

PART 2 - REGIONAL AND DISTRICT OBJECTIVES AND POLICIES»Chapter F: Precinct objectives and policies»5 North»

5.49 Te Arai North

The objectives and policies of the underlying Rural Coastal zone apply in the following precinct unless otherwise specified. Refer to planning maps for the location and extent of the precinct.

Precinct description

The Te Arai North precinct contains 616ha of coastal land north of Te Arai Point, generally known as Mangawhai North Forest. The precinct forms part of the Treaty settlement between the Crown and Te Uri o Hau under the Te Uri o Hau Claims Settlement Act 2002. The land was purchased by Te Uri o Hau as part of the commercial redress component of their settlement. The land is within the rohe of Te Uri o Hau and is legally described as Lots 1-5 DP 453130.

The precinct maintains some existing subdivision and land use development opportunities. Development is to be managed in a way that continues to protect and enhance the particular values of the land. The precinct exhibits high quality landscape, biodiversity, and coastal character values. The precinct seeks to protect and enhance these values while providing for a few rural residential, commercial, recreation and conservation activities.

Objectives

The objectives are as listed in the Rural Coastal zone except as specified below:

1. 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 is protected.
2. The high value landscapes and significant natural areas and features, including streams, rivers, lakes, estuaries, harbours and wetlands within the precinct are protected and enhanced wherever possible.
3. Native biodiversity is managed, protected and enhanced by avoiding, remedying or mitigating adverse effects of subdivision, land use and development.
4. Riparian margins are managed, protected and enhanced by avoiding, remedying or mitigating adverse effects of subdivision, land use and development.
5. Limited development opportunities consistent with those existing at the time the Crown and Te Uri o Hau signed the Treaty settlement are provided.
6. The sustainable management of natural and physical resources is promoted in a manner which recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, significant sites, waahi tapu and other taonga.

Policies

The policies are as listed in the Rural Coastal zone except as specified below:

1. Retain the remote and non-urban character of the precinct, by limiting subdivision and discouraging extensive urban settlement or permanent activities which would draw large numbers of people to the site or introduce significant urban elements to the precinct.
2. Protect and wherever possible, enhance the high quality landscapes in the precinct; in particular the coastline, dunelands and inland backdrop from Mangawhai to Pakiri (J Greenwood Road).
3. Protect features and areas of high natural environmental value or high landscape value and wildlife habitats including riparian vegetation through controls on:
 - a. earthworks and
 - b. bush and vegetation removal and
 - c. limitations on activities and subdivision.

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4. Protect the high quality landscape by limiting the location, nature and scale of buildings within the precinct.
5. Protect the quality of water and aquatic habitat along the sea coast by limiting activities such as earthworks, bush and vegetation removal.
6. Avoid adverse effects upon streams, rivers and wetlands, and wherever possible enhance and revitalise these areas by excluding grazing animals through fencing and undertaking replanting of riparian areas.
7. Avoid adverse effects of land use and development on threatened or at risk species, indigenous ecosystems and vegetation types that are threatened or are natural.
8. Protect the natural functioning of waterways and the coastal processes occurring within the precinct by limiting activities such as earthworks, bush and vegetation removal, siting of buildings, and landform modifications in close proximity to the coast.
9. Mitigate the adverse effects of subdivision, development and land use activities by enhancing and restoring native habitats and ecosystems when it would provide the following:
 - a. significant linkages between significant areas of native bush, wetland, scrubland and dunelands and
 - b. 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 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.
10. Continue the existing rural based activities while protecting adjoining native bush, streams and rivers and wildlife habitats, and maintenance of amenity values within the precinct.
11. Provide for uses that are appropriate to the precinct's coastal location and coastal rural character while allowing for limited commercial development opportunities and conservation and recreation outcomes.
12. Provide for limited opportunities for subdivision, where the outcomes of other precinct policies can be achieved along with:
 - a. the protection of significant natural areas
 - b. the creation of additional significant public reserve land
 - c. dwelling sites on Māori land
 - d. significant enhancement planting.
13. Encourage significant conservation and public benefit outcomes to occur as a result of development of the precinct.

