does not create the impression of higher residential density, taking into account the site topography. From a road or other public place, it should not be obvious that there are two households on the site.

Rule 7.12.15 Assessment Criteria

Okura Policy Area - Assessment Criteria

(a) All Restricted Discretionary Activities

Siting of Buildings

- (i) Adverse effects can be avoided, remedied or mitigated through the siting, design and landscaping of the buildings and structures, design and landscaping of the buildings and structures.
- (ii) The matters set out in Rule 7.11.2 (i) to (xiii) inclusive shall apply.

Earthworks

- (i) Earthworks should not affect the potential for erosion, land instability, flooding and/or for sediment to enter streams and watercourses to occur.
- (ii) Earthworks should not affect or contribute to the degradation of the quality of streams and watercourses or marine reserves.
- (iii) The adequacy of mitigation measures.
- (iv) Alternative engineering and building solutions and new technologies should minimise earthworks during the development phase.

Impervious Surfaces

- (i) Any increase in impervious surfaces should not result in:
 - Siltation, sedimentation, or a reduction in the quality of streams and watercourses



- A reduction in the quality of the marine reserve/ coastal marine area
- An increase in stream channel erosion potential.

Water Quality

- (i) Runoff or stormwater resulting from the development or activity should not result in siltation, sedimentation, or a reduction in the quality of streams and watercourses.
- (ii) Runoff or stormwater resulting from the development or activity should not result in reduction in the quality of the marine reserve/ coastal marine area.
- (iii) Runoff should not increase the potential for stream channel erosion.

Vegetation

- (i) Vegetation removal should not increase the potential for erosion and instability and/or for sediment to enter streams and watercourses.
- (ii) Any replanting proposed should compensate for the removal of vegetation.

(b) Single household units sited within 50 m of land in an adjoining activity area that is used for horticultural purposes

The extent to which the closer proximity of the building is likely to inhibit the horticultural operation on the adjoining land.

(c) Forestry

- (i) Whether the forestry will result in shading, loss of light or loss of views from existing dwellings on adjoining sites or dwelling sites on adjoining land identified on a plan of subdivision.
- (ii) Whether the forestry will adversely affect pasture growth or horticultural crops on adjoining sites.
- (iii) Whether the forestry constitutes a safety hazard because of proximity to existing dwellings or other buildings and their associated outdoor living areas, because of potential fire hazard or windfall damage.
- (iv) Whether the access, particularly for harvesting, is of such a design, location and nature to ensure no significant adverse effects result on adjoining sites, the roading network, and on the access itself where that access is a joint access.
- (v) Whether the forestry practices such as burning off or spraying generate significant adverse effects on the amenity value and safety of adjoining sites and sites in the general vicinity.
- (vi) Whether the forestry will adversely or positively affect the quality of water flowing into any water body or stream or watercourse and the management of stormwater and sediment generation.



(d) Single household units etc located outside specified defined area(s) for buildings

- (i) The matters set out in Rule 7.12.15 (a) shall apply.
- (ii) Those matters covered in Rule 7.15.15A, Subdivision for Cluster Housing etc, that are relevant to the proposed alternative defined area(s) for building.

(e) Sales of primary produce grown on the property

- (i) The extent to which the access point and layout of the vehicle circulation will minimise traffic hazards and discourage customer parking on the road.
- (ii) The extent to which the position and orientation of the sales and display area will avoid distracting the attention of passing motorists or disturbing neighbours' enjoyment of their property.

Rule 7.12.16
Greenhouses between 10% and 20% of net site area to a maximum of 1ha

Greenhouses between 10% and 20% of net site area to a maximum of 1ha

Rule 7.12.16.1
Matters for Discretion

Matters For Discretion

The Council will restrict its discretion to the following matters:

- (a) Visual effects on rural character and amenity.
- (b) Noise.
- (c) Traffic volume and safety.
- (d) Stormwater.
- (e) Economic effects.

7.12.16.2
Assessment Criteria

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

Visual Impact

- (a) Whether the Greenhouse is designed and located to avoid, remedy or mitigate adverse visual effects on the rural character and amenity, in particular with regards to:
 - (i) bulk and glare/reflectivity.
 - (ii) landform modification for building platforms.
 - (iii) screening from neighbouring sites.
 - (iv) views from any public road, or other recreational public open space including any beach, coastal marine area, coastline, or regional park.



Noise

- (b) Whether the best practicable options have been put in place to avoid the adverse effects of noise generated by fans, ventilators, heaters and the like and from general operations.

Traffic

- (c) Whether the greenhouse is designed and constructed to avoid, remedy or mitigate adverse effects on the road network and on traffic safety.

Stormwater

- (d) Whether stormwater can be adequately controlled, treated and disposed of.

Economic

- (e) Whether the operation of the Greenhouse will provide positive economic effects in the district.

**Rule 7.12.17
Household Units and/or
accessory buildings within
Significant Natural Areas**

**Household Units and/or accessory buildings within Significant
Natural Areas where there is no alternative location on the site**

**Rule 7.12.17.1
Matters for discretion**

Matters for Discretion

The Council will restrict its discretion to the following matter:

- (a) Whether a household unit and/or an accessory building, including any required access, may be constructed within the SNA without generating adverse effects on the SNA that are more than minor.

**Rule 7.12.17.2
Assessment Criteria**

Assessment Criteria

Alternatives

- (a) Whether there are alternative methods, actions or building platforms that could achieve the applicants' objectives.

Design and Location

- (b) The extent to which adverse effects on the SNA are avoided, remedied or mitigated through sensitivity of design, siting and scale of the building and any associated access.

- (c) Whether fragmentation of the SNA is avoided or where avoidance is not possible the adverse effect of fragmentation is minimised.

Vegetation

- (d) Whether any restoration /enhancement /rehabilitation planting is proposed as mitigation to compensate for the removal of vegetation.

Ecology

- (e) Whether the building is sited to have no adverse effect or minimum adverse effect on the ecology and wildlife of the area and in particular, where relevant:
 - (i) nesting, feeding and breeding of species
 - (ii) biological processes
 - (iii) connections between ecosystems



Human Impact

Rule 7.12.18 Household Units, Sleepouts, Minor Household Units and Child Care Facilities within Quarry Effects Management Areas

Rule 7.12.18.1 Matters for Discretion

7.12.18.2 Assessment Criteria

Acoustic Performance

Reasonable use of the site

- (iv) the diversity of species
- (v) the habitat of threatened or protected species
- (vi) cumulative effects

- (f) Whether any methods are proposed to mitigate edge effects (including the spread of weeds, minimisation of light penetration).
- (g) Whether any methods are proposed that will contribute to ongoing protection or conservation of the ecological values of the SNA (including restrictions on the keeping of domestic pets, restrictions on planting of exotic species, restrictions on further development).
- (h) Whether normal residential activity (including vehicle movements, informal recreation, keeping of domestic pets, and normal household noise) is compatible with the maintenance of the quality and vitality of the SNA and its inherent ecological values.

Activities within Quarry Effects Management Areas identified in the Planning Maps

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) The location of the Household Unit, Sleepout, Minor Household Unit or Child Care Facility.
- (b) The measures taken to ensure occupants are adequately isolated or protected from quarry noise, dust and vibration including building design, acoustic insulation, land form modifications and planting proposals to mitigate noise and visual effects.

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the application demonstrates sufficient acoustic insulation measures in the design and siting of the Household Unit, Sleepout, Minor Household Unit or Child Care Facilities and any associated development to ensure an internal noise environment in habitable rooms that does not exceed Ldn 40 dBA.
- (b) Whether the building location together with any measures to address potential activity conflicts, will enable reasonable use of a Household Unit, Sleepout, Minor Household Unit or Child Care Facility and any



Reverse Sensitivity

7.12.19 Forestry in the Landscape Protection Rural and East Coast Rural Zones

Rule 7.12.19.1 Matters for Discretion

7.12.19.2 Assessment Criteria

7.12.20 Visitor Accommodation

Rule 7.12.20.1 Matters for Discretion

7.12.20.2

associated development without undue hardship to the occupiers.

- (c) Whether the building location together with any measures to address potential activity conflicts, will unduly limit the operation of an existing mineral extraction site or compromise the ability to extract or provide access to identified mineral deposits which will provide for future needs.

Forestry in the Landscape Protection Rural and East Coast Rural Zones that does not comply with Rule 7.10.7(a) or (b)

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Visual and landscape effects
- (b) Ecological effects

Assessment Criteria

- (a) Whether native vegetation may establish over time to soften the forest edge and provide effective visual screening of harvest activity.
- (b) Whether the proposed reduction in set back results in adverse visual, landscape or ecological effects.

Visitor Accommodation within the Matakana Village Overlay Area

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Location, architectural style and design of the built form, scale, density and external appearance of buildings and structures.
- (b) Amenity values
- (c) Landscaping and screening.
- (d) Access, traffic and parking.



Assessment Criteria

Character and Scale

Sensitivity of development

Amenity Values

Density

Cumulative effects

Access and traffic

Infrastructure

Assessment Criteria

(i) Whether the accommodation units are in keeping with the surrounding Matakana character in terms of nature, scale intensity, design and external appearance. Whether the location of the proposed accommodation units will enable the site to retain the feeling of openness and the sense of rural character that currently exists.

(ii) Whether the proposed accommodation units will be of the same or similar exterior finish and style, including materials and colour to maintain a consistent visual appearance on the site. In addition (notwithstanding future potential improvements from landscaping), whether the buildings are clustered, of a scale and located such that the buildings are sensitive to the rural landscape and are visually unobtrusive.

(iii) Whether the proposed accommodation units will generate adverse effects on the amenity values of the surrounding rural area, including effects on noise, glare, vibration, lighting, odour, visual impact, inadequate disposal of effluent/water, additional traffic on roads, loss of privacy on neighbouring sites and effects on the surrounding landscape.

(iv) Whether the additional accommodation will create the impression of higher than usual density in an area, taking into account the proposed location of the accommodation units, any site or topographical constraints, landscaping and tree planting, and related facilities such as service areas.

(v) Whether the proposed accommodation units are clustered so that buildings remain close to one another, and are not widely dispersed over the site, leading to separate entrances, driveways, and visual effects; and whether the building layout discourages the subdivision of the land on which the proposed accommodation unit is to be located.

(vi) Whether the proposed activity will not, when considered in conjunction with other buildings for living, driveways and service areas both on and off the site, have adverse effects on the character and landscape of the surrounding area.

(vii) Whether the proposed accommodation units are accessed by the same vehicle crossing and driveway in order to minimise the appearance of urban scale activity; and whether the design and location of access point(s) will result in traffic hazards for road users. In addition, whether any internal roading and access are adequate for the intended level of patronage and whether they are designed to be visually unobtrusive.

(viii) Whether the method and design of water supply, sewage disposal,



and site drainage are appropriate to ensure that the proposed activity does not result in adverse effects on the environment (including the surrounding land and waters).



7.13 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES

7.13.1 General Assessment Criteria - All Discretionary Activities

Without limiting the exercise of its discretion for all Discretionary Activity resource consent applications in the Rural Zones, the Council will have regard to the following Assessment Criteria, and any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act:

Rural character

- (a) Whether the activity can be established and operated without changing or contributing to a cumulative change in the character of the area from rural to some other character because the predominance of natural features (sometimes modified by human processes) over manmade features is removed or reduced, and in particular, whether:
- (i) the activity removes or reduces a high ratio of open space to buildings, where such a ratio existed previously;
 - (ii) the activity requires infrastructure of a nature and scale (such as footpaths, streetlights, kerb and channelling) that dominates natural features;
 - (iii) the buildings associated with an activity (excluding household units) are of a design, scale, and quality of finish which evokes an urban character rather than a rural character;
 - (iv) the activity introduces building sizes and densities of an urban nature and scale;
 - (v) the intensity of the activity, including numbers of people using the site, the hours of operation and the number of vehicle trips generated, is significantly different from activities predominantly based on primary productive use of large landholdings or countryside living.
 - (vi) the activity is of a nature and scale that serves the local community and/or enables it to provide for its social, economic and cultural wellbeing and for its health and safety.

Sustainable resource use

- (b) Whether the activity utilises the natural and physical resources of the rural area in a manner sustaining the potential of those resources (excluding minerals) to meet the reasonably foreseeable needs of future generations.

Natural character of the coast and water margins

- (c) Whether the activity will have an adverse effect on the natural character of the coastal environment and on public access to the coast and on the natural character of the margins of lakes, rivers and streams.

Amenity values

- (d) Whether the activity will have an adverse effect on the amenity values (including visual and aural privacy) of neighbouring properties.

Water quality

- (e) Whether the activity will have an adverse effect on water quality and quantity.

Trees or bush

- (f) Whether the activity will adversely affect the natural quality of any area of native trees or bush.



<i>Landscape</i>	(g) Whether the activity will adversely affect the visual and landscape values of the surrounding area.
<i>Natural features</i>	(h) Whether the activity will have an adverse effect on outstanding natural features and landscapes and on significant natural areas.
<i>Cultural heritage</i>	(i) Whether the activity will have an adverse effect on any cultural heritage resources on the site or on neighbouring sites.
<i>Roading</i>	(j) Whether the activity, including the provision of access and parking, will have an adverse effect on the safe and efficient operation of a public road.
<i>Infrastructure/Utilities</i>	(k) Whether the proposal includes the provision of all services, infrastructure and utilities necessary to manage the environmental effects, or alternatively whether it demonstrates how the necessary services, infrastructure and utilities are able to be provided in time to manage the environmental effects.
<i>Health and safety</i>	(l) Whether the activity will adversely affect the health and safety of people in the vicinity of the site(s).
<i>Mineral extraction</i>	(m) Whether the activity will unduly limit the operation of an existing mineral extraction site or compromise the ability to extract or provide access to mineral deposits which will provide for future needs. See the Planning Maps for Significant Mineral Extraction Resource sites. The desirable buffer distance between a mineral extraction and processing site and an activity that could potentially conflict with extraction and processing activities is 500 metres for rock extraction using blasting and 200 metres for other extraction. Exceptions to this desirable buffer distance from the mineral extraction and processing site are shown in the Planning Maps where the "Quarry Effects Management Area" on the map may vary to reflect different local circumstances.
<i>Maori</i>	(n) Whether the activity will adversely affect the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
<i>Pollutants</i>	(o) Whether the activity will generate adverse effects which cannot be contained within the site, including objectionable odours, dust, noise, glare, vibrations and lighting.
<i>Significant Natural Areas</i>	<p>(p) Whether the works proposed in an area identified as a Significant Natural Area defined on the Planning Maps are undertaken in such a manner and at such times as to have no adverse effect, or minimum adverse effect on the ecology and wildlife of the area and in particular, where relevant:</p> <ul style="list-style-type: none"> (i) nesting, feeding and breeding of species; (ii) biological processes; (iii) connections between ecosystems; (iv) the diversity of species; (v) the habitat of threatened or protected species; (vi) cumulative effects



*Vegetation removal, earthworks
and wetland modification*

Cumulative effects

(q) For assessment criteria on vegetation removal, earthworks and wetland modification see Rule 7.12.12.

(r) Whether the activity will have cumulative effects. In considering any actual and cumulative effects, whether:

- (i) the effects of the proposed activity add to or act together with the effects of the existing activities located in the area;
- (ii) the effects of new activities that may establish in the future which will add to, or act together with the proposed activity.

In considering the likelihood that activities resulting in cumulative effects may establish in the future, the Council will consider (but will not be limited to) the following:

- (i) the nature of the land in the vicinity of the subject site;
- (ii) the attractiveness of the land in the vicinity of the site for being used for similar, complementary, or competitive purposes;
- (iii) the historic pattern of the establishment of activities in the area;
- (iv) the provision of infrastructure in the area, including roading and in ground services;
- (v) the proximity of highly valued natural resources, including significant natural areas;
- (vi) the landscape values.

7.13.2 Additional Assessment Criteria in Specified Zones

Additional General Assessment Criteria for All Discretionary Activities in the Landscape Protection Rural Zone, Dune Lake Zone, East Coast Rural Zone and Kawau Island Zone (both Policy Areas)

In addition to the General Assessment Criteria in 7.13.1 the Council will have regard to the following assessment criteria for Discretionary Activities in the Landscape Protection Rural Zone, Dune Lakes Zone, East Coast Rural Zone and Kawau Island Zone (both Policy Areas)

Character

(a) Whether the activity can be established and operated without adversely affecting the elements contributing to the particular character of the Policy Area or Zone as generally identified in the description of each area.

Character and scale

(b) Whether the activity is of a character, scale or intensity or involves such numbers of people or vehicles, that the character of the land in the general vicinity of the site will be significantly altered from the present character, or natural resources in the general vicinity will be overwhelmed/dominated by the number of people/volume of traffic involved.

Landform

(c) Whether buildings and structures are sited so that they do not require extensive landform modification, but use the existing landform as far as is practicable so as to minimise adverse effects on landscape and minimise discharges of silt.

Access and servicing

(d) Whether access and servicing could occur with minimal earthworks and landform modification.



Trees and bush

- (e) Whether buildings and structures will adversely impact upon trees or bush making a significant contribution to the visual and environmental qualities in the vicinity of the site.

Ridgeline

- (f) Whether buildings and structures visually intrude on any significant ridgeline or skyline and adversely affect landscape values when viewed from any public road or other public land including any beach, the sea or regional park.

Form of buildings

- (g) Whether the scale and form of buildings and structures including their colour and materials complements rural character and the particular elements making up that character in the Zone.

Views/Vistas

- (h) Whether buildings or structures detract from any view or vista of natural features obtained from any public road, or other public land including any beach, the sea or regional park.

Coastline

- (i) Whether activities are located away from the margin of, and not readily visible from the coastline and harbour/river margins, so as to retain the natural character of these areas, and the high quality landscape intact.

7.13.3

Kawau Island Zone - Bush and Settlement Policy Areas

Additional Assessment Criteria for Activities in the Kawau Island Zone - Bush and Settlement Policy Areas, including Visitor Accommodation, Health and Welfare Services, Places of Assembly, Restaurants, Homes for the Aged, Camping Grounds, Shops, Childcare Facilities, Breeding and Boarding Establishments for Domestic Animals, Facilities Associated with Water Based Tourist Activities

Suitability

- (a) Whether there are functional aspects of the proposed activity which make the location on Kawau Island desirable and whether there are significant site features which make the site suitable and able to be accommodated without significant adverse effect on the island's character, amenity and environmental values.

Scale

- (b) Whether the scale of the activity is in keeping with the needs and requirements of the local Kawau Island community, or for an activity serving a wider community (including visitors) and whether it is compatible with the natural and semi-remote character within the Zone.

Berthing and mooring

- (c) Whether access to the site is readily obtained and whether the activity creates the need for extensive berthing or mooring structures in the coastal marine area and whether the adverse effects of the activity can be avoided.

7.13.4

Additional Assessment Criteria for Particular Activities

Additional Assessment Criteria for Particular Activities

In addition to the General Assessment Criteria in 7.13.1, and the criteria in 7.13.2 and 7.13.3 as appropriate, the Council will have regard to the



7.13.4.1

Clean Fill Sites exceeding 1,000m³ in the General Rural Zone

following assessment criteria and the relevant matters set out in section 104 of the Act for the following Specified Discretionary Activities.

Clean Fill Sites exceeding 1,000m³ (Solid Measure) of Deposited Materials and Sites for the Disposal of Demolition Material in the General Rural Zone

For Assessment Criteria see Rule 7.11.1.2.

7.13.4.2

Farm Airstrips

Farm Airstrips at Least 2 Kilometres from an Urban Zone or Countryside Living Zone; or not allowed as a Permitted Activity in the General Rural Zone

Scale and frequency

(a) Whether scale and frequency of flights in and out of the airfield will adversely affect the amenity values of the surrounding sites, including noise, glare and vibrations.

Density of population

(b) Whether the area surrounding the proposed site for development as an airfield is densely populated.

Mitigation measures

(c) Whether the proposed mitigation measures are adequate, including restrictions on times of flying, adequate acoustic insulation of surrounding Household Units or Child Care Facilities or Schools.

7.13.4.3

Farming in the Kawau Island Zone and Islands General Zone

Farming in the Kawau Island Zone (both Settlement and Bush Policy Areas) and Islands General Zone

Character

(a) Whether the character of the area will change as a result of the change in farming activity, especially if forestry is planted.

Earthworks and vegetation removal

(b) Whether the farming activity will result in the removal of native vegetation or earthworks and the resultant effect of this on the character of the area, or environmental values, including habitat and biodiversity.

7.13.4.4

Forestry in the Dune Lakes Zone

Forestry in the Dune Lakes Zone

Forestry location

(a) Whether the forest is located so that the area within 200 metres of the boundary of the lakes will remain visually open and the lakes remain visible from public roads in the vicinity when the trees are at maturity.

(b) Whether the forest is located so that it does not adversely impact on wetlands or vegetation which acts as a buffer protecting the water quality of the Dune Lakes

(c) For additional Assessment Criteria see Rule 7.12.4.



7.13.4.5 Forestry in the Kawau Island Zone

Trees or bush

Landform modification

Wildlife habitats

Landscape values

Forestry Not Provided for as a Permitted Activity in the Kawau Island Zone Settlement and Bush Policy Areas

- (a) Whether the activity requires the clearing or removal of significant areas of native bush or trees.
- (b) Whether the activity requires significant landform modification for the activity itself or for access.
- (c) Whether the activity results in the destruction of or significant adverse effect on any significant wildlife habitat or area of significant environmental value.
- (d) Whether the activity results in any significant adverse effect on landscape values in the vicinity of the site.

7.13.4.6 Household Units on Maori Land

Household Units on Maori Land up to 6 Units and Not Exceeding 1 Unit per Hectare Net Site Area where the Applicant Belongs to the Same Hapu as the Trustees of the Associates Marae

For Assessment Criteria see Rule 7.12.3.

7.13.4.7 Household Units on Maori Land

Household Units on Maori Land other than the Marae where the Owner Belongs to the same Hapu as the Trustees of the Associates Marae and subject to the Following Limitations etc:

For Assessment Criteria see Rule 7.12.3

7.13.4.8 Intensive Farming

Codes of practice

Sensitivity of building

Landscape Protection Rural Zone and East Coast Rural Zone

Intensive Farming

- (a) Whether the proposal complies with any current adopted codes of practice for the relevant industry such as:
 - (i) New Zealand Pork Industry Board, Code of Practice - Pig Farming.
 - (ii) Poultry Industry Association, Codes of Practice - Egg and Poultry Meat.
- (b) Whether buildings are sensitive to the rural landscape and visually unobtrusive.
- (c) Where located within the Landscape Protection Rural Zone and East Coast Rural Zone, whether the buildings are sensitive in scale, form, location and intensity to the high quality landscape values of these zones in particular in terms of:
 - (i) colour, materials, height, bulk and reflectivity.
 - (ii) landform modification for building platforms.
 - (iii) screening from public roads and neighbouring sites.
 - (iv) impacts on the character of the land in the general vicinity of the



	<p>site.</p> <p>(v) views from any public road, or other public land including any beach, coastal marine area, coastline, walkway, regional park or reserve.</p>
<i>Class I or II land</i>	<p>(d) Whether the buildings and effluent treatment ponds are located on Class I or II land, and whether any measures are employed (eg. application of nutrients) to increase plant production on the productive land not covered by ponds/building.</p>
<i>Building siting</i>	<p>(e) Whether the buildings are sited so as to enable effects to be absorbed on the site. In general it is expected that the buildings would be sited at least 100 metres from any boundary and 1,000 metres from any Residential or Countryside Living zone or sensitive neighbouring land uses (eg. schools).</p>
<i>Effluent treatment ponds</i>	<p>(f) Whether effluent treatment ponds are sited at least 250 metres from any site boundaries unless a lesser distance can be justified in terms of any adopted code of practice, or a greater distance is necessary to protect sensitive neighbouring land uses (eg. schools).</p>
<i>Effluent irrigation</i>	<p>(g) Whether proposals to irrigate treated effluent within the property have been subject to specific evaluation and design by a suitably qualified engineer, with particular reference to potential off site effects.</p>
<i>Dust and odour</i>	<p>(h) Whether the proposed location, design and intended means of operating the intensive farming activity, including recognition of the necessity to regularly remove muck from buildings housing animals, is such that it will be unlikely to generate any dust or odour that will be noxious, dangerous, offensive or objectionable beyond the boundary of the site. An offensive/objectionable odour is one which can be detected at any site boundary for two consecutive days, or which occurs on a regular basis, and which is considered as such by a panel of people chosen by the Council consisting of not less than three people.</p>
<i>Waste management plan</i>	<p>(i) Whether a Waste Management Plan is prepared and accompanies an application and addresses the following matters:</p> <ul style="list-style-type: none"> (i) a statement of purpose. (ii) identification of the person responsible for the operation of the Waste Management Plan. (iii) a detailed site plan indicating proposed irrigation areas, streams, buildings, boundaries, etc. (iv) a description of the effluent characteristics. (v) a description of how the waters are to be collected, stored, treated and irrigated so adverse effects will be avoided. (vi) a description of the management practices to be adopted for the minimisation of the production of odours. (vii) a description of contingency measures to provide for machinery breakdown, saturated soil conditions, full ponds, etc. (viii) a description of monitoring procedures, and a contingency plan in the event of monitoring showing adverse effects.



Escape of species

- (j) Whether the proposal describes the measures to be employed to prevent the escape of any species of animal or plant that could have an adverse effect on the natural environment.

Note: Intensive farming operations may cause effects beyond the boundary of the site that are more than minor. Such applications will be notified.

7.13.4.9 Marae Extensions

Marae Extensions and New Buildings for Marae existing on 12 October 1995, including Whare, Hui, Wharekai, Child Care Centres, Kokiri, Craft Centres, Community Halls, Churches, Dwellings and Kaumatua Housing

For Assessment Criteria 7.12.3.

7.13.4.10 New Marae

New Marae and Associated Buildings Including Wharehui, Wharekai, Child Care Centres, Kokiri and Craft Centres, Community Halls, Churches, Dwellings and Kaumatua Housing

For Assessment Criteria see Rule 7.12.3.

7.13.4.11 Outdoor Recreation

Outdoor Recreation Not Allowed as a Permitted Activity

Rural location

- (a) Whether there are functional aspects of the activity which make the rural location desirable, or outstanding site features which make the site suitable for the proposed activity.

Coastal settlement

- (b) Whether the activity could not reasonably locate in a coastal settlement, rural township or town.

Land

- (c) Whether the activity is located on land of high value for food production.

Rural character

- (d) Whether the buildings are in keeping with the surrounding rural character in terms of scale and design and external appearance.

Parking

- (e) Whether parking areas and internal roading are adequate for intended patronage and whether they are designed to minimise disturbance to the landscape and be visually unobtrusive.

Access and traffic

- (f) Whether the design and location of access point(s) will result in traffic hazards for road users and customers.
- (g) Whether the intensity of the activity is in keeping with the surrounding rural character, and whether an urban element is introduced to the rural area.
- (h) Whether there are adverse effects generated on the amenity values of the surrounding rural area, including effects of noise, glare, visual impact and additional traffic on roads.



7.13.4.12 Sales of Primary Produce	Sales of Primary Produce, Honey or the Products of Home Occupation Not Undertaken on the Property not Provided for as a Restricted Discretionary Activity
<i>Traffic hazard</i>	(a) Whether the access point(s) and the layout of the vehicle circulation will result in traffic hazards for road users and customers.
<i>Parking on the road</i>	(b) Whether the access point(s) and the layout of the vehicle circulation and parking areas will discourage customers from parking vehicles on the road.
<i>Disturbance of neighbours</i>	(c) Whether the location of the vehicle circulation and parking areas will disturb neighbour enjoyment of their properties through dust nuisance or noise.
<i>Visual distraction</i>	(d) Whether the position and orientation of the sales and display area will avoid distracting the attention of passing motorists, or disturbing neighbours enjoyment of their properties through visual distraction or noise.
7.13.4.13 Wineries	Wineries not provided for as Restricted Discretionary Activity and Not Dependent for Access on State Highways or East Coast Road or the Coatesville-Riverhead Highway.
<i>Safety and efficiency</i>	(a) For developments dependent for access on all State Highways or the Coatesville-Riverhead Highway: <ul style="list-style-type: none"> (i) Whether the activity adversely affects road safety or efficiency, or the traffic carrying capacity of these roads; and (ii) Whether the activity satisfies the Assessment Criteria in 7.12.11.2.
<i>Self sufficiency of production</i>	(b) For developments on sites of less than 4 hectares: <ul style="list-style-type: none"> (i) Whether the site can be developed in a way that satisfies the assessment criteria in 7.12.11.2; and (ii) Whether there is a high level of self sufficiency in grape or fruit supplies (at least 75% grown on site in a normal year).
<i>Safety and efficiency</i>	(c) For developments with an output in excess of 100,000 litres per annum: <ul style="list-style-type: none"> (i) Whether the site can be developed in a way that satisfies the Assessment Criteria in 7.12.11.2; (ii) Whether the activity adversely affects road safety or efficiency or the traffic carrying capacity of the roads in the vicinity; and (iii) Whether the activity involves an output of a scale not appropriately located in a rural area ie. exceeding 1,250,000 litres per annum output.
<i>Scale of activity</i>	(d) For other proposals: <ul style="list-style-type: none"> (i) Whether the activity involves an output of a scale not appropriately located in a rural area ie. exceeding 1,250,000 litres per annum output.
<i>Effects on the environment</i>	(i) Whether there are circumstances existing which enable the activity to operate in a rural location without adverse effects on the environment.



7.13.4.14

Mineral Extraction and Processing Activities

Mineral Extraction and Processing Activities

(a) Management Plan Requirements

In order to exercise its discretion the Council requires any applicant to provide a Management Plan which shows:

- (i) Topography, drainage, natural watercourses (including groundwater), existing vegetation cover and any other significant landform or features.
- (ii) The proposed means of reducing or controlling any environmental impact during the course of operation such as but not limited to the effects of dust, noise and vibration on the amenity of residents in the vicinity of the operation, run-off, visual effects and stockpiling.
- (iii) The methods for protecting and maintaining areas of ecological importance or outstanding landform features and geologically significant sites.
- (iv) Site layout and general design and location of buildings and areas for extraction, storage, processing and distribution.
- (v) The method of mining or winning the materials.
- (vi) The method of access and vehicle circulation.
- (vii) The proposed rehabilitation programme for the area being utilised.

(b) Assessment Criteria

Off-site effects

- (i) Whether effects such as noise, dust, vibration, odour, glare and traffic generation are contained within the site where this is necessary and reasonable, or will unduly affect or inhibit the use of the surrounding land for productive purposes or for the carrying out of any Permitted, Controlled or approved Restricted Discretionary or Discretionary Activity.

Amenity values

- (ii) Whether effects such as noise, dust, vibration, odour, glare and traffic generation are contained within the site, where this is necessary and reasonable, or adversely affect the amenity values of sites in the vicinity.

Vehicle movements

- (iii) Whether the number or timing of vehicle movements adversely affects road and traffic safety and efficiency.

Traffic safety

- (iv) Whether the entranceway to the site is capable of accommodating the intended traffic safety, and whether it is located so as to avoid adverse effects on the safety and efficiency of any public road.



Effects on water

- (v) Whether the processing or extraction activities result in adverse effects on waterways, wetlands or groundwater.

Visual effects

- (vi) Whether there are adverse visual impacts on significant landscapes, significant natural areas or natural features.

Restoration/rehabilitation

- (vii) Whether any restoration or rehabilitation programme will enable the land to be used for productive purposes or for an activity which is listed in Activity Table 1 of Rule 7.9.2.

Note: The Land Resources Section of ARC Environment at the Auckland Regional Council will be contacted for comment on any Management Plan. Separate consent approvals may be required from that Department at the Auckland Regional Council.

7.13.4.15 Greenhouses

Greenhouses

Glare

- (a) Whether the Greenhouse is designed and located to avoid, remedy or mitigate creating adverse effects of glare and/or reflection on sites in the general vicinity.

Visual effects

- (b) Whether the Greenhouse is designed and located to avoid adverse visual effects on sites in the general vicinity.

Noise effects

- (c) Whether there are adequate protection measures in place to avoid, remedy or mitigate the effects of noise generated by fans, ventilators, heaters and the like and from general operations.

