

## **I441. Whitford Precinct**

### **I441.1. Precinct Description**

The Whitford Precinct covers approximately 3735ha of rural land that lies entirely within Tūranga, Waikōpua, Te Puru and Beachlands stream catchments, collectively known as the Whitford catchment. The precinct is a rural area located close to the urban areas of Botany, Howick and Flat Bush. The precinct provisions provide for countryside living development, subject to a management framework in order to maintain and enhance landscape character, rural amenity values and the environmental quality of the area.

The Whitford Precinct includes two sub-precincts, Whitford Sub-precinct A and Whitford Sub-precinct B, and six mapped indicative constraints areas. Land not located within any of the six constraints areas is generally considered to be the least sensitive of all land within the precinct and the most appropriate location for development. However, as the constraints are indicative, Council will require detailed analysis and design to accompany resource consent applications to subdivide or develop land.

An incentive is given to encourage improvements to the natural and physical environment through provisions for additional subdivision for significant enhancement planting.

#### **Whitford sub-precinct A**

Sub-precinct A contains three distinct areas of land. The first lies within the Tūranga Stream catchment. It is characterised as rolling hill country, which generally consists of slopes between 10-20 degrees, and occasional steeper slopes. The second area includes all the land that lies immediately north of the Trig Road ridge and south of Whitford-Maraetai Road. The third area lies in both the Turanga and Waikōpua Stream catchments and is characterised as steep hill country. This area contains some of the steepest land within the Whitford Catchment. The Whitford sub-precinct A contains a significant proportion of slopes steeper than 15 degrees within the precinct. An average site size of 3.5ha is applied to this sub-precinct.

#### **Whitford Landfill**

Sub-precinct A acknowledges the presence of the Whitford Landfill and the need to minimise the potential for reverse sensitivity effects on the landfill activities. The Quarry Buffer Area Overlay, shown on the planning maps, identifies areas sensitive to both the quarry activities and the Whitford Landfill, which are co-located on the site. It is not intended or proposed that the provisions in the Whitford Precinct rules be utilised to relax or lower the level of control on landfill activities that would otherwise apply if the provisions did not exist.

#### **Whitford sub-precinct B**

Sub-precinct B lies within both the Te Puru and the Beachlands south stream catchments. It has a coastal edge and includes specific provisions addressing both the landscape character and environmental considerations. An average site size of 5ha is applied to this sub-precinct.

### **Road corridor indicative constraints area**

This constraints area is based on a visibility out to 300m every 50m along arterial roads within the Whitford precinct, being Whitford Park Road, Sandstone Road and Whitford-Maraetai Road, shown on Whitford Precinct: Precinct plan 4, so that:

- existing views of the wider countryside are maintained along the roads network
- separation distances between developments are maintained by dispersing dwellings or clusters of dwellings.

### **Scenic amenity indicative constraints area**

The scenic amenity indicative constraints area applies to all sensitive ridgelines above the 80m (RL) contour within the Whitford precinct that are visible from the main roads, shown on Whitford Precinct: Precinct plan 3 to:

- maintain the existing balance between the built environment and existing natural areas, including areas of native vegetation, pastoral lands and production forestry, particularly along the ridgelines that enclose the precinct
- maintain separation by dispersing development.

The hill country and ridgelines surrounding the precinct not only contribute significantly to landscape character and rural amenity values within the area, but also to the surrounding suburbs of Howick and Cockle Bay and the wider Whitford area. Limiting the number of buildings and structures in the skyline ridge and hill country areas is therefore critical to maintaining rural amenity and the perception that the precinct is rural in character.

### **Riparian management indicative constraints area**

The riparian management indicative constraints area applies, as a minimum, to all land lying 10m either side of all existing permanent streams within the precinct, shown on Whitford Precinct: Precinct plan 2 to:

- protect existing landscape features associated with riparian margins
- allow for sediment control between household units and streams
- provide visual screening opportunities between household units
- provide for possible future recreational and ecological corridors.

No development is permitted within the constraints area. The objective is to limit the amount of development in gully areas and in proximity to streams, and to allow the setting aside and replanting of these areas with native vegetation. The 20m width of the constraints area is the minimum requirement only. The actual area of riparian margin that may be required to be enhanced and/or protected may be greater, depending on the topography and physical characteristics of the stream. This would be assessed at resource consent stage.