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PART 3 - REGIONAL AND DISTRICT RULES»Chapter K: Precinct rules»5 North»

5.49 Te Arai North

The underlying Rural Coastal zone rules apply in the following precinct unless otherwise specified below. Refer to planning maps for the location and extent of the precinct.

Refer to clause 6 below for definitions that are specific to this precinct.

1. Activity table

1. The activities in the Rural Coastal zone apply in the Te Arai North precinct unless otherwise specified in the activity table below.

Activity	Activity Status
Accommodation	
Visitor accommodation	D
Dwellings on Maori Land	RD
Camping grounds	D
Community	
Outdoor recreation	P
Motor sport activities	P
Subdivision	
Subdivision for the protection of natural areas	RD
Subdivision for the creation of additional public reserve land	RD
Subdivision for dwellings on Maori land	RD
Subdivision for significant enhancement planting	D

2. Land use controls

1. The land use controls in the Rural Coastal zone apply in the Te Arai North precinct unless specified below.

2.1 Visitor accommodation

1. Visitor accommodation activity must not accommodate more than 30 persons.
2. Any visitor accommodation that does not meet this control will be a non-complying activity.

2.2 Dwellings on Māori land

1. The applicant must belong to the same hapu as the trustees of the associated marae.
2. Must be more than 1 dwelling and not exceeding 10 dwellings at density of 1 dwelling per 1ha of net site area.
3. Dwellings must not be located within a SEA.
4. Any dwelling on Maori land that does not meet these controls will be a non-complying activity.

2.3 Camping grounds

1. Camping grounds must not exceed a cumulative maximum of 100 tent sites, caravan sites, or mobile

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camping vehicle sites within the precinct.

2. Camping grounds must not accommodate more than 300 people within the precinct.
3. Total buildings ancillary to camping grounds must be less than 900m² GFA within the precinct.
4. Vehicle access must not be sealed.
5. Any camping ground that does not meet these controls will be a non-complying activity.

2.4 Outdoor recreation

1. Must not involve the construction of permanent hardseal track surfaces.
2. Ancillary buildings must be less than 100m² GFA per activity per site.
3. Any outdoor recreation that does not meet these controls will be a non-complying activity.

2.5 Motor sport activities

1. Must not involve the construction of permanent hardseal track surfaces.
2. Ancillary buildings must be less than 100m² GFA per activity per site.
3. Any motor sport activity that does not meet these controls will be a non-complying activity.

3. Subdivision controls

1. The subdivision controls in the Auckland-wide rules – subdivision apply in the Te Arai North precinct unless otherwise specified below. Any subdivision that does not meet these controls will be a non-complying activity.
2. The scheme plan of subdivision must show a specified building area for every site on which a dwelling is anticipated. The specified building area must meet the following standards:
 - a. it must provide a minimum curtilage area of 1000 m²
 - b. it must provide a maximum curtilage area of 2000 m²
 - c. it must be large enough to enable a dwelling of at least 500m² GFA to be erected within it, including its accessory buildings
 - d. it must be identified in a condition of consent and secured by way of a consent notice attaching to the title of the applicable site
 - e. all development within the specified building area must achieve hydrological neutrality
3. Every application must:
 - a. provide the information requirements described in clause 4.3 below as applicable
 - b. meet the minimum protection requirements described in Appendix 11.5.9.3 as applicable
4. Every consent must be subject to conditions of consent that address the matters described in Appendix 11.5.9.4 as applicable. The council retains discretion to impose other conditions in accordance with the RMA.
5. Every consent must comply with the precinct subdivision controls and the Rural Coastal zone subdivision controls as applicable.
6. Any subdivision which does not meet these requirements is a non-complying activity.

3.1 Subdivision for the protection of natural areas

1. For any subdivision for the protection of natural areas the following applies:
 - a. The subdivision provisions in clause 3.1.1 and clause 3.1.2 can be utilised in combination or

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individually. Where these clauses are used in combination the application must show that there is no overlap of the areas to be protected.

- b. The subdivision must meet the criteria in Appendix 11.5.9. 4.