Traffic safety

- (d) Whether the greenhouse is designed and constructed to avoid, remedy or mitigate adverse effects on the road network and on traffic safety.

Stormwater

- (e) Whether stormwater can be adequately controlled, treated and disposed of.

7.13.4.16 Minor Household Units

Minor Household Units

Minor Household Unit Assessment

- (a) The Assessment Criteria in Rule 7.12.14

Rural Character

- (b) Whether it appears from outside the site that there is a single group of buildings associated with a household unit on the site, and whether the Minor Household Unit is visually integrated with the Principal Household Unit when viewed from any public road, or other public place including parks and reserves.
- (c) On sites less than 1 ha, whether the visibility of the site or the proposed minor household unit requires the unit to be built in accordance with Rule 8.9.6 and Rule 8.10.6.2 in Chapter 8 — Residential to mitigate adverse effects on amenity and rural character.



Effects on the Highway Network

- (d) If access to the Minor Household Unit is to be gained directly from a public road:
 - whether the access to the road is designed and located so that it does not create a traffic safety issue with regard to the number of vehicles accessing the road, the potential for congestion and the effects on neighbouring properties which already gain access directly to the road.
- (e) If access to the Minor Household Unit is to be gained directly from a State Highway:
 - whether the accessway is designed in accordance with Table 1 and 2 of Rule 7.10.5; and
 - whether the works will comply with New Zealand Transport Agency's (NZTA) Planning Policy Manual to NZTA's satisfaction; and
 - those matters for discretion and assessment criteria set out in rules 7.12.2.1 and 7.12.2.2.

17.13.4.17

Rural Visitor Accommodation

Rural Visitor Accommodation

Functional Aspects of Location

- (a) Whether there are functional aspects of the proposed visitor accommodation that makes rural location necessary.

Rural character & Scale

- (b) Whether the proposed visitor accommodation is in keeping with the surrounding rural character in terms of nature, scale, intensity, design and external appearance. Whether the location of the proposed visitor accommodation units will enable the site to retain the feeling of openness and the sense of rural character that exists at present both within the site and adjacent to the site. Additionally, whether the proposed visitor accommodation requires urban type infrastructure such as roads with full kerb and channel, sealed footpaths and vehicle crossings, streetlights and demarcated carparking areas on roads.

Sensitivity of development

- (c) Whether the proposed visitor accommodation buildings will be of the same or similar exterior finish and style, including materials and colour to maintain a consistent visual appearance on the site complementary to the rural character. In addition (notwithstanding future potential improvements from landscaping), whether the buildings are clustered, of a scale and located such that the buildings are sensitive to the rural landscape and are visually unobtrusive.

Amenity Values

- (d) Whether the proposed visitor accommodation will generate adverse effects on the amenity values of the surrounding rural area, including effects of noise, glare, vibration, lighting, odour, visual impact, inadequate disposal of effluent/water, additional traffic on roads, loss of privacy on neighbouring sites, loss of native bush and negative effects on rural landscapes.

Density

- (e) Whether the addition of visitor accommodation that is proposed will create the impression of higher than usual residential density in an area, taking into account the proposed location of the visitor accommodation units, any site or topographical restraints, landscaping and tree planting, and related facilities such as service areas.



Reverse Sensitivity — effect on Permitted Activities

Landform Modification

Landscape Values

Cumulative Effect

Access and traffic

Parking and Garaging

Infrastructure

Other Criteria

7.13.5 Okura Policy Area- Assessment Criteria

- (f) Whether the proposed visitor accommodation units are clustered so that buildings remain close to one another, and are not widely dispersed over a rural site, leading to separate entrances, driveways, and visual effects, and whether the building layout discourages the subdivision of the land on which the proposed visitor accommodation unit is to be located.
- (g) Whether the proposed visitor accommodation will compromise the ability of Permitted Activities in the rural zone to operate by creating an expectation of higher environmental standards than required by the zone.
- (h) Whether the proposed visitor accommodation (including access and service infrastructure) is sited so that it does not require extensive landform modification, but uses the existing landform as far as practicable so as to minimise adverse effects on landscape and discharges of silt.
- (i) Whether the proposed visitor accommodation will detract from views or vista of natural features obtained from any public road, or other public place including parks and reserves.
- (j) Whether the proposed visitor accommodation when considered in conjunction with other buildings for living, driveways, and service areas, both on and off the site, will not have adverse cumulative effects on the rural character and landscape.
- (k) Whether the proposed visitor accommodation units are accessed by the same vehicle crossing and driveway in order to minimise the appearance of urban scale activity; and whether the design and location of access point(s) will result in traffic hazards for road users. In addition, whether any internal roading and access are adequate for the intended level of patronage and whether they are designed to be visually unobtrusive.
- (l) Whether parking areas are located and designed such that they are consolidated into a single area and whether separate garages are attached to individual units so as to limit potential for future subdivision.
- (m) Whether the method and design of water supply, sewage disposal land, and site drainage are appropriate to ensure that the proposed visitor accommodation does not result in adverse effects on the environment (including the surrounding land and waters).
- (n) Also see Rule 7.13.2 Additional Assessment Criteria in Specified Zones.

Okura Policy Area - Assessment Criteria

(a) All activities

General

- (i) The activity and its buildings should not have a significant adverse impact



- on the amenities of neighbouring properties.
- (ii) The activity should not detrimentally affect the safe and efficient operation of a public road.
 - (iii) The activity should not place undue burden on public services to the extent that adverse environmental effects are likely to result.
 - (iv) The proposal includes the provision of all services, infrastructure and utilities necessary to manage the environmental effects, or alternatively demonstrates how the necessary services, infrastructure and utilities are able to be provided in time to manage the environmental effects.
 - (v) Buildings and structures should not adversely impact upon the natural quality of any area of trees or native bush which make a significant contribution to the visual and environmental qualities of the activity area, nor require removal of extensive areas of native trees or bush.
 - (vi) The alteration of any significant natural habitat should occur only where any adverse effect on the environmental value of the site as a natural habitat is minor and there is no alternative location for the proposal.

Siting of Buildings

- (i) The extent to which adverse effects can be avoided, remedied or mitigated through the siting, design and landscaping of the buildings and structures, design and landscaping of the buildings and structures.

Earthworks

- (i) Whether earthworks affect the potential for erosion, land instability, flooding and/or for sediment to enter streams and watercourses to occur.
- (ii) The extent to which earthworks affect or contribute to the degradation of the quality of streams and watercourses or marine reserves.
- (iii) The adequacy of mitigation measures.
- (iv) Whether alternative engineering and building solutions and new technologies minimise earthworks during the development phase.

Impervious Surfaces

- (i) The extent to which an increase in impervious surfaces results in:
 - Siltation, sedimentation, or a reduction in the quality of streams and watercourses;
 - A reduction in the quality of the marine reserve/ coastal marine area;
 - An increase in stream channel erosion potential.

Water Quality

- (i) The extent to which runoff or stormwater resulting from the development or activity results in siltation, sedimentation, or a reduction in the quality of streams and watercourses.
- (ii) The extent to which any runoff or stormwater resulting from the development or activity results in reduction in the quality of the marine reserve/ coastal marine area.
- (iii) The extent to which runoff increases the potential for stream channel erosion.



7.14

Rule 7.14.1

Subdivision Status

Rule 7.14.1.1

Restricted Discretionary Activity

Vegetation

- (i) The extent to which vegetation removal increases the potential for erosion and instability and/or for sediment to enter streams and watercourses.
- (ii) The adequacy of any replanting proposed to compensate for the removal of vegetation.

SUBDIVISION

Subdivision Status

Restricted Discretionary Activity

The following types of subdivision of land shall be a Restricted Discretionary Activity in the Zones and Policy Areas set out below:

Such subdivision of land shall comply with:

- (i) The general requirements for subdivisions in Rule 7.14.2;
- (ii) The relevant rules in *Chapter 23 - Subdivision and Servicing*; and
- (iii) The requirements for the particular type of subdivision in Rules 7.14.3 - 7.14.13.

Where any subdivision involves Maori land under the Te Ture Whenua Maori Land Act 1993 the application for subdivision shall be accompanied by the written approval of all persons legally and beneficially interested in the land, and in the absence of such approvals, the application will require notification.

(a) General Rural, Landscape Protection Rural, and East Coast Rural

- (i) Subdivision for the Protection of Natural Areas.
- (ii) Subdivision for the Creation of Esplanade Reserves.
- (iii) Subdivision for the Creation of Additional Public Reserve Land.
- (iv) Subdivision for Household Unit Sites on Maori Land.

(Note: For Boundary Relocations see Rule 23.8.15 in *Chapter 23 - Subdivision and Servicing*.)

(b) Countryside Living Rural Zone

- (i) Subdivision of Standard Countryside Living Rural Sites.
- (ii) Subdivision of Countryside Living Rural Cluster Housing Sites.
- (iii) Subdivision for the Creation of Esplanade Reserves.

[Amendment 141]



[Amendment 141]

(Note: For Boundary Relocations see Rule 23.8.15 in *Chapter 23 Subdivision and Servicing*.)

(c) Countryside Living Town Zone

- (i) Subdivision of Countryside Living Town Sites.
- (ii) Subdivision for the Creation of Additional Public Reserve Land
- (iii) Subdivision for the Creation of Esplanade Reserves.

(Note: For Boundary Relocations see Rule 23.8.15 in *Chapter 23 - Subdivision and Servicing*.)

(d) Kawau Island Zone - Bush Policy Area only

- (i) Subdivision for the Protection of Natural Areas.
- (ii) Subdivision for Significant Land Rehabilitation.
- (iii) Subdivision for the Creation of Additional Public Reserve Land.

(Note: For Boundary Relocations see Rule 23.8.15 in *Chapter 23 - Subdivision and Servicing*.)

(e) Kawau Island Zone - Settlement Policy Area Only

- (i) Subdivision of Low Intensity Settlement Sites.
- (ii) Subdivision for the Creation of Additional Public Reserve Land.

(Note: For Boundary Relocations see Rule 23.8.15 in *Chapter 23 - Subdivision and Servicing*.)

(f) Islands General Zone

No subdivision is provided for as a Restricted Discretionary Activity.

(g) General Rural Zone

- (i) Subdivision of sites with an area of 240 hectares or greater, where:
 - Each resulting site shall have a minimum site area of 120 hectares;
 - No resource consent for a boundary relocation has been granted on the site after 1 July 2008 that involved increasing the size of the site from less than 240 ha, to 240 ha or greater; and
 - The minimum frontage shall be in accordance with Rule 7.14.3.2.7.
- (ii) Rural Hamlet Conservation Subdivision.

Discretionary Activity

The following types of subdivision of land shall be a Discretionary Activity in the Zones and Policy Areas set out below:

Rule 7.14.1.2
Discretionary Activity



Such subdivision of land shall comply with:

- (i) The general requirements for subdivisions in Rule 7.14.2;
- (ii) The relevant rules in *Chapter 23 - Subdivision and Servicing*; and
- (iii) The requirements for the particular type of subdivision in Rules 7.14.3 - 7.14.13.

Where any subdivision involves Maori land under the Te Ture Whenua Maori Land Act 1993 the application for subdivision shall be accompanied by the written approval of all persons legally and beneficially interested in the land, and in the absence of such approvals, the application will require notification.

(a) General Rural, Landscape Protection Rural, and East Coast Rural Zones

- (i) Subdivision for Significant Enhancement Planting
- (ii) Subdivision for Significant Land Rehabilitation

(b) Dune Lakes Zone

- (i) Subdivision for the Protection of Natural Areas.
- (ii) Subdivision for Significant Enhancement Planting
- (iii) Subdivision for the Creation of Esplanade Reserves.
- (iv) Subdivision for the Creation of Additional Public Reserve Land.
- (v) Subdivision for Household Unit Sites on Maori Land.

(Note: For Boundary Relocations see Rule 23.8.15 in *Chapter 23 - Subdivision and Servicing*.)

- (c) Rural residential sites created in accordance with Rule 7.14.1.1 where the minimum and/or maximum site sizes are not met, provided that no site exceeds a maximum of 4 hectares gross site area and no site is reduced below 9000m² and;

- (i) The site size/s are not met due to topographical and /or geotechnical constraints, or
- (ii) The site size/s are not met to enable the better protection of natural features.

- (d) Rural residential sites created in accordance with Rule 7.14.1.1 where the number of sites gaining frontage over a jointly owned access lot exceeds the number specified in Rule 7.14.3.2.7, 7.14.3.3.7, 7.14.4.7, 7.14.5.6, 7.14.6.4 or 7.14.10.4(a).

Non-complying Activity

- (a) Any subdivision not complying with the Requirements for the particular subdivision type in Rules 7.14.2 - 7.14.13 shall be a Non-complying Activity.
- (b) Any subdivision not falling within the scope of Rule 7.14.1.1 or rule 7.14.1.2 shall be a Non-complying Activity.

Rule 7.14.1.3
Non-complying Activity



Rule 7.14.1.4
Prohibited Activity

Prohibited Activity

- (a) Any subdivision of a Minor Household Unit from a Principal Household Unit shall be a Prohibited Activity.
- (b) Any subdivision of a Farm Lot or Conservation site created by a Rural Hamlet Conservation Subdivision approved under Rule 7.14.14.
- (c) Any subdivision of premises or land used for visitor accommodation and/or associated visitor accommodation facilities in all rural zones shall be a Prohibited Activity.

Rule 7.14.2
General Development Controls for Subdivision

General Requirements for Subdivision

Rule 7.14.2.1
General Requirements

General Requirements

The rules in *Chapter 23 - Subdivision and Servicing* shall apply to all subdivision under Rule 7.14.

Rule 7.14.2.2
Parent Site

Parent Site

Where any minimum size of parent site is stipulated in any requirement in Rules 7.14.3 - 7.14.13 the site shall still comprise that minimum size at the time of approval of the plan of subdivision.

Rule 7.14.2.3
Native Revegetation Planting Standard

Native Revegetation Planting Standard

This Rule applies to any native revegetation planting required to be undertaken as part of riparian margin protection as specified under Rule 7.14.2.5 or a subdivision under Rules 7.14.3 to 7.14.13 inclusive.

- (a) The planting of native vegetation shall meet the following standards:
 - (i) a survival rate such that planting will be established to minimum 90% of the original density specified before the project is signed off as complete;
 - (ii) a density of 1.4 metre centres (5,100 stems per hectare) reducing to 1m centres (10,000 stems per hectare) in kikuyu and wetland environments, and riparian margins;
 - (iii) a stock proof fence shall be erected on the periphery of the planting or at the distance specified in Rule 7.14.2.5 - Riparian Margin Protection Standards;
 - (iv) the area shall be permanently protected via covenant from any activity which could adversely affect the planting;
 - (v) all plants shall be sourced from the ecological district and to be appropriate for the soil, aspect, exposure and topography;
 - (vi) at planting each plant shall be fertilised in accordance with the



- recommendations of the revegetation report submitted as part of the planting plan assessment; and
- (vii) planting undertaken shall reflect the composition of former natural vegetation likely to have occupied the site and have regard to natural processes of succession.

(b) The maintenance of native plantings shall meet the following standards:

- (i) maintenance shall occur for a minimum of five years or until canopy closure has recurred within 5 years;
- (ii) maintenance shall include the ongoing replacement of plants that do not survive;
- (iii) all invasive weeds shall be eradicated from the planting site both at the time of planting and on an ongoing basis and plants released from kikuyu as necessary to ensure adequate growth;
- (iv) animal pest control shall occur.

Rule 7.14.2.3.1

Applicants shall clearly and accurately provide information on the following:

(a) **Pre-planting Site Assessment**

- (i) The ecological district of the site.
- (ii) The characteristics of the soil (ie. clay, silt, loam etc.).
- (iii) Soil drainage.
- (iv) Topography of the area to be planted.
- (v) Aspect of the area to be planted.
- (vi) Exposure of site to wind, frost, sunlight and salt spray.
- (vii) Presence of animal pests and weeds.
- (viii) Extent of existing bush or native vegetation on the site and its species composition.
- (ix) Distance from established bush and the state of the established bush if there is none on the site.
- (x) Any restrictions on planting, such as safety issues, maintenance of views, etc.

(b) **Planting Plan Assessment**

This shall contain the following information:

- (i) Purpose of the planting, including hill country erosion control, streambank erosion control, habitat restoration, ecological corridor creation, buffer planting to protect edges of existing bush, water quality enhancement, retirement of marginally economic land, remove or amenity/landscape planting, riparian margin and wetland restoration and coastal margin restoration.
- (ii) Location and extent of planting on a plan.
- (iii) Site preparation for planting, including stock-proof fencing of planting areas, weed and animal pest control.
- (iv) Site planting, including species to be planted, size of plants, and



where they are to be planted, density of planting, and sourcing of plants and fertilising.

- (v) Maintenance of planting, including releasing plants, fertiliser, animal pest and weed control and mulching and replacement of plants which do not survive.

(c) Monitoring Programme

To be undertaken for a minimum of five years (6 monthly for the first 18 months then annually) at which point Council will review the planting. The monitoring report (to be undertaken by a person with appropriate experience and qualifications) shall include information on the following:

- (i) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses).
- (ii) Canopy closure, beginnings of natural ecological processes – natural regeneration in understory, use by native birds, etc.
- (iii) A running record of fertilisation, animal and weed pest control and replacement of dead plants.
- (iv) Recommendations for replacement of dead plants and implementation of these recommendations. Any remediation action shall specify a start date and be the subject of a progress report 6 months from that date (If remedial action is beyond the first 18 months the report shall be independent of the annual report).
- (v) State of the fencing and recommendations for maintenance to be undertaken.

Rule 7.14.2.3.2

The vegetation shall be established for the purposes set out in the Planting Plan Assessment and shall not be clear felled or removed.

Remedial action shall be required where monitoring indicates the specified standards are not being met.

Explanation and Reasons

The replanting of native vegetation has the potential to enhance species diversity, provide habitat for native flora and fauna, reduce soil erosion, and enhance water quality. However, it needs to be done in a manner which firstly ensures the survival of the plants, and creation of a natural ecosystem, especially in harsh coastal conditions. Therefore this standard has been set up to ensure that the plantings are viable in the long-term so that a forest, wetland or scrub ecosystem is created by ensuring the following:

- (i) *fencing of the area to be planted from stock;*
- (ii) *covenants for protection in perpetuity;*
- (iii) *appropriate species planting (eg. ecosourcing, type of plant for conditions);*
- (iv) *spacing of plants;*
- (v) *weed control;*



- (vi) animal pest control;
- (vii) maintenance of planting;
- (viii) monitoring for 5 years at which stage the plants should be well established and require minimal maintenance.

The effectiveness of site preparation on controlling kikuyu can vary dependant on site specific characteristics. Where it can be demonstrated kikuyu will be adequately controlled (e.g. through site preparation with blanket application of herbicide and/or an appropriate maintenance programme), density can be relaxed to a maximum of 1.4 metre centres (5,100 stems per hectare). In wetland and riparian environments more intensive planting may be required to ensure weed suppression and for providing bank stabilisation, particularly on edges subject to water flow.

Appendix 7E sets out in more detail the reasons for each requirement

Rule 7.14.2.4 Exotic Vegetation Planting Standards

Rule 7.14.2.4.1

Exotic Vegetation Planting Standards

This Rule applies to any exotic vegetation plantings required to be undertaken as part of land rehabilitation subdivision under Rule 7.14.5.

Rule 7.14.2.4.2

The plantings of exotic vegetation shall meet the following standards:

- (a) A survival rate of 90%.
- (b) An appropriate density and choice of species as set out in a report by a person qualified and experienced in erosion management and vegetation restoration.
- (c) A stock proof fence to be erected on the periphery of the planting or the distance specified in Rule 7.14.2.5 - Riparian Margin Protection Standards.
- (d) The area to be permanently protected via covenant.
- (e) Where willows or poplar species are used, the following additional standards shall apply:
 - (i) planting shall be restricted to areas exhibiting signs of severe erosion and other exotic species are shown to not be suitable for effective erosion control;
 - (ii) no invasive species shall be planted. In the case of willows flexible branch of male and sterile female varieties shall be used;
 - (iii) willows or poplar species shall not be used for stream bank planting unless demonstrated necessary as per (i) above;
 - (iv) poplars shall not be used for wet open planting in areas of native wetland vegetation

Recommended planting densities and planting times for willows and poplars are set out at Appendix 7F.



Rule 7.14.2.4.3

(f) The maintenance of the exotic plantings shall meet the following standards:

- (i) maintenance shall occur for five years;
- (ii) all invasive weeds shall be eradicated from the planting site.

Applicants shall clearly and accurately provide information on the following:

(a) Pre-planting Site Assessment

- (i) The characteristics of the soil (ie. clay, silt, loam etc.).
- (ii) Soil drainage and wetness.
- (iii) Topography of the area to be planted.
- (iv) Aspect of the area to be planted.
- (v) Exposure of site to wind, sunlight and salt spray.
- (vi) Presence of animal pests and weeds.
- (vii) Any restrictions on planting, such as safety issues, maintenance of views, etc.

(b) Planting Plan Assessment

This shall contain the following information:

- (i) Purpose of the planting, including hill country erosion control, streambank erosion control, buffer planting to protect edges of existing bush, water quality enhancement, retirement of marginally economic land.
- (ii) Location and extent of planting.
- (iii) Site preparation for planting, including stock-proof fencing of planting areas, weed and animal pest control.
- (iv) Site planting, including species to be planted, size of plants, and where they are to be planted, density of planting, and sourcing of plants.
- (v) Maintenance of planting, including releasing plants, fertiliser, animal pest, weed control and pruning. [In relation to fertiliser, consideration shall be had to potential effects on waterways].

(c) Annual Monitoring Programme

Monitoring shall be undertaken for five years at which point Council will review the planting. The monitoring report shall include information on the following:

- (i) Success rates, including growth rates and number of plants lost.
- (ii) Recommendations for replacement of dead plants.

Rule 7.14.2.4.4

The vegetation shall be for the purposes set out in the Planting Plan Assessment and shall not be clear felled or removed.



Explanation and Reasons

The planting of specific exotics has the potential to reduce streambank and hill country erosion, because of their large root mass and ability to absorb water, if done in an appropriate manner, using species such as poplars and willows the stabilisation benefits can be large. However, some of the species are potentially invasive and therefore this rule sets out the following:

- (i) the appropriate species to be used as certain species are invasive;*
- (ii) spacings of plantings;*
- (iii) the fencing from stock;*
- (iv) permanent covenanting of these areas planted;*
- (v) weed control;*
- (vi) animal pest control;*
- (vii) maintenance of plantings;*
- (viii) monitoring for 5 years to ensure the plants survive.*

Appendix 7F sets out in more detail the reasons for the requirements and the appropriate species to plant.

Rule 7.14.2.5 Riparian Margin Protection Standards

Rule 7.14.2.5.1

Riparian Margin Protection Standards

This Rule applies to any rural residential site created under the provisions in Rules 7.14.3 to 7.14.13.

Rule 7.14.2.5.2

All stream and river margins shall be protected in the following manner:

- (a) A stock proof fence shall be erected the following distance from the top of the bank of the stream or river:
 - (i) a minimum of 10 metres each side of the stream (including ephemeral streams) where the stream is an average width across the property of less than 3 metres; or
 - (ii) a minimum of 20 metres each side of the stream where the stream is an average width across the property of greater than or equal to 3 metres;

unless a complete riparian margin analysis of the site is undertaken by an appropriately qualified person in accordance with the Auckland Regional Council "Riparian Zone Management Strategy and Guideline" is submitted with the application. In that case the appropriate standard shall be determined by assessment and shall be the subject of a condition of consent.

- (b) A minimum of 10 metres from the stream or river shall be planted in native vegetation in compliance with Rule 7.14.2.3, except that where the distance between the stream or river and the stock proof fence is less than 10 metres it is only the area between the stream or river and the



stock proof fence that is to be planted in native vegetation. The native vegetation shall be for the purpose of riparian margin protection and shall not be clear felled or removed. 10% of the required native planting may be substituted with exotic specimens provided that the planting standard at Rule 7.14.2.3 is applied as if the planting were 100% native.

(c) A covenant providing for the permanent protection of the native vegetation in the planted area shall be applied.

(d) The planted area shall be kept free of stock.

The requirements under (a) to (d) above shall not apply where the land within 20 metres of the stream/riverbank is to be vested as public reserve in the same application for subdivision.

Where exotics are included in a planting plan, written confirmation should be provided from a person qualified and experienced in vegetation restoration, that the exotic species will not compromise the long term sustainability of the native planting. Willow and Poplar species shall be avoided unless their use can be demonstrated as being necessary to control actively eroding sites exhibiting signs of severe erosion.

Where a stream/river forms the boundary of a rural residential site and the boundary is common to the proposed rural residential site and the parent site, both sides of the stream/river shall be fenced and planted, otherwise only that side within the proposed rural residential site shall be fenced and planted.

For the purposes of this rule an ephemeral stream is a channel (including grassed channels) indicative of recurrent water movement of reasonable frequency.

Explanation and Reasons

The objective of this rule is to ensure that stock are removed from riparian margins and that these areas are planted in either exotic or native vegetation, in order to:

- (i) reduce stream bank erosion from stock trampling;*
- (ii) recreate habitat for wildlife;*
- (iii) recreate ecological corridors for wildlife to move along;*
- (iv) increase the native biodiversity of the local area;*
- (v) stabilise the banks to avoid or mitigate natural hazards such as flooding and erosion; and*
- (vi) enhance landscape and amenity values.*

For all of the above reasons, the plantings cannot be clearfelled once planted. Also it is important that this area is covenanted so that the trees are permanently protected.

Rule 7.14.2.6 Management of Overland Flows

Rule 7.14.2.6.1

Management of Overland Flows

This Rule applies to any rural residential site created under the provisions in



Rules 7.14.3 to 7.14.13 inclusive.

Rule 7.14.2.6.2

All subdivision and subsequent development should have regard to any relevant adopted Catchment Management Plan and/or Comprehensive Discharge Consent, and should be **hydrologically neutral** (ie. the flows (2 year, 10 year and 100 year return period storms), volumes and time of concentration of overland flows from an area during rainfall shall be the same, both before and after subdivision has occurred as set in Rule 7.14.2.6.3.

Subdivisions draining directly to the coastal marine area will be exempt from providing hydrological neutrality reports for the **100** year return period storm **where there is no existing or potential downstream development and flooding is not an issue.**

Rule 7.14.2.6.3

The design principles used to achieve hydrological neutrality shall be:

- (a) Overland flow disposal shall mimic as far as possible the natural drainage process of an area;
- (b) Modifications to existing drainage patterns shall be kept to a minimum;
- (c) Overland flows shall not be discharged directly into streams from a piped system;
- (d) Impervious areas shall be kept to a minimum;
- (e) Appropriate methods of stormwater detention shall be employed before dispersal into waterways, including, but not exclusively:
 - (i) swales and depression landscaping;
 - (ii) dispersion into vegetative filters;
 - (iii) dispersal trenches;
 - (iv) detention ponds;
 - (v) detention tanks;
 - (vi) vegetation planting;
 - (vii) water reuse.

Rule 7.14.2.6.4

Applicants shall clearly and accurately provide information on the present site conditions and the proposed development and its effects on stormwater, including, but not necessarily exclusively:

(a) **Pre-development Site Assessment**

- (i) Size of site.
- (ii) Topography and steepness of site.
- (iii) Extent of existing vegetation, land cover and land use.
- (iv) Existing drainage patterns and streams.
- (v) Where the site is in relation to the catchment area.

(b) **Development Proposal Assessment**

- (i) Number and size of proposed lots.
- (ii) Rooding pattern (if required).
- (iii) Location of buildings on all proposed lots.
- (iv) Estimated likely total area of impervious surface including



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- driveways, roofs, etc.
- (v) Interference with existing drainage patterns (drains and overland flow paths).

(c) **Hydrological Neutrality Assessment**

- (i) Calculation of pre-development flow, volume and time of concentration using Auckland Regional Council's TP108 "Guidelines for Stormwater Runoff Modelling in the Auckland Region".
- (ii) A detailed description of proposed stormwater management methods for each lot, including methods listed in Rule 7.14.2.6.3.
- (iii) Calculation of post development flow, volume and time of concentration to show "Hydrological Neutrality" criteria will be met by the methods proposed.

Explanation and Reasons

Residential development in rural catchments changes the land use and therefore affects overland runoff through the removal of vegetation and increases in impermeable surfaces (eg. roofs, driveways, roads), earth compaction around building sites and modification or destruction of natural drainage systems, especially first and second order streams. The result is overland runoff from individual properties and roads intensifies, causing increasing flooding both in extent and severity. It can potentially also increase instability in certain areas because of changes in flows (eg. Onerahi Chaos soils) and land and streambank erosion.

Conservation Subdivision Plan Requirements

Any:

- (i) Subdivision for the Protection of Natural Areas;
- (ii) Subdivision for Significant Enhancement Planting;
- (iii) Subdivision for Significant Land Rehabilitation;
- (iv) Subdivision of Countryside Living Rural Sites;
- (v) Subdivision of Countryside Living Rural Cluster Housing Sites;
- (vi) Rural Hamlet Conservation Subdivision

shall require a Conservation Subdivision Plan which shall identify the following in a site analysis plan:

- (a) *Primary Conservation Areas*: Primary Conservation Areas are areas whose development is severely constrained for reasons associated with natural hazard or which have implications for human safety such as wetlands, floodplains, unstable land, steep land (generally over 1:5), and land unsuitable for sewage effluent disposal.
- (b) *Secondary Conservation Areas*: Secondary Conservation Areas identify 'noteworthy' natural features of the environment to which development has the potential for significant adverse effect such as



areas of native forest, bush and wetlands including any actual or potential Significant Natural Areas (SNAs) identified on the Planning Map, wildlife habitats, groundwater recharge areas, first and second order streams, heritage sites, and significant view shafts from public roads, reserves and proposed house sites, and important rural and coastal landscape features such as ridges, knolls and headlands, outlooks and open space).

(c) A development sketch plan that overlays the site analysis plan and supporting statements should then be prepared illustrating how the adverse effects on the constraints and values identified in phases (a) and (b) above have been avoided, mitigated and/or protected (including permanent protection by means of covenant and/or stock-proof fencing where warranted) and shall also identify:

- (i) Proposed house sites;
- (ii) Access roads;
- (iii) Walking, horse and bike trails;
- (iv) Proposed lot boundaries around house sites.

The Council reserves the discretion to require professional assessment of ecological values, the potential for adverse effects from proposed development and any proposed measures for their protection, restoration and management.

(d) Neither the site analysis or development sketch plans are required to be to survey standard. Each should reasonably accurately depict all of the features specified above.

(Note: One means of presenting the information required by this Rule would be by way of a vertical aerial photograph at a scale appropriate to show the details required).

(e) The Conservation Subdivision Plan required by a Rule in this chapter shall be submitted with the relevant plan of subdivision.

Explanation and Reasons

The Conservation Subdivision Plan sets the context in which subdivision is proposed and assists in ensuring the resource management matters are properly addressed. A Plan showing the severely constrained land (Primary Conservation Areas) and noteworthy features of a site (Secondary Conservation Areas) is important in order that the resource management issues are identified and to enable appropriate interpretation of the relevant subdivision objectives, policies, rules and assessment criteria. The information provided is relevant to decision making and would not necessarily be shown on the scheme plan.

Primary Conservation Areas are areas whose development is severely constrained for reasons associated with natural hazard or which have implications for human safety.

Secondary Conservation Areas identify 'noteworthy' natural features of the



Rule 7.14.3
**Subdivision for the
Protection of Natural
Areas**

environment for which development has the potential to significantly adversely affect.

**Subdivision for the Protection of Natural Areas: Specific
Subdivision Requirements**

The Council may consent to the subdivision of land where the proposed subdivision permanently, legally and physically protects from farming, forestry or other rural activities, all areas on the site containing significant stands of native trees, native bush, scrub or wetlands or significant wildlife habitat where the following requirements are met:

The subdivision entitlements in Rule 7.14.3.2 and 7.14.3.3 can be utilised simultaneously or separately. Any application for subdivision made in reliance on both Rule 7.14.3.2 and 7.14.3.3 must be accompanied by a report from a suitably qualified person clearly defining on a scheme plan the area defined as wetland and the area defined as native bush. The areas shall not overlap and each will need to satisfy the rules and assessment criteria in its own right to enable a subdivision. The area defined as wetland shall include both the wetland itself and its associated riparian area. Where any wetland adjoins an area of native bush, the width of the riparian area around the perimeter of the wetland shall be 20 metres. This riparian area shall be included in the wetland area and excluded from the area defined as native bush.