### **Coastal indicative constraints area**

The coastal edge contributes to the existing character and amenity values of Whitford's landscape, refer to Whitford Precinct: Precinct plan 3. Views of the coastal edge, estuarine areas and the inner Hauraki Gulf are a source of significant amenity to the area. The coastal indicative constraints area covers the area where land subdivision, use

and development can influence coastal landscape and amenity within the precinct. The primary purpose of this constraints area is to protect existing landscape character and amenity values associated with the coastal edge including beaches, intertidal areas, estuaries, cliffs, escarpments and coastal slopes.

#### **Native vegetation indicative constraints area**

The native vegetation indicative constraints area identifies areas of native vegetation for protection and enhancement, shown on Whitford Precinct: Precinct plan 2 to:

- protect existing native vegetation for future generations
- provide opportunities for increased diversity through permanent legal protection of existing areas of native vegetation through fencing, weed and pest control
- enhance the landscape to ensure ecological services are maintained during and after development
- protect the quality and resilience of the resource.

#### **Slopes indicative constraints area**

A significant portion of the precinct consists of slopes steeper than 15 degrees, refer to Whitford Precinct: Precinct plan 1. The northern and eastern parts of the precinct form a series of prominent hills and valleys. Large tracts of unstable ground are situated in the southern part of the precinct. This is delineated as the Southern Landslide zone and covers approximately one third of the precinct. Within this zone there is evidence of mass land movement and benched topography, typical of deep-seated block sliding.

The location of the slopes steeper than 15 degrees is mapped as a slopes indicative constraints area to:

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

Sub-precinct A is zoned Rural – Countryside Living Zone and Special Purpose – Quarry Zone.

Sub-precinct B is zoned Rural – Countryside Living Zone with an area on the eastern boundary zoned Rural – Mixed Rural Zone.

#### **I441.2. Objectives**

- (1) Rural countryside living subdivision, use and development of land occurs in a way which ensures that:
  - (a) landscape character and rural amenity values are maintained and enhanced;
  - (b) the operation of rural production activities can continue without being constrained by the adverse effects of reverse sensitivity;
  - (c) the natural character and ecological values of native bush and vegetation areas, the streams and coastal waters are maintained and enhanced;

- (d) areas identified as subject to significant erosion or land instability risk are avoided.

The overlay, Auckland-wide and underlying zone objectives apply in this precinct in addition to those specified above.

### **I441.3. Policies**

- (1) Identify areas where constraints on development are necessary to prevent them from being visually prominent or obtrusive when viewed from public places.
- (2) Require land subdivision, use, and development to maintain and enhance the natural character and ecological values of native bush and vegetation areas, the streams and coastal waters through:
  - (a) the setting of limits on density, minimum site size, vegetation maintenance and legal protection of vegetation;
  - (b) requiring minimum revegetation planting through subdivision standards; and
  - (c) providing for significant enhancement planting.
- (3) Require the retention and enhancement of the natural character and ecological values of native vegetation, riparian areas and streams within the precinct.
- (4) Identify areas subject to significant erosion or land instability risk, and ensure development is avoided in these areas.
- (5) Provide incentives for biodiversity enhancement.
- (6) Maintain or enhance water quality in tributaries and the wider Whitford estuary system by:
  - (a) minimising land disturbing activities;
  - (b) protecting and enhancing remnants of native vegetation, riparian vegetation and wetlands; and
  - (c) improving biodiversity values through design.
- (7) Maintain or enhance water quality in tributaries and the wider Whitford estuary system by:
  - (a) minimising land disturbing activities;
  - (b) protecting and enhancing remnants of native vegetation, riparian vegetation and wetlands;
  - (c) improving biodiversity values through design;

- (d) managing stormwater in a way that achieves the collection and management of rainfall and surface water on site and avoids the discharge of sediment and other contaminants from entering watercourses; and
  - (e) managing the quantity of stormwater discharged so as to not increase channel erosion.
- (8) Encourage public open spaces within the Whitford Precinct to:
- (a) provide for a range of outdoor recreational activities including passive and active recreation;
  - (b) provide for a well-connected, integrated and accessible network of recreational trails for walking, cycling and horse riding that offer a variety of different routes, links and circuits;
  - (c) protect key areas of ecological, heritage and landscape significance;
  - (d) provide an appropriate amount of space for community buildings or facilities; and
  - (e) provide opportunities for visual appreciation of the area.
- (9) Encourage dwellings to be clustered and to provide shared community facilities where it supports the countryside living character of the precinct.
- (10) Ensure development is located, designed and managed in such a manner as to avoid, remedy or mitigate conflicts between differing land uses, including the Whitford Landfill.