3.1.1 Subdivision of sites for the protection of native bush and Significant Ecological Areas (SEAs)

1. The area for subdivision must be located within a SEA or meet the criteria in Appendix 11.5.9.1.
2. Number of sites
 - a. The number of rural residential sites created from protecting SEAs or native bush meeting the criteria in Appendix 11.5.9.1 must not exceed the limits specified below:

Table 1

Area of SEA or native bush or to be protected	Maximum number of rural residential sites that may be created
2.0ha – 11.9999ha	1
12.0ha – 21.9999ha	2
22.0ha – 31.9999ha	3
32.0ha – 41.9999ha	4
42.0ha – 51.9999ha	5
52.0ha – 61.9999ha	6
62.0ha – 71.9999ha	7
72.0ha – 81.9999ha	8
82.0ha – 91.9999ha	9
92.0ha – 101.9999ha	10
102.0ha – 111.9999ha	11
112.0ha – 121.9999ha	12
122.0ha – 131.9999ha	13
132.0ha – 141.9999ha	14
142.0ha – 151.9999ha	15
152.0ha – plus	16

3. Location of SEAs or native bush and specified building area
 - a. The SEA or native bush must be entirely within an individual parent site.
 - b. If the SEA or native bush is within a rural residential site:
 - i. any land to be used for building and access must not compromise any native vegetation
 - ii. if there is less than 1500m² available for building or access that is not covered in native trees, the maximum combined size of the specified building area and any access ways is 1500m²
4. Area to be protected
 - a. All native bush and SEA on the parent site, up to the upper limit specified in the relevant row of the table at clause 3.1.1.1, must be protected.
5. Minimum site size

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- a. The minimum rural residential site size is 1ha where the protected native bush or SEA sits within the balance site.
 - b. The minimum rural residential site size is 2.15 ha (comprised of 2ha protected area and 1500m² specified building area and access way) where the protected native bush or SEA is to be contained within the new rural residential site.
 - c. The minimum balance site size is 1ha.
6. Maximum site size
- a. The maximum rural residential site size is 2ha where the protected native bush or SEA remains on the balance site.
 - b. If the protected native bush or SEA does not remain on the parent site, the maximum rural residential site size is the protected area plus the specified building area.
7. Access and frontage
- a. Each site must have a minimum road frontage of 6m. Up to five sites may gain frontage over a jointly owned access site, or right of way at least 6m wide.
8. Design
- a. If more than 5 rural residential sites are created, they must be clustered in one or more groups.
 - b. Each group must share an access from a road.
 - c. Specified building areas and access ways must not be located within a SEA, native bush or wetland.
 - d. Each rural residential site must comply with the riparian margin protection standards in Appendix 11.5.9.3.

3.1.2 Subdivision of sites for protection of wetlands

1. All applications based on protecting significant wetlands meet the acceptance criteria set out in the guidelines in Appendix 11.5.9.2.
2. Number of sites
 - a. The number of rural residential sites created from protecting wetlands must not exceed the limits specified below:

Table 2

Area of wetland to be protected	Maximum total number of sites that may be created
5,000m ² - 1.9999ha	1
2.0ha – 3.999ha	2
4.0ha – 7.9999ha	3
8.0ha – 11.999ha	4
12.0ha – 15.9999ha	5
16.0ha – 19.9999ha	6
20.0ha – 24.9999ha	7

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25.0+ha	8 Plus 1 additional site for each 5ha of wetland above 30ha
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3. Location of protected wetland, and site for dwelling
 - a. The area of the wetland to be protected must either:
 - i. remain entirely within the balance site or
 - ii. be contained entirely within the rural residential site, provided that the building area for building and access (1500m²), must 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
4. Minimum site size
 - a. The minimum rural residential site size is 1ha where the protected wetland is within the balance site, or where the protected wetland is to be contained within the rural residential site.
 - b. The minimum balance site size is 1ha.
5. Maximum site size
 - a. The maximum rural residential site size is 2ha where the protected wetland is to remain on the parent site.
 - b. Where the protected wetland is to be contained within the rural residential site, the maximum site size is the greater of:
 - i. the size of the protected area together with a 1500m² specified building area and access area or
 - ii. 1ha.
6. Access and frontage
 - a. Clause 3.1.1.6 above applies.
7. Design
 - a. Clause 3.1.1.7 above applies.