Where the natural area is defined as a Significant Natural Area on the Planning Maps, the applicant may either utilise the subdivision entitlement in Rule 7.14.3.2 on its own or apply to utilise both Rules 7.14.3.2 and 7.14.3.3 This flexibility is provided to ensure that the Significant Natural Area definition does not reduce the subdivision entitlement for the land.

Rule 7.14.3.1
General Requirements

General Requirements

The rules in *Chapter 23 - Subdivision and Servicing* shall apply.

Rule 7.14.3.2
**Subdivision of Sites for the
Protection of Native Bush
and Significant Natural Areas**

**Subdivision of Sites for the Protection of Native Bush and Significant
Natural Areas (SNAs)**

The natural areas which may be subdivided shall be Significant Natural Areas defined on the Planning Maps as such, or significant native bush that has not been identified as a Significant Natural Area. All natural areas proposed to be protected as a basis to subdivide under these rules shall meet the criteria set out in Appendix 7B.

Rule 7.14.3.2.1
Number of Sites Allowed

Number of Sites Allowed

- (a) One rural residential site shall be allowed on any site with at least 2 hectares and up to 11.9999 hectares of native bush or Significant Natural Area meeting the criteria set out in Appendix 7B or of Significant Natural Areas defined on the Planning Maps for which the quality and extent has



been verified by a suitably qualified person and which is not already legally protected. Any area of native bush or Significant Natural Area used to meet this requirement shall be at least 2 hectares of continuous native bush or natural area.

- (b) Where any site contains over 11.9999 hectares of significant native bush or Significant Natural Area defined on the Planning Maps which is not already legally protected in perpetuity the number of residential sites that may be created is as follows:

Area of Native Bush or Significant Natural Area Protected	Total Number of sites that may be created
2.0 ha - 11.9999 ha	1
12.0 ha - 21.9999 ha	2
22.0 ha - 31.9999 ha	3
32.0 ha - 41.9999 ha	4
42.0 ha - 51.9999 ha	5
52.0 ha - 61.9999 ha	6
62.0 ha - 71.9999 ha	7
72.0 ha - 81.9999 ha	8
82.0 ha - 91.9999 ha	9
92.0 ha - 101.9999 ha	10
102.0 ha - 111.9999 ha	11
112.0 ha - 121.9999 ha	12
122.0 ha - 131.9999 ha	13
132.0 ha - 141.9999 ha	14
142.0 ha - 151.9999 ha	15
152.0 ha - plus	16

Rule 7.14.3.2.2

Application of Native Bush and Significant Natural Areas

Application of Native Bush and Significant Natural Areas

- (a) Rule 7.14.3.2.1 shall apply to any area identified as a Significant Natural Area (SNA) defined on the Planning Maps.
- (b) Where the native bush has not been identified as a Significant Natural Area on the Planning Maps, the native bush shall meet the acceptance criteria in Appendix 7B "Guidelines for the Field Assessment of Native Bush Quality in Rodney District".
- (c) All applications based on protecting significant native bush or Significant Natural Areas shall demonstrate that an assessment of native bush complying with the guidelines has been undertaken, and that the area meets the acceptance criteria in the guidelines. The assessment shall include a description of the ecological values of the area, detail the main vegetation type and the quality of the forest (e.g. diversity, vegetation patterns and sequences, ecological linkages, context within the surrounding landscape, rarity, habitat for wildlife) and recommendations for management and protection. All applications based on protecting significant natural native bush or Significant Natural Areas shall demonstrate that an assessment based on the criteria set out in Appendix



Rule 7.14.3.2.3

Location of Significant Natural Areas or Native Bush, and Site for Dwelling

7B has been made.

Location of Significant Natural Areas or Native Bush, and Site for Dwelling

- (a) The area of Significant Natural Area defined on the Planning Maps or Native Bush meeting the criteria in Appendix 7B, can either:
 - (i) remain entirely within the parent site from which the rural residential site is subdivided; or
 - (ii) be contained within the new rural residential site provided that the required area for building and access (1,500m²) does not require or result in the removal or destruction of native bush and trees, or compromise in any manner any other feature to be protected — except where there is no, or insufficient area for building or access that is not covered in native bush and trees, in which case the application for subdivision may include provision for native bush and trees to be removed in accordance with Rule 7.9.4.1.

Rule 7.14.3.2.4

Protection of Native Bush and Significant Natural Areas

Protection of Significant Natural Areas Defined on the Planning Map or Native Bush Meeting the Criteria in Appendix 7B

- (a) Every resource consent based on the protection of any native bush meeting the criteria in Appendix 7B or Significant Natural Area defined on the Planning Maps shall include a condition or conditions providing for the effective and permanent protection of that native bush or feature.
- (b) Such conditions shall include a requirement that a permanent fence (minimum seven wire post and batten fence with no gates) capable of preventing browsing or other damage by farmed animals shall be erected (and maintained) around the perimeter of the area to be protected, unless an exemption is provided under clause (i) below. No grazing of animals shall be permitted within the fenced area.

Exemption from the fencing requirement applies in the following circumstance:

- (i) Where a natural feature, eg. a cliff edge, will provide an effective barrier to stock access, a waiver of the fencing requirement may be considered, provided it is demonstrated that this will not result in a lesser standard of protection than adhering to the fencing requirement.
- (c) The area of native bush or Significant Natural Area shall be made free of plant pests, and maintained in that state.
- (d) A pest control programme shall be prepared indicating how pests including possums, goats, deer and rats are to be controlled to physically protect the legally protected area of native bush or other natural feature.
- (e) Any conditions for the protection of native bush or Significant Natural



Rule 7.14.3.2.5
Area to be Protected

Area shall be complied with on a continuing basis by the subdividing owner and subsequent owners and shall be the subject of consent notices to be registered under the Land Transfer Act 1952.

Area to be Protected

- (a) Where any plan of subdivision shows a single rural residential site to be created in accordance with Rule 7.14.3.2.1(a), the minimum area of native bush meeting the criteria in Appendix 7B or Significant Natural Areas defined on the Planning Maps to be protected shall be 2 hectares of continuous native bush. All native bush on the parent site up to a maximum of 11.9999 hectares of native bush shall be protected.
- (b) Where any plan of subdivision shows additional rural residential sites (beyond a single site) to be created in accordance with Rule 7.14.3.2.1(b), the minimum area of native bush meeting the criteria in Appendix 7B or Significant Natural Area defined on the Planning Maps to be protected shall be the lower limit specified in the relevant row of the table at Rule 7.14.3.2.1. provided all native bush on the parent site up to the upper limit specified in the relevant row of the table at Rule 7.14.3.2.1, shall be protected.

Rule 7.14.3.2.6
Minimum and Maximum Site Size

Minimum and Maximum Rural Residential Site Size

- (a) **Where the Protected Native Bush or Significant Natural Area is to Remain on the Parent Site**

The new rural residential site shall have:

- (i) a minimum site size of 1 hectare.
- (ii) a maximum site size of 2 hectares.

- (b) **Where the Protected Native Bush or Significant Natural Area is to be Contained Within the New Rural Residential Site**

The new rural residential site shall have:

- (i) a minimum site size of 2.15 hectares (2 hectares protected area and 1,500m² for a building site and access).
- (ii) a maximum site size determined by the size of the protected area together with a 1,500m² building and access area.

- (c) The minimum site size for the balance area shall be 1 hectare.

Rule 7.14.3.2.7
Access Frontage

Minimum Frontage and Access

- (a) The minimum frontage for the rural residential site shall be 6 metres and the minimum frontage for the balance area shall be 6 metres, provided that up to five sites may gain frontage over a jointly owned access lot, or right of way for the benefit of the sites, or combination of both, of not



Rule 7.14.3.2.8
Design of Subdivision

less than 6 metres in width.

Design of Subdivision

- (a) If more than 5 rural residential sites are created, the rural residential sites shall be clustered in one or more groups and shall be shared accessways. The clustered sites shall be designed so that the location of buildings will comply with the Development Controls and Performance Standards in Rule 7.10.
- (b) A conservation subdivision plan complying with Rule 7.14.2.7 shall be completed and shall be used as a basis for the plan of subdivision and shall be submitted with the plan of subdivision. The plan of subdivision shall provide appropriate legal mechanisms to ensure the avoidance of the constraints and mitigation and/or permanent protection values identified in the conservation subdivision plan.
- (c) No rural residential site or access shall be created in the Significant Natural Area or Native Bush meeting the criteria in Appendix 7B, or wetland meeting the criteria in Appendix 7E.
- (d) Any rural residential sites shall be located so that a household unit can be erected upon it without unduly limiting quarry operations or future extraction at sites identified on the Planning Maps as a Significant Mineral Extraction Resource.

Explanation: The desirable buffer distance between a mineral extraction and processing site and an activity that could potentially conflict with extraction and processing activity is 500 metres for rock extraction using blasting and 200 metres for other extraction. Exceptions to this desirable buffer distance from the mineral extraction and processing site are shown in the Planning Maps where the "Quarry Effects Management Area" on the map may vary to reflect different local circumstances.

- (e) Each rural residential sites created shall comply with the requirement of Rule 7.14.2.5 Riparian Margin Protection Standards, and Rule 7.14.2.6 Management of Overland Flows.

Rule 7.14.3.2.9
Defined Building Area

Defined Building Area

- (a) Each defined area for building shall be identified on the ground before the proposed plan of subdivision is submitted for approval and shall be shown on all plans of proposed subdivision submitted for approval including the plan submitted for deposit and its existence shall be noted on the title for each site pursuant to a consent notice under section 221 of the Act, or similar mechanism.

Explanation and Reasons

See Explanation and Reasons in Rule 7.14.3.3.



7.14.3.3 Subdivision of Sites for the Protection of Significant Wetlands

Rule 7.14.3.3.1 General Requirements

Rule 7.14.3.3.2 Number of Sites Allowed

Subdivision of Sites for the Protection of Significant Wetlands

General Requirements

The rules in *Chapter 23 - Subdivision and Servicing* shall apply.

Number of Sites Allowed

- (a) One rural residential site shall be allowed on any site with at least 5000m² of continuous significant wetland which is not already legally protected, meeting the criteria set out in Appendix 7C.
- (b) Where any site contains over 5000m² of significant wetland meeting the criteria in Appendix 7C which is not already legally protected in perpetuity the number of rural residential sites that may be created is as follows:

Area of Wetland Protected	Total Number of Sites that may be Created
5000m ² - 1.9999 hectares	1
2.0 - 3.999 hectares	2
4.0 - 7.9999 hectares	3
8.0 - 11.999 hectares	4
12.0 - 15.9999 hectares	5
16.0 - 19.9999 hectares	6
20.0 - 24.9999 hectares	7
25.0+ hectares	8 plus 1 additional site for each 5 hectares of wetland above 30 hectares

Note: Wetland areas located in the Coastal Marine Area are outside the jurisdictional boundaries of Rodney District Council. These areas cannot be included in any subdivision application under Rule 7.14.3.3.2 Subdivision of Sites for the Protection of Significant Wetlands.

Rule 7.14.3.3.3 Assessment of Wetlands

Assessment of Wetlands

- (a) For the purposes of determining what constitutes a significant wetland, the guidelines entitled "Guidelines for the Field Assessment of Wetland Quality in Rodney District" set out in Appendix 7C shall be used. The wetland shall meet the acceptance criteria in these guidelines.
- (b) All applications based on protecting significant wetlands shall demonstrate that an assessment of the wetland has been undertaken,



Rule 7.14.3.3.4
**Location of Protected
Wetland, and Site for
Dwelling**

and that the wetland meets the acceptance criteria set out in the guidelines in Appendix 7C.

Location of Protected Wetland, and Site for Dwelling

- (a) The area of the wetland to be protected can either:
- (i) remain entirely within the parent site from which the rural residential site is subdivided; or
 - (ii) be contained within the new rural residential site provided that the building area for building and access, (1,500m²) does not require or result in the removal or destruction of native bush and trees, or compromise in any manner any other feature to be protected.

Rule 7.14.3.3.5
Protection of Wetland

Protection of Wetland

- (a) Every resource consent involving the protection of a wetland shall include a condition or conditions providing for the effective and permanent protection of that wetland.
- (b) Without limitation, such conditions shall include a requirement that a permanent fence (minimum seven wire post and batten fence with no gates) capable of preventing browsing or other damage by farmed animals shall be erected (and maintained) around the wetland to be protected. Any such fence shall be setback a minimum distance of 10 metres from the wet area of the wetland in instances where there are no adjoining areas of native bush. No grazing of animals shall be permitted within the fenced area.
- (c) The area of wetland shall be made free of plant pests, including other plant and tree species that are detrimental to wetlands i.e. willows, poplars and invasive terrestrial plant species, and maintained in that state.
- (d) Any conditions for the protection of the wetland shall be complied with on a continuing basis by the subdividing owners and subsequent owners and shall be the subject of consent notices to be registered under the Land Transfer Act 1952.

Rule 7.14.3.3.6
**Minimum and Maximum Site
Size**

Minimum and Maximum Site Size

- (a) **Where the protected wetland is to remain on the parent site**
The new rural residential site shall have:
- (i) a minimum site size of 1 hectare.
 - (ii) a maximum site size of 2 hectares.
- (b) **Where the protected wetland is to be contained within the new rural residential site**
The new rural residential site shall have:



- (i) a minimum site size of 1 hectare.
- (ii) a maximum site size determined by the size of the protected area together with a 1,500m² building and access area.

(c) The minimum site size for the balance area shall be 1 hectare.

Rule 7.14.3.3.7
Minimum Frontage and Access

Minimum Frontage and Access

Rule 7.14.3.2.7 shall apply.

Rule 7.14.3.3.8
Design of Subdivision

Design of Subdivision

Rule 7.14.3.2.8 shall apply.

Rule 7.14.3.3.9
Defined Building Area

Defined Building Area

Rule 7.14.3.2.9 shall apply.

Explanation and Reasons

The Council may consent to a subdivision which results in the permanent protection of Significant Natural Areas (SNAs) as identified on the Planning Maps, including areas of significance for their wildlife habitat values or their vegetation values, and areas of bush which meet specific criteria set out in Appendix 7B. The minimum area which can be protected is between 2 and 11.9999 hectares, as research indicates that this is the minimum size at which edge effects are minimised and the microclimates are created, thus increasing species diversity and reducing the chance of weed invasion. Therefore if a landowner has more than 2 hectares of contiguous bush or Significant Natural Area the Council will require the protection up to 11.9999 hectares in return for the creation of a single site. With regard to multiple site applications, all bush on the parent site up to the maximum limit specified in the relevant row of the table at Rule 7.14.3.2 shall be protected. The maximum limit is key to ensuring the protection of the native bush and the sustainable application of the rules.

In the case of wetlands, there are less than 1 per cent of the original wetlands remaining in Rodney District. Therefore, the smaller wetlands are important as habitat, for plant diversity, the mitigation of flooding and retaining water quality. Therefore, the Council allows subdivision for smaller areas of wetland meeting the criteria in Appendix 7C to encourage their protection.

In the case of Significant Natural Areas defined on the Planning Maps, bush meeting specified criteria in Appendix 7B and wetlands meeting specified criteria in Appendix 7C, the landowner is required to permanently protect the area identified by covenanting and fencing the area. The area also requires animal and plant pest management to ensure the long-term sustainability of these areas.

If more than 5 sites are created then the rural-residential sites need to be clustered to mitigate the adverse effects of the subdivision or rural character, amenity values



and on the wildlife values of these areas.

The natural feature to be protected can remain with the parent site or on the newly created site, as long as none of the area identified for protection is damaged or destroyed. An exception is made however, for clearance in accordance with tree and bush removal provisions at Rule 7.9.4.1 where there is no, or insufficient area for building or access that is not covered in native bush and trees. The exception provides for the removal of native bush when a site is completely covered in SNA/native bush to enable a dwelling to be built. NB It should be noted that the required area (1,500m²) for building and access at Rule 7.14.3.2.3(ii) is a subdivision design requirement made in the context that sufficient area is included within the boundaries of the newly created site allowing for development and future development which will not necessitate clearance of SNA/native bush. It does not represent a baseline against which clearance of SNA for a building platform or access should be measured. The ability to clear bush under Rule 7.9.4.1 is limited to 500m² as a Restricted Discretionary Activity. This is considered sufficient for a dwelling in what is an exceptional circumstance, where a site is covered in significant bush or SNA. It is noted that to clear an area greater than 500m² is a Discretionary Activity.

Retaining the rural character is also achieved by having a minimum site size of 1 hectare and a maximum of 2 hectares, and having a minimum frontage of 6 metres which allows for the screening of the rural residential sites.

The design of the subdivision has to be done in a comprehensive manner to ensure that all the environmental values and constraints are taken into account and the adverse effects avoided, remedied or mitigated.

Rule 7.14.4 Subdivision for Significant Enhancement Planting

Subdivision for Significant Enhancement Planting: Specific Subdivision Requirements

The Council may consent to the subdivision of land for the purposes of enabling significant enhancement plantings using native plants, which are permanently protected from farming, forestry or other rural **activities in circumstances meeting Policy 7.4.10**; where the following requirements are met:

Rule 7.14.4.1 General Requirements

General Requirements

The rules in Chapter 23 - Subdivision and Servicing shall apply.

In circumstances where compliance with the Standards for Engineering Design and Construction would result in adverse effects on landscape values, natural character, or visual amenity in the Landscape Protection Rural Zone, East Coast Rural Zone, and Dune Lakes Zone, then alterations to the Standards for Engineering Design and Construction will be considered by Council so long as the outcomes sought by the performance standards set out in 23.8.11 are achieved.



Rule 7.14.4.2
**Minimum Area of Planting
Required**

Minimum Area of Planting Required

Six hectares shall be the minimum area of planting required in any application for subdivision where the planting will provide valuable ecological benefits.

Ten hectares shall be the minimum area of planting required in any application for subdivision where the planting will not provide valuable ecological benefits.

Valuable ecological benefits are defined in Chapter 3: Definitions.

The planting will achieve all of the following:

- Provide necessary enhancement of any existing natural areas to ensure their long term viability, health, and significance; and
- Result in increases in native species diversity; and
- The use of natural regeneration processes to ensure that in the long term these natural regeneration processes take over; and
- Provide a potentially significant and sustainable forest, wetland or shrubland.

The location of the areas of planting shall (as far as practicable):

- Provide for the protection and enhancement of existing natural areas and provide robust linkages between ecological features;
- Address any water quality and land stability issues within the catchment;
- Provide enhancement of the long term health and viability of any existing water courses and any wetland areas; and
- Ensure that any balance area contains the more productive land.

Rule 7.14.4.3
**Number of Rural Residential
Sites Allowed**

Number of Rural Residential Sites Allowed

(a) General Rural Zone

Where the planting meets the Native Revegetation Planting Standards set out in Rule 7.14.2.3 and the areas to be planted will be covenanted so as to be permanently legally and physically protected from farming or forestry or other activities.

- (i) One rural residential site may be created where the minimum area of planting required under Rule 7.14.4.2 is proposed;
- (ii) A second rural residential site may be created where 12 hectares (being a further 6 hectares or 2 hectares depending on the application of Rule 7.14.4.2) of planting is proposed;
- (iii) Additional rural residential sites may be created, calculated at one rural residential site per 6 hectares of planting, up to a maximum total of 5 rural residential sites.



(b) **East Coast Rural Zone, Landscape Protection Rural Zone, Dune Lakes Zone**

Where the planting meets the Native Revegetation Planting Standards set out in Rule 7.14.2.3 and provides a valuable ecological benefit (as defined in Chapter 3) and the areas to be planted will be covenanted so as to be permanently legally and physically protected from farming or forestry or other activities:

- (i) One rural residential site may be created where 6 hectares of planting is proposed;
- (ii) Additional rural residential sites may be created, calculated at one rural residential site per 6 hectares of planting, up to the maximums specified below;
- (iii) Provided that the maximum number of rural residential sites that may be created under this rule is based on any site existing on 1 March 2010 or any site on a plan of subdivision for which resource consent has been granted on or before 1 March 2010.

Parent Site Size (ha)	Total number of sites that may be created
15 ha	2
30 ha	3
45 ha	4
60 ha	5
75 ha	6
90 ha	7
105 ha	8
120 ha	9
135 ha	10
150 ha	11
165 ha	12
180 ha	13
195 ha	14
210 ha	15
225 ha plus	16

- (c) A single comprehensive application for subdivision consent can be made for lots provided for in Rule 7.14.4.3 **and** lots provided for as a Restricted Discretionary or Discretionary Activity in Rule 7.14.1.1 or 7.14.1.2. Such application shall be assessed comprehensively as a Discretionary Activity provided there are no other elements of the proposal which require non-complying activity consent.



Rule 7.14.4.4
**Location of Native
Revegetation and Site for
Dwelling**

Location of Native Revegetation and Site for Dwelling

- (a) The area to be planted in native vegetation shall either:
- (i) remain entirely within the parent site from which the rural residential site is subdivided; or
 - (ii) be wholly contained within a new rural residential site provided that the required area for building and access does not require or result in the removal or destruction of the planting, or compromise the planting; or
 - (iii) be wholly contained within a site adjoining the parent site and under the same ownership as the parent site.

Rule 7.14.4.5
**Protection and Management
of the Revegetation Planting**

Protection and Management of the Revegetation Planting and any associated existing natural area

- (a) The area to be planted, and any existing natural area which has been taken into account under Rule 7.14.4.2 in determining that a valuable ecological benefit will be provided that is on the same site or under the same ownership, shall be legally and physically protected from farming, forestry and any other activity other than maintenance of the planting.
- (b) Rules 7.14.2.3 and 7.14.3.2.4 shall apply to the revegetation planting. Rule 7.14.3.2.4 shall be apply as if the revegetation planting was native bush.

Rule 7.14.4.6
**Minimum and Maximum Site
Size**

Minimum and Maximum Site Size

- (a) Where the protected revegetation area is to remain on the parent site, the new rural residential site shall have:
- (i) A minimum site size of 1 hectare.
 - (ii) A maximum site size of 2 hectares.
- (b) Where the protected revegetation area is to be contained within a new rural residential site, the site size of the new rural residential site shall be the size of the protected area plus 1,500m² for building and access.
- (c) The minimum site size for the balance area shall be 1 hectare.
- (d) The minimum site size for the parent site shall be 8 hectares.

Rule 7.14.4.7
**Minimum Frontage and
Access**

Minimum Frontage and Access

Rule 7.14.3.2.7 shall apply.



Rule 7.14.4.8
Design of Subdivision

Design of Subdivision

Rule 7.14.3.2.8 shall apply.

Rule 7.14.4.9
Defined Building Area

Defined Building Area

Rule 7.14.3.2.9 shall apply.

Rule 7.14.4.10
Completion Certificate Requirements

Completion Certificate Requirements

- All planting shall be completed in accordance with the approved planting plan and in accordance with the planting standards set out in Rule 7.14.2.3. For the purpose of Rule 7.14.2.3(a)(i), the survival rate is to be measured no sooner than 12 months following planting. However, the survival rate may be measured earlier where the plants have grown, on average, 300mm since planting.
- Bonds shall be in place to provide for ongoing maintenance and replacement of plants where they have died or failed to thrive up to a point where 75% canopy closure has been achieved.

Explanation and Reasons

The restoration of areas with native vegetation has the potential to enhance amenity values, recreate vegetation and wildlife biodiversity, restore buffers to natural areas and ecological corridors between existing natural areas, decrease soil erosion and improve water quality. However, it needs to be done in a manner which restores these values and recreates habitat and forest ecosystems.

Therefore a minimum that should be planted is 6 hectares, with a minimum of 10 hectares required where a valuable ecological benefit (as defined in Chapter 3 — Definitions) cannot be provided. Where multiple sites are to be created subdivision opportunity is provided for every 6 hectares planted. Also planting 6 hectares has the potential to offset the adverse effects of the subdivision, including the potential loss of rural character and amenity and effects of human activity disturbance on a newly restored area.

The minimum site size permitted for any rural residential site is 1 hectare to ensure that an urban scale of development does not occur.

The area that is to be planted has to comply with Rule 7.14.2.3 which sets out the minimum standards for planting, including fencing, covenanting, animal and plant pest control, monitoring, etc. and being permanently protected and managed so that a viable ecosystem is created.

The East Coast Rural Zone, Landscape Protection Rural Zone and the Dune Lakes Zone are recognised as being more sensitive than the General Rural Zone, having distinct ecological and landscape values.

The subdivision rules enable a range of types of subdivision. Where applicants are



Rule 7.14.5
**Subdivision for Significant
Land Rehabilitation**

able to use more than one type of subdivision to create lots, it is preferable that the combined entitlements are submitted in a single application and considered on a comprehensive basis, rather than on a staged basis, to ensure that all the environmental values and constraints are taken into account and the adverse effects avoided, remedied or mitigated.

Subdivision for Significant Land Rehabilitation: Specific Subdivision Requirements

The Council may consent to the subdivision of land where the proposed subdivision will remove and permanently protect from farming, forestry and other rural activities, steep, eroding hill country of Class VI or higher, where the following requirements are met:

Rule 7.14.5.1
General Requirements

General Requirements

The rules in *Chapter 23 - Subdivision and Servicing* shall apply.

Rule 7.14.5.2
**Number of Residential Sites
Allowed**

Number of Residential Sites Allowed

One residential site for every 6 hectares (not necessarily continuous but each constituent area of the 6 hectares shall be at least 2 hectares), up to a maximum of five residential sites, may be created where the 6 hectares of land for each residential site is permanently retired and legally and physically protected from farming or commercial forestry activities where the land is classed as VI or higher in the New Zealand Land Resource Inventory Worksheets 2nd Edition in the following catchments, as set out in Appendix 7 to the Planning Maps:

- (i) Mahurangi
- (ii) Hoteo
- (iii) Waiwera
- (iv) Puhoi
- (v) Orewa
- (vi) Whangateau Harbour
- (vii) Okura
- (viii) Kawau Island: Bush Policy Area

Exotic species may be considered for replanting of areas which are actively eroding and which require speedy root mass development to control further erosion. Their use shall be considered only where it can be demonstrated that native species cannot achieve the desired short term control. The use of exotic species shall be isolated to these areas and native species shall be interspersed between the exotic plantings. At the end of their lifespan these exotic species shall be replaced with native plants if this is deemed necessary to the continued health and vitality of the planted area.



Rule 7.14.5.3
Protection, Standard and Management of the Replanting

Rule 7.14.5.3.1
Native Replanting

Protection, Standard and Management of the Replanting

Native Replanting

- (a) The area to be retired, protected and replanted shall be legally and physically protected from farming and commercial forestry activities and replanted in native vegetation (unless exotic vegetation is necessary for the circumstances described at Rule 7.14.5.3.2).
- (b) Rules 7.14.2.3 and 7.14.3.2.4 (Native Revegetation standards) shall apply to the area which is to be retired, protected and replanted. Rule 7.14.3.2.4 shall apply as if the retired and replanted area was native bush.

Rule 7.14.5.3.2
Exotic Replanting

Exotic Replanting

- (a) Exotic species may be considered for replanting of areas which exhibit 'severe erosion' and which require speedy root mass development to control further erosion.
- (b) Rule 7.14.2.4 (Exotic Replanting standards) shall apply to the area which is to be retired, protected and replanted. Rule 7.14.3.2.4 shall apply as if the retired and replanted area was native bush.
- (c) The use of exotic species shall be considered for the treatment of 'severe erosion' only where it can be demonstrated that the use of exotic species is essential and native species cannot achieve the desired short term control. The use of exotic species shall be isolated to these areas and native species shall be interspersed between the exotic plantings. The planting density and choice of species in this context shall be set out in a report by a person qualified and experienced in erosion management and vegetation restoration. At the end of their lifespan these exotic species shall be replaced with native plants if this is deemed necessary to the continued health and vitality of the planted area.

'Severe erosion' for the purposes of this rule, means an extreme form of accelerated erosion of:

- (i) Bare/unvegetated land ; or
- (ii) Landslip scarps or grabens; or
- (iii) Areas of obvious and significant risk or imminent slope failure

Accelerated erosion is erosion that has been caused by or accelerated by human activity. The term 'severe erosion' describes an extreme form of accelerated erosion. It does not include less severe forms of accelerated erosion such as soil creep or signs of slope movement that would normally be expected in areas of steep hill country. Further explanation of the term 'accelerated erosion' is provided in the explanation and reasons section of this rule.



Rule 7.14.5.4
Minimum and Maximum Site Size

Imminent slope failure is defined as slope failure that is highly likely to occur within the next six to twelve months.

Minimum and Maximum Site Size

- (a) The minimum site size of the rural-residential site shall be 1 hectare and the maximum rural residential site size shall be 2 hectares.
- (b) The minimum site size for the balance area shall be 1 hectare.

Rule 7.14.5.5
Design of Subdivision

Design of Subdivision

- (a) Rule 7.14.3.2.8 shall apply.
- (b) The area to be retired, protected and replanted need not be continuous but each 6 hectare area shall not be comprised of any individual area less than 2 hectares in area.

Rule 7.14.5.6
Minimum Frontage and Access

Minimum Frontage and Access

Rule 7.14.3.2.7 shall apply.

Rule 7.14.5.7
Defined Building Area

Defined Building Area

Rule 7.14.3.2.9 shall apply.

Rule 7.14.5.8
Completion Certificate Requirement

Completion Certificate Requirement

- (a) All planting shall be completed in accordance with the planting standards set out in Rules 7.14.2.3 and 7.14.2.4. For the purpose of Rule 7.14.2.3(a)(i), the survival rate is to be measured no sooner than 12 months following planting. However, the survival rate may be measured earlier where the plants have grown, on average, 300mm since planting.
- (b) Bonds shall be in place to provide for ongoing maintenance and replacement of plants where they have died or failed to thrive up to a point where 75% canopy closure is achieved.

Explanation and Reasons

Many of the catchments within the District which are steep are eroding because of historic clearance of bush and scrub. By replanting these areas in appropriate exotic or native species, the erosion and slippage can be reduced substantially. Native species are specified for replanting in recognition of the ecological benefits to the district in terms of biodiversity, wildlife habitat and natural character. The longer lifespan of native species together with the process of natural succession will result in more viable and self-sustaining ecosystems than would occur with exotic





plantings which have somewhat shorter lifespans.

It is recognised that under certain circumstances, where land is subject to severe erosion, the use of exotic species may be appropriate in the short term to provide slope stability. Due to the fast growth habit of exotic species it is considered their use may be appropriate for situations where rapid development of root mass is critical. However, native species are required to be interspersed amongst these exotic plantings in the interest of achieving a long term sustainable outcome.

Severe erosion describes the extreme cases of accelerated erosion. Accelerated erosion is a term that is generally understood and a widely accepted term used in soils science and soils conservation. It is used in the Auckland Regional Council Technical Publication TP90 Auckland Regional Council Guidelines for Land Disturbing Activities (1999).

This subdivision rule seeks to provide an incentive for landowners to retire and replant Class VI or higher land (in the New Zealand Land Resource Inventory 2nd edition), in the catchments of specific estuaries and harbours which are sensitive to sediment inputs (eg. Mahurangi Harbour, Puhoi Estuary, Waiwera Estuary, etc).

The area which is to be planted has to be physically protected from stock and animal pests, and covenanted so that it is no longer used for farming or any other activities. The area also has to be kept weed free.

In order to retain the rural character, rural residential sites need to be clustered if more than 5 sites are created. The rural residential site is a minimum of 1 hectare in order to retain a rural character and a maximum of 2 hectares in order to retain land in rural use wherever appropriate, for character and production reasons.

Rule 7.14.6
**Subdivision for the Creation
of Esplanade Reserves**

**Subdivision for the Creation of Esplanade Reserves: Specific Subdivision
Requirements**

The Council may consent to the subdivision of land creating a rural-residential site where the subdivision is of a land parcel itemised in Appendix 23A Chapter 23 - Subdivision and Servicing and results in the vesting of an esplanade reserve running the full length of the water frontage of that land parcel, where the following requirements are met:

Rule 7.14.6.1
General Requirements

General Requirements

The rules in Chapter 23, *Subdivision and Servicing* shall apply.