The underlying zone, Auckland-wide and overlay policies apply in this precinct in addition to those specified above.

**I441.4. Activity table**

The provisions in any relevant overlays, zone and the Auckland-wide apply in this precinct unless otherwise specified below.

Table I441.4.1 Activity table specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for subdivision pursuant to section 11 of the Resource Management Act 1991.

**Table I441.4.1**

Activity		Activity status
<b>General</b>		
All buildings accessory to any activity specified in this table have the same status as the activity itself, unless otherwise specified in this table.		
<b>Rural</b>		
(A1)	Forestry	P

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(A2)	Forestry not complying with standard I441.6.1	D
<b>Development</b>		
(A3)	Buildings and accessory buildings located within the specified building area identified in a plan of subdivision	P
(A4)	Additions and alterations to buildings within the specified building area	P
(A5)	Additions and alterations to buildings where any part is located outside the specified building area	RD
(A6)	Buildings or accessory buildings located outside the specified building area	D
(A7)	Buildings for communal facilities for the sole use of the occupiers of clustered housing developments	RD
(A8)	Application for a specified building area	D
(A9)	Dwellings not complying with Standard I441.6.4.1 and I441.6.4.2 Buildings and accessory buildings	D
<b>Subdivision</b>		
(A10)	Subdivision which meets the standards in E39 Subdivision – Rural and the Whitford Precinct subdivision standards	RD
(A11)	Subdivision that does not meet the standards in E39 Subdivision – Rural and the Whitford precinct subdivision standards	NC

### I441.5. Notification

- (1) Any application for resource consent for an activity listed in Table **Error! Reference source not found.** 1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

### I441.6. Standards

The overlay, zone and Auckland-wide standards apply in this precinct, except for the following:

- Rural zone rules H19.10.10 Dwellings and Table H19.8.2 do not apply.

All activities listed as permitted and restricted discretionary activities in Table I441.4.1 must comply with the following permitted activity standards.

#### I441.6.1. Forestry

- (1) Maximum planted area within the road corridor, shown on Whitford Precinct: Precinct plan 4: Whitford road corridor, is 1ha per site.

- (2) Maximum planted area outside the road corridor, shown on Whitford Precinct: Precinct plan 4: Whitford road corridor, is 4ha per site.

#### **I441.6.2. Yards**

- (1) The following yards apply:

##### **I441.6.2.1. Table 1 - Yards**

<b>Yard</b>	<b>Dimension</b>
Front	10m
Side and rear	3m
Coastal	30m
Yards fronting an arterial road	20m

#### **I441.6.3. Building coverage**

- (1) Buildings must not exceed the coverage as set out below:

##### **I441.6.3.1. Table 2 – Building coverage**

<b>Site size</b>	<b>Building coverage</b>
Up to 2500m <sup>2</sup> net site area	350m <sup>2</sup>
Greater than 2500m <sup>2</sup> and 4000m <sup>2</sup> in net site area	450m <sup>2</sup>
Greater than 4000m <sup>2</sup> net site area	600m <sup>2</sup>

#### **I441.6.4. Buildings and accessory buildings**

- (1) The maximum gross floor area of all buildings other than dwellings must not exceed 100m<sup>2</sup> per site.
- (2) All buildings, including dwellings, must be located within the specified building area identified on the plan of subdivision and secured by a consent notice attached to the Certificate of Title to the site.
- (3) Where the Certificate of Title to a site does not have an attached consent notice specifying a building area, all buildings, including dwellings, are discretionary activities.

#### **I441.6.5. Subdivision**

The Auckland-wide rules apply unless otherwise specified below, except that, apart from in relation to boundary adjustments, Subdivision rules E39 Subdivision - Rural do not apply.

**I441.6.5.1. Subdivision density**

(1) The following subdivision density rules apply:

**Table 3 - Subdivision**

Whitford sub-precinct	Site density
Whitford A	No more than one site per 3.5ha gross across the entire existing site
Whitford B	No more than one site per 5ha gross across the entire existing site

- (1) For the purposes of this standard, the calculation of subdivision site density does not include access sites and any site created for utility or communal purposes for which consent has been granted, and that does not allow for the establishment of a future dwellings, but may include the area occupied by those sites.
- (2) The calculation of maximum permitted site density must exclude from the area of the existing site any area of planting previously legally protected or previously required to be legally protected pursuant to these subdivision.