3.2 Subdivision for the creation of additional public reserve land

1. Number of sites
 - a. One rural residential site may be created for every 4ha of land which is incorporated into public reserve up to a maximum of three rural residential sites from any parent site that existed on 28 November 2000.
 - b. The application must comply with all the requirements of clauses 3.2.2 – 3.2.6.
2. Minimum site size
 - a. The minimum site size is 4ha for the site to be incorporated into the existing public reserve.
 - b. The minimum rural residential site size 1ha.
 - c. The minimum site size is 1ha for the balance site.
3. Maximum site size
 - a. The maximum rural residential site size is 2ha.
4. Access and frontage
 - a. The minimum frontage width is 6m.
5. Design of area for incorporation into existing public reserve
 - a. The land to be incorporated into an existing public reserve must be subdivided from the same

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- parent site from which the site is subdivided.
- b. The land to be incorporated into an existing public reserve must be physically suitable to support the function of the existing public reserve.
 - c. The applicant must provide written advice from the agency administering the existing public reserve that:
 - i. they accept the land to be incorporated into the existing public reserve
 - ii. there is appropriate access to the land to be incorporated into the existing public reserve
 - d. The area to be incorporated into the existing public reserve must be vested in the administering body of the reserve at no cost to that body.
6. Site design and location
- a. The site and specified building area must be located so that native bush, SEA or other natural features are not removed or destroyed to provide access, create a building site or define a boundary.
 - b. Any site must be located so that activities within the specified building area do not unduly limit mineral extraction activities.
 - c. Each site created must comply with the requirements of the riparian margin protection standards in Appendix 11.5.9.3. ✓
 - d. Where the rural residential site contains significant native bush over 1ha in contiguous area or a SEA or a wetland over 200m² in contiguous area the subdivision consent must 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 must be erected and maintained around the perimeter of the area of native bush or wetland to be protected.
 - e. Any conditions for the protection of significant native bush or a SEA or a natural feature must be complied with on a continuing basis by the subdividing land owner and subsequent owners, and must be the subject of consent notices to be registered under the Land Transfer Act 1952.

3.3 Subdivision for dwellings on Maori land

1. Rural residential sites may be created by subdividing land where the proposed rural residential site(s) will occur on Maori freehold land and only if resource consent has been granted for additional dwellings on the land and where the following requirements are met:
2. Maori land requirement
 - a. Subdivision must occur on Maori freehold land.
3. Design
 - a. The subdivision must be designed in accordance with any resource consent to establish dwellings on the parent site.
 - b. If more than 5 rural residential sites are created, the sites must be clustered in one or more groups.
 - c. Each group of clustered rural residential sites must share access from a road.
 - d. Any site must be located so that a dwelling can be erected upon it without unduly limiting mineral extraction activities.
4. Other requirements
 - a. Subdivision of Maori land must be implemented in a manner that is consistent with the relevant resource consent granted for dwellings on Maori land.

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- b. The applicant must belong to the same hapu as the trustees of the associated marae.
 - c. Access to any rural residential site must be over the remainder of the parent site of Maori land, and the owner of the rural residential site must maintain a sufficient ownership interest/shares in the parent site to enable continued legal access across the parent site to its boundary with a legal road.
5. Maximum site size
- a. The maximum site size is 1ha.