Rule 7.14.6.2
Design of Subdivision

Design of Subdivision

- (a) The esplanade reserve to vest in the Council in exchange for the creation of a rural residential site shall be identified in Appendix 23A Chapter 23 - *Subdivision and Servicing*.
- (b) The esplanade reserve shall be of sufficient width to enable it to fulfil its intended function over the long-term, taking into account its topography, the likelihood of loss by erosion, and any other relevant



consideration.

- (c) Any rural residential site shall be located so that a household unit can be erected upon it without unduly limiting quarry operations or future extraction at sites identified on the Planning Maps as significant aggregate or limestone resources.

Explanation: The desirable buffer distance between a mineral extraction and processing site and an activity that could potentially conflict with extraction and processing activity is 500 metres for rock extraction using blasting, and 200 metres for other extraction. Exceptions to this desirable buffer distance from the mineral extraction and processing site are shown in the Planning Maps where the "Quarry Effects Management Area" on the map may vary to reflect different local circumstances.

- (d) Rules 7.14.2.5 and 7.14.2.6 shall apply to any rural residential site.

Rule 7.14.6.3
Minimum and Maximum Site Size

Minimum and Maximum Site Size

The new rural residential site shall have a minimum size of 1 hectare and a maximum size of 2 hectares.

Rule 7.14.6.4
Minimum Frontage

Minimum Frontage and Access

The minimum frontage for the rural residential site and the balance area shall be 6 metres, provided that up to five sites may gain frontage over a jointly owned access lot, or right of way for the benefit of the sites, or a combination of both, of not less than 6 metres width.

Rule 7.14.6.5
Location of Specified Building Platforms

Location of Specified Building Platforms

Where the site is in the East Coast Rural Zone or Landscape Protection Rural Zone the following requirements shall apply:

- (a) Each proposed site shall accommodate a Defined Area for Building with a minimum area of 1000m², but with no upper size limit, located so as to minimise the visual impact on the environment, with the objective of retaining a non-urban character.
- (b) Each Defined Area for Building shall be identified on the ground before the proposed plan of subdivision is submitted for approval and shall be shown on all plans of proposed subdivision submitted for approval including the plan submitted for deposit, and its existence shall be noted on the title for each site pursuant to a Consent Notice under section 221 of the Act or similar mechanism.



Rule 7.14.6.6
Fencing of Esplanade Reserves

Fencing of Esplanade Reserves

Esplanade reserves shall be fenced with a stock proof fence by the applicant prior to vesting.

Explanation and reasons

In certain instances the Council has identified esplanade reserves it would like to acquire to obtain access to rivers, lakes and the coast. These are identified in Appendix 23A : Chapter 23 - Subdivision and Servicing. The Council, however, does not always have the funding to purchase these areas or does not want to lose the opportunity to obtain these areas should they be subdivided. Therefore, these areas are identified and the Council offers an incentive of a subdivision right in exchange for these areas being vested as esplanade reserve with the Council.

It is important that the esplanade reserve is usable and therefore provision is made to accommodate the topography of the area and potential for erosion in defining the area to be vested with the Council.

It is also important that the rural character is retained and therefore the minimum site size of the rural residential site to be created is 1 hectare and the maximum is 2 hectares. A frontage of 6 metres is required to enable the screening of buildings and to avoid an urban appearance.

The esplanade reserve to be vested needs to be fenced to prevent stock entering the area; and to protect any planting which might occur on this land.

Rule 7.14.7
Subdivision for Creating Additional Public Reserve Land

Subdivision for the Creation of Additional Public Reserve Land: Specific Subdivision Requirements

The Council may consent to the subdivision of land where the subdivision results in additional land being added to existing public reserve and the following requirements are met.

Rule 7.14.7.1
General Requirements

General Requirements

Subdivision under this Rule shall comply with the relevant rules in *Chapter 23 - Subdivision and Servicing*.

Rule 7.14.7.2
Design of Subdivision - Area for Incorporation into Public Reserve

Design of Subdivision - Area for Incorporation into Existing Public Reserve

- (a) The area for incorporation into an existing public reserve shall be subdivided from the same parent site from which the rural residential site (or sites) is subdivided.
- (b) The area to be incorporated into the existing public reserve shall be at least 4 hectares in area and shall be physically suitable for the purpose for which the existing public reserve has been created.



Rule 7.14.7.3

Design of Subdivision - Site for Rural Residential Purposes

- (c) The applicant shall provide written advice from the agency administering the existing public reserve that the area to be incorporated into the existing public reserve is acceptable for public reserve purposes, including access where this is necessary for the function of the public reserve to be achieved.
- (d) The area to be incorporated into the existing public reserve shall be vested in the administering body of the reserve at no cost to that body.

Design of Subdivision — Site for Rural Residential Purposes

- (a) The rural residential site (or sites) shall be subdivided from the same parent site from which the area for incorporation into the public reserve is subdivided.
- (b) The rural residential site shall be located so that it does not require the removal or destruction of significant native bush or a Significant Natural Area defined on the Planning Maps or other natural features for the purposes of access, creation of a building site or boundary definition purposes.
- (c) Where the rural residential site contains significant native bush over 1 hectare in contiguous area or a Significant Natural Area defined on the Planning Maps or a wetland which has a contiguous area greater than 200m², the subdivision consent shall include a condition or conditions providing for the effective and permanent legal and physical protection of that native bush including a permanent fence (minimum seven wire post and batten fence) capable of preventing browsing or other damage by farmed animals. The fence shall be erected (and maintained) around the perimeter of the area of native bush or wetland to be protected.
- (d) Any conditions for the protection of significant native bush or a Significant Natural Area defined on the Planning Maps or a natural feature shall be complied with on a continuing basis by the subdividing land owner and subsequent owners and shall be the subject of consent notices to be registered under the Land Transfer Act 1952.
- (e) Any rural residential site shall be located so that a household unit can be erected upon it without unduly limiting quarry operations or future extraction at sites identified on the Planning Maps as Significant Mineral Extraction Resources.

Explanation: The desirable buffer distance between a mineral extraction and processing site and an activity that could potentially conflict with extraction and processing activity is 500 metres for rock extraction using blasting, and 200 metres for other extraction. Exceptions to this desirable buffer distance from the mineral extraction and processing site are shown in the Planning Maps where the "Quarry Effects Management Area" on the map may vary to reflect different local circumstances.

- (f) Each rural residential site created shall comply with the requirements of



Rule 7.14.7.4
Minimum and Maximum Site Size

- Rule 7.14.2.5 Riparian Margin Protection Standards and Rule 7.14.2.6.
- Minimum and Maximum Site Size**
- (a) The minimum site size for the site to be incorporated into the existing public reserve shall be 4 hectares.
 - (b) The minimum site size for the rural residential site shall be 1 hectare.
 - (c) The maximum site size for the rural residential site shall be 2 hectares.
 - (d) The minimum site size requirement for the balance area shall be 1 hectare.

Rule 7.14.7.5
Minimum Frontage

- Minimum Frontage and Access**
- (a) The minimum frontage for the rural residential site shall be a minimum of not less than 6 metres in width.

Rule 7.14.7.6
Number of Sites Allowed

Number of Sites Allowed

One rural residential site may be created for every 4 hectares of land which is incorporated into public reserve up to a maximum of 3 rural residential sites from any site existing on 28 November 2000 and complying with all the requirements of Rules 7.14.7.2 to 7.14.7.5 inclusive.

Explanation and Reasons

The Council allows rural residential sites to be created if land is vested with an existing public reserve, from the parent site from which the rural residential site (or sites) is subdivided. This allows existing reserves to be extended without the public body buying the land but providing a financial benefit through the creation of rural residential sites for the landowner. Permission however needs to be obtained from the public body administering the reserve to ensure that the land to be vested is acceptable for public purposes.

The design of the subdivision has to ensure that the creation of the rural residential site(s) does not create adverse effects, such as the clearance of bush for a building site or access. In addition any bush over 1 hectare or wetland greater than 200m² on the parent site has to be permanently protected (ie. fenced and covenanted).

It is important that the rural character is retained after the subdivision. Therefore, a minimum site size of 1 hectare is set. Also a frontage of 6 metres is set to ensure that the residential sites do not abut the road and can be screened. A maximum number of sites that could be created is three to ensure that a low intensity of subdivision is retained to maintain the rural character and to minimise the effects on the natural environmental landscape and amenity values.



Rule 7.14.8
**Subdivision for Household
Unit Sites on Maori Land**

**Subdivision for Household Unit Sites on Maori Land: Specific Subdivision
Requirements**

The Council may consent to the subdivision of land where the proposed site(s) where the subdivision will occur on Maori freehold land as defined in the Te Ture Whenua Maori Act 1993 where the following requirements are met:

Rule 7.14.8.1
General Requirements

General Requirements

Subdivision under this Rule shall comply with rules in *Chapter 23 - Subdivision and Servicing*.

Rule 7.14.8.2
Maori Land Requirement

Maori Land Requirement

The subdivision shall occur on “Maori freehold land” as defined in the Te Ture Whenua Maori Act 1993.

Rule 7.14.8.3
Other Requirements

Other Requirements

- (a) Subdivision shall only occur to the extent necessary to accommodate household units listed as Permitted Activities within the Zone, or in accordance with any resource consent granted for household units on Maori land.
- (b) The maximum size of any site shall be 1 hectare.
- (c) The applicant shall belong to the same hapu as the trustees of the associated marae.
- (d) Access to any residential site shall be over the remainder of the parent site of Maori land, and the owner of the residential site maintains sufficient shares in the parent site to provide legal access across the parent site to its boundary with a legal road.

Rule 7.14.8.4
Design of Subdivision

Design of Subdivision

- (a) The subdivision shall be designed in accordance with any resource consent to establish household units on the parent site.
- (b) Any rural residential site shall be located so that a household unit can be erected upon it without unduly limiting quarry operations or future extraction at sites identified on the Planning Maps as Significant Mineral Extraction Resources.

Explanation: The desirable buffer distance between a mineral extraction and processing site and an activity that could potentially conflict with extraction and processing activity is 500 metres for rock extraction using blasting, and 200 metres for other extraction. Exceptions to this desirable





buffer distance from the mineral extraction and processing site are shown in the Planning Maps where the “Quarry Effects Management Area” on the map may vary to reflect different local circumstances.

Explanation and Reasons

The Council can consent to the subdivision of land owned by Maori's as part of allowing the use of Maori land for residential living of the hapu in association with a Marae in order to continue the connection with ancestral lands, in recognition of the concept of ahi ka roa ('long burning fires') and the protection and preservation of the mauri of the community.

The number of sites is limited so as to retain the rural character and natural environmental values of an area.

Rule 7.14.9 Subdivision of Countryside Living Rural Sites [Amendment 141]

Subdivision of Standard Countryside Living Rural Sites: Specific Subdivision Requirements (except within the Okura Policy Area)

The Council may consent to the subdivision of land in the identified Countryside Living Rural Zone down to an average of 2 hectares, where the following requirements are met:

Rule 7.14.9.1 General Requirements

General Requirements

Subdivision under this Rule shall comply with the relevant rules in *Chapter 23 - Subdivision and Servicing*.

Rule 7.14.9.2 Minimum Site Size

Minimum Site Size

- (a) The minimum average site size shall be 2 hectares, except that the minimum site size may be reduced to 1 hectare where:
 - (i) the minimum average site size on the plan of subdivision is 2 hectares; and
 - (ii) for every site smaller than 2 hectares there is one site between 2 hectares and 3.9 hectares, and the average size of each pair of sites is between 2 and 2.9 hectares.

Rule 7.14.9.3 Minimum Frontage and Access

Minimum Frontage and Access

- (a) The minimum frontage for Countryside Living sites shall be 6 metres, provided that up to five sites may gain frontage over a jointly owned access lot, or right of way for the benefit of the sites, or combination of both, of not less than 6 metres in width.

Rule 7.14.9.4 Design of Subdivision

Design of Subdivision

- (a) The site shapes shall be varied so that subdivisions do not result in



Rule 7.14.9.5
Protection of Native Bush

uniform settlement patterns that are characteristic of urban or suburban development.

- (b) A conservation subdivision plan shall be completed in accordance with Rule 7.14.2.7 and shall be used as the basis for the plans of subdivision and shall be submitted with the plan of subdivision. The plan of subdivision shall provide appropriate legal mechanisms to ensure the avoidance of the constraints and mitigation and/or permanent protection of the values identified in the conservation subdivision plan.

Protection of Native Bush

- (a) The plan of subdivision shall show all areas of native bush and wetlands on the land being subdivided.
- (b) Where the parent site has native bush covering a contiguous area greater than 1 hectare the subdivision consent applicant shall include a condition or conditions providing for the effective and permanent legal and physical protection of that native bush including a permanent fence (minimum seven wire post and batten fence with no gates) capable of preventing browsing or other damage by farmed animals. The fence shall be erected (and maintained) around the perimeter of the area of native bush or natural feature to be protected.
- (c) The area of native bush shall be made free of plant pests, and maintained in that state.
- (d) A pest control programme shall be prepared indicating how pests including possums, goats, deer and rats and weeds are to be controlled to protect physically the legally protected area of native bush.
- (e) Any conditions for the protection of native bush or a natural feature shall be complied with on a continuing basis by the subdividing owner and subsequent owners and shall be the subject of consent notices to be registered under the Land Transfer Act 1952.

Rule 7.14.9.6
Protection of Wetland

Protection of Wetland

- (a) The plan of subdivision shall show areas of wetland on the land being subdivided.
- (b) Where the parent site has a wetland covering a contiguous area greater than 200m² the subdivision consent shall include a condition or conditions providing for the effective and permanent legal and physical protection of that wetland including a requirement that a permanent fence (minimum seven wire post and batten fence) capable of preventing browsing or other damage by farmed animals. The fence shall be erected (and maintained) around the perimeter of the area of wetland to be protected.
- (c) The area of wetland shall be made free of plant pests, and maintained in



Rule 7.14.9.7
**Protection of Riparian
Margins**

that state.

- (d) Any conditions for the protection of wetland shall be complied with on a continuing basis by the subdividing owner and subsequent owners and shall be the subject of consent notices to be registered under the Land Transfer Act 1952.

Protection of Riparian Margins and Management of Overland Flows

Each site created shall comply with the requirements of Rule 7.14.2.5 Riparian Margin Protection Standards and Rule 7.14.2.6 Management of Overland Flows.

Explanation and Reasons

The Council will allow intensive rural residential subdivision in areas which have been identified as being less sensitive to this type of development in terms of impact on the natural and landscape values, including the best soils, and clear of the growth paths of existing urban settlements. The average size is 2 hectares as this is large enough to mitigate many of the effects of this level of development and to largely retain the rural character of the area.

In this type of subdivision it is important that the rural character is retained and the settlement pattern is not an urban type settlement. Therefore a minimum frontage is set at 6 metres which allow sufficient area for planting and screening. Also the subdivision design has to be varied and not uniform.

In order to ensure that the environmental values on the parent site are retained and not destroyed by this level of intensive development, any bush over 1 hectare and any wetland over 200m² has to be fenced and permanently protected. The riparian areas have to be fenced, permanently protected and replanted. These measures also assist in reducing overland flows and retaining hydrological neutrality (ie overland flows to pre-development levels), creating or retaining habitat, maintaining biodiversity and minimising erosion.

Rule 7.14.10

Subdivision of Countryside Living Rural Cluster Housing Sites (except within the Okura Policy Area)

[Amendment 141]

The Council may consent to the subdivision of land creating sites for Countryside Living Rural purposes on a clustered basis dispersed amidst a commonly owned site where the following requirements are met:

Rule 7.14.10.1
General Requirements

General Requirements

Subdivision means this Rule shall comply with the relevant rules in *Chapter 23 - Subdivision and Servicing*.

Rule 7.14.10.2
Number of Sites Permitted

Number of Sites Permitted

- (a) The total number of Countryside Living Rural Cluster housing sites



Rule 7.14.10.3
Minimum and Maximum Site Size

permitted shall be on the basis of a maximum of 1 site for every 1.5 hectares of land on the plan of subdivision.

Minimum and Maximum Site Size

- (a) The minimum site size for the lot held in common undivided shares by the owners of the cluster housing sites shall be 25 hectares. No more than one such lot may be created in any subdivision. Further subdivision and residential development on this lot shall be prevented by way of a restrictive covenant or ongoing consent condition to be registered against the title of the land.
- (b) Maximum private site size shall be 4,000m².
- (c) Minimum balance site area shall be 25 hectares. No more than one balance site may be created in any subdivision. The balance area may be the lot held in common undivided shares.

Rule 7.14.10.4
Minimum Frontage and Access

Minimum Frontage and Access

- (a) The minimum frontage for any site shall be 6 metres provided that up to five sites may gain frontage over a jointly owned access lot, or right of way for the benefit of the sites, or combination of both, of not less than 6 metres in width.
- (b) Access to cluster housing private lots should be by way of a shared right of way or jointly owned access lots.
- (c) Where more than one shared accessway is proposed to access different nodes or clusters they shall be separated on the road frontage by at least 50 metres.
- (d) Additional sites up to a maximum of ten may gain frontage over a jointly owned access lot, or right-of-way for the benefit of the sites, or combination of both, as a Restricted Discretionary Activity.

Rule 7.14.10.5
Design of Subdivision

Design of Subdivision

- (a) A conservation subdivision plan shall be completed in accordance with Rule 7.14.2.7 and shall be used as the basis for the plans of subdivision and shall be submitted with the plan of subdivision. The plan of subdivision shall provide appropriate legal mechanisms to ensure the avoidance of the constraints and mitigation and/or permanent protection of the values identified in the conservation subdivision plan.
- (b) Private sites shall be grouped in nodes or clusters, each with its own focus to provide identity for the groupings and structure for the development. As a guide each node or cluster should have a maximum of five sites.
- (c) A maximum of 25% of the total land area in the subdivision shall be in



Rule 7.14.11
**Subdivision Standards —
Okura Policy Area**
[Amendment 141]

Rule 7.14.11.1

Rule 7.14.11.1.1
General Requirements

Rule 7.14.11.1.2
Design of Subdivision

Rule 7.14.11.1.3
**Minimum Frontage and
Access**

private individual ownership with the balance being held in common undivided shares belonging to the owners of the private sites (the cluster housing sites).

- (d) Each proposed site shall accommodate a Defined Area for Building with a minimum area of 225m², but with no upper size limit, located so as to minimise the visual impact on the environment, with the objective of retaining a non-urban character.
- (e) Each Defined Area for Building shall be identified on the ground before the proposed plan of subdivision is submitted for approval and shall be shown on all plans of proposed subdivision submitted for approval including the plan submitted for deposit, and its existence shall be noted on the title for each site pursuant to a Consent Notice under section 221 of the Act or similar mechanism.

Subdivision Standards Okura Policy Area

Subdivision of Sites for Countryside Living purposes where the site or parent site existing on 12 October 1995 has an area less than 15 hectares.

General Requirements

Subdivision under this Rule shall comply with the relevant rules in *Chapter 23 — Subdivision and Servicing*.

Design of Subdivision

- (i) Site boundaries should take into account natural geographic features wherever possible.
- (ii) There should be a range of site shapes shown on the scheme plan such that subdivisions do not result in uniform settlement patterns that are characteristic of urban or suburban development.

Minimum Frontage and Access

- (i) The minimum frontage for a countryside living site shall be 6 metres, provided that up to 5 sites may gain frontage over a jointly owned access lot, or right of way for the benefit of the sites, or combination of both, of not less than 6 metres in width. [Subject to appeal ENV-2007-AKL-000218]
- (ii) Countryside living sites should be located so that they do not result in a proliferation of entranceways along a public road. Shared access points or the building of public roads to gain access are encouraged. The subdivision should be so designed that it will be possible for access points to be separated by an average of at least 50 m, with access drives so



Rule 7.14.11.1.4
Minimum site area

located that they involve minimum earthworks and minimum destruction of native bush, and lead to logical building sites complying with the yard requirements. The plan of subdivision and accompanying documentation shall illustrate how these requirements are met. Exceptions to the requirement for a minimum of 50 m separation between access points may be accepted where it is not practicable to attain the separation for reasons of:

- Topography
- Retention of significant trees or areas of native bush
- Susceptibility to flooding
- Other physical constraints
- Traffic safety

Wherever possible vehicle access direct to a state highway or a regional arterial road should be avoided, particularly where alternative access to a lower order road exists, or can be readily obtained.

Minimum site area

- (i) The minimum average site size shall be 2 hectares, except that the minimum size may be reduced to 1 hectare where:
 - The minimum average site size on the plan of subdivision is 2 ha, and
 - For every site smaller than 2 ha there is one site of between 2 ha and 3.9 ha, and the average size of each pair of sites is between 2 ha and 2.9 ha.
- (ii) No subdivision shall be approved where it would have the effect of negating the requirements of subclause (i) if that subclause had been applied to the subdivision of the parent site as existing on 12 October 1995.
- (iii) Notwithstanding subclause (ii), where an application for subdivision consent incorporates two or more adjoining parent sites as existing on 12 October 1995, the total area of land may be treated as one site for the purposes of subdivisional configuration and design, provided that the number and size of sites in the proposed subdivision are in accordance with subclause (i).
- (iv) A consent notice under section 221 of the Act shall be entered into and registered against the title to ensure that an average lot size of 2 hectares is maintained and that further subdivision(s) do not result in an average site area of less than 2 hectares as based on the original parent lot size.

Rule 7.14.11.1.5
Defined Area for Building

Defined Area for Building

The Defined Area for Building shall be consistent with the standards for the Development Controls and Performance Standards. The Defined Area for Building shall not require the removal or destruction of any native trees over 6 m in height or any native bush or other native vegetation that forms part of an



Rule 7.14.11.1.6
Protection of Native Bush

area greater than 500m². The Defined Area for Building shall not require the removal of any native plants, regardless of height, within 10 metres of a stream or water course or water body, or coastal edges as defined by the line of Mean High Water Springs.

Protection of Native Bush

- a) The plan of subdivision shall show all areas of native vegetation on the land consistent with the standards for the conservation of landscape contained in Part III – Development and Environmental Controls. Specifically the plan of subdivision shall show:
- All native trees over 6 m in height or any native bush or other native vegetation that forms part of an area greater than 500m²
 - Any native plants, regardless of height, within 10 metres of a stream or watercourse or water body, or coastal edges as defined by the line of mean high water springs.
- b) Covenants in perpetuity shall be registered against the titles of the original lot and the newly created lots to be created through subdivision. These covenants shall require that the following is protected and remains undisturbed:
- All native trees over 6 m in height or any native bush or other native vegetation that forms part of an area greater than 500m²
 - Any native plants, regardless of height, within 10 metres of a stream or watercourse or water body, or coastal edges as defined by the line of mean high water springs
- These covenants shall also require that weeds and pests are controlled.
- c) The perimeter of the area of native bush to be covenanted shall be fenced with a minimum seven wire post and batten fence capable of preventing the browsing of the area of native bush by domesticated or wild stock, and shall be maintained in that condition. This provision may not apply where it can be demonstrated:
- That physical obstacles such as cliffs or streams and watercourses provide sufficient protection from domesticated or wild stock.
 - That the effect of fencing bush along the site boundary would result in significant areas of bush being removed or damaged.
 - That the natural feature is of a type that would not be damaged by farmed animals.
- d) A Queen Elizabeth II National Trust Open Space Covenant or a Conservation Covenant under the Reserves Act 1977 or any Act in substitution thereof, or other legally enforceable means of protecting in perpetuity the area of native bush shall be placed over the native bush before the issue by the Council of a Certificate of Completion pursuant to Section 224(c) of the Act, or

A consent notice under Section 221 of the Act shall be entered into and registered against the title in order to secure compliance with the



Rule 7.14.11.1.7
**Protection of Riparian
Margins**

condition of consent.

- e) Any covenant or legally enforceable means of protection shall contain provisions specifying that each instance of default in the observance of any covenants or other means shall result in the sum of \$10,000 being due to the Council from the owners or registered proprietors of the land subject to the covenant or other means of protection.

Protection of Riparian Margins

- (a) A stock proof fence shall be erected the following distance from the top of a stream or watercourse bank:
- 10 metres where the stream or watercourse is an average width across the property of less than 3 metres
 - 20 metres where the stream or watercourse is an average width across the property of greater than or equal to 3 metres; unless a complete riparian margin analysis of the site is undertaken by an appropriately qualified person in accordance with the Auckland Regional Council "Riparian Zone Management Strategy and Guideline" and is submitted with the application. In that case the appropriate standard shall be determined by assessment and shall be the subject of a condition of consent.
- d) A Queen Elizabeth II National Trust Open Space Covenant or a Conservation Covenant under the Reserves Act 1977 or any Act in substitution thereof, or other legally enforceable means of protecting in perpetuity the area of native bush shall be placed over the native bush before the issue by the Council of a Certificate of Completion pursuant to Section 224(c) of the Act, or

A consent notice under Section 221 of the Act shall be entered into and registered against the title in order to secure compliance with the condition of consent.

- e) Any covenant or legally enforceable means of protection shall contain provisions specifying that each instance of default in the observance of any covenants or other means shall result in the sum of \$10,000 being due to the Council from the owners or registered proprietors of the land subject to the covenant or other means of protection.

Rule 7.14.11.1.7
**Protection of Riparian
Margins**

Protection of Riparian Margins

- (a) A stock proof fence shall be erected the following distance from the top of a stream or watercourse bank:
- 10 metres where the stream or watercourse is an average width across the property of less than 3 metres
 - 20 metres where the stream or watercourse is an average width across the property of greater than or equal to 3 metres; unless a





complete riparian margin analysis of the site is undertaken by an appropriately qualified person in accordance with the Auckland Regional Council "Riparian Zone Management Strategy and Guideline" and is submitted with the application. In that case the appropriate standard shall be determined by assessment and shall be the subject of a condition of consent.

- (b) A minimum of 10 metres from the stream or watercourse shall be planted in native vegetation in compliance with rule 7.14.2.3. The native vegetation shall be for the purpose of riparian margin protection and shall not be clear felled or removed.
- (c) A covenant providing for the permanent protection of the native vegetation in the planted area shall be applied.
- (d) The planted area shall be kept free of stock.
- (e) The requirements under (a) to (d) above shall not apply where the land within 20 metres of the stream or watercourse bank is to be vested as public reserve in the same application for subdivision.
- (f) An assessment of the barriers to fish passage and the methods to avoid or mitigate these shall be required.
- (g) An agreement to covenant the existing native riparian vegetation on the property shall be entered into before the issue by the Council of a Certificate of Completion pursuant to Section 224(c) of the Act; or a consent notice under section 221 of the Act shall be entered into and registered against the title in order to secure the compliance with the condition of the consent.

Rule 7.14.11.1.8
**Native Revegetation Planting
Standard for Riparian
Margins**

Native Revegetation Planting Standard for Riparian Margins

This rule applies to any native revegetation planting required to be undertaken as part of riparian margin protection as specified under rule 7.14.11.1.7

- (a) Planting shall be undertaken in accordance with the standard detailed in Rule 7.14.2.3.

Rule 7.14.11.1.9
**Revegetation of Land Steeper
Than 15°**

Revegetation of Land Steeper Than 15°

- (a) All land steeper than 15° shall be planted in native vegetation in compliance with Rule 7.14.2.3. The native vegetation shall be for the purpose of slope stabilisation and shall not be clear felled or removed.
- (b) A covenant providing for the permanent protection of the native vegetation in the planted area shall be applied.
- (c) The planted area shall be kept free of stock.



Rule 7.14.11.1.10
**Native Revegetation Planting
Standard for Land Steeper
Than 15°**

- (d) The requirements under (a) to (c) above shall not apply where the land is to be vested as public reserve in the same application for subdivision.

Native Revegetation Planting Standard for Land Steeper Than 15°

- (a) The standards in Rule 7.14.2.3 specifying the native revegetation planting standard shall also apply to any native revegetation planting required to be undertaken on land steeper than 15° (as specified under rule 7.14.11.1.9).

Rule 7.14.11.1.11
Access

Access

- (a) The proposed sites are to be located as close as practical to a formed legal road or served by an existing formed vehicle access.
- (b) Access to all sites shall be by way of either a road or shared entrance strip and shall be constructed to the standard required without the removal or destruction of native trees over 6 m in height, or removal or destruction of any native bush or other native vegetation within any larger area greater than 500 m, or removal of any native vegetation on lake, stream or watercourse banks.

Rule 7.14.11.1.12
Stormwater Management

Stormwater Management

- (a) All subdivision and subsequent development should have regard to any relevant adopted Catchment Management Plan and/or Comprehensive Discharge Consent, and should be hydrologically neutral (i.e. the flows (2 year, 10 year and 100 year return period storms), volumes and time of concentration of overland flows from an area during rainfall shall be the same, both before and after subdivision has occurred,
- (b) The design principals used to achieve hydrological neutrality shall be:
- Overland flow disposal shall mimic as far as possible the natural drainage process of an area;
 - Modifications to existing drainage patterns shall be kept to a minimum
 - Overland flows shall not be discharged directly into streams or watercourses from a piped system
 - Impervious areas shall be kept to a minimum
 - Appropriate methods of stormwater detention shall be employed before dispersal into streams or watercourses, including, but not exclusively:
 - o swales and depression landscaping
 - o dispersion into vegetative filters
 - o dispersal trenches
 - o detention ponds
 - o detention tanks



- o vegetation planting
- o water reuse.

(c) Applicants shall clearly and accurately provide information on the present site conditions and the proposed development and its effects on stormwater, including, but not necessarily exclusively:

Pre-development Site Assessment

Size of site

Topography and steepness of site

- Extent of existing vegetation, land cover and land use
- Existing drainage patterns and streams and watercourses

Where the site is in relation to the catchment area

Development Proposal Assessment

- Number and size of proposed lots
- Roading pattern (if required)
- Location of buildings on all proposed lots
- Estimated likely total area of impervious surface including driveways, roofs, etc.
- Interference with existing drainage patterns (drains and overland flow paths).

Hydrological Neutrality Assessment

- Calculation of pre-development flow, volume and time of concentration using Auckland Regional Council's Technical Publication 108 "Guidelines for Stormwater Runoff Modelling in the Auckland Region"
- A detailed description of proposed stormwater management methods for each lot, including methods listed in 7.14.11.1.12 (b).
- Calculation of post development flow, volume and time of
- concentration to show "Hydrological Neutrality" criteria will be met by the methods proposed.

(d) All stormwater management measures shall be in place prior to impervious surfaces being formed on the site.

Rule 7.14.11.2

Subdivision of sites for Countryside Living Purposes where the site is greater than 15 hectares

Rule 7.14.11.2.1

Concept Plan Required

Concept Plan Required

The Council requires a comprehensive approach to be taken to ensure that the rural character of these large blocks of land is retained.

Prior to or concurrent with an application for approval of a plan of subdivision a separate concept plan shall be submitted for the whole of the land in question which shall show the ultimate form of the subdivision. All those



matters and the requirements listed in Section 7.14.11.1 shall be taken into account when preparing a concept plan.

Balance areas of at least 15 hectares may be included in the concept plan but will be subject to a future concept plan should subdivision for these balance areas be proposed in the future.

The following additional matters shall be taken into account when preparing a concept plan in the Okura Policy Area:

- (a) A land use capability study identifying land suitable or unsuitable for development based on the following constraints:
- Areas of steeper (>15°) and for unstable land
 - Existing vegetation
 - Existing streams and watercourses.
 - The location of proposed building sites
 - The location of roads, accessways and driveways,
 - Areas of existing vegetation to be protected
 - Proposed areas of revegetation and landscaping
 - Provision for stormwater management
 - Land to be held and managed in common ownership
 - Proposed lot boundaries
 - Areas subject to covenants preventing further subdivision and development
 - Provision for on site waste water disposal.

Rule 7.14.11.2.2
Conformity with Concept Plan

Conformity with Concept Plan

Subdivision of sites greater than 15 hectares for Countryside Living (Rural) purposes shall be in accordance with an approved concept plan.

Rule 7.14.11.2.3
Minimum Site Area

Minimum Site Area

The average area for all countryside living sites on the plan shall be 2 hectares, the minimum site size shall be no smaller than 1 hectare, and for every site smaller than 2 hectares there shall be at least one site larger than 2 ha.