**I441.6.5.2. Sites**

The existing site:

- (1) For the purposes of this standard, existing site means all the land held in a separate certificate of title dated 8 July 2005. This was the date for public notification of the Whitford rural plan change.
- (2) Subdivision may be carried out in stages by making reference back to the parent site existing as at 8 July 2005 provided the total number of sites does not exceed the maximum site density.
- (3) Where an application for subdivision consent incorporates two or more adjoining existing sites, the total area of the land subject to the application may be treated as one site for the sole purpose of configuring and designing the subdivision. The number and size of proposed sites in the application must not exceed the total number and size of sites that would otherwise be created as a restricted discretionary activity for each of the individual existing sites.
- (4) In respect of any site within a subdivision capable of further subdivision under these standards, there must be no further subdivision of that site if it would result in the total permitted density being exceeded with respect to the existing site. This requirement is to be secured by a suitable legal



instrument which must be registered on certificates of title to ensure ongoing compliance with this standard.

- (5) Where an application for subdivision consent is for an existing site held in a separate certificate of title on 8 July 2005 and contains land both inside and outside the Whitford Precinct, the area of land contained within the precinct must be considered the existing site or parent site under these standards. Land outside the Whitford Precinct must not be used in the calculation of the average site size for subdivision.
- (6) Where an application for subdivision consent includes proposed sites that cross the Whitford Sub-precinct A and Sub-precinct B boundaries, no less than 50% of the net site area of a proposed site shall be located within the Whitford A sub-precinct to qualify as a site meeting the minimum site area requirement under these standards.

#### **I441.6.5.3. Specified building area**

- (1) The subdivision plans must show a minimum 15 metre by 15 metre area specified building area complying with standards and any site specific constraints to demonstrate that it can contain a household unit.
- (2) Buildings must be limited to the specified building area.
- (3) The specified building area and the access to each specified building area must be proven to be geotechnically stable.
- (4) The specified building area must not be located within a corridor extending 10 metres either side of a perennial stream (as indicated on precinct plan 1 and precinct plan 2), or any ephemeral stream.
- (5) Within the Whitford Quarry Buffer, details shall be provided of the outcome of consultation with representatives of the owners and operators of the Whitford Quarry and Whitford Landfill concerning the proposed location of the specified building area.

#### **I441.6.5.4. Riparian management indicative constraints area**

- (1) Where there is conflict between the location of a permanent stream mapped on Whitford Precinct: Precinct plans 1 and 2 and the physical location of the permanent stream on the site, the physical location of the permanent stream on the site applies.
- (2) A minimum 10m strip must be planted in accordance with the precinct rules and fenced off from each bank of all permanent streams and will constitute the riparian management indicative constraints area, provided council may approve an alternative means of excluding livestock. This constraints area must also include any wetland areas associated with permanent streams on the site. Where there is no obvious stream bank, a

two-year ARI event water level as determined by a suitably qualified and experienced person will be used to determine the stream bank.

- (3) All buildings and structures excluding fencing must be set back a minimum of 5m from the constraints area.
- (4) Where the planting and revegetation required will be contiguous over more than three sites, a management structure or ongoing arrangement must be established to ensure the ongoing integrated management and maintenance of this planting and revegetation.
- (5) Where there is production forestry that was in existence at 8th July 2005 and is located within the riparian management indicative constraints area, the council may consent to a postponement of the planting required under this standard. This postponement can be no longer than 12 months after the clear felling harvest of the trees.
- (6) For guidance see the Whitford Precinct guidelines for native revegetation plantings for the required planting and management measures that relate to this standard.