3.4 Subdivision for significant enhancement planting

1. For any subdivision for significant enhancement planting, the following applies:
 - a. The application must meet the native revegetation planting standards described in Appendix 11.5.9.3 and must also provide a valuable ecological benefit.
 - b. The application and the conditions of consent must address the matters described in Appendix 11.5.9.5. The council retains discretion to impose other conditions in accordance with the RMA.
2. Minimum area of planting
 - a. The minimum area of planting is 6ha.
 - b. The planting must:
 - i. provide necessary enhancement of any existing natural areas to ensure their long term viability, health, and significance
 - ii. result in increases in native species diversity
 - iii. use natural regeneration processes to ensure that in the long term these natural regeneration processes take over
 - iv. provide a potentially significant and sustainable forest, wetland or shrub land that will ultimately meet the requirements of Appendix 11.5.9.1 or 11.5.9.2 as applicable
 - c. The location of the areas of planting must (as far as practicable):
 - i. provide for the protection and enhancement of existing natural areas and provide robust linkages between ecological features
 - ii. address relevant water quality and land stability issues within the catchment
 - iii. provide enhancement of the long term health and viability of any existing water courses and any wetland areas
 - iv. ensure that any balance area contains the more productive land.
3. Number of sites
 - a. The number of rural residential sites created from significant enhancement planting must not exceed the limits specified below. The maximum number of sites that may be created under this clause is based on the parent site existing on 1 March 2010 or any parent site created by a subdivision for which resource consent was granted on or before 1 March 2010.
 - b. A single comprehensive application for subdivision consent can be made for rural residential sites provided for in clause 3.4 and sites provided for in clauses 3.1, 3.2 and 3.3. Such an application will be assessed as a discretionary activity if all development controls are complied with.

Table 3

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Area of significant enhancement planting	Parent Site Size (ha)	Maximum total number of sites that may be created
6.0 ha – 11.9999 ha	8ha	1
12.0ha – 21.9999 ha	15ha	2
22.0ha – 31.9999 ha	30ha	3
32.0ha – 41.9999 ha	45ha	4
42.0ha – 51.9999 ha	60ha	5
52.0ha – 61.9999 ha	75ha	6
62.0ha – 71.9999 ha	90ha	7
72.0ha – 81.9999 ha	105ha	8
82.0ha – 91.9999 ha	120ha	9
92.0ha – 101.9999 ha	135ha	10
102.0ha – 111.9999 ha	150ha	11
112.0ha – 121.9999 ha	165ha	12
122.0ha – 131.9999 ha	180ha	13
132.0ha – 141.9999 ha	195ha	14
142.0ha – 151.9999 ha	210ha	15
152.0ha – plus	225ha plus	16

4. Location of native revegetation and site for dwelling
 - a. The area to be planted in native vegetation must:
 - i. remain entirely within the balance site
 - ii. be contained within the rural residential site, provided that the specified building area for building and access (1500m²) does not require or result in the removal or destruction of native bush and trees, compromise in any manner any other feature to be protected or
 - iii. be contained within a rural residential site adjoining the parent site and under the same ownership as the parent site.

5. Protection and management of 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 in determining that a valuable ecological benefit will be provided, must be legally and physically protected from any activity other than:
 - i. maintenance and replacement of the planting
 - ii. maintenance of the existing natural area
 - iii. activities associated with either of these activities such as pest control
 - b. The native revegetation planting standard Appendix 11.5.9.3 applies to the revegetation planting.

6. Minimum site size
 - a. The minimum rural residential site size is 1ha where the protected revegetation area is to remain on the parent site.
 - b. The minimum rural residential site size is the size of the protected area plus 1500m² for building and access where the protected revegetation area is to be contained within a rural residential site.

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- c. The minimum balance site size is 1ha.
- d. The minimum parent site size is 8ha.
- 7. Maximum site size
 - a. The maximum rural residential site size is 2ha where the protected revegetation area is to remain on the parent site.
- 8. Access and frontage
 - a. Clause 3.1.1.6 applies.
- 9. Design
 - a. Clause 3.1.1.7 applies.
- 10. Completion certificate
 - a. All planting must be completed in accordance with the approved planting plan and the planting standards set out in the native revegetation planting standard in Appendix 11.5.9.3. The survival rate must 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 must 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.

4. Assessment - Restricted discretionary activities

4.1 Matters of discretion

- 1. The council will restrict its discretion to the matters specified for the relevant restricted discretionary activities.