Rule 7.14.11.2.4
Standards

Standards

In addition to the above, the standards specified in 7.14.11.1 shall also apply.

Rule 7.14.11.3

Subdivision of sites for Countryside Living purposes with an area of less than 15 hectares where the site or its parent site existing on 12 October 1995 was greater than 15 hectares

All subdivisions shall be in accordance with an approved concept plan (see Rule 7.14.11.2.1) and shall be in conformity with the standards and requirements listed at Section 7.14.11.1 unless these have been modified in



Rule 7.14.11.4

the approved concept plan.

Discretionary Activities

The Council may consent to a subdivision which does not meet the restricted discretionary standard for minimum frontage and access as a discretionary activity.

See assessment criteria in Rule 7.15.11

Rule 7.14.11.5

Subdivision for Cluster Housing

The Council may consent to the subdivision of land creating sites for Countryside Living (Rural) in the Okura Policy Area on a clustered basis where the following criteria are met:

Rule 7.14.11.5.1

General requirements

General requirements

A Concept Plan shall be prepared detailing restoration and development of the total site, prior to any development. The following matters shall be taken into account when preparing a concept plan in the Okura Policy Area:

(a) A land use capability study identifying land suitable or unsuitable for development based on the following constraints:

- Areas of steeper (>15°) and / or unstable land
- Existing vegetation
- Existing streams and watercourses.

(b) The Development Concept including

- The location of proposed building sites
- The location of roads, accessways and driveways,
- Areas of existing vegetation to be protected
- Proposed areas of revegetation and landscaping
- Provision for stormwater management
- Land to be held and managed in common ownership
- Proposed lot boundaries
- Areas subject to covenants preventing further subdivision and development
- The staging of development
- Provision for on site waste water disposal.

Once approved the restoration and development of the site must comply with the Plan. Any changes to an approved Concept Plan in the Okura Policy Area will require a Discretionary Activity application.

Rule 7.14.11.5.2

Number of sites Permitted

Number of sites Permitted

The total number of Countryside Living (Cluster Housing) sites permitted in



Rule 7.14.11.5.3

Minimum and Maximum Site Size

the Okura Policy Area shall be on the basis of a maximum of one site for every 2 hectares of land on the plan of subdivision.

Minimum and Maximum Site Size

- (i) The minimum site size for the lot held in common undivided shares by the owners of the cluster housing sites shall be 25 hectares. No more than one such lot may be created in any subdivision.
- (ii) Minimum private site size shall be not less than 2500 m².
- (iii) Maximum private site size shall not be greater than 5000 m².
- (iv) Minimum balance site area shall be 25 hectares. No more than one balance site may be created in any subdivision.
- (v) The maximum average density shall not exceed 1 dwelling per 2 hectares of site area. A consent notice under section 221 of the Act shall be entered into and registered against the title to ensure that an average lot size of 2 hectares is maintained and that further subdivision(s) do not result in an average of less than 2 ha as based on the original parent lot.

Rule 7.14.11.5.4

Covenants Protecting Common Areas

Covenants Protecting Common Areas

The balance or common area shall be held in perpetuity to prevent further subdivision and/or development by the following methods

- An agreement to covenant the balance or common areas on the property shall be entered into before the issue by the Council of a Certificate of completion pursuant to Section 224(c) of the Act; or
- A consent notice under section 221 of the Act shall be entered into and registered against the title in order to secure compliance with this condition of consent.

Rule 7.14.11.5.5

Design of Subdivision

Design of Subdivision

- (i) A comprehensive approach to the development of the area is to be employed to ensure that the countryside open space landscape qualities of the parent site are retained.
- (ii) Site boundaries should take into account natural geographic features wherever possible. Proposed building areas shall be unobtrusive and preferably confined to areas that are clear of native trees and bush.
- (iii) The subdivision layout should encourage the retention of existing vegetation, streams and watercourses and natural features by locating them as far as practical in common lots.
- (iv) Clustered housing sites should be located so that they do not require substantial earthworks to obtain access to a specified defined area(s) for



building and do not result in a proliferation of entranceways along a public way. As a guide development of a site for subdivision for cluster housing should have a maximum of one entrance per 25 ha. Maximum use should be made of common services, accessory buildings and access drives. Individual private access off a public road shall generally not be permitted.

- (v) Development should be grouped in nodes or clusters, each with its own focus, to provide identity for the groupings and structure for the larger development. As a guide each node or cluster should have a maximum of seven sites.
- (vi) A maximum of 25% of the total land area of the scheme plan shall be in private individual ownership with the balance of the land being held in common undivided shares belonging to the owners of the cluster housing sites.
- (vii) A landscape planting plan is to provide for a programme of planting on roads and common lots to ensure that the potential development on private lots does not visually dominate the landscape.

Council may use the consent notice provisions of Section 221 of the Act to specify the manner in which any particular lot may be developed.

Rule 7.14.11.5.6 Defined Area for Building

Defined Area for Building

- (i) Each proposed site shall accommodate a Defined Area for Building with a minimum area of 225m² but with no upper size limit, located so as to minimise the visual impact on the environment, with the objective of retaining a non-urban character.
- (ii) The Defined Area for Building shall be consistent with the standards for the conservation of landscape contained in Part III – Development and Environmental Controls. The Defined Area for Building shall not require the removal or destruction of any native trees over 6 m in height or any native bush or other native vegetation that forms part of an area greater than 500 m². The Defined Area for Building shall not require the removal of any native plants, regardless of height, within 10 metres of a stream or watercourse or waterbody, or coastal edges as defined by the line of mean high water springs.
- (iii) The proposed sites are to be located as close as practicable to a formed legal road or served by an existing formed vehicle access.
- (iv) The Council will only permit the location of building sites on prominent ridges, knolls, skylines where the erection of buildings would not dominate the natural landscape or detract from the amenities of the area. Buildings must be designed and finished in a way to ensure that they will blend into the skyline.
- (v) The location of the specified defined area(s) for buildings should generally be at least 75 m from the road boundary to ensure that the open space



countryside quality of the landscape is retained. Specified defined area(s) for buildings closer than 75 m to a public road may be acceptable where there are site specific circumstances such as topography or existing vegetation that screen the building site from public view, or where unnecessary earthworks would otherwise result and the visual impact can be mitigated by appropriate landscaping.

- (vi) Each Defined Area for Building shall be identified by pegging before the proposed plan of subdivision is submitted for approval and shall be shown on all plans of proposed subdivision submitted for approval including the plan submitted for deposit, and its existence shall be noted on the title for each site pursuant to a Consent Notice or some similar mechanism.

7.14.11.5.7

Location of Access

Location of Access

- (i) Access to cluster housing lots should be by way of shared rights of way or jointly owned access lots. Cluster housing lots with direct individual access to the road will generally not be permitted.

There may be situations where the earthworks associated with the provision of the individual accessways is less than that required by shared rights of way or jointly owned access lots. This may be acceptable on a site-by-site basis where the effects of earthworks on the quality of the water of the Okura estuary and its streams and watercourses and the marine reserve can be balanced against the effects on rural character, including the maintenance of a non-urban character.

- (ii) Where more than one shared accessway is proposed to access different nodes or clusters they shall be separated on the road frontage by at least 50 m.

There may be situations where the earthworks can be minimised by a lesser separation. This may be acceptable on a site-by-site basis where the effects of earthworks on the quality of the water of the Okura estuary and its streams and watercourses and the marine reserve can be balanced against the effects on rural character, including the maintenance of a non-urban character.

Access to all sites shall be by way of either a road or shared entrance strip and shall be constructed to the standard required without the removal or destruction of native trees over 6 m in height, or removal or destruction of any native bush or other vegetation within any larger area greater than 500m², or removal of any native vegetation on lake, stream or water course banks.

Rule 7.14.11.5.8

Minimum Frontage and Access

Minimum Frontage and Access

The minimum frontage for a countryside living site shall be 6 metres, provided that up to 7 sites may gain frontage over a jointly owned access lot, or right of way for the benefit of the sites, or combination of both, of not less than 6 metres in width.



**Rule 7.14.11.5.9
Protection of Native Bush**

Protection of Native Bush

See Rule 7.14.11.1.6

In addition to the requirements of Rule 7.14.11.1.6 the following also apply to subdivisions to create cluster housing sites:

- (a) In the development of any subdivision for cluster housing applicants shall limit the amount of native bush or other native vegetation removal (regardless of height) on the parent site as far as is practical so as to leave an allowance for second generation development on the newly created lots.
- (b) A consent notice or some similar mechanism shall be placed on each newly created title, including the balance or common lot, specifying the remaining amount of native bush or other native vegetation removal (regardless of height) removal for each lot before the lifetime limit is reached (2.5% of the area of the parent site) and resource consent for a non-complying activity is required.
- (c) The applicant shall propose a division of the remaining amount of native bush or other native vegetation removal (regardless of height) (up to 2.5% of the area of the parent site) amongst the newly created titles, including the balance or common lot. In considering the appropriate division of the remaining amount of native bush or other native vegetation removal (regardless of height) the following factors are to be taken into account:
 - Each of the newly created titles, including the balance or common lot, is to receive an allowance of native bush or other native vegetation removal (regardless of height) for second-generation development.
 - The requirements for second-generation native bush or other native vegetation removal (regardless of height) are to be considered.
 - Visual effects
 - Ecological effects.

Note: Any removal of native bush or other native vegetation regardless of height) associated with subdivision for cluster housing in the Okura policy Area in excess of 2.5% of the area of the parent site (from 28th April 2006) is a non-complying activity (refer Rule 7.9.4.1.7). The total allowable lifetime native bush or other vegetation removal (regardless of height) shall be 2.5% of the area of the parent site.

**Rule 7.14.11.5.10
Protection of Riparian
Margins**

Protection of Riparian Margins

Rule 7.14.11.1.7 shall apply.

**Rule 7.14.11.5.11
Native Revegetation Planting**

Native Revegetation Planting Standard for Riparian Margins



Standard for Riparian Margins

Rule 7.14.11.5.12

Revegetation of Land Steeper than 15°

Rule 7.14.11.5.13

Native revegetation Planting Standard for Land Steeper than 15°

Rule 7.14.11.5.14

Stormwater Management

Rule 7.14.11.5.15

Earthworks

Rule 7.14.11.1.8 shall apply.

Revegetation of Land Steeper than 15°

Rule 7.14.11.1.9 shall apply.

Native revegetation Planting Standard for Land Steeper than 15°

Rule 7.14.11.1.10 shall apply.

Stormwater Management

Rule 7.14.11.1.12 shall apply.

Earthworks

Note: Any earthworks associated with subdivision for cluster housing in the Okura Policy Area in excess of 9.5% of the area of the parent site (from the operative date of the Plan Change) are a non-complying activity (refer 9A.4). The total allowable lifetime earthworks shall be 9.5% of the area of the parent site.

- (i) In the development of any subdivision for cluster housing applicants shall limit the amount of earthworks on the parent site as far as is practical so as to leave an allowance of earthworks for second-generation development on the newly created lots.
- (ii) A consent notice or some similar mechanism shall be placed on each newly created title, including the balance or common lot, specifying the remaining amount of earthworks for each lot before the lifetime limit is reached (9.5% of the area of the parent site) and resource consent for a non-complying activity is required.

This amount shall not include the earthworks required to form the Defined Area for Building (which is also required to be noted on the title for each site by consent notice or similar mechanism in Rule 7.14.11.5.6 (vi)). The earthworks required to form the Defined Area for Building shall be included in the calculations for earthworks associated with the subdivision itself.

- (iii) The applicant shall propose a division of the remaining amount of earthworks (up to 9.5% of the area of the parent site) amongst the newly created titles, including the balance or common lot. In considering the appropriate division of the remaining amount of earthworks the following factors are to be taken into account:



Rule 7.14.12
**Subdivision of Countryside
Living Town Sites**

[Amendment 141]

Rule 7.14.12.1
General Requirements

Rule 7.14.12.2
**Minimum Site Area and
Number of Sites**

- Each of the newly created titles, including the balance or common lot, is to receive an allowance of earthworks for second-generation development
- The requirements for second-generation earthworks are to be considered
- Visual effects
- Ecological effects.

Subdivision of Countryside Living Town Sites

The Council may consent to the subdivision of land in the Countryside Living Town zone down to a minimum of 1-1.5 hectares based on a sliding scale based on the size of the parent site where the following requirements are met:

General Requirements

Subdivision under this Rule shall comply with the relevant rules in Chapter 23 - Subdivision and Servicing.

Minimum Site Area and Number of Sites

- (a) Where no Transferable Title Rights (TTRs) are utilised the minimum average site size for new sites in a subdivision are as given in the table below:

Parent Site Size (hectares)	Minimum Average Site Size (hectares)
0.00 - 5.2499	1.50
5.25 - 9.9999	1.75
10.00 - 13.4999	2.00
13.50 - 17.9999	2.25
18.00 - 21.9999	2.50
22.00 - 27.4999	2.75
27.50 and over	3.00

- (b) The above table is to be interpreted as follows:

- (i) While any site of sufficient size is eligible for subdivision, regardless of the date on which its title was issued, the size of the new lots is to be determined from the size of the parent site, being the site in existence on 28 November 2000.
- (ii) The minimum average site size applies to all Countryside Living sites on the plan of subdivision. No site may be smaller than 1 hectare, and for every site on the plan smaller than the average size specified there shall be another site larger than the average size.



- (c) Where TTRs are utilised the minimum average site size column in the table does not apply. The number of sites on the plan of subdivision may be increased above the number that would be permitted in Rule 7.14.12.2(a) above at the rate of up to two extra sites per Transferable Title Right utilised, but in no case may any site for Countryside Living have an area of less than 1 hectare.

Example

This example assumes that all the 13.2 hectares is available for Countryside Living sites (ie. no land is required for roads, reserves, etc).

Parent site area 13.2 hectares.

Maximum number of sites without TTRs - $\frac{13.2 \text{ ha}}{2.0 \text{ ha}} = 6$

Maximum number of sites with 1 TTR = $6 + 2 = 8$

Maximum number of sites with 2 TTRs = $6 + 4 = 10$

Maximum number of sites with 3 TTRs = $6 + 6 = 12$

Maximum number of sites with 4 TTRs = $6 + 7 = 13$

Maximum number of sites with TTRs = $\frac{13.2 \text{ ha}}{1.0 \text{ ha}} = 13$

- (d) The maximum number of TTRs that may be used to increase the number of sites in a subdivision of a parent site larger than 21.9999 hectares is seven.

Rule 7.14.12.3
**Transferable Title Right
Transfer**

Rule 7.14.12.3.1

Transferable Title Right Transfer

Titles eligible to be used to gain Transferable Title Rights

- (a) Every title used to gain an eligible Transferable Title Right shall be **either** an existing title **or** a site on a plan of subdivision for which consent has been given, provided that:
- (i) Where both titles and sites on a plan of subdivision as described above exist, then only the sites are eligible; and
 - (ii) There is no household unit or valid consent to erect a household unit on the title or site.
 - (iii) Where the property has a subdivision approval which affects only part of the property then those titles that are not affected by that subdivision approval are also eligible.
- (b) The title nominated for transfer must be a title to a site that:



	<ul style="list-style-type: none">(i) Complies with the general requirements of in <i>Chapter 23 - Subdivision and Servicing</i>.(ii) Is capable of being developed with a dwelling in accordance with <i>Chapter 23 - Subdivision and Servicing</i>.(iii) Is no larger than 20 hectares in area.(iv) Is located in a Rural Zone other than a Countryside Living Zone.
Rule 7.14.12.3.2	<p><u>Activity areas and localities in which Transferred Title Rights may be utilised</u></p> <p>The Title Right may be utilised in a subdivision of land in a Countryside Living Town Zone only.</p>
Rule 7.14.12.3.3	<p><u>Process by which Transferable Title Rights may be utilised</u></p> <ul style="list-style-type: none">(a) The Title Right(s) eligible for transfer must be nominated on a plan of subdivision which shows all the existing titles and any sites that have not proceeded to the issue of titles but for which there is a valid resource consent.(b) The Plan shall show all areas to be covenanted or protected in order to allow the creation of the site/s that are proposed to be transferred.(c) For every title or approved site nominated for transfer there shall be a reduction by one in the number of titles or sites on the plan of subdivision. The reduction shall be achieved by a requirement that the titles or sites are redefined as a single site or rescinded in such a way that new titles could not be issued in terms of the Resource Management Act 1991. A consent notice shall also be placed on the remaining title/s from where the titles for transfer are being used stating that the land has utilised subdivision entitlements in respect of specific rules e.g. The land shown as [Lot* DP***] has obtained and used subdivision entitlements in respect of rules [*****state rule number and description] of the Proposed Plan (or state relevant plan or plans)d) It shall be a condition of approval of the plan of subdivision which is utilising the transferred title that the plan may not be deposited until after the plan of subdivision described at (a), (b) and (c) above has been deposited.(e) For each eligible transferred title utilised by the subdivider of land in the Countryside Living Town Zone the plan of subdivision may show one or two additional sites above the maximum number that would normally be allowed (as shown and to the extent shown on the Table at 7.14.12.2(a) above).
Rule 7.14.12.4 Fletcher Building Products Ltd Covenant	<p>Fletcher Building Products Ltd Covenant</p> <p>Where subdivision consent is sought for land shown in Appendix 7D, the</p>



subdivider/owner shall enter into a no complaint covenant that shall:

- (a) acknowledge the existence of the Fletcher Building Products Ltd plant on Lot 1 DP 79682;
- (b) forego any right to complain of the plants lawfully conducted activities; and
- (c) be registered against the title and run with the land.

Rule 7.14.12.5
Protection of Native Bush

Protection of Native Bush

Rule 7.14.9.5 shall apply.

Rule 7.14.12.6
Protection of Wetlands

Protection of Wetlands

Rule 7.14.9.6 shall apply.

Rule 7.14.12.7
Protection of Riparian Margins

Protection of Riparian Margins

Each site shall comply with the requirements of Rule 7.14.2.5 Riparian Margin Protection Standards and Rule 7.14.2.6 Management of Overland Flows.

Explanation and Reasons

This is the most intensive rural residential subdivision. Council will allow this level of subdivision in areas which are adjacent to urban areas but which will not compromise the development of these urban areas as it is not intended that they become urban areas. The areas identified are less sensitive than other rural areas to this intensive level of subdivision in terms of impact on landscape and natural areas.

The rules operate on a sliding scale based on the size of the parent site and titles may be transferred in to reduce the site sizes created but to a minimum site size of 1 hectare which still allows some rural character to be retained and avoids some of the amenity issues, such as work, associated with urban density living.

In order to ensure that the environmental values on the parent site are retained and not destroyed by this level of intensive development, any bush over 1 hectare in area or wetland over 200m² has to be fenced and permanently protected.

The riparian areas also have to be fenced, permanently protected and planted to mitigate some of the adverse effects of the development. Protecting these values has the potential to assist in reducing overland flows and retaining hydrological neutrality (ie. overland flows to pre-development levels) creating or retaining habitat maintaining biodiversity and minimising erosion.

Rule 7.14.12.8
Kumeu Show Grounds

Kumeu Show Grounds

In respect of the land shown on the Plan in Appendix 7D subdivision consent will only be granted if the owner of any new sites or lots created agrees to a



Rule 7.14.13
**Subdivision of Low Intensity
Settlement sites in the Kawau
Island Zone - Settlement
Policy Area Only**

covenant in which the owner acknowledges the existence of the Kumeu Show Grounds on Part Lots 9 and 10 Deeds Whau 56, Blk V Waitemata SD and forgoes any right to complain of activities lawfully undertaken on the Show Grounds.

Subdivision of Low Intensity Settlement sites in the Kawau Island Zone - Settlement Policy Area Only

The Council may consent to the subdivision of land to create low intensity settlement sites on Kawau Island in the Settlement Policy Area only where the following requirements are met:

Rule 7.14.13.1
General Requirements

General Requirements

Subdivision under this Rule shall comply with rules in *Chapter 23 - Subdivision and Servicing*.

Rule 7.14.13.2
Minimum Site Size

Minimum Site Size

- (a) A minimum area of 4,000m² net capable of containing a square measuring 30 metres x 30 metres.

Rule 7.14.13.3
Access

Access

- (a) Up to five sites may be created, all gaining frontage either over a jointly owned access lot or right-of-way not less than 6 metres in width (or a combination of both) or direct to the foreshore. Each site shall have legal access to a jetty or wharf.

Explanation and Reasons

On Kawau Island, within the Settlement Policy Area the Council will allow an urban type development at the low intensity scale. This provides for urban type living, while minimising the effects on the high landscape and environmental values. Because of the desire to have water access many sites that are created are long and narrow therefore it is important that the width of the site is sufficiently wide to ensure a dimension of 50 metres to provide sufficient width for a house.

Rule 7.14.14
**Subdivision for Rural Hamlet
Conservation Subdivision**

Subdivision for Rural Hamlet Conservation Subdivision

The Council may consent to the subdivision of land within sites identified in Appendix 7H for the creation of a Rural Hamlet Conservation Subdivision as a Restricted Discretionary Activity where the following requirements are met.

Explanation and Reasons

1. *This form of development will assist in increasing the sustainability of rural*



Rodney by providing an alternative to the sometimes sporadic nature of rural settlement in the District, conserving the usability of land resources, protecting open spaces in rural areas, reducing conflicts between the expectations of farmers and people living on rural residential sites, and minimising adverse impacts on rural character and amenity values.

2. *The approach is to focus clustered rural residential living opportunities in close proximity to existing rural towns and villages. The approach will also provide for a diversity of household types, age groups and income levels by promoting a range of site sizes and dwelling types within a clustered hamlet format which better meet the varying needs of people who wish to live in rural locations.*
3. *Existing vacant titles in the rural areas and also titles that may be created in future will be rationalised by providing for their transfer to locations near identified existing rural towns and villages. Titles will be able to be transferred at a one to one ratio, with the same amount of overall rural development being allowed in the District. This type of development opportunity will only be provided in the identified locations as a precautionary approach is considered desirable in testing this new type and form of development opportunity.*
4. *Development will be required to complement existing rural towns and villages and avoid adverse effects on their coherence and unity. Clear edges will be maintained around the rural towns and villages identified for this growth, with Rural Hamlet Conservation Subdivision being assessed in regard to physical factors such as topography, the presence of native vegetation, streams, rivers, State Highways etc. and the maintenance and protection of open space values, and natural features.*

Overall it is anticipated that these provisions create the potential for significantly better resource management outcomes than the emphasis on larger rural residential sites enabled by a more dispersed form under other subdivision rules.

Rule 7.14.14.1 General Requirements

General Requirements

Subdivision under this Rule shall comply with the relevant rules in *Chapter 23 - Subdivision and Servicing* except that full compliance with the Standards for Engineering Design and Construction as per Rule 23.8.11.1.2 is not required where Rule 7.14.14 provides otherwise.

For the purpose of Rule 7.14.14 the terms listed are defined as follows:

'Hamlet' means a compact cluster of houses, on housing sites and townhouse sites, and associated facilities in a rural setting designed to relate houses to one another, and designed in such a way as to conserve most of the parent site as rural land in perpetuity.

'Housing site' means a site that enables a detached household unit within a hamlet.

'Townhouse site' means a smaller site that enables a semi-detached or terraced household unit within a hamlet.





Rule 7.14.14.2
**Location of Rural Hamlet
Conservation Subdivision**

Rule 7.14.14.3
**Sites that shall be utilised to
create a Hamlet**

Rule 7.14.14.4
**Transferable Title Right
Eligibility**

'Living site' means a Housing site or a Townhouse site.

'Conservation site' means a site held in accordance with Rule 7.14.14.8 for which its primary purpose shall be to provide for land or vegetation conservation and enhancement, open space, access, pedestrian linkages and wastewater irrigation.

'Farm lot' means a site for the primary purpose of farming.

'Rural Hamlet Conservation Subdivision' means a subdivision pursuant to Part 7.14.14 that consolidates housing opportunities into a Hamlet(s) whilst conserving most of the parent site as rural land in perpetuity.

'Site' has the same meaning as set out in Chapter 3, except that in Part 7.14.14 'site' includes a housing site and a townhouse site.

Location of Rural Hamlet Conservation Subdivision

Rural Hamlet Conservation Subdivision shall only be located within the areas identified in Appendix 7H.

Sites that shall be utilised to create a Hamlet

- (a) Every Housing Site and Townhouse Site within a Rural Hamlet Conservation Subdivision shall be provided by way of a site(s) qualifying under Rule 7.14.14.4 as a Transferable Title Right.
- (b) In addition or as an alternative to utilising a Transferable Title Right(s), an application may use proposed sites within the parent site that the Council considers satisfy the requirements of the relevant rules (and anticipated environmental outcomes) for types of subdivision under Rules 7.14.1.1(a)(i) — (iii) and (g); and 7.14.1.2(a) in all respects other than in regard to site size and location. Any sites proposed under this rule shall be identified on a plan of subdivision in addition to the plan of subdivision for the proposed Rural Hamlet Conservation Subdivision.

Note: Rule 7.14.14.3(b) is to give effect to Explanation and Reasons 1 and 2 of Rule 7.14.14, but also enables subdivision opportunities based on environmental enhancement to occur within the parent site and for this to be included within the overall Rural Hamlet Conservation Subdivision.

Transferable Title Right Eligibility

Titles eligible to be used to gain Transferable Title Rights

- (a) Every title used to gain an eligible Transferable Title Right shall be **either** an existing title **or** a site on a plan of subdivision for which resource consent has been given, provided that:



- (i) Where both titles and sites on a plan of subdivision as described above exist, then only the sites are eligible; and
 - (ii) There is no household unit or valid consent to erect a household unit on the title or site.
 - (iii) Where the property has a subdivision approval which affects only part of the property then those titles that are not affected by that subdivision approval are also eligible.
 - (iv) Where the site was approved under Rules 7.14.3 to 7.14.7, or approved by the Council's assessment pursuant to Rule 7.14.14.3(b), the covenanting, protection, planting, or rehabilitation has occurred to the level required in those Rules and/or conditions of resource consent.
- (b) The title nominated for transfer must be a title to a site that:
- (i) Complies with the general requirements of *Chapter 23 - Subdivision and Servicing*.
 - (ii) Is capable of being developed with a dwelling in accordance with *Chapter 23 - Subdivision and Servicing*.
 - (iii) Is located in a Rural Zone other than a Countryside Living Zone.

Rule 7.14.14.5
**Process for utilising
Transferable Title Rights**

Process for utilising Transferable Title Rights

Refer Rule 7.14.12.3.3(a) — (d)

Rule 7.14.14.6
Number of Sites

Number of Sites

- (a) The minimum parent site size shall be 8 hectares.
- (b) The minimum number of Living sites in a Hamlet shall be 4.
- (c) The maximum number of Living sites in a Hamlet shall be 20.
- (d) Where no more than 20 Living sites are proposed, there shall only be one Hamlet.
- (e) Where more than 20 Living sites are proposed, the number of Hamlets shall be no more than the number of sites divided by 20 rounded up to the nearest whole number to ensure that the number of Hamlets are minimised.
- (f) Except as provided in (g) below, the total number of Living sites within a Rural Hamlet Conservation Subdivision shall be on the basis of a maximum of one Living site for every 1.5 hectares of the parent site on the plan of subdivision.



Rule 7.14.14.7
Activity Status

- (g) The maximum number of Living sites within a Rural Hamlet Conservation Subdivision, where no connection to a public reticulated wastewater system or where no suitable communal reticulated wastewater system is proposed, shall be 6. Where the parent site on the plan of subdivision is less than 15 hectares in area, the total number of Living sites shall be on the basis of a maximum of one site for every 2.5 hectares of the parent site.

Activity Status of Rural Hamlet Conservation Subdivision and Development

- (a) Subject to (b) to (e) below, an application for a Rural Hamlet Conservation Subdivision will be assessed as a restricted discretionary activity.
- (b) An application for a Rural Hamlet Conservation Subdivision that is not for the entire parent site shall be assessed as a non-complying activity.
- (c) Following the granting of consent under Rule 7.14.14, any further subdivision shall be assessed as a non-complying activity.
- (d) An application for a Rural Hamlet Conservation Subdivision that infringes any standard under Rules 7.14.14.10(h) and (j) or 7.14.14.11 — 12 or Rule 23.8.11 (not otherwise addressed by 7.14.14) shall be assessed as a discretionary activity, subject to the criteria at 7.15.14.
- (e) An application for a Rural Hamlet Conservation Subdivision that infringes any other standards under 7.14.14 shall be a non-complying activity.
- (f) Following the granting of consent in relation to these provisions, activities within any site shall be subject to Rule 7.9.1.1, except where amended by Rule 7.14.14.12, and comply with development controls and performance standards of the underlying rural zone; subject to compliance with any conditions attached to, and entitlements from, any relevant consent on the site.
- (g) Minor Household Units as part of a Rural Hamlet Conservation Subdivision shall be assessed as:
- (i) a restricted discretionary activity where the Minor Household Unit is on a Housing site with a minimum net site area of 1 hectare, and is separated from the Principal Household Unit by a maximum distance of 6 metres; and
 - (ii) a non-complying activity in all other cases.

This amends Rule 7.9.2 (Table 1).

- (h) Home Occupations carried out within a Rural Hamlet Conservation Subdivision shall be limited to one additional person associated with the Home Occupation who does not live on the site. This amends Rule 16.8.1(c) and (d).



Rule 7.14.14.8
Conservation land

Conservation Land

- (a) A minimum of 80% of the land within the Rural Hamlet Conservation Subdivision shall be identified as Conservation Land and shall be held in one or a combination of the following:
 - (i) in a single Conservation Site in equal undivided shares by the owners of all the Living sites;
 - (ii) in one or more Housing sites, subject to the requirements of Rule 7.14.14.9(c) below;
 - (iii) in a balance Farm lot(s) comprised in a single site.
- (b) Any land not included as Conservation Land in accordance with (a) above shall be commonly owned and included as an access road or in a Hamlet as a central green or neighbourhood square.
- (c) A minimum of 15% of the area defined as Conservation Land shall be in a form usable to and accessible by the residents of the Hamlet, and may include a playing field, walking trail, community park or combination of these, (but shall not include a central green or neighbourhood square provided within the Hamlet); and shall be owned in equal undivided shares by the owners of all of the Living sites.
- (d) All land identified as a Primary or Secondary Conservation Area under Rule 7.14.2.7 and all land identified for restoration planting under Rule 7.14.14.14(a)(iii) below shall be included within the area shown as Conservation Land on the subdivision plan.
- (e) All land identified as Conservation Land shall be subject to a restrictive covenant or ongoing consent condition to be registered against the title of the land which prevents any future subdivision or development of the land and maintains the land as open space, provided that a maximum of 500m² of the Conservation Land held in accordance with (a)(i) or (b) above may be shown on the plan of subdivision as able to be occupied by non-habitable community buildings or structures (not including farm accessory buildings); provided that these are located in close proximity to the Hamlet.□
- (f) Any buildings within a Farm lot shall be subject to the design and layout standards within Rule 7.14.14.12.
- (g) Any subsequent application to subdivide a Farm lot shall be a prohibited activity.

Rule 7.14.14.9
Minimum and Maximum Site Size

Minimum and Maximum Site Size

- (a) The following maximum and minimum net site sizes shall apply for a Housing Site that is **not** served by a suitable communal reticulated wastewater system or connected to a public wastewater system:



- (i) A minimum of 4 of the sites: 1,500m² – 1,999m²
 - (ii) A maximum of 1 of the sites: 2,000m² – 1.9999 hectares
 - (iii) A maximum of 1 of the sites: 2 - 4 hectares
- (b) Subject to (d) below, the following maximum and minimum net site sizes shall apply for a Housing Site that is served by a suitable communal reticulated wastewater system or connected to a public wastewater system:
- (i) A minimum of 70% of sites: 500m² – 999m²
 - (ii) A maximum of 30% of sites: 1,000m² – 1,999m²
 - (iii) A maximum of 10% of the sites: 2,000m² – 1.9999 hectares
 - (iv) A maximum of 10% of the sites: 2 – 4 hectares
- Site fractions of 0.49 or less shall be rounded down to the nearest whole number, fractions of 0.5 or more shall be rounded up.
- (c) Sites subdivided under (b) (iii) or (iv) above may include land identified as Conservation Land up to a maximum of 90% of their net site area, subject to the restrictions on subdivision and development set out in Rule 7.14.14.8(e).
- (d) A maximum of 35% of the Living sites permitted by Rule 7.14.14.6 may be Townhouse sites, subject to meeting the requirements of this rule, and the following requirements:
- (i) Each Townhouse site shall have a net size of between 250m² and 500m²;
 - (ii) All Townhouse sites shall be connected to a public wastewater system or served by a suitable communal reticulated wastewater system;
 - (iii) Each Townhouse Site shall include plans for a household unit in accordance with the requirements of 7.14.14.12 and 7.14.14.13. All land, outdoor and carparking and manoeuvring areas shown to be associated with the household unit on the plans accompanying the application in accordance with Rule 7.14.14.12 and 7.14.14.13 shall remain associated with the household unit; and
 - (iv) The Council will not approve the survey plan under section 223 of the Act, until all household units on all Townhouse sites included in the subdivision application are completely framed up to, and including, the roof level, and the Council is satisfied that it has been built in accordance with the granted resource consent. The Council may require the height of the building and its position in relation to site boundaries to be confirmed by a certificate from a registered surveyor.