#### **I441.6.5.5. Environmental mitigation and enhancement**

- (1) The permanent protection of all areas of existing native vegetation shown on Whitford Precinct: Precinct plan 2 must be secured by a suitable legal instrument which must be registered on certificates of title and binding on successors in title, and is to provide for the following:
  - (a) a requirement not to destroy or damage existing areas of native vegetation shown on Whitford Precinct: Precinct plan 2, the exact dimensions to be confirmed at the stage of subdivision
  - (b) all legally protected areas must be fenced unless the council approves an alternative fencing layout which effectively excludes all livestock from such areas.
- (2) Where the area of existing native vegetation required to be protected in (1) above is less than 1ha for each additional site created, additional native vegetation planting will be required to provide a minimum of 1ha in Whitford Sub-precinct A and 5000m<sup>2</sup> in Whitford Sub-precinct B for each additional site.
- (3) The minimum requirement in (2) above can include:
  - (a) the planting requirement for the riparian management indicative constraints area in Standard I441.6.5.34 above; and/or
  - (b) the planting required for slopes greater than 15 degrees in Standard I441.6.5.76 below; and/or

- (c) areas of native vegetation shown to have been specifically planted for enhancing or mitigating provided this does not include any area planted as a condition of any previous resource consent, or through public funding.
- (4) The planting requirement must be located within the Whitford Precinct and must be confined to areas where planting will provide:
  - (a) valuable ecological linkages; and/or
  - (b) significant benefits and improvements to water quality and land stability within the Whitford Precinct; and/or
  - (c) enhancement of existing water courses and any wetland areas to ensure their long term health and viability; and/or
  - (d) a significant and sustainable forest in its own right.
- (5) Where the planting and revegetation required under this standard will be contiguous over more than three sites, a management structure or other appropriate ongoing arrangement must be established to ensure ongoing integrated management and maintenance of this planting and revegetation.
- (6) For guidance the planting plan for this Standard are contained in the Whitford Precinct guidelines for native revegetation planting.
- (7) Exception. Where production forestry was in existence as at 8 July 2005 and is located within the constraints area or the slopes indicative constraints area, council may consent to a postponement of the required planting. This postponement may be no longer than 12 months after the clear felling harvest of trees within either the riparian constraint area or the slopes constraints area. A condition of subdivision consent to this effect will be imposed to ensure continuing compliance by the subdividing owner and subsequent owners. A consent notice will also be issued under s. 221 of the Resource Management Act 1991 specifying any such condition. The consent notice will be registered against the Certificates of Title to the relevant sites and will bind all subsequent owners of the land.

#### **I441.6.5.6. Slopes indicative constraints area**

- (1) For sites containing slopes steeper than 15 degrees shown on Whitford Precinct: Precinct plan 1 a report must be prepared by a suitably qualified and experienced person identifying:
  - (a) slopes steeper than 21 degrees;
  - (b) any slopes that exhibit signs of instability or past erosion; and

- (c) any slopes subject to erosion in view of their soil and slope characteristics.
- (2) All land identified in Standard I441.6.5.6a above must be planted in accordance with Standard I441.6.5.9 provided the planting will not apply on slopes steeper than 21 degrees if a report prepared by a suitably qualified and experienced person confirms there is no need as those slopes do not exhibit signs of instability or past erosion, or are not subject to erosion in view of their soil and slope characteristics e.g. rocky cliff, and:
  - (a) stock is to be permanently excluded from those slopes; and
  - (b) the area is to be maintained in accordance with a management plan that controls weeds and pests.

*Note*

Where a production forest was in existence on 8 July 2005 and is located within the constraint area, the council may consent to postponing the required planting under this standard. This postponement may be no longer than 12 months after the clear felling harvest of trees within the constraint area at which time the required planting will be done.

A condition of subdivision consent to this effect will be imposed to ensure continuing compliance by the subdividing owner and subsequent owners. A consent notice will also be issued under the Resource Management Act 1991 specifying any such condition. The consent notice will be registered against the certificates of title to the relevant sites and will bind all subsequent owners of the land.

**I441.6.5.7. Recreational trails**

- (1) Where land with recreational trails as shown on Whitford Precinct: Precinct plan 3 is subdivided or developed, or where the first of any one or more of the sites legally described as allotments 57, 58 or 59 Parish of Maraetai is subdivided or developed, then provision for the recreational trails must be made as follows:
  - (a) the trail route must be generally in accordance with that indicated on Whitford Precinct: Precinct plan 3 except that a trail between points A and B is to be established on land owned by the Council unless an alternative route is established by agreement between the Council and the owner(s) of the land through which the alternative route would pass;
  - (b) the trail should provide access to scenic, historic and ecological features in the locality;