Table 4

	Dwellings on Maori Land	Subdivision for the protection of natural areas	Subdivision for the creation of additional public reserve land	Subdivision for dwellings on Maori land
Rural character	X	X	X	X
Earthworks	X	X	X	X
Visual amenity	X	X	X	X
Access	X			
Parking	X			
Landscaping	X			
Servicing	X			
Layout and scale	X	X	X	X
Location and design of subdivision	X	X	X	X
Legal protection	X	X	X	
Cumulative effects	X	X	X	
Landscape values	X	X	X	
Natural character	X	X	X	
Conservation area	X	X	X	

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Modification of natural systems		X	X	X
Maori values		X	X	X
Rural productivity/reverse sensitivity		X	X	X
Water quality	X	X	X	X
Wildlife values	X	X	X	X
Ecosystem health		X	X	X
Human impact		X	X	X
Significant ecological areas		X		
Adverse effects on natural areas		X		
Vegetation clearance and earthworks		X		
Suitability as a public reserve			X	
Public access to a public reserve			X	
Quality and quantity of recreation resources			X	
Appropriateness as a reserve			X	
Entrances to legal road			X	
Relationship of Maori		X	X	X
Avoiding alienation of Maori land				X
Intensity				X
Mineral extraction activities	X	X	X	X

1st
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4.2 Assessment criteria

1. The council will consider the relevant assessment criteria below for restricted discretionary activities in the precinct.
2. Rural character
 - a. Subdivision should occur without creating adverse effects, including cumulative effects, on the rural character anticipated within the precinct.
3. Earthworks
 - a. The site or sites should be located so that they do not require substantial earthworks or land modification to obtain access or to make an area suitable for building on.
4. Visual amenity
 - a. When viewed from any road, public land or the sea, the specified building area must enable all structures to be entirely below either:
 - i. the landform

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- ii. any existing native trees screening the building site.
 - b. The specified building area must avoid adversely affecting mature native forest that is clearly visible from public roads, public land or the sea.
 - c. Exterior lighting, including any street lighting, should be provided so it is not prominent, particularly against a dark background, when viewed from public land and the sea.
 - d. The site should be screened or the buildings sited so that the amenity values of adjoining sites are not diminished by effects such as a reduction in privacy, the glare from vehicle lights or noise from car parks and service areas.
5. Access
- a. The physical location of the access point or points, and their physical characteristics such as width and surface treatment, should not adversely affect the safe and efficient operation of the surrounding road network.
 - b. Access and servicing should occur with minimal earthworks and landform modification so that adverse effects on the visual environment do not occur or are minimal.
6. Parking
- a. Sufficient parking should be provided to meet the expected number of vehicles using the site.
7. Landscaping
- a. Landscape planting or fencing and open space should be provided to enhance the amenity values of the area and mitigate the effects of buildings, car parks and service areas.
8. Servicing
- a. The method and design of water supply, wastewater disposal and site drainage should ensure that no adverse effects on the environment (including the surrounding land and waters) result.
9. Layout and scale
- a. The layout, character and scale of the subdivision or development should:
 - i. complement natural features identified in primary and secondary conservation areas in the conservation subdivision plan in Appendix 11.5.9.3 and does not overwhelm them
 - ii. avoid losing or compromising the remote and non-urban character of the precinct.
10. Location and design of subdivision
- a. Subdivision or development should avoid:
 - i. adverse effects on reserve land and any open sanctuary restoration projects, including buffer areas
 - ii. adverse effects on significant flora and fauna habitats including habitats of threatened species
 - iii. adverse effects on threatened ecosystem types such as wetlands, dune systems, and coastal ecosystems
 - iv. fragmenting existing natural areas.
11. Legal protection
- a. Any area of natural significance, wetlands, bush, wildlife habitat or replanted area should be permanently legally and physically protected as part of the subdivision including fencing, weed and animal pest control.
12. Cumulative Effects
- a. The subdivision should not have adverse cumulative effects. Assessment of this will include whether:

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- i. the effects of the proposed subdivision add to or act together with the effects of the existing environment
 - ii. the effects of any subdivision that may establish in the future will add to or act together with the proposed subdivision.
13. Landscape values
 - a. The design, layout, character and scale of the subdivision or development should:
 - i. protect or enhance the high landscape values of the area
 - ii. avoid adversely affecting those values in a more than minor way
 - iii. avoid cumulative effects on local landscape values.
 - b. The local landscape's ability to absorb change should be taken into account, including:
 - i. the nature and variability of local terrain
 - ii. the extent and distribution of vegetation cover.
14. Natural Character
 - a. The subdivision or development, including the location of building platforms, should not adversely affect the natural character of the coastal environment.
 - b. Subdivision should avoid affecting the natural landforms and vegetation cover that affect such character and values including:
 - i. current levels of naturalness and the integrity of that part of the coastal environment
 - ii. screening and integration potential afforded by natural landforms and vegetation
15. Conservation areas
 - a.
 - i. Areas identified for protection in the primary and secondary conservation areas in the conservation subdivision plan in Appendix 11.5.9.3 should not be removed.
 - ii. If they are to be removed, the adverse effects of this should be avoided, remedied or mitigated.
16. Modification of natural systems
 - a. The subdivision and development should not result in adverse effects on natural dune systems or river or stream margins.
 - b. If those effects arise, they should be effectively remedied or mitigated.
17. Maori values
 - a. The activity should not adversely affect the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
18. Rural Productivity/Reverse sensitivity
 - a. The location, design or density of the sites in the proposed subdivision should not adversely impact on:
 - i. the productivity or management of established rural production activities
 - ii. the ability of neighbouring sites to establish permitted rural production activities.
19. Water quality
 - a. The works and development associated with the subdivision should not adversely impact on the natural quality of any water body.
20. Wildlife values
 - a. Effective buffers and setbacks between development and natural areas and wildlife habitats should be provided to avoid significant adverse effects on ecological and wildlife values.

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21. Ecosystem health
 - a. The subdivision and subsequent development should not adversely affect significant ecological values, wildlife or vegetation:
 - i. existing on the site
 - ii. in the surrounding areas
 - iii. in the area of land that extends down to the mean high water mark.
22. Human impact
 - a. Vehicle access to ecologically sensitive areas should be avoided.
 - b. Walkway access should ensure that the human impacts on the quality and remote character of the environment and especially on threatened or endangered species is avoided.
23. Significant ^{ecological?} natural areas
 - a. The subdivision proposed for the protection of a SEA should be 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.
24. Adverse effects on natural areas
 - a. The resultant adverse effects on the natural areas of subdivision should be avoided, remedied or mitigated.
25. Vegetation clearance and earthworks
 - a. The clearance of vegetation and earthworks in areas identified for protection should be avoided.
- * 26. Suitability as a reserve ²⁰¹³ The proposed areas for incorporation into public reserves should be physically suitable for the purpose for which the reserve is created.
27. Public access to reserves
 - a. The area for incorporation into the public reserve should be held as reserve which is able to be accessed by the public at large (subject to the Reserves Act 1977).
28. Quality and quantity of recreation resources
 - a. The proposed additional reserve area should make an appreciable improvement to the quality or quantity of the public recreation resource available within the precinct.
29. Appropriateness as a reserve
 - a. The proposed area for incorporation into the public reserve should be of an appropriate size, shape, and contour to enable the intended function of the reserve to be achieved.
30. Entrances to legal road
 - a. The arrangement of any proposed residential sites should not lead to a proliferation of entrances on any legal road.
31. Relationship of Maori
 - a. The subdivision should provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

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32. Avoiding alienation of Maori land
 - a. The subdivision should assist in avoiding the unnecessary alienation of Maori land.
33. Intensity
 - a. The arrangement and intensity of sites should not prevent or inhibit the ability of neighbouring sites to be used for rural productive purposes.
34. Mineral extraction activities
 - a. Sites should be located so that a dwelling can be erected upon them without unduly limiting mineral extraction activities.