Rule 7.14.14.10
**Design and Layout of
Subdivision and Sites**

Design and Layout of Subdivision and Sites

Conservation Subdivision Plan

- (a) A conservation subdivision plan shall be completed in accordance with Rules 7.14.2.7 and 7.14.14.14 and shall be used as the basis for the subdivision and shall be submitted with the plan of subdivision. The plan of subdivision shall provide appropriate legal mechanisms to ensure the avoidance of the constraints and to ensure the mitigation and/or permanent protection of the values identified in the conservation subdivision plan.

Requirement for a Defined Area for Building

- (b) Each proposed Housing site shall accommodate a Defined Area for Building with a minimum area of 225m² located so as to permit a residential household unit to comply with the standards in Rule 7.14.14.12.
- (c) Each Defined Area for Building shall be identified by pegging on the ground before the proposed plan of subdivision is submitted for approval and shall be shown on all plans of proposed subdivision submitted for approval including the plan submitted for deposit, and its existence shall be noted on the title for each site pursuant to a Consent Notice under section 221 of the Act or similar mechanism.

Frontage and Shape of Living Sites

- (d) All Living Sites shall have a minimum frontage of 10m to an access road.
- (e) All Housing Sites shall be capable of accommodating a 15m x 15m square.
- (f) For the purpose of Rules 7.14.14.10 and 7.14.14.12 all Living sites are front sites notwithstanding their frontage is to a privately owned access road.

Arrangement of Living Sites

- (g) All Living sites must be located within a Hamlet.
- (h) Living Sites shall meet the following locational standards:
- (i) Each Living Site shall abut at least one other Living Site; and at least 80% of the Living Sites in a Hamlet shall:
- a. Be located opposite another Living Site, either across an internal access road, central green or neighbourhood square (or both); and
- b. Either directly abut Conservation Land, or face Conservation



Land across an internal access road.

- (ii) Where Living Sites in a Hamlet are separated:
 - a. By an access road, or a central green or neighbourhood square, a maximum separation distance of 100m between any part of the sites' Defined Areas for Building shall not be exceeded; or
 - b. By an access road or street **and** a central green or neighbourhood square, a maximum separation distance of 120m between any part of the sites' Defined Areas for Building shall not be exceeded.
- (i) Central greens or neighbourhood squares may be provided within the Hamlet. If provided, any central green or neighbourhood square shall be owned in equal undivided shares by the owners of all the Living sites in accordance with Rule 7.14.14.8(b) and have a minimum dimension of 30m.
- (j) A Defined Area for Building shall be a minimum of:
 - (i) 50m from the parent site boundary and any active recreation areas such as courts or playing fields; and
 - (ii) 100m from a public road boundary or any buildings housing livestock; and
 - (iii) 300m from the nearest Defined Area for Building within another Hamlet.
- (k) A Defined Area for Building shall not be in areas identified as residential, business, open space zones or a Quarry Effects Management Area or Significant Mineral Extraction Resource in the planning maps or in an adopted structure plan. The area(s) shall not be located where it could prevent the establishment of an Indicative Road.
- (l) Each Living site shall comply with the requirement of Rule 7.14.2.5 Riparian Margin Protection Standards, and Rule 7.14.2.6 Management of Overland Flows.

Boundary Treatments for Living Sites

- (m) Any fences shall stop at or behind the front façade of the house, with any gates to side or rear yards also behind the line of the façade. Fences on the side boundary or within the side yard shall not exceed a maximum height of 1.2m.

Note: see also Assessment Criteria 7.15.14(j)

Boundary Treatments between Living Sites and Conservation Land

- (n) Any boundary treatments between Living sites and Conservation Land



Rule 7.14.14.11
Access

shall be comprised of trees or shrubs, or where fences are used they shall not exceed a maximum height of 1.2 metres.

- (o) This rule shall also apply to boundary treatment when Conservation Land is held with a Housing Site in accordance with Rule 7.14.14.8(a)(ii).

Vehicular and Pedestrian Access

- (a) The formed carriageway shall have a minimum width of 3m and a maximum width of 6m, and it shall be formed on the shared access road.
- (b) The minimum legal width of an access road shall be 3m wider than the formed carriageway width. The access road shall be held by way of shared rights of way or in a jointly owned access lot in favour of all lots obtaining access over it.
- (c) No footpaths alongside access roads are required.

Footpaths connecting the Hamlet(s) to adjacent roads or sites may be required if they are assessed as appropriate under Rule 7.15.14 (r).

- (d) Only one shared access road from a public road shall be provided for a Hamlet.
- (e) Where a shared access road is proposed to service different Hamlets, or if there is more than one connection to the public road, the connections to the public road shall be separated by at least 500m.

Rule 7.14.14.12
Household Unit Design and Layout

Household Unit Design and Layout

- (a) The application shall include proposed design and layout proposals to give effect to the following household unit design guidelines and requirements relating to all proposed Living sites within the subdivision. Buildings shall be subject to the development control standards for the General Rural zone (Rule 7.10), except where otherwise amended by the following:
 - (i) A minimum of two-thirds of the sites shall contain household units with pitched or gabled roofs. The maximum height of Accessory Buildings shall be 6m.
 - (ii) Yards for Household Units and Accessory Buildings other than garages and carports:
 - a. Front yard:
 - i Minimum – 4m; except that for front porches and steps the minimum is 2m;
 - ii Maximum – 10m;

provided that an Accessory Building shall be located at least 3m



behind the front facade of the Household Unit.

b. Side yard:

- i Household Unit – 2m where it adjoins Conservation Land.
- ii Household Unit – 3m where it adjoins another Living site or other land within the Hamlet;
- iii Accessory Buildings – 1.2m;

c. Rear yard:

- i Household Unit – Minimum 10m;
- ii Accessory Buildings – Minimum 1.2m.

(iii) Yards for garages and carports:

- a. Attached to household unit – 3m minimum behind front façade of Household Unit.
- b. Detached – minimum of 12m from front boundary.

(iv) Maximum Site Coverage of Buildings:

- a. Townhouse Sites: 50%;
- b. Housing Sites: 175m² plus 7.5% of the net site area in excess of 500m², or a maximum of 300m², whichever is the lesser.

- (b) The household unit design and layout proposals and standards required by (a) above shall be included on the relevant title for each site pursuant to a Consent Notice under section 221 of the Act or similar mechanism.

Rule 7.14.14.13
Townhouse Sites

Townhouse Sites

Where Townhouse Sites are proposed under Rule 7.14.14.9(d) the application for subdivision consent shall include details of the proposed Townhouse Sites' proposed household unit design and layout to demonstrate the following:

- (a) Grouping of Townhouses either in pairs of semi-detached household units, or in terraced style housing, each containing no more than three attached household units.
- (b) Compliance with the requirements of Rule 7.14.14.12 above except for 7.14.14.12(a)(ii)b (Side Yards).

Rule 7.14.14.14
**Conservation Subdivision
Plan Requirements**

Conservation Subdivision Plan Requirements

- (a) The conservation subdivision plan required under Rule 7.14.14.10(a) shall include a management plan (to be finalised in accordance with the conditions of resource consent) setting out:
 - (i) The objectives of the proposal;



- (ii) The mechanisms to ensure that the management plan and associated conditions of resource consent applies to and binds owners and future owners;
- (iii) Where restoration planting and/or other natural resource management works are to be undertaken, performance may be secured by a Council bond on the following basis:
 - a. bonded work is to be completed within 4 years of the subdivision section 224(c) certificate issuing;
 - b. access to bonding will not be available until one year after planting, where there is evidence to the Council's satisfaction of the successful initial implementation of an approved management plan;
 - c. the management plan is to include matters of the following type: named species appropriate to the location, size at planting, density(refer to Appendix 7E), seed source, weed clearance/release, pest control, fertiliser application and, at Council's discretion, a requirement for irrigation should conditions require; and
 - d. legally effective post-section 224 certificate arrangements are required which secure the retention of re-planted vegetation; establish responsibility for continued execution of the management plan until its objectives (be they tree height, percentage canopy cover or both) and/or term are satisfied, and ensure Council access to the land in the event the bond is to be executed. These requirements may necessitate a bond to be complemented by covenants or other legal instruments.
- (iv) The matters under Rule 7.14.14.15.
- (b) The Council retains the discretion not to accept bonding where there is a potentially harsh environment or other factor(s) which it considers presents a significant risk to the successful implementation of the management plan. Evidence of the degree of risk shall be included in the information required as part of the conservation subdivision plan.

Rule 7.14.14.15
Additional Management Plan Requirements

Additional Management Plan Requirements

- (a) The management plan required under Rule 7.14.14.14 shall set out the proposals for wastewater and stormwater infrastructure for the wastewater discharge consent which provides details of:
 - (i) The design and materials of the proposed wastewater and stormwater disposal system that shall avoid environmental and community health and safety risks and meet Council's engineering standards;



- (ii) Measures to ensure quality control of the proposed system design, manufacturing and installation;
 - (iii) Legal and financial structures to bind owners and future owners as responsible for the costs of purchasing, installing, ongoing operating, regular monitoring and maintenance of systems and all associated costs including funding for depreciation (future renewals and replacement);
 - (iv) Sufficient and suitable disposal areas taking into account land slope, orientation, the volume of potential wastewater and stormwater from the development, rainfall, ground conditions and appropriate set backs from streams, boundaries and public or communal areas such as central greens;
 - (v) Measures to avoid adverse effects on sites in lower parts of the catchment, appropriately control vegetation on the disposal field and divert stormwater from the disposal field;
 - (vi) Proposed covenants to be placed on the title of all Living sites setting out the obligations and responsibilities of future owners with respect to the stormwater and the wastewater disposal system and any necessary ongoing limits on household occupancy, use of low flow devices, avoidance of harsh chemicals or similar appropriate measures;
 - (vii) Legal and financial arrangements to satisfy the Council that a maintenance contract involving a competent service provider is put in place to regularly check and maintain the proposed system with appropriate safeguards to ensure that if the contract is altered or discontinued, that checks, maintenance and remedial works still occur and are reported to Council at agreed intervals;
 - (viii) Legal and financial arrangements to ensure the Council shall not be required to pay any costs for works needed to meet appropriate building code, engineering and health and safety standards and compliance with conditions of consent in perpetuity including appropriate contingencies for immediately remedying any system failures, adverse effects on adjoining or adjacent sites, community health and safety issues, damage from flooding or other natural events, or to address non-compliance with conditions of consent.
- (b) The Council retains the discretion not to accept the Rural Hamlet Conservation Subdivision where the proposals for roading, wastewater and stormwater infrastructure pose a significant safety risk, environmental risk or legal or financial risk to the Council in its assessment. Evidence of the degree of risk shall be included in the information required as part of the management plan.
- (c) The management plan required under Rule 7.14.14 shall set out the proposals for on-going maintenance of commonly-owned facilities, access roads, fencing, pedestrian trails, and other access or recreational tracks, paths or routes.



- (d) The management plan required under Rule 7.14.14.14 shall set out the proposals for on-going maintenance of the Conservation Land, including weed and pest control.
- (e) A proposal may include the provision of open space, esplanade reserves or infrastructure to be vested in the Council. The Council retains the discretion to not accept the vesting where a reserve does not in its assessment offer significant public or ecological benefits or is not of strategic importance, or where the infrastructure could create an unacceptable responsibility for ongoing maintenance, or to resolve future problems.





7.15

Rule 7.15.1 Matters for Discretion

SUBDIVISION : RESTRICTED DISCRETIONARY ACTIVITIES : MATTERS FOR DISCRETION AND ASSESSMENT CRITERIA

Matters for Discretion: All Subdivision

The Council will restrict its discretion to the following matters:

- (a) Site size, shape and number of sites.
- (b) Site contour.
- (c) Site access and frontage.
- (d) Duration and nature of covenants.
- (e) Earthworks and land modification.
- (f) Tree and bush removal/protection.
- (g) Mitigating vegetation planting.
- (h) Natural hazard avoidance/mitigation.
- (i) Reserve provision.
- (j) Financial contributions and contributions of works or services.
- (k) Utility provision.
- (l) Suitability for building and building area location and size within a site.
- (m) Neighbouring land use activities.
- (n) Proximity to sites identified on the Planning Maps as a significant aggregate or limestone extraction resource.
- (o) Cumulative effects
- (p) Wildlife values
- (q) Biodiversity

Rule 7.15.2 Assessment Criteria: All Subdivision

Assessment Criteria: All Subdivision

Having regard to section 4.5.2 Council will consider any application for subdivision against the following criteria:

- (a) Whether the subdivision can occur in accordance with the objectives and

Other Provisions



	<p>policies for all rural zones (7.3 and 7.4), including the specific objectives, policies and zone description for the particular Zone, and any relevant provisions stated in Chapter 6 — Highly Valued Natural Resources.</p>
<i>Rural character</i>	<p>(b) Whether the particular subdivision can occur without creating adverse effects, including cumulative effects, on the rural character anticipated within the particular Zone, or Policy Area as described in section 7.8.</p>
<i>Shape and size of site</i>	<p>(c) Whether the site size, shape, contour and access is suitable for the intended use (as provided for in the Activity Tables in Rule 7.9.2 and Rule 7.9.3) of the site.</p>
<i>Earthworks</i>	<p>(d) Whether the site or sites is located so that it does not require substantial earthworks or land modification to obtain access or any building area.</p>
<i>Features to be protected</i>	<p>(e) Whether the site (or sites) is located so that a household unit can be erected on it without significantly detracting from, damaging or destroying any features on the site required to be protected, or from the visual amenity values present in the vicinity of the site.</p>
<i>Entranceways</i>	<p>(f) Whether the site or sites is located so that a proliferation of entranceways along a public road does not result and the effects on the safe and efficient operation of the roading network.</p>
<i>Vehicle access</i>	<p>(g) Whether it is possible to avoid direct vehicle access to a State Highway or a regional arterial road by using alternative access to a lower order road where such access exists or can be readily obtained.</p>
<i>Quarrying</i>	<p>(h) Whether any site is located so that a household unit can be erected upon it without unduly limiting quarry operations or future extraction at sites which are identified on the Planning Maps as Significant Mineral Extraction Resources.</p> <p>Note: The desirable buffer distance between the mineral extraction and processing site and an activity that could potentially conflict with extraction and processing activity is 500 metres for rock extraction using blasting and 200 metres for other extraction. Exceptions to this desirable buffer distance from the mineral extraction and processing site are shown in the Planning Maps where the “Quarry Effects Management Area” on the map may vary to reflect different local circumstances. Activities which can be sensitive to noise and vibration generated during extraction and processing and to adverse visual effects include residential and community activity. Any building for a potentially sensitive activity should be located, designed and constructed to mitigate any adverse effects of proximity to existing and probable future quarry operations.</p>
<i>Visual amenity</i>	<p>(i) Whether the subdivision layout avoids locating building platforms on a prominent ridge, knoll or skyline where the erection of buildings would dominate the natural landscape or detract from the visual amenity values in the area.</p>
<i>Natural hazards</i>	<p>(j) Whether the subdivision will initiate or exacerbate natural hazards, through earthworks or access provision, or result in building areas being subject to natural hazards.</p>



<i>Financial contributions</i>	(k) Whether there are sufficient financial contributions provided to offset adverse effects generated by the subdivision.
<i>Services and reserves</i>	(l) Whether there are adequate contributions of water and services and reserves to offset adverse effects generated by the subdivision.
<i>Mahurangi Harbour walkways</i>	(m) Whether in the case of subdivision of land in the Mahurangi Harbour catchment there are opportunities to provide walkways with connections to other reserves or to provide access to the harbour and or lookouts over the Mahurangi Harbour.
<i>Utilities</i>	(n) Whether adequate utilities are provided for the subdivision.
<i>Boundaries and buildings areas</i>	(o) Whether site boundaries take into account the natural geographic features and whether building areas are unobtrusive and avoid the need to remove areas of native trees and bush.
<i>Natural features</i>	(p) Whether the subdivision layout encourages the retention, protection and management of existing native vegetation, wildlife habitats, watercourses and natural features, including the fencing of perennial watercourses to prevent access by stock.
<i>Fencing</i>	(q) Whether any fencing of bush or wetland areas, or native and exotic and revegetation areas or land rehabilitation areas, as required as part of subdivision is undertaken to be appropriate standard to be stock proof, around the perimeter of the area. Where this is to be waived, whether it can be shown that: <ul style="list-style-type: none"> (i) physical obstacles such as cliffs or rivers already provide sufficient protection from stock and animals; (ii) fencing would detrimentally affect the area to be protected; (iii) the natural features is of a type that would not be damaged by stock and animals and fencing otherwise unnecessarily.
<i>Legal protection</i>	(r) Whether any area of natural significance, wetlands, bush and wildlife habitat are legally and physically permanently protected as part of the subdivision.
<i>Riparian margins</i>	(s) Whether the riparian protection measures proposed are adequate to protect the riparian margins permanently, including fencing and planting.
<i>Hydrological neutrality</i>	(t) Whether the overland flows are hydrologically neutral (i.e. retain flows at pre-development levels).
<i>Reserves</i>	(u) Whether adequate reserves are provided to meet recreational needs of residents.
<i>Conservation areas</i>	(v) Whether the subdivision results in removal of areas identified for protection in the primary and secondary conservation areas in the Conservation Subdivision Plan, and whether the adverse effects of this can be avoided, remedied or mitigated.



<i>Layout and scale</i>	(w) Whether the layout, character and scale of the subdivision is done in such a manner and at a scale that compliments natural features identified in primary and secondary conservation areas in the Conservation Subdivision and does not overwhelm them or result in a loss of or compromise the often "remote" and non-urban character of Zones or Policy Areas.
<i>Location and design of subdivision</i>	<p>(x) The extent to which the subdivision (taking into account remedial and mitigatory proposals):</p> <ul style="list-style-type: none"> (i) Avoids adverse effects on reserve land and any open sanctuary restoration projects, including buffer areas. (ii) Avoids adverse effects on significant flora and fauna habitats including habitats of threatened species. (iii) Avoids adverse effects on threatened ecosystem types such as wetlands and dune systems, and coastal ecosystems. (iv) Avoids the fragmentation of existing natural areas.
<i>Maori values</i>	(y) Whether the activity will adversely effect the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
<i>Rural Productivity/Reverse sensitivity</i>	(z) Whether the location, design or density of the sites in the proposed subdivision will adversely impact on the productivity or management of established rural production activities or the ability of neighbouring sites to establish permitted rural production activities.
<i>Water quality</i>	(za) Whether the works and development associated with the subdivision will adversely impact on the natural quality of any water bodies, including rivers flowing to the sea and the sea itself.
<i>Cumulative Effects</i>	<p>(zb) Whether the subdivision may have adverse cumulative effects, including whether:</p> <ul style="list-style-type: none"> (i) The effects of the proposed subdivision add to or act together with the effects of the existing environment; and (ii) The effects of any consented subdivision that may establish in the future will add to or act together with the proposed subdivision.
<i>Wildlife values</i>	(zc) Whether there are effective buffers and setbacks between development and natural areas and wildlife habitats, or that development is located an adequate distance away from natural areas to avoid significant adverse effects on ecological and wildlife values.
<i>Ecosystem health</i>	(zd) Whether the subdivision and subsequent development will adversely affect any flora or fauna species including threatened or endangered species existing on the site or in the surrounding area, including the area of land that extends down to the mean high water mark.
<i>Human impact</i>	(ze) Vehicular access to ecologically sensitive areas should be avoided and



7.15.3

Assessment Criteria: All Subdivision Within the East Coast Rural Zone, the Landscape Protection Rural Zone, the Dune Lakes Zone and the Kawau Island Zone — Bush Policy Area only or the West Coast Policy Area

Assessment Criteria: All Subdivision Within the East Coast Rural Zone, the Landscape Protection Rural Zone the Dune Lakes Zone and the Kawau Island Zone — Bush Policy Area only or the West Coast Policy Area

walkway access shall be carefully controlled to ensure that the human impacts of development, particularly in relation to adverse effects on threatened or endangered species are avoided.

In addition to the criteria in 7.15.2 and any other appropriate criteria, when considering an application for the subdivision of land within the East Coast Zone, Landscape Protection Zone, Dune Lakes Zone, or the Kawau Island Zone — Bush Policy Area, or the West Coast Policy Area the Council will have regard to the following criteria:

Zone Descriptions

- (a) Whether the subdivision maintains the special character and amenity as described in the zone descriptions for the East Coast Rural Zone (7.8.2.3), the Landscape Protection Rural Zone (7.8.3.3), the Dune Lakes Zone (7.8.4.3), or the Kawau Island Zone — Bush Policy Area (7.8.6.3).

Landform modification

- (b) Whether the subdivision, including provision for access and utilities, would require extensive landform modification and whether the adverse effects on the landscape and amenity values of the particular area are avoided or appropriately mitigated. Where this is not achievable the subdivision will be considered to be inappropriate. □

Site development

- (c) Whether the subdivision and site development, including provisions for access and utilities, uses the existing landform as a basis as far as is practicable so that adverse effects on the landscape and discharge of silt are avoided or appropriately mitigated.

Water quality

- (d) Whether the subdivision and associated works will have adverse effects on the natural quality of any waterbodies, including streams flowing to the sea and the sea itself.

Visual amenity — building platforms

- (e) Whether the building platform/s identified in the subdivision allow for any house or structure to be built below the brow of any ridge or hill on which it would be sited so that the highest point of any building or structure is below the landform or any existing native trees or bush screening the building site, when the site (or sites) is viewed from any public road or public land including any beach, the sea or regional park. Where this is not achievable, the building platform/s will be considered inappropriate.
- (f) Whether the building platforms on the proposed sites would allow development that would adversely affect stands of mature native forest that are significantly exposed to any public road or public land including



	any beach, the sea or reserve area. Where this occurs, the building platform/s will be considered inappropriate.
<i>Visual amenity — lighting</i>	(g) Whether exterior lighting, including any street lighting, is provided in such a way as to not be prominent, particularly against a dark background, when viewed from a public place including the coast.
<i>High landscape values</i>	(h) Whether the design, layout, character and scale of the subdivision protects or enhances the high landscape values of the area and does not adversely affect those values in a more than minor way having regard to the local landscape's ability to absorb change in respect of other factors, including the nature and variability of local terrain, the extent and distribution of vegetation cover, and the location and nature of existing development and structures within it.
<i>Mahurangi Harbour walkways</i>	(i) Whether in the case of subdivision of land in the Mahurangi Harbour catchment there are opportunities to provide walkways with connections to other reserves or to provide access to the harbour and or lookouts over the Mahurangi Harbour.
<i>Natural Character</i>	<p>(j) Whether the subdivision, including the location of building platforms, would adversely affect the natural character of the coastal environment, and the degree to which it would affect the natural landforms and vegetation cover that affect such character and values having regard to:</p> <ul style="list-style-type: none"> • current levels of naturalness and the integrity of that part of the coastal environment; and • screening and integration potential afforded by natural landforms and vegetation.
<i>Coastal Processes</i>	(k) Whether the subdivision and development will protect and not adversely affect in a more than minor way the natural functioning of coastal processes.
<i>Ecosystem health</i>	(l) Whether the subdivision and development will have significant adverse effects on wildlife, flora and ecological values and whether such effects can be avoided or effectively mitigated.
<i>Modification of natural systems</i>	(m) Whether the subdivision and development results in adverse effects on natural dune systems or river or stream margins, and if so, whether those effects can be effectively remedied or mitigated.
<i>Human impact and remoteness</i>	(n) Vehicular access to sensitive areas should be avoided and walkway access shall be carefully controlled to ensure that the adverse effects on the quality and/or remote character of the environment in the Landscape Protection Rural and East Coast Rural zones are avoided.
	In circumstances where 1 or more of the above criteria are not met, the proposal may be considered inappropriate and the Council in its discretion may refuse consent, or grant consent to a lesser number of sites, or to a different design of subdivision.



7.15.4

Assessment Criteria: Subdivision for the Protection of Natural Areas

Legal and physical protection

Significant natural areas

Adverse effects

*Vegetation clearance and
earthworks*

7.15.5

Assessment Criteria Subdivision for the Creation of Esplanade Reserves

7.15.6

Subdivision for the Creation of Additional Public Reserve Land

Assessment Criteria: Subdivision for the Protection of Natural Areas

In addition to the criteria in 7.15.2 and 7.15.3 as appropriate, when considering an application for Natural Areas subdivision the Council will have regard to the following criteria.

- (a) Whether adequate legal and physical protection is provided for the bush, wetlands or Significant Natural Areas identified for protection, including fencing, weed and animal pest control.
- (b) Whether the subdivision proposed for the protection of an area identified as a Significant Natural Area are undertaken in such a manner and at such times as to have no adverse effect, or minimum adverse effect on the ecology and wildlife of the area and in particular, where relevant:
 - (i) nesting, feeding and breeding of species;
 - (ii) biological processes;
 - (iii) connections between ecosystems;
 - (iv) the diversity of species;
 - (v) the habitat of threatened or protected species;
 - (vi) cumulative effects.
- (c) Whether the resultant adverse effects on the natural areas of subdivision can be avoided, mitigated or remedied.
- (d) Whether the clearance of vegetation and earthworks in these areas identified for protection is avoided.

Assessment Criteria Subdivision for the Creation of Esplanade Reserve

In addition to the criteria in 7.15.2 and 7.15.3 as appropriate, when considering an application for a Subdivision for the creation of Esplanade Reserve the Council will have regard to the following criteria:

- (a) Whether the area proposed for esplanade reserve is physically suitable to provide appropriate access to the lake, river or coastline.
- (b) Whether the esplanade reserve to be vested with Council as part of the subdivision is listed in Appendix 23A.

Assessment Criteria Subdivision for the Creation of Additional Public Reserve Land

In addition to the criteria in 7.15.2 and 7.15.3 as appropriate, when



Suitability

Public Access

Quality and quantity

Appropriateness

Access

Rural character

Entrances to legal road

7.15.7 Subdivision for the Creation of Household Units sites on Maori Land

Relationship of Maori

Alienation

Consistent site layout

Intensity

considering an application for Additional Public Reserve Land subdivision the Council will have regard to the following criteria:

- (a) Whether the proposed area for incorporation into the public reserve is physically suitable for the purpose for which the reserve is created.
- (b) Whether the area for incorporation into the public reserve is to be held as reserve able to be accessed by the public at large (subject to the Reserves Act 1977).
- (c) Whether the proposed additional reserve area will make an appreciable improvement to the quality or quantity of the public recreation resource available within the District.
- (d) Whether the proposed area for incorporation into the public reserve is of an appropriate size, shape, and contour to enable the intended function of the reserve to be achieved.
- (e) Whether the proposed area for incorporation into the public reserve has adequate physical and practical access to enable the intended function of the reserve to be achieved.
- (f) Whether the creation of any rural-residential site will result in the retention of a rural rather than urban character.
- (g) Whether the arrangement of any proposed residential sites will lead to a proliferation of entrances on any legal road.

Assessment Criteria: Subdivision for the Creation of Household Unit Sites on Maori Land

In addition to the criteria in 7.15.2 and 7.15.3 as appropriate, when considering an application for Additional Public Reserve Land subdivision the Council will have regard to the following criteria:

- (a) Whether the subdivision will provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
- (b) Whether the subdivision will assist in avoiding the unnecessary alienation of Maori land.
- (c) Whether the arrangement of sites is consistent with any layout in any granted resource consent.
- (d) Whether the arrangement and intensity of sites prevents or inhibits the ability of neighbouring sites to be used for rural productive purposes authorised by the District Plan.



7.15.8

Subdivision of Countryside Living Rural Sites

[Amendment 141]

Rural character

Greenbelt retention

Efficient land use

Production purposes

Site arrangement

Assessment Criteria:

Subdivision of Standard Countryside Living Rural Sites

In addition to the criteria in 7.15.2, when considering an application for subdivision of standard Countryside Living Rural sites the Council will have regard to the following criteria:

- (a) Whether the intensity of the subdivision and the arrangement of the sites results in the retention of a rural rather than urban character.
- (b) Whether the intensity of the subdivision and the arrangement of the sites results in the retention of a "greenbelt" or non-urban area between the urban Hibiscus Coast and North Shore City.
- (c) Whether the subdivision layout results in an efficient use of the land resource within the Countryside Living Rural Zone.
- (d) Whether the layout of sites allows for the use of a variety of rural production purposes.
- (e) Whether the shape and arrangement of sites and site access enables the land to be used for Countryside Living purposes.

7.15.9

Subdivision of Countryside Living Rural Cluster Housing Sites

[Amendment 141]

Comprehensive approach

Common access/services

Greenbelt

Balance area

Countryside living

Assessment Criteria:

Subdivision of Countryside Living Rural Cluster Housing Sites

In addition to criteria in 7.15.2, when considering an application for subdivision of Countryside Living Rural Cluster Housing sites the Council will have regard to the following criteria:

- (a) Whether a comprehensive approach is taken to the subdivision layout, in order to ensure the open space characteristics and rural character are retained, and that house sites are clustered in nodes.
- (b) Whether maximum use is made of common services, accessway buildings and shared driveways or access points for each cluster of housing sites.
- (c) Whether the intensity of the subdivision and the arrangement of the sites results in the retention of a "greenbelt" or non-urban area between the urban Hibiscus Coast and North Shore City.
- (d) Whether the balance area can be used for a purpose provided for in the zone.
- (e) Whether the shape and arrangement of sites and site access enables the land to be used for Countryside Living purposes.
- (f) Whether, when more than five sites are accessed off a jointly owned access lot, or right-of-way, the access is designed to safely accommodate the anticipated traffic volumes.



7.15.10

Additional Assessment Criteria Applying to Subdivision within the Okura Policy Area

- (g) Whether the defined area for building is set back from the road to ensure the open space, countryside quality of the landscape is retained and not dominated by a row of dwellings fronting the road. A distance of a least 75 metres is desirable to achieve this, however factors such as topography, presence of bush, water courses, lakes may warrant a closer setback in situations where there will not be adverse effects on rural character and/or amenity values.

Additional Assessment Criteria Applying to Subdivision within the Okura Policy Area:

In addition to the criteria in 7.15.2, 7.15.8 and 7.15.9 as appropriate, when considering an application for the creation of Countryside Living Rural Sites within the Okura Policy Area Council will have regard to the following criteria:

- (a) The protection of riparian margins
- (b) The location of building platforms

Stormwater management Revegetation

7.15.11

Assessment Criteria Applying to Subdivisions within the Okura Policy Area being assessed as a Discretionary Activity

Assessment Criteria Applying to Subdivisions within the Okura Policy Area being assessed as a Discretionary Activity

In assessing any application the Council shall evaluate whether the proposal will enable the objectives and policies for the Okura Policy Area to be achieved, and the particular matters below:

- Whether the site is unusual in terms of shape, or size, topography, land stability or susceptibility to other hazards, and the degree to which these matters necessitate a non standard frontage or access.
- The effect of the proposed frontage and access on the rural character in the vicinity of the site.

7.15.12

Subdivision of Countryside Living Town Sites [Amendment 141]

Assessment Criteria: **Subdivision of Countryside Living Town Sites**

In addition to the criteria 7.15.2, when considering an application for Countryside Living Town subdivision the Council will have regard to the following criteria:

- (a) Whether the intensity of the subdivision and the arrangement of the site results in the retention of a rural rather than urban character.
- (b) Whether the subdivision layout results in an efficient use of the land resource within the Countryside Living Town Zone.