- (c) the trail should be independent of the road;
  - (d) where it is necessary for the trail to be provided in conjunction with a road, the Council may require widened berms and other amenity features along the trail route;
  - (e) where it is necessary to cross a major traffic route, Council will consider the practicality of requiring traffic control devices to help trail users cross safely;
  - (f) the trail route should be sited clear of the 1 per cent AEP flood path of any natural stream system;
  - (g) where the trail route is provided by means of a pedestrian access way, the legal width of the access way at any point must be no less than 6m unless Council believes a reduced width can provide the required level of access; and
  - (h) the recreational trail must be vested in Council.
- (2) Where a recreational trail is required as a condition of approval for a resource consent, including subdivision, the following design standards must apply:
- (a) recreational trails independent of roads:
    - (i) minimum width between boundaries of 5m and minimum metalled formation width of 3m; and
    - (ii) water tables and culverts must be provided when required for stormwater control.
  - (b) Recreational trails along road berms:
    - (i) minimum width of 3m and a minimum metalled width of 2m.
  - (c) provision must be made in the subdivision plan for any recreational trail shown on the planning maps that traverses the site to be vested in Council. The trail must be located at a practicable alignment and grade.

**I441.6.5.8. Additional subdivision for significant enhancement planting**

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

- (1) Number of sites:

Sites may be created, additional to the number that would otherwise be possible pursuant to Standard I441.6.5.1, provided that:

- (a) 4ha of native vegetation is planted for each additional site in accordance with Standard I441.6.5.9.
- (b) the maximum number of sites created from any existing site must not exceed that provided for in Table 4: Additional subdivision for significant enhancement planting.

**Table 4: Additional subdivision for significant enhancement planting**

Size of parent site (ha)	Maximum number of sites created under this standard
Up to 7 (Whitford sub-precinct A)	0
Up to 10 (Whitford sub-precinct B)	0
7 to 20 (Whitford sub-precinct A)	3
10 to 20 (Whitford sub-precinct B)	3
20 to 35	4
35 to 55	5
55 to 65	6
65 to 75	7
Greater than 75	8

(2) Location of significant enhancement planting:

- (a) planting must be located within the Whitford Precinct and must be confined to areas where it will:
  - (i) provide valuable ecological linkages; or
  - (ii) provide benefits and improvements to water quality and land stability; or
  - (iii) enhance existing water courses, including ephemeral streams, and any wetland areas to ensure their long-term health and viability; or
  - (iv) provide a significant and sustainable area of native bush, and may include:
    - the planting requirement for the riparian management indicative constraint area in Standard I441.6.5.3

- the planting required for slopes greater than 15 degrees in Standard I441.6.5.76
- any planting provided in Standard I441.6.5.9.

#### **I441.6.5.9. Minimum standards for planting**

- (1) This rule applies to planting required or proposed pursuant to Standard I441.6.5.34, Standard I441.6.5.65 and Standard I441.6.5.76.
- (2) A re-vegetation plan and programme covering the following matters is required:
  - (a) pre-planting site assessment;
  - (b) planting plan assessment; and
  - (c) annual monitoring programme.
- (3) Planting must be at a minimum density of 1.4m centres - 5100 stems/ha. A greater density may be required in some situations, for example where there is a significant weed infestation or the planting is close to streams or wetlands.
- (4) Permanent protection of planting and revegetation areas is to be secured by a suitable legal instrument which must be registered against the certificates of title for relevant sites before council issues the s. 224(c) certificate under the Resource Management Act 1991, and must include requirements:
  - (a) not to destroy or damage protected vegetation;
  - (b) for protected vegetation to remain undisturbed and weeds and pests to be adequately controlled; and
  - (c) for all protected areas to be fenced to prevent undergrazing, unless the Council approves an alternative method which effectively excludes all livestock from such areas.
- (5) A bond may be required to ensure that any planting is fully established and sustainable. Any such bond will be registered against the certificates of title for relevant sites and will bind successors in title.

#### **I441.7. Assessment – controlled activities**

##### **I441.7.1. Matters of control**

There are no controlled activities in this precinct.