5. Special information requirements

1. All applications for subdivision and dwellings must include a report from a suitably qualified person that:
 - a. contains the information requirements described in Appendix 11.5.9.3 as applicable
 - b. defines on a scheme plan any area to be protected as wetland and/or native bush
 - c. confirms that all areas to be protected achieve the requirements contained in the relevant Appendix 11.5.9.1-5
 - d. confirms that the subdivision (including planting, layout of lots, building platforms and access) can be integrated into the landscape following a detailed landscape and visual assessment
 - e. identifies each specified building area on the ground before the proposed plan of subdivision is submitted for approval. This must be shown on all plans of proposed subdivision submitted for approval including the plan submitted for deposit, and its existence must be noted on the title for each site pursuant to a consent notice under s. 221 of the RMA, or similar mechanism.
2. Subdivision of sites for the protection of natural areas
 - a. Any application for subdivision made in reliance on clause 3.1.1 or 3.1.2 must include the following information requirements:
 - i. A report from a suitably qualified person:
 - addressing the information requirements contained in Appendix 11.5.9.1 as applicable
 - clearly defining on a scheme plan the area defined as wetland and the area defined as native bush. The areas must not overlap and each will need to satisfy the clauses and assessment criteria in its own right to enable a subdivision.
 - ii. The area defined as wetland must include both the wetland itself and its associated riparian area.
 - iii. Where any wetland adjoins an area of native bush, the width of the riparian area around the perimeter of the wetland must be 20m. This riparian area must be included in the wetland area and excluded from the area defined as native bush.
 - b. Subdivision of sites for the protection of significant wetlands
 - i. In addition to the information required in clause 4.3.1, any application for subdivision made in reliance on clause 3.1.2 must also include an assessment of the wetland undertaken by a suitably qualified person confirming that the wetland meets the acceptance criteria set out in the guidelines in Appendix 11.5.9.2.
3. Subdivision for the creation of additional public reserve land
 - a. Any application for subdivision made in reliance on clause 3.2 must include written evidence from the agency administering the existing public reserve confirming that:
 - i. 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

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- ii. the agency agrees to acquire and administer the land as public reserve.
4. Subdivision for significant enhancement planting
 - a. Any application for subdivision made in reliance on clause 3.4 must include the information requirements in Appendix 11.5.9.5.

6. Definitions

High value ecological buffer

Land at least 50m wide from existing indigenous vegetation edges surrounding (to the extent practicable):

- mature terrestrial indigenous vegetation totalling at least 4ha in area
- regenerating indigenous vegetation totalling at least 10ha in area or
- an indigenous wetland at least 0.5ha in area

High value ecological connection

A continuous connection at least 40m wide (and preferably more than 100m) that joins at least 10ha of indigenous terrestrial vegetation or at least 0.5ha of indigenous wetland vegetation. The connection must consist of:

- areas of similar mature indigenous vegetation
- one area of mature indigenous vegetation and one area of regenerating vegetation developing into vegetation similar the mature area or
- two areas of different types of mature vegetation along an environmental gradient such as a topographical gradient or salinity gradient

High value riparian planting

Riparian planting along at least 200m of a perennial natural watercourse and providing uninterrupted indigenous vegetation. It must be at least 20m wide on each side of the watercourse and otherwise comply with Appendix 11.5.9.3.

Maori freehold land

As defined under the Te Ture Whenua Maori Act 1993

Native bush

Areas of vegetation with both a substantially intact canopy and:

- a regenerating understory or
- containing features which meet the acceptance criteria for native bush in the guidelines for the field assessment of native bush in Appendix 11.5.9.1.

Native trees planted as a forest crop are not native bush.

Rural residential site

The site being created, which must comply with all relevant development controls.

Outdoor recreation

Any use of land for public and/or private leisure, sporting and recreational activities including horse trekking and dog sled racing but excluding motorsports.

Regenerating vegetation

Vegetation at least 1.5m high, containing emerging canopy species and having minimum long term weed management requirements as specified in Appendix 11.5.9.5.

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Valuable ecological benefits

Valuable ecological benefits means a high value ecological buffer, high value ecological connections, high value riparian planting and/or regenerating vegetation.

Wetland

Permanently or intermittently wet areas, shallow water, and land margins that:

- support a natural ecosystem of plants and animals that are adapted to wet conditions and
- meet the requirements of guidelines for the field assessment of wetlands set out in Appendix 11.5.9.2

Areas of pasture or areas located in the coastal marine area are not wetland.

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