Intensity

Efficient land use



Site arrangement	(c) Whether the shape and arrangement of sites and site access enables the land to be used for Countryside Living purposes.
Ridgelines	(d) Whether in the case of sites created along the southern edge of the Countryside Living zones at Snells Beach and Algies Bay, the scheme plan shows building platforms that will enable a complying dwelling to be built so that there will not be any adverse visual impact when the area is viewed from the Mahurangi river. This means that the nominated building platform of any building or structure should be below the natural landform of any ridge, or if on a hill the nominated building platform should enable a complying dwelling to be sited so that the highest point of any building or structure is below that of any existing protected native trees or bush.
Ridgelines	(e) Whether in the case of sites created in the Countryside Living Town Zone west of the Mahurangi River and east of Pulham Road and Hepburn Creek Road as shown on Planning Maps 56 and 57, the building platforms identified in the subdivision allow for any house or structure to be built below the natural landform of any ridge or hill on which it would be sited so that the highest point of any building or structure is below that of any existing native trees or bush when the building site is viewed from the Mahurangi River at mean low water springs. Where areas of trees or other vegetation are required for mitigation of visual/landscape effects, whether it is necessary to impose a consent notice requiring the ongoing protection of these areas. [Amendment 133]
Access	(f) Whether for sites created in the Countryside Living Town Zones in Warkworth, any potential adverse visual, rural character or amenity effects resulting from the proposed access(s) to the lot(s) and access within the lots to any defined building platforms, will be mitigated through the use of coloured (pigmented) concrete, tree planting, alternatives to urban forms of kerb and channel on road sides and/or shared accesses through the use of right of ways or access lots. Those areas include all Countryside Living zones close to the Warkworth township, being those sites in the general vicinity of Falls Road, Hepburn Creek Road, Pulham Road, Sandspit Road and Matakana Road. [Amendment 133]
7.15.13 Low Intensity Subdivision - Kawau Island	<p>Assessment Criteria: Subdivision of Low Intensity - Kawau Island Settlement Policy Area</p> <p>In addition to the criteria in 7.15.2, when considering an application for Low Intensity settlement subdivision - Kawau Island the Council will have regard to the following criteria:</p>
Access	(a) Whether the proposed arrangement of the sites, including access provisions recognises the primary access to sites is by way of water and that the formation of roads should be avoided wherever possible.
Low intensity character	(b) Whether the proposed arrangement of the sites retains the low intensity character of settlement on Kawau Island.
Intended purpose	(c) Whether the access arrangement for the proposed sites enable the sites to be readily used for their intended purpose as provided for in the



Site shape and size

Zone/Policy Area.

- (d) Whether the site shape and size is appropriate for low intensity residential settlement.
- (e) Whether the existing landform is wherever practical the basis of any subdivision pattern.
- (f) Whether the formation of roads is avoided.
- (g) Whether the removal of vegetation is avoided or kept to a minimum.

7.15.14

Assessment Criteria: Rural Hamlet Conservation Subdivision

Assessment Criteria: Rural Hamlet Conservation Subdivision

In addition to the criteria in 7.15.2. when considering an application for a Rural Hamlet Conservation subdivision the Council will have regard to the following criteria:

- (a) Whether the proposed site layout has the effect of residential sized lots located in a contiguous group, such that the occupation of rural land is minimised and resulting buildings are not dispersed but concentrated in the proposed Hamlet.
- (b) Whether Living sites are adjacent to and oriented to each other in some form of ordered and geometric way (e.g. as on a street, central green or neighbourhood square). The sites and Hamlet should have a distinct boundary with the surrounding countryside and a separate identity from any existing rural town or village or any other hamlet.
- (c) Whether the proposed development complements and connects with an existing rural town or village, including pedestrian connections where feasible, while ensuring that there is sufficient physical and visual separation to avoid any likelihood or impression of residential sprawl.
- (d) Whether the size, clustering and position of the Hamlet, Conservation Land, access road and driveways:
 - (i) maximises the productive use of land for farming, including allowing for the movement of stock animals, and providing for access to loading and yard facilities where this is consistent with the management plan for the Conservation Land; and
 - (ii) maximises the conservation of rural land as open space and the retention and enhancement of environmental values all of which are to be permanently protected from development by a permanent open space covenant or similar legal mechanism to ensure its permanent protection; and
 - (iii) avoids or mitigates potential conflicts between rural and residential activities so as to avoid reverse sensitivity issues for existing, permitted or controlled activities or uses; and



- (iv) maximises the protection of versatile and productive soils.
- (v) compromises options for a future road network or other utility service to serve the area
- (e) Whether the proposals for environmental enhancement and protection of existing natural features and sensitive ecological areas are appropriate and sufficient having regard to the characteristics of the parent site and the potential impact of the proposed Hamlet. This includes considering the adequacy of, or need for measures providing suitable ecological linkages, retiring steep, unstable and unproductive land, for rehabilitating or re-establishing areas of indigenous flora, and for controlling weeds and pests.
- (f) Whether the number of sites should be reduced to avoid significant adverse effects on the values and constraints of the site, and the rural character of both the site and adjacent environment.
- (g) Whether the plan of subdivision avoids locating buildings in areas that are highly prominent. This requires the identification of any elevated slopes and significant ridgelines and responding to the landscape context in a sensitive way that minimises adverse effects on rural character and natural character of both the parent site and its wider setting.
- (h) Whether natural drainage patterns are appropriately incorporated into the development including riparian planting, provisions for control of erosion and protection from the adverse effects of grazing and the disposal of additional run-off from roads, buildings and areas of hard surfacing.
- (i) Whether the design of the proposed access road, landscaping and public areas are appropriate to foster a pleasant rural character and avoid an urbanised character. Relevant factors include elements associated with the rural landscape such as narrow gently curving access roads, grass swales, and the absence of features associated with urban development such as entrance statements, kerbing, channelling and extensive hard surfacing.
- (j) Whether the Hamlet buildings are drawn into proximity with each other so as to generate the impression of enclosure and community.
- (k) Whether the proposed access is safe and avoids the visual impression of linear development along rural roads.
- (l) Access roads shall be laid out to follow the natural topography and landscape, and shall be aligned so that terminal vistas at the end of road sections are of open space features comprising central greens or squares, or Conservation Land. Straight, grid-like access road alignments shall be avoided.
- (m) Whether land management and ownership proposals for Conservation Land and any communally owned land within the Hamlet such as central



greens or neighbourhood squares are appropriate so as to ensure that these features are sustainable on a long term basis.

- (n) Housing styles, shapes and materials should be varied but with a consistent architectural theme where features such as boundary treatments, roofing materials, window detailing or other suitable design elements are shared to help create a “sense of place”, while avoiding predominantly uniform building appearance.
- (o) Buildings should reflect and complement landscape forms and quality through sympathetic design, layout and massing.
- (p) Houses shall have a mix of gable ends and ridgelines parallel to the access road while retaining a predominance of ridgelines parallel to the access road. This assessment criteria seeks to minimise the number of buildings oriented away from the access road and/or common areas and ensure buildings relate to public areas in a way that promotes a sense of safety and community in the Hamlet.
- (q) Whether the area of Conservation Land required for the use of Hamlet residents is sufficiently separated from built or active areas such as household units, roads, and services so as to provide a high level of outdoor amenity and access to open space; and with any walking trails providing a logical circuit through farming, bush areas or other natural areas.
- (r) Whether the location, size and shape of a central green(s) or neighbourhood square(s) is centrally located in the interior of the Hamlet and is subject to a permanent open space covenant or similar legal mechanism to ensure its permanent protection. A central green(s) or neighbourhood square(s) should be designed to ensure that it provides for a high level of amenity for the use and enjoyment of all Hamlet residents, including a high level of connectivity to the access road(s) and pedestrian pathways, and for passive surveillance from adjacent houses.
- (s) Whether the location of buildings in the Hamlet will ensure the site owners of views of surrounding open space (including Conservation Land and/or central greens or neighbourhood squares) regardless of adjacent site development.
- (t) Whether the information provided in support of an application and proposed management measures are compiled by suitably qualified persons so as to ensure that the objectives of the proposal will be met.
- (u) Whether further subdivision of all sites within the Rural Hamlet Conservation Subdivision is prohibited through the use of appropriate legal instruments so as to avoid undermining the balancing of issues of a decision under Rule 7.14.14, and to avoid incremental adverse effects from subsequent development.
- (v) Whether aspects of the subdivision not meeting the standards of Rule 7.14.14.10(b), (d), (e), (h) and (j) and/or Rules 7.14.14.11 - 13 are appropriate having regard to site specific circumstances such as



topography or existing vegetation that screen the building site from public view, or where unnecessary earthworks would otherwise result, and the impact on rural visual amenity values can be avoided, or where avoidance is not possible, mitigated by appropriate landscaping and building design features.

- (w) Whether any proposed boundary treatments provide an attractive street environment within the Hamlet, and for the amenity of Conservation Land and/or central greens where boundaries abut such land. Any constructed boundary fencing or screening should be of a visually permeable nature to avoid the appearance of physical barriers between private and commonly-owned land.



7.16

7.16.1

7.16.2 Assessment Criteria: All Subdivision

Density of sites

Impacts on planned growth

7.16.3 Assessment criteria: All Subdivision within the Dune Lakes Zone

Modification of natural systems

Wildlife habitat

Wetland protection

Riparian area protection

Water quality

DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA FOR SUBDIVISION

Without limiting the exercise of its discretion, for all Discretionary Activity subdivision consent applications in Rural Zones, the Council will have regard to the following assessment criteria, and any other relevant provisions of the Plan and the relevant matters set out in section 104 of the Act.

Assessment Criteria: All Subdivisions

In addition to the criteria in 7.15.2 and 7.15.3 as appropriate, when considering an application for subdivision being assessed as a discretionary activity (except under Rule 7.14.1.2(b) or (c)) the Council will have regard to the following criteria:

- (a) Whether the scale, density and layout of sites proposed to be created would adversely affect the character sought to be maintained or protected by the Zone or Policy Area as set out in the objectives, policies and zone description for the particular Zone or Policy Area.
- (b) Whether the location and scale of any subdivision would compromise the sequencing and servicing of any planned urban growth in the area.

Assessment Criteria: All Subdivision within the Dune Lakes Zone

In addition to the criteria in 7.16.2 when considering an application for the subdivision of land within the Dune Lakes Zone the Council will have regard to the following criteria:

- (a) Whether the subdivision results in avoidance of the modification of the natural dune systems or river or stream margins, and if not, whether the adverse effects are remedied or mitigated.
- (b) Whether the subdivision will result in the protection and/or enhancement of native fauna and any wildlife habitat and adverse effects are avoided, particularly for threatened species.
- (c) Whether the subdivision will protect area of wetland adjoining the dune lakes systems and avoid adverse effects on these regionally threatened ecosystems.
- (d) Whether the subdivision results in the protection and/or enhancement of riparian areas adjoining the dune lakes.
- (e) Whether the subdivision results in the protection and/or enhancement of land areas that will ensure that the quality of water in the dune lakes is maintained and/or enhanced.



Water quantity

- (f) Whether the subdivision results in land being protected from, or retired from use for land use activities that adversely affect water quantity in the dune lakes.

In circumstances where 1 or more of the above criteria are not met, the proposal may be considered inappropriate and the Council in its discretion may refuse consent, or grant consent to a lesser number of sites, or to a different design of subdivision.

7.16.4

Assessment Criteria: Subdivision for Enhancement Planting

Assessment Criteria: Subdivision for Significant Enhancement Planting

In addition to the criteria in 7.15.2, 7.15.3, 7.16.2 and 7.16.3 as appropriate, when considering an application for Significant Enhancement Planting subdivision the Council will have regard to the following criteria:

Legal and physical protection

- (a) Whether adequate legal and physical protection is provided for the replanted area, including fencing, weed and animal pest control.

Appropriateness of planting

- (b) Whether the planting proposed:
 - (i) Will meet the purposes stated in the planting plan under Rule 7.14.2.3.1(b)(i).
 - (ii) Is appropriate for the site (eg. ecosourced, soil type, aspect, wetness, etc.), and is selected based on assessment of the range and type of existing ecological communities and habitats.
 - (iii) Is sustainable in the long-term and will become an ecosystem in its own right.
 - (iv) Has appropriate monitoring provisions, including ongoing weed and pest control to ensure survival and sustainability over five years.
 - (v) Is designed to complement the elements, patterns, and features that contribute to natural character and landscape values.

To determine whether the subdivision and associated planting plan proposed meets the requirements of 7.16.4(b)(i-v) and is consistent with Policy 7.10.4, a detailed report on ecology and natural features proposed by a suitably qualified person may be required.

Appropriateness of subdivision

- (c) Whether the subdivision can occur without adverse effects on the natural features, rural character, special character or amenity values present in the area.

To determine whether the subdivision (including planting, layout of lots, building platforms and access) can be integrated into the landscape, and is consistent with policy 7.4.10, a detailed landscape and visual assessment prepared by a suitably qualified person may be required.



Domestic pets and animals

Comprehensive development applications

- (d) Where the introduction of domestic pets and animals may have adverse effects on native wildlife whether appropriate measures can be implemented to avoid those effects.
- (e) Where opportunities for further subdivision under Rule 7.14.1 are possible, the extent to which the current application addresses these opportunities and the extent to which these opportunities could be integrated with the current application, including in the future. A comprehensive approach to subdivision, as provided for under Rule 7.14.4.3(c), is to be preferred over a piece-meal approach.

In circumstances where 1 or more of the relevant assessment criteria that require consideration for Significant Enhancement Planting subdivision (7.15. and 7.16) are not met, the proposal may be considered inappropriate and the Council in its discretion may refuse consent, or grant consent to a lesser number of sites, or to a different design of subdivision.

7.16.5 Assessment Criteria: Land Rehabilitation Subdivision

Assessment Criteria: Subdivision for Significant Land Rehabilitation

In addition to the criteria in 7.15.2 and 7.15.3 as appropriate, when considering an application for Land Rehabilitation subdivision the Council will have regard to the following criteria:

- (a) See Assessment Criteria in 7.15.4.
- (b) Whether the exotic planting will result in a weed problem.

7.16.6 Assessment Criteria: Applications Being Assessed as a Discretionary Activity on the Basis of Rural Residential Site size

Assessment Criteria: Applications Being Assessed as a Discretionary Activity on the Basis of Rural Residential Site size

Without limiting the exercise of its discretion, the Council will have regard to the following assessment criteria, and any other relevant provisions of the Plan and the relevant matters set out in section 104 of the Act:

Suitability

- (a) Whether the proposed locations of rural residential site boundaries are suitable for the purposes of the rural residential site/s, and will enable development of the land to occur in a manner that minimises earthworks and/or vegetation removal. The proposed rural residential site boundaries should also follow the natural topography of the land and/or be related to the location of natural site features.

Cumulative Effects

- (b) Whether there are any adverse cumulative effects arising from the proposal. In considering any actual cumulative adverse effects arising from a proposal, the Council will have regard to the following:



Rural Character

Rural Land Uses

Amenity Values

- (i) The effects of the proposed subdivision adding to or acting together with the effects of existing subdivisions and activities located in the area;
 - (ii) The effects on permitted rural land use activities that exist or may establish in the future which will add to, or act together with the effects arising from the size of the proposed rural residential sites.
- (c) Whether the proposed rural residential site sizes will adversely affect the rural character of the surrounding area.
- (d) Whether the sizes of the proposed sites compromises the ability of any balance site to be utilised for permitted rural land use activities.
- (e) Whether the proposed sizes of the rural residential site/s adversely affects the rural amenity values of the area.

Explanation and reasons

Flexibility in rural residential site sizes is considered appropriate in circumstances where better environmental outcomes will be achieved without adversely affecting rural character or rural amenity values, including the ability of land to be used for rural productive land uses.

The appropriate circumstances are limited to those situations specifically defined in the Rule. A minimum site size has been set to ensure that a clear differentiation is maintained between rural and residential site sizes, and the maximum site size ensures that land holdings maintain their rural residential purpose without unduly compromising the ability of surrounding land to be used for rural productive purposes, and also to ensure that this provision is not utilised to avoid situations where esplanade reserves would be required to be vested.

7.16.7

Assessment Criteria: Applications Being Assessed as a Discretionary Activity on the Basis of Number of Rural Residential Sites Accessed Off a Jointly Owned Access Lot.

Assessment Criteria: Applications Being Assessed as a Discretionary Activity on the Basis of Number of Rural Residential Sites Accessed Off a Jointly Owned Access Lot

Without limiting the exercise of its discretion, the Council will have regard to Rule 23.8.6, the assessment criteria in 23.9.1(e),(f),(h),(i),(m) and the following assessment criteria, and any other relevant provisions of the Plan and the relevant matters set out in section 104 of the Act when considering an application where more than 5 sites gain frontage over a jointly owned access lot:

Responsibility for Maintenance

- (a) Whether appropriate legal and financial arrangements setting out the obligations and responsibilities of current and future owners of all current and future sites gaining access via the jointly owned access are in place to provide for formation and ongoing maintenance of the access, including



but not limited to :

- (i) any stormwater and drainage infrastructure or works associated with the access;
- (ii) resurfacing of the access at an appropriate time to a standard that reflects the topography and level of use of the access;
- (iii) any removal of debris or trimming or removal of trees and vegetation necessary to maintain safe and efficient access to the sites.

Road Network Planning

- (b) Whether the jointly owned access lot will prejudice the implementation of a paper road or indicative road shown on the planning maps, or a proposed roading network shown on a Council adopted structure plan that is necessary for :

- (i) achieving strategic transport planning objectives of the Council
- (ii) avoiding inefficient patterns of development and use of land, or
- (iii) avoiding potential adverse effects of unsafe or inconvenient access to land.

Level of Use

- (c) Whether the likely number of vehicle trips or potential number of sites that could result from the subdivision makes accessing the lots with a public road desirable and the use of a jointly owned access inappropriate.

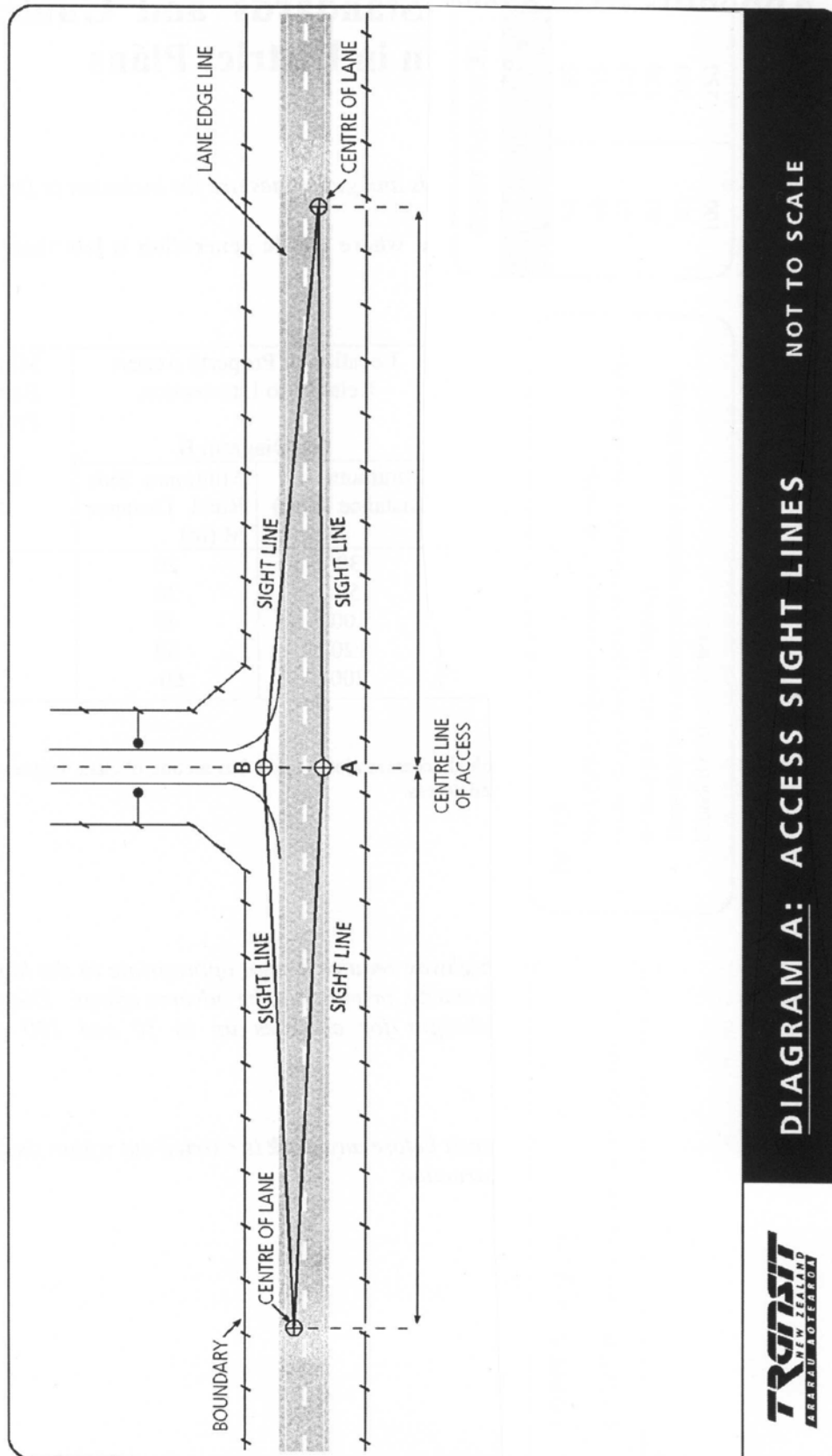
Rural Character

- (d) Whether the design of the subdivision and jointly owned access is appropriate to:
 - (i) achieve visual and cultural benefits from retaining views of rural production activities from adjoining rural roads; and
 - (ii) reduce adverse effects from larger numbers of driveways in close proximity intersecting the road or highway; and
 - (iii) remedy significant adverse effects on any high landscape values and high rural character values on the site through the use of low visibility material and through the design of a route that minimises the visual prominence of the access.



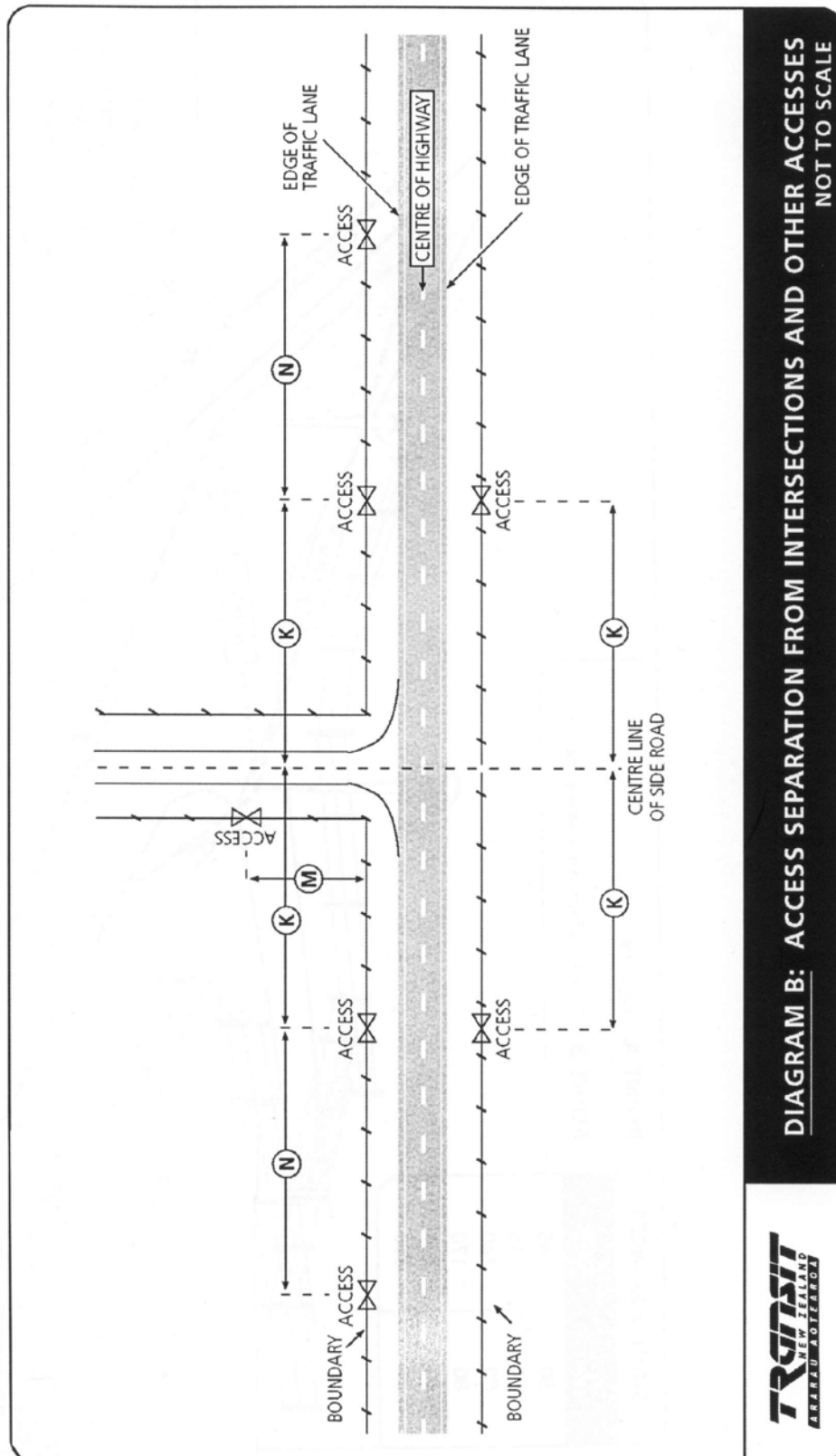
APPENDIX 7A

ACCESS TO STATE HIGHWAYS : DIAGRAM A





ACCESS TO STATE HIGHWAYS : DIAGRAM B





APPENDIX 7B

GUIDELINES FOR THE FIELD ASSESSMENT OF NATIVE BUSH QUALITY IN RODNEY DISTRICT (See Rule 7.14.3.2)

1. INTRODUCTION

Under the Rodney District Plan, provision is made for the subdivision of sites for the "protection of significant stands of native bush or significant natural features". At the time of subdivision, the bush covered part of such lots, having a minimum area of two hectares, are covenanted for their future protection. This appendix contains a standard set of guidelines for assessing the quality of native bush. They are designed to be capable of implementation by lay people with a limited knowledge of bush quality or indigenous bush species. The guidelines comprise a field sheet to be used for field assessment of bush stands, along with a set of instructions and background information.

A dual-scale system is used. The first scale focuses on bush quality and the second on additional features. Point scores on the first scale are supplemented where necessary by point scores on the second scale to obtain a final total, allowing the person evaluating the area of bush to accept it as qualifying as a "significant stand of native bush", or reject it.

The dual system allows an initial score to be quickly obtained from the first scale, and means that "obviously suitable" patches of bush can be quickly dealt with. These patches fall into the category of "significant stands of native bush". Where bush stands are of a marginal nature, the second scale can be employed. This allows other important criteria besides those of simple bush quality to contribute to the overall score of the bush stand allowing for the inclusion of "significant natural features". Where some other important feature exists, but bush quality is low, protection of the area by fencing subsequent to covenanting is most likely to ensure rapid improvement of bush quality in the following years.

On the bush quality scale the "characters" used in scoring incorporate the factors which contribute to them rather than each factor being included separately (for example, grazing of understorey species by ruminants affects the understorey's open/closed status; similarly, grazing by opossums affects the status of both understorey and canopy species). This reduces the time and background information needed to assess the bush stand.

2. FIELD ASSESSMENT SYSTEM

This section of the appendix gives the field assessment sheet (attached), along with directions and guidelines for its use. These include field instructions and criteria by which proposed subdivisions can be accepted or rejected. A separate section of the appendix provides a brief explanation of the guidelines, describing the factors relevant to each scale characteristic.

2.1 ASSESSMENT CHARACTERISTICS

On the first scale the characteristics contributing to bushquality are:

- canopy composition (native or exotic)
- degree of canopy closure
- canopy species richness
- canopy maturity
- understorey composition (native or exotic)
- understorey density
- understorey species richness.



On the second scale the features which can contribute to the "value" of a site include:

- presence of rare or endangered species
- presence of unusual numbers of native birds
- importance of the site as a corridor to other native bush stands
- lot size
- aesthetic or unusual value

2.2 ASSESSMENT METHOD

Scoring of the bush quality characteristics on Scale 1 should be based on first-hand field assessment, backed up where necessary by additional data (such as aerial photographs to aid in assessment of percentage bush cover).

Assessment of bush quality should be made at least 15 metres from the edge of the bush, to allow for differences in species composition related to edge effects. At least three separate assessments should be made, at positions 30 metres or more apart, to allow for a representative coverage of the lot. From each of the three (or more) positions, characteristics on Scale 1 should be scored based on an area within a radius of 15 metres of each assessment position. The three (or more) scores can be used to obtain an average bush quality assessment of the proposed subdivision.

The Scale 2 characteristics can only be scored 0, 5 or 10. No intermediate score is permitted. This forces either a high or a low score, and is intended to eliminate the possibility of achieving an intermediate "so-so" score on several of these characteristics, which when added to the final Scale 1 score would be sufficient to allow acceptance of the proposed subdivision.

2.3 ACCEPTANCE CRITERIA

On the first scale the bush quality score must be 20 of a possible 28 points, based on its position on the rank of 0 to 4 for each character, for the proposed subdivision to be accepted. Numerical or percentage scores relating to each rank score are provided on the field sheet. **Where a bush stand scores zero for any of the canopy characteristics, or has a total Scale 1 score of less than 10, it is automatically rejected.** If it scores between 10 and 20 the supplementary points system of Scale 2 is used, allowing other important features to contribute to the total score.

2.4 EXPLANATION OF GUIDELINES

2.4.1 Scale 1

(1) Canopy composition

The score for this characteristic should be based on the **percentage of the proposed covenanted area** covered by a canopy of native species.

Native species found in bush patches in the Rodney District include:

- regenerating podocarps such as kauri, kahikatea, rimu, totara, tanekaha with kanuka, manuka and tree ferns
- remnant mixed hardwood - podocarp bush
- lowland mixed bush dominated by taraire
- coastal bush of pohutukawa, taraire, kohekohe, puriri, karaka



- totara remnants along rivers
- kahikatea swamp areas
- other species including nikau, pigeon wood, kowhai, tawa, miro, northern rata, hohere, titoki, pukatea, hinau, kawakawa, hard beech (McEwen, 1987).

Exotic species may include wattle, pines, macrocarpa, willows, poplar, tobacco plant, privet, moth plant and gorse, among others.

(2) **Canopy height**

This characteristic should be scored on the basis of the **height of the native trees in the canopy, as an estimated percentage of an "adult height" of 10 metres**. Height is used here as an indicator of maturity. Well-developed regenerating hardwood/podocarp bush is likely to have a canopy of large trees, (though depending on the age of the stand these may still be in their pole or juvenile state). Bush with large trees scores highly. Well-developed **manuka or kanuka canopies score no higher than two** (their potential is generally as nurse or shelter species for regeneration of hardwood and/or podocarp species) but in some areas (eg. on the dune soils of South Head), they represent the climax vegetation and their value may have to be adjusted upwards to recognise that this is the only bush likely to survive in these areas. (See footnote to score sheet.) Where the cover is predominantly grassy or composed of very small scrub less than three metres in height, the score is lowest.

(3) **Canopy closure**

The percentage of the ground or understorey closed to the sky forms the scoring criterion for this characteristic. In a well-developed bush, few gaps in the bush canopy should be evident. The degree to which the canopy is closed affects the light quality beneath the canopy, and hence the types of species that will germinate and flourish. Even where the canopy is not composed entirely of native species, the degree of closure is likely to affect the development of the understorey. The score thus relates to the canopy in general, including exotics, rather than to natives alone.

(4) **Canopy richness (number of species)**

Canopy richness is scored on the basis of the **total number of species present in the canopy**. Although there is potential for bush stands such as coastal pohutukawa bush to be dominated by very few canopy species, and thus to have a low score for this character, high scores on other characters should ensure that important bush stands are not excluded by this criterion. (See also footnote to score sheet.) Bush with an unusual canopy composition are provided for under the Scale 2 criterion "Aesthetic or Unusual Value".

(5) **Understorey composition (% indigenous species)**

Scoring of understorey composition, (the number of species forming a separate layer below the canopy), is based on the **percentage of shrubby understorey species, seedlings and saplings beneath any existing canopy**. As well as seedlings and saplings of the species listed above, natives in the shrubby understorey may be numerous. Examples are *Coprosma* species, *Pittosporum* species, tree ferns, kauri grass, smaller ferns, sedges. Workers without a comprehensive knowledge of the native flora will probably find it easiest to check for the presence of well-known exotics in the understorey rather than trying to make positive identification of natives. Larger exotics in the understorey may include blackberry, gorse, tobacco weed, moth plant, privet, young pines, wattle. Pasture grasses and introduced weedy species are likely to be found in the more open sites.



(6) **Understorey closure**

This characteristic is scored on the basis of **the density or percentage cover of the shrubby understorey**. In a well-developed native bush, the understorey is likely to be dense, and few bare patches of ground should be present. Many different shrubby species and young seedlings and saplings of canopy species growing together lead to a rich vegetation.

(7) **Understorey richness**

The score for understorey richness is based on the **number of native species found in the understorey layer(s) beneath the canopy**. These include shrubby species, seedlings and saplings as above.

2.4.2 Scale 2

(1) **Rare/endangered species**

The presence of species considered to be rare or endangered according to sources such as *The Red Data Book of New Zealand (1981)*, *Wilson and Given's Threatened Plants of New Zealand (1989)*, *Department of Conservation New Zealand Threat Classification Lists (Hitchmough 2002)* and *De Lange et al (2004)*, *Threatened and uncommon plants of New Zealand (New Zealand Journal of Botany, Vol 42:45-76)*, or a species listed in an approved data base as a regionally rare or endangered species should be documented. Information about the occurrence of such species is sparse, and their discovery relies on reports from interested land owners, and local field botanists. The weight scale allows inclusion of even relatively poorly bushed areas as appropriate sites for subdivision and covenanting **where rare or endangered species are found, or have been reported**.

(2) **Corridor importance**

Removal of bush remnants and drainage of wetland areas has meant that patches of native vegetation are far apart in some parts of the Rodney District. Where this is the case, movements of native bush and/or wetland bird species between stands may be limited, and this has consequences not only for the numbers of bird species but also for dispersal of bush plant seeds. Where there is a perception that few bush stands remain in an area, the weighting system allows inclusion of lower quality bush within the acceptance levels. To allow for reasonable bird (and seed) movement between bush stands, the weighting system accords a higher importance to a stand **where it is the only bush area within one square kilometre**.

(3) **Lot size**

The larger the size of a discrete bush stand, the better its buffering capacity against both natural and human disturbance. The ability of plant and animal species to maintain viable breeding populations is also likely to be much higher where the bush patch is large. In its inventory of bush areas in New Zealand, the New Zealand Wildlife Service allowed an area of 10 hectares as the minimum for inclusion of a bush stand. Although the number of species present will not necessarily increase significantly between bush stands of two hectares and 10 hectares, the population stability of each species is likely to be greatly improved. Therefore, **where the bushed lot proposed for subdivision is much larger than the base level of two hectares (ie. eight hectares or more)** it accrues additional points under the weighting system, based on the potential for increased species stability.



(4) **Lot adjoining protected area**

A further criterion for the weighting of bush stands based on corridor importance or lot size relates to large areas of bush that are currently reserved or otherwise protected. Additional value can be accorded to a bush stand **where it directly adjoins reserved or protected bush**. As noted above, species richness and diversity is related to bush area, and the addition of even fairly marginal pieces of land in the early stages of regeneration can improve the species composition of the flora and fauna of the reserve.

(5) **Aesthetic or unusual value**

Perception of a bush stand as an attractive feature may be due to a number of factors. If the stand is situated in a hilly area, where it is easily seen from nearby roads, if it has running water/waterfalls, or an unusual composition (windshorn trees; a heavy tree-fern canopy; a stand of scattered mature pohutukawa, or totara) it may well be appreciated for its physical beauty. Although it is desirable to have stands of reserved bush visible to the public, patches of bush that are hidden from the road should not be excluded from this category. Decisions about aesthetic or unusual value are qualitative, but the weighting scale allows **bush patches with unusual beauty or unusual features** to fall within the acceptance levels for subdivision and covenanting.

(6) **Potential**

Some areas of bush of marginal quality have the **biological capacity to improve** to an acceptable standard in a reasonably short time, particularly if influences which depress their quality are removed. Examples are bush areas which have lost quality through being grazed, or which contain an excessive proportion of gorse, or which are in the early scrubby stages of regeneration. Where the adverse influences can be removed through actions that can be taken as part of the subdivision approval or covenanting process, or where regeneration is clearly well under way, such areas of bush may be given additional points under Scale 2.



INSTRUCTIONS FOR USE WITH THE FIELD ASSESSMENT SHEET

Scoring of bush lots proposed for subdivision

Scoring on Scale 1 should be completed first, the total evaluated, then scoring on Scale 2 should proceed if necessary.

Information for Scale 2 scoring may be obtained from maps, aerial photographs, and records.

Note that depending on the score obtained, acceptance or rejection of the proposed subdivision can take place either on completing evaluation of Scale 1 or on completing evaluation of Scale 2.

SCALE 1

Scoring:

1. Go to at least 15 metres within the bush.
2. In column for Site 1, record the score (0 to 4) for each of the canopy characteristics, based on the percentages and numbers displayed.
3. Go to a second site, at least 30 metres from the first, and at least 15 metres in from the edge of the bush.
4. Repeat step 2, recording the scores in column for Site 2.
5. Go to a third site, at least 30 metres from each of sites 1 and 2, and at least 15 metres from the bush edge.
6. Repeat step 2, recording the scores in column for Site 3.
7. Record the position of all three sites on a plan and attach it to the Bush Quality Assessment Field Sheet.

Calculation:

8. Add the scores in column for Site 1. This is Total 1.
9. Repeat for columns for Sites 2 and 3. These are Totals 2 and 3.
10. Average the three totals. This is TOTAL A.

Evaluation:

- | | | |
|-----|---|---------------|
| 11. | If TOTAL A is greater than or equal to 20 | Accept |
| 12. | If TOTAL A is less than 10 | Reject |
| 13. | If any of the canopy characteristics (1, 2, 3 or 4) is zero at all three sites (columns 1, 2 and 3) | Reject |
| 14. | If TOTAL A is less than 20 but greater than 10 | Go to Scale 2 |

SCALE 2

Scoring:

15. For each of the six characteristics, score 0, 5 or 10, recording the scores in the column.

Calculation:

16. Add the scores on Scale 2. This is TOTAL B.

Evaluation:

- | | | |
|-----|---|--------|
| 17. | Add TOTAL A and TOTAL B. This is TOTAL C. | |
| 18. | If TOTAL C is greater than or equal to 20 | Accept |
| 19. | If TOTAL C is less than 20 | Reject |



BUSH QUALITY ASSESSMENT FIELD SHEET

LOT NUMBER _____

SCORE _____

APPLICATION ACCEPTED

REJECTED

SCALE 1

RANK	4	3	2	1	0
CANOPY					
1.% of natives	81-100%	61-80%	41-60%	25-40%	<25%
2.% of canopy closure	81-100%	61-80%	41-60%	25-40%	<25%
3.Number of species	>12	8-11	4-7	2-3	1
4.Height	>8m	6.1-8m	4.1-6m	3.1-4m	<3m
UNDERSTOREY					
5.% of natives	81-100%	61-80%	41-60%	25-40%	<25%
6.% ground cover	81-100%	61-80%	41-60%	25-40%	<25%
7.Number of species	>12	8-11	4-7	2-3	1

COLUMN

Site 1	Site 2	Site 3

TOTALS 1, 2 AND 3

TOTAL A _____
(average of Totals 1, 2 and 3)

SCALE 2

WEIGHT	10 or 0*	5	0
1.Rare/endangered species	Present	-	Absent
2.Only bush within 1 km ²	-	Yes	No
3.Lot size > 8 hectares	-	Yes	No
4.Lot adjoining protected areas	-	Yes	No
5.Aesthetic/unusual value	-	High	Low
6.Potential	-	High	Low

COLUMN

- * 10 if subdivision will protect rare or endangered species
0 if subdivision will not do so.

TOTAL B _____

TOTAL A + TOTAL B = TOTAL C _____

FOOTNOTE: Where an area of bush scores poorly on Scale 1 because the nature of the bush at climax vegetation stage does not conform to the mixed podocarp bush stereotype on which Scale 1 is based (eg. comprises coastal pohutukawa, kauri, or kahikatea bush, or manuka/kanuka bush on sand-dune derived soils or gumlands) the assessor may have to use his/her own judgement as to the quality of the bush. The factors (not the numbers) in Scale 2 can be applied to this assessment of quality where necessary.



APPENDIX 7C

GUIDELINES FOR THE FIELD ASSESSMENT OF NATIVE WETLAND QUALITY IN RODNEY DISTRICT (See Rule 7.14.3.3)

1.

INTRODUCTION

Under the Rodney District Plan, provision is made for the subdivision of sites for the "protection of significant native wetlands". At the time of subdivision, the wetland part of such lots, which must have a minimum area of 5000 square metres, are covenanted for their future protection. This appendix contains a standard of guidelines for assessing the quality of the wetland and whether subdivision would be allowed. The wetland proposed for subdivision needs to comply with at least one of the criteria in order to be considered to be a significant native wetland. If compliance with the criteria is relying on potential then at least one other of the criteria needs to be substantially met.

Note:

Any wetland which has:

- (a) been identified for protection in the Protected Natural Areas (PNA) Programme;
- (b) been identified for protection by the Forest Heritage Trust, the Auckland Regional Council or the Department of Conservation;
- (c) been designated in the Sites of Special Wildlife Interest (SSWI) or Wetlands of Ecological and Representative Importance (WERI) inventory for protection;
- (d) an international, national, or regional significance rating;

and any wetland where the values have not changed since the survey or identification for protection was done, will automatically be treated as sufficient quality to justify a subdivision.

2.

DEFINITION OF NATIVE WETLAND

Wetlands include permanently or intermittently wet land, shallow waters, and land-water margins that support a natural ecosystem of native plants and animals that are adapted to living in wet conditions.

Wetlands may be freshwater (eg. swamps, lake and river margins), brackish (eg. lagoons) or saline (eg. saltmarsh, mangroves, estuarine shrub swamps (marsh ribbonwood, rushes, sedges).

In terms of meeting the criteria for significance 'natural ecosystem' implies that native species should be dominant and that the system should function hydrologically as naturally as possible.



Areas associated with a wetland but not actual wetland, eg buffers between the wetland and fences, should not be included in any calculation of the size of the native wetland. They are considered to contribute to a native wetland's significance but are not wetland. Native bush areas that are adjoining or adjacent to wetland and form part of the integral functioning of the wetland ecosystem should be protected at the same time as the wetland is protected, however bush areas that are not integral to the functioning of the wetland may remain uncovenanted. In general a riparian area of 20 metres in width around the perimeter of the wetland area should be protected where there is native bush / vegetation adjoining the wetland. Areas outside this may be used for consideration of a bush protection site subject to meeting the size and quality standards.

3.

CRITERIA

The characteristics contributing to native wetland quality on which the appropriateness of subdivision will be judged are:

- (a) Diversity
- (b) Naturalness/long term viability/Representativeness
- (c) Rarity of species
- (d) Wildlife habitat
- (e) Linkages/buffering/corridors
- (f) Potential for improved wetland habitat

These are described in more detail below.

Diversity

Diversity

Wetland vegetation can occur in a sequence (ie. ecotone) from aquatic floating plants (eg. duckweed and native Azolla) to rooted emergent species (eg. eelgrass, horse's mane weed) to sedges, ferns, grasses and raupo, to drier margin species such as kahikatea, ferns, cabbage trees and manuka. Therefore, although a plant community might be sparse, there is usually a large diversity across the ecotone.

Wetlands also act as habitats for a diversity of animal species such as fish, eels, amphibians, reptiles and insects.

Wetlands which have a diversity of native animal and plant species will be regarded as having value that will give added weight for subdivision and covenanting.

The diversity criteria refer not only to native species but also to the vegetation types and sequences.

Rarity

Rarity

Rarity is a measure of the paucity of numbers or occurrences of elements of natural diversity (e.g. species, communities). Individual threatened species in New Zealand have been classified using International Union of Conservation of



Wildlife habitat

Nature and Natural Resources (IUCN) criteria. Threatened species can be in the following categories: endangered, vulnerable, rare, local and indeterminate. Wetlands often constitute a habitat for nationally and locally threatened plant and animal species. This is not dependent on the overall quality of a wetland, which might be poor. Consideration should be given not only to whether or not any listed rare or endangered native species are present in a wetland but also to whether or not any have been identified here in the past, distributional limits of native species, rarity of the wetland type itself or the communities and vegetation types it contains.

Relatively poor quality wetlands could be included for subdivision and covenanting where locally, regionally or nationally rare species are found, or have been reported, as defined by the Department of Conservation in the Conservation Management Strategy, or the *Red Data Book of New Zealand* (1981), or Wilson and Given's *Threatened Plants of New Zealand* (1989), or a species listed in an approved database as regionally rare or endangered species.

Wildlife Habitat

Wetlands are important in providing habitats for indigenous plants and animals. Wetlands provide a major habitat for at least eight species of indigenous freshwater fish as well as frogs, birds and invertebrates and are the primary habitat for 1/5th of New Zealand's native birds.

Note: Native frog species do not generally inhabit wetlands, rather preferring densely forested streams with flowing water.

Those wetlands which:

- (a) are important habitat for indigenous wildlife species at different stages in their life cycle, eg. breeding, spawning, feeding, roosting
- (b) are important as habitat for migratory wildlife species
- (c) contain significant populations of native wildlife characteristic of and adapted to live in wetland ecosystems

would be regarded as appropriate for subdivision and covenanting. If the breeding or migratory population is of an endangered species then further weight is given to the protection of the wetland.

Naturalness/long term viability

Naturalness/Long Term Viability/Representativeness

Many wetlands within the District have been wholly or partially modified. Often a sequence of native plant species (ie. ecotone) is an indication of the naturalness and quality of a wetland, including the extent to which an area represents or exemplifies the components of the natural diversity of an ecological district, or representation of the original natural landscape.

The presence of aquatic species is an indication of water quality and the long term sustainability of a site.

Wetlands which support viable populations of terrestrial and aquatic native plants and animals characteristic of the wetland type, and/or which are largely unmodified from their original natural character, will be given added weight for subdivision and covenanting.



Natural hydrology is extremely important for the maintenance of the structure and function of wetlands, and in determining the flora and fauna that live there. Artificial drains, ponds, culverts and other structures impede the natural flow of water and impact on the state and type of wetland to be found. Structures within watercourses can be the determining factor in whether or not native fish inhabit an area.

Naturalness would ideally refer to 'pre – European, however this would be very rare and therefore naturalness should be discussed with reference to external pressures such as farming activities and invasion by exotic plant and animal species.

Long term viability will be influenced by many factors, including each of the criteria discussed. Size and shape will be one important aspect – large compact areas tend to be better buffered against disturbance and suffer less edge effects relative to size.

Representative wetland types for the Rodney District include:

- Swamp forests (kahikatea, swamp maire, cabbage tree, pukatea)
- Raupo reedlands
- Manuka scrub/shrubland
- Flax / cabbage tree swamps
- Rushland/sedgeland
- Coastal wetland types (saltmarsh, mangroves)
- Dune lakes with associated wetland vegetation.

Linkages/Buffers/Corridors

Linkages/Buffers/Corridors

Wetlands which:

- (a) adjoin a Significant Natural Area defined on the Planning Maps or protected area (eg. native forest) and through this connection add significantly to the spatial characteristics of the protected natural area network in the ecological district, or
- (b) provide or contribute to a habitat corridor or connection which facilitate movement of native wildlife species

will be given added weight for protection.

In addition, if the wetland is buffered by native forest or other native vegetation additional weight will be given to protecting the area. The reason for this is that buffering reduces the edge effects of pest plant species. The smaller the areas to be preserved the greater the importance of a buffer zone.

The ability of plant and animal species to maintain viable breeding populations is also likely to be much higher where there is native vegetation adjacent to the wetland or the wetland vegetation is large.

Potential

Potential

Some areas of wetlands of marginal quality have the biological capacity to improve to an acceptable standard in a reasonably short time, particularly if influences which depress their quality are removed. Examples are wetlands



which have lost quality through being grazed, or which contain an excessive proportion of pest plant species. Any assessment should contain a statement or quantification regarding the percentage of pests to native plant and animal species. Where the adverse influences can be removed through actions that can be taken as part of the subdivision approval or covenanting process, and where the wetland meets another of the criteria consideration will be given to the protecting of such wetlands.

Where a wetland is marginal but could be improved to a significant standard within 2-3 years it may be appropriate to offer the application on the basis of a comprehensive rehabilitation programme under this criterion. However an application should not rest on an areas' potential, rather it should have quality or importance in terms of at least one other of the criteria listed and the 'potential' criterion should tip the balance.

NB: Generally, wherever an application is made relying on the 'potential' criterion, an active rehabilitation plan for the wetland area including planting will be required.

The Council will reserve the right to impose conditions in order to improve the potential.



APPENDIX 7D

LAND AFFECTED BY FLETCHER BUILDING PRODUCTS LTD COVENANT UNDER RULE 7.14.12.4





APPENDIX 7E

GUIDELINES FOR NATIVE REVEGETATION PLANTINGS

1. INTRODUCTION

Council is committed to ensuring that 90% of the native trees planted as part of revegetation subdivisions survive. These guidelines explain what specific information is needed for the above, why the information is necessary and why Council expects certain actions to be undertaken to ensure this survival rate.

When applying to Council for consent to subdivide based on the replanting of native vegetation (see Rule *), Council requires the following:

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

2. PRE-PLANTING PLANT 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, 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 (ie. 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 (ie. steepness affects the species which will survive)
 - (ii) Characteristics of the soil (ie. certain species do not grow well in certain soils)
 - (iii) Wind (ie. certain species are not wind tolerant)
 - (iv) Aspect (ie. direction the slope faces, as this affects the dryness of a slope),
 - (v) Degree of shading (ie. certain species are light intolerant (ie. secondary succession plants such as nikau and ferns), whereas others cannot survive in low light conditions, (ie. primary succession plants such as manuka and kanuka)
 - (vi) Distance from the coast (ie. this affects salt spray and wind conditions. Many plants are not tolerant to salt spray and therefore struggle to survive in coastal environments), and
 - (vii) Wetness of the site (ie. many plants either do not grow in wet conditions (eg. kauri) or only grow in wet soil conditions (eg. kaihikatea)
 - (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 Plant Assessment** 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 (ie. 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
- (vii) Distance from established bush and the state of the established bush if there is none on the site

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.

3. PLANTING PLAN ASSESSMENT

In order to assist the Council in establishing whether a planting is adequate a Planting Plan Assessment needs to be produced 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 exiting 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 wide spread throughout Rodney District. A good proportion of native plantings occur directly into kikuyu. It 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 hole for of each plant and that the plants are released regularly after planting (ie. kikuyu is removed from around the base of planted native trees) so that the new plantings are not straggled. Canopy closure is the best mechanism in the long tem of controlling kikuyu as it is a shade intolerant species.

Mulching can 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)



- 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 density of 1.4 metre centres (5,100 stems per hectare), except when planting into kikuyu.

In the case of planting into kikuyu plants should be planted at 1 metre centres (10,000 stems per hectare) to shade out the kikuyu and ensure the long-term survival of the native trees. Canopy closure should occur within 3 years in this situation. Where it can be demonstrated that blanket spraying of the kikuyu with a bio-degradable herbicide prior to planting or suppression by physical means will be an effective means of control and that such control is suitable for use on the subject site, then the density of 1 metre centres (10,000 stems per hectare) might be relaxed to a maximum of 1.4m 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 (ie. 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 site 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 (eg. straw, sawdust, bark chip, wood shavings, compost, grass, leaves) or synthetic (eg. 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
- 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 replanting 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 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 7F

GUIDELINES FOR EXOTIC PLANTINGS

The Council is committed to ensuring that when a subdivision is done for land rehabilitation that the exotic plantings used are appropriate and will survive effectively so that soil erosion is reduced. The two species most appropriate for land rehabilitation are willows and poplars. This guideline outlines the reasons for their appropriateness and how best to plant them to ensure a reduction in soil erosion.

1. WILLOWS

High root mass, fast growth and a tolerance for wet soils make certain species of willow ideal for controlling river and streambank erosion. Their thick root mat stabilise stream and riverbanks, reduce scour and undercutting. They are efficient at extracting water from the soil (up to 30 litres per day by evapotranspiration) which also assists with stabilising areas. They grow fast and stabilise quickly. They can establish easily from pole or stake material.

In New Zealand erosion control cultivars are used, as opposed to naturalised species. These cultivars have been selected to reduce the chances of invasive spreading. It is important to use **only named male cultivars, flexible branch male or sterile female varieties and non suckering species to prevent spread**. (Note: female varieties seed prolifically and therefore only sterile varieties should be used. Also brittle branched species such as the crack willow can snap and easily re-establish).

1.1 TYPES OF WILLOWS

There are two main types of willows, commonly known as tree and shrub willows. Within the shrub willow type there are two groups – Osier and Sallow.

Tree Willows are used for soil conservation when deep extensive root mass is required for stabilisation. Shrub Willows are used to control erosion from running water as their dense root mass resists scouring.

Table 1.1 lists the cultivars that should be used either for soil conservation or stream or riverbank erosion, which were available on 28 November 2000

Table 1.1: CULTIVARS USED FOR SOIL CONSERVATION OR STREAM OR RIVERBANK EROSION (Adapted from Auckland Regional Council's Pamphlet "Willows – A Practical Guide for Establishment and Care")

Species	Cultivar	Uses
TREE WILLOW CULTIVARS		
<i>Salix matsudana</i>	PN227	Soil conservation
<i>S. matsudana</i>	Shanghai (PN 695)	Soil conservation
<i>S. matsudana</i>	Tsinan (PN 694)	Soil conservation
<i>S. matsudana x alba</i>	Adair (NZ1143)	Soil conservation, river control
<i>S. matsudana x alba</i>	Aokautere (NZ1002)	Soil conservation
<i>S. matsudana x alba</i>	Hathaway (NZ 1317)	Soil conservation, river control
<i>S. matsudana x alba</i>	Hiwinui (NZ 1130)	Soil conservation, river control
<i>S. matsudana x alba</i>	Moutere (NZ1184)	Soil conservation, river control
<i>S. matsudana x alba</i>	Tangoio (NZ 1040)	Soil conservation
<i>S. matsudana x alba</i>	Wairakei (NZ 1149)	Soil conservation



Species	Cultivar	Uses
SHRUB WILLOW CULTIVARS		
<i>Salix pupurea</i>	Booth (PN 249)	Soil conservation, river control
<i>Salix pupurea</i>	Holland (PN 605)	Soil conservation, river control
<i>Salix pupurea</i>	Irette (PN 608)	Soil conservation, river control
<i>S. elaeagnos x daphnoides</i>	Tiritea (NZ 1012)	Soil conservation, river control
<i>S. glaucophylloides</i>	Glenmark (CM 4)	Soil conservation, river control
<i>S. repends x purpurea</i>	Kumeti (NZ 057)	Soil conservation, river control
<i>S. reichadtii</i> (= <i>S. "discolour"</i>)	PN 215	Soil conservation

1.2 SITE PREPARATION

Stock need to be excluded from the site to ensure that the willows are not damaged or destroyed by browsing. Therefore a stock proof fence needs to be erected around the planting. This will also reduce the erosion effects that stock have on eroding, steeper slopes and riparian areas.

Possums, goats and deer, also need to be excluded, either through fencing or eradication, from the planting area as they can also damage or destroy the willows.

1.3 PLANTING

(a) Size of Plants

20cm cuttings, 60-100 cm stakes or 2.5-3m poles should be used.

(b) Timing of Planting

All plantings should be done during the dormancy period of the willows (ie. from June to August). Establishing the willows during this period also ensures that there is sufficient water for their initial establishment.

(c) Spacing of Poles

The spacing of poles varies depending on the use (see Table 1.2):

Table 1.2: SPACING OF WILLOW POLES DEPENDING ON FUNCTION (Adapted from the Auckland Regional Council's pamphlet "*Willows – A Practical Guide for Establishment and Care*")

FUNCTION	SPACING
Gully erosion	6-10 metres
Slope erosion	8-12 metres
Stream pair planting	8-12 metres (4 metres from the streambank to allow the trees to become established and not be undercut, thus falling into the stream or river, causing



1.4 MAINTENANCE

(a) Pruning

When plantings are two years old they need to be pruned to a single strong leader to maintain good form. If unmanaged, crowns can split and cause problems such as stream blockage. All pruned material needs to be removed from the floodplain to prevent it travelling downstream and causing blockages or re-establishment.

Pruning needs to occur after that if the willow has the potential to cause blockages in the stream.

(b) Weed control

Weed control needs to occur beneath the plantings to ensure that the retired area does not become a seed source and weed infested or suppress the growth of the willows.

(c) Fertiliser

Care needs to be taken with the use of fertiliser around streams and wetland areas so that nitrogen levels are not increased in the adjacent waterways. Applications, if they are required, should be timed to coincide to the plant's periods of maximum growth.

2. POPLARS

Poplars are versatile, deciduous hardwoods which can be used for soil conservation. Their strong extensive root systems are excellent for stabilising and dewatering slopes, gullies and stream banks. An eight to ten year old tree can draw around 50 litres of water per day from the soil.

2.1 POPLAR VARIETIES

New poplar varieties have been developed for fast growth and disease resistance, which assists in the survival of the trees as well as their long-term productivity and ability to stabilise slopes.

However, not all poplar species are appropriate for soil conservation (eg. Yunnan (*Populus yunnanensis*) and Crows Nest (*P. x euramericana x nigra*). Therefore it is important that the correct poplars are used which will stabilise slopes. Varieties used should also not be prone to disease and should grow relatively quickly. Table 2.1 lists the poplar varieties and their tolerances

Table 2.1: POPLAR VARIETIES AND SITE TOLERANCE (adapted from Auckland Regional Council's pamphlet on "Practical Guide for the Establishment and Care of Poplars")

Botanical name	Common Name	TOLERANCES			
		Clay	Wind	Damp	Dry
<i>Populus ala x gladiolas</i>	Yeogi (PN 895)	***	***	**	*
<i>P. deltoides x maximowinzii</i>	Eridano (PN 850)	**	*	***	*
<i>P. deltoides x yunnanensis</i>	Kawa (NZ 5006)	***	**	***	*
<i>P. x euramericana</i>	Tasman (PN 5006)	***	***	***	*
<i>P. x euramericana</i>	Veronese (PN870)	***	***	***	*
<i>P. deltoides x nigra</i>	Argyle (NZ 5095)	***	**	***	**
<i>P. euramericana x yunnensis</i>	Toa (NZ 5007)	**	**	***	**



- * Poor tolerance
- ** Medium tolerance
- *** High tolerance

2.2 SITE CONDITIONS

In general poplars require moderate soil moisture and they cannot tolerate drought conditions, especially in the first two years of establishment. They survive best in natural dips and hollows where higher soil moisture is likely.

However there are certain varieties which are sensitive to high water tables and need to be planted in well-drained areas, such as Yeogi. Certain species are more drought resistant such as Yeogi and Veronese. Therefore, it is important to know what the site conditions are in order to plant the poplar species which will survive there. With respect to stream bank planting, poplars should only be used where the site is actively eroding. This is because of the potential to adversely modify stream hydrology. Caution should be exercised such that aquatic wildlife habitat values and inherent biodiversity are not compromised.

2.3 SITE PREPARATION

See section 1.2 on willows, as site preparation is the same for poplars.

2.4 PLANTING

(a) Size of Plants

Poplars can be planted directly as 20cm cuttings, 60-100cm stakes, rooted sapling material, or as 2.5 – 3 metre poles.

(b) Timing of Planting

All plantings should be done during the dormancy period of the poplars (ie. from June to August). Establishing the poplars during this period also ensures that there is sufficient water for their initial establishment.

(c) Spacing of Poles

The spacing of poles varies depending on the erosion control or type of planting. Table 2.2 lists the stems per hectare and the spacings depending on the planting objectives

Table 2.2: PLANTING OBJECTIVES, STEMS PER HECTARE AND SPACINGS (adapted from Auckland Regional Council's pamphlet on "Practical Guide for the Establishment and Care of Poplars")

Planting Objective	Stems per hectare	Spacing (metres)
Active erosion	70	12 x 12
Dry open planting	20	22 x 22
Wet open planting	40	16 x 16

2.5 MAINTENANCE

(a) Pruning

On drier sites the rooted material (ie. the poplar poles) need to be cut back to bud at 40cm above ground to help the plant withstand dry conditions.



Also prune two to three year old poles to leave a single strong stem, as multiple leaders make the trees more prone to wind damage.

(b) Weed control

See section 1.4 (b) of this appendix.

(c) Fertiliser

Fertiliser helps the trees to become established and grow quickly. Fertilisation should occur in spring. Care needs to be taken with the use of fertiliser around streams and wetlands areas so that nitrogen levels are not increased in the adjacent waterways. Applications, if they are required, should be timed to coincide to the plant's periods of maximum growth.

REFERENCES

Auckland Regional Council, 2000. **Pole Planting – A Practical Guide**. Auckland Regional Council. March 2000

Auckland Regional Council, 2000. **Poplars– A Practical Guide for Establishment and Care**. Auckland Regional Council. March 2000.

Auckland Regional Council, 2000. **Willows – A Practical Guide for Establishment and Care**. Auckland Regional Council. March 2000.



APPENDIX 7G

STATUTORY ACKNOWLEDGEMENT AND STATUTORY AREAS - TE URI O HAU CLAIMS SETTLEMENT ACT 2002

Te Uri o Hau, a hapu of Ngati Whatua with an area of interest covering the north of Rodney District and part of Kaipara District, settled its Treaty of Waitangi claim with the Crown in 2002. The settlement, which was formalized by the Te Uri o Hau Claims Settlement Act 2002, includes a formal Statutory Acknowledgement by the Crown that Te Uri o Hau has a particular cultural, spiritual, historical and traditional association with six specified Statutory Areas that are controlled by the Crown. The Statutory Areas in Rodney District comprise the Kaipara Harbour, an area of land on the north side of the Oruawharo Peninsula, and a strip of coastline at the northern end of Pakiri Beach.

One effect of the Statutory Acknowledgement is that when an application for resource consent is made for an activity that is proposed within, adjacent to or directly impacting on one of the Statutory Areas, the Council is required to serve a summary of the application upon the Te Uri o Hau Settlement Trust as an affected party, unless the Trust has agreed otherwise. The corollary is that the Council must take into account any adverse effect that granting consent may have on Te Uri o Hau. A second effect is that when making representations to consent authorities, the Historic Places Trust or the Environment Court, the Te Uri o Hau governance entity or any individual member of Te Uri o Hau is able to quote the Statutory Acknowledgement as proof that their interest in the areas has been formally established.

The Statutory Areas are indicated on Planning Maps 2, 4, 5, 10, 11, 12, 19, 23, 24, 42 and 100. Note that their boundaries indicate "the general location of the statutory areas, and are not intended to establish the precise boundaries of the statutory areas" (Section 57(2), Te Uri o Hau Claims Settlement Act 2002).

Further information may be obtained by referring to the Te Uri o Hau Claims Settlement Act 2002, in particular Sections 57 to 65 and Schedules 6,7 and 9, and the Te Uri o Hau Claims Settlement (Resource Consent Notification) Regulations 2003.

(Note: This Appendix is not part of the District Plan. It has been inserted for information in accordance with the requirements of Section 63 of the Te Uri o Hau Claims Settlement Act, 2002.)



APPENDIX 7H

SITE IDENTIFIED FOR RURAL HAMLET CONSERVATION SUBDIVISION (RULE 7.14.14)