## **I441.8. Assessment – restricted discretionary activities**

### **I441.8.1. Matters of discretion**

The council will restrict its discretion to all the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) for additions and alterations to buildings where any part is located outside the specified building form:
  - (a) the effects on rural character;
  - (b) the effects on site stability; and
  - (c) the effects on native vegetation.
- (2) for buildings for communal facilities for the sole use of the occupiers of clustered housing developments:
  - (a) the effects on rural character and amenity values;
  - (b) the effects of alternative locations for buildings or structures; and
  - (c) the effects on native vegetation and archaeological features.
- (3) for subdivision which meets the Auckland-wide E39 Subdivision -Rural and Whitford Precinct subdivision standards:
  - (a) the effects on the protection and enhancement of riparian areas and vegetation;
  - (b) the effects of the location of building platforms;
  - (c) the effects on the protection and enhancement of open space;
  - (d) the effects on the location of internal private ways and rights-of-way;
  - (e) the effects on the provision of recreational trails;
  - (f) compatibility of application with the Whitford Precinct design guide;
  - (g) the effects on the riparian management indicative constraints area;
  - (h) the effects on the coastal indicative constraint area;
  - (i) the effects on the road corridor indicative constraints area;
  - (j) the effects on the slopes indicative constraints area;
  - (k) the effects on the scenic amenity indicative constraints area;
  - (l) the effects of re-vegetation planting;



- (m) the effects on landscape character and rural amenity values; and
- (n) the effects on subdivision for significant enhancement planting.

#### **I441.8.2. Assessment criteria**

The council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland-wide or zone provisions:

- (1) for additions and alterations to buildings where any part is located outside the specified building form:
  - (a) the scale and location of the activity should be in keeping with the rural character of the area:
    - (i) whether the area onto which the activity is to extend is stable enough to support the structure; and
    - (ii) the extent to which the native vegetation shown on Whitford Precinct: Precinct plan 2 is adversely affected.
- (2) for buildings for communal facilities for the sole use of the occupiers of clustered housing developments.
  - (a) effects on rural character and amenity values:
    - (i) whether the location of the building or structure takes into account the description, explanation and purpose of any indicative constraints area it lies within;
    - (ii) the extent to which the spaciousness of the precinct is maintained within the site taking into consideration the position of the building or structure in response to the landform;
    - (iii) whether the design, orientation, layout and external appearance of the building or structure blends in with the rural landscape;
    - (iv) the extent to which the use and activities associated with the building or structure are compatible with the rural environment and whether the activity causes conflicts with adjoining land uses;
    - (v) whether the building or structure complies with the development and land use controls for the precinct; and
    - (vi) whether the purpose of the building or structure is accessory to the clustered housing development it serves.
  - (b) alternative locations for building and structure:
    - (i) whether the environmental effects of other alternative locations for the building or structure are considered and the proposed location provide the best environmental outcome with respect to its overall design;

- (ii) the extent to which the location of the building or structure is in relation to the clustered housing development it serves; and
  - (iii) the extent to which the location of the building or structure is within the clustered housing development it serves.
- (c) native vegetation:
- (i) whether the building or structure will require the removal of native vegetation.
- (3) for subdivision which meets the Auckland-wide E39 Subdivision -Rural and Whitford precinct subdivision rules:
- (a) protection and enhancement of protected vegetation:
- (i) the extent to which any dwelling, accessory building, specified building area or access driveway is located to minimise adverse effects on any native vegetation shown on Whitford Precinct: Precinct plan 2; and
  - (ii) in assessing any plan for any proposed planting:
    - the extent to which plants are appropriate to the locality, accommodating matters such as slope, soil type, exposures to winds, degree of shading and wetness of the site;
    - the extent to which site preparation includes weed/pest removal and stock proof fencing;
    - the extent to which planting will take account of the seasons and be of an appropriate size; and
    - the extent to which planting and revegetation will protect and enhance ecological values, natural landscape patterns and values.
- (b) location of specified building area:
- (i) the extent to which any specified building areas are located so they minimise adverse effects on rural amenity, stormwater runoff and sediment loss.
- (c) protection and enhancement of open space:
- (i) the extent to which a suitable legal mechanism is required to prevent the future establishment of household units in any area identified as having particular landscape or rural character value.
- (d) location of internal private ways, rights-of-way or public road:
- (i) whether these are located at a grade, width and alignment, and with a finished surface to avoid or mitigate adverse effects on the site's rural character.
- (e) provision of recreational trails:

- (i) the extent to which any trails shown on the subdivision plan generally accord with those shown on the planning maps. And whether they are at a practical grade and alignment and link other recreational trails on adjacent properties that are also generally accord with trails shown on the planning maps; and
  - (ii) the extent to which trails volunteered by a landowner or applicant additional to those shown on the planning maps are shown on a subdivision plan. And whether any volunteered trails are of a practical grade and alignment and, where practicable, linked to trails shown on the planning maps or formed on adjoining properties.
- (f) compatibility of application with the Whitford Precinct design guide:
- (i) whether the location of any practicable building platforms and the general layout of the subdivision along with any proposed planting complies with design guide principles.
- (g) riparian management indicative constraints area:
- (i) the extent to which the location of the fencing relates to the topography and the physical characteristics of the natural landform, including streams, wetlands and slopes;
  - (ii) the extent to which planting reflects the composition of former natural vegetation likely to have occupied the site and have regard to natural processes of succession;
  - (iii) the extent to which existing exotics are protected where these are non-invasive and have positive environmental values, such as landscape and amenity value; and
  - (iv) whether protection and planting out of the riparian margins take account of the ecological health of the stream, and the opportunities to enhance the ecosystem.
- (h) coastal indicative constraints area:
- (i) whether the natural character and landscape values of the coastal environment will be adversely affected;
  - (ii) the extent to which development will be consistent with the key national policy documents on the management of the coastal environment, including the New Zealand Coastal Policy Statement 2010;
  - (iii) whether buildings are sited and designed so they do not break the line and form of the landscape with special regard to ridgelines, headlands, promontories and prominent slopes, and whether their design uses topography or existing vegetation to screen adverse visual effects; and

- (iv) whether they are located in less prominent locations using a design, orientation, layout and external appearance to avoid or remedy adverse effects on the natural character of the coastal environment, coastal landscapes, amenity values, public access and the potential for future public access, natural features and ecosystems.
- (i) road corridor indicative constraints area:
- (i) the extent to which existing topographical features are used to screen buildings and development within the area shown on precinct plan 4 from view from any primary roads, and whether buildings and driveways are visually obtrusive from primary roads unless mitigation planting is required under rules for riparian management and slopes indicative constraints areas;
  - (ii) the extent to which dwellings within the road corridor are screened by existing topographical features. Where this is not possible such as for geotechnical reasons, then consideration should be given to minimising the visual effects by other means. This may include limiting the height to one storey or using building material and colours sympathetic to the surroundings. Where possible, buildings are to be located to take advantage of screening afforded by the required enhancement planting;
  - (iii) whether the location of new amenity, mitigation and/or screen planting restricts views from the road of rural land or the coast, or limit the ability to retain open space areas within the road corridor and maintain views of the landscape beyond, unless mitigation planting is required under the rules relating to riparian management and slopes indicative constraints areas;
  - (iv) the extent to which development within the road corridor leads to an over concentration of visible development in one vicinity; and
  - (v) whether lineal or ribbon development is avoided within the road corridor.
- (j) slopes indicative constraints area:
- (i) whether buildings are sited to avoid land steeper than 15 degrees and susceptible to erosion.
- (k) scenic amenity indicative constraints area:
- (i) whether buildings and driveways are visually obtrusive when viewed from any public road, reserve, coastal environment or public place. In prominent locations, whether buildings are avoided or, if the location is necessary, such as for geotechnical reasons, whether height is limited to one storey, visible building bulk minimised, and other techniques such as building materials and colours sympathetic to surroundings used.

(l) revegetation planting:

- (i) whether the location of revegetation planting takes into account its purpose, including:
  - revegetation of slopes steeper than 15 degrees as shown on Whitford Precinct: Precinct plan 1 which are subject to significant risk of erosion and instability;
  - riparian margin and wetland restoration and coastal margin restoration;
  - extension of existing ecological corridors;
  - enhancement of ephemeral streams; and
  - enhancement of existing native vegetation.
- (ii) whether revegetation or mitigation planting integrates with surrounding vegetation patterns and natural boundaries i.e. streams, gullies, ridgelines.
- (iii) whether the location of revegetation planting:
  - adversely affects the rural character and amenity values of the precinct; and
  - undermine the intent of the various indicative constraints areas
- (iv) whether the location achieves the best environmental outcome for the site;
- (v) whether consideration is given to a better environmental outcome might be achieved by transferring the planting to a different site within the precinct;
- (vi) the extent to which planting is within 20m either side of the centre point of a high voltage (110Kv or higher) transmission line, the species of trees to be planted are to maintain safe clearance distances at a mature height, in accordance with the Electricity (Hazards from Trees) Regulations 2003;
- (vii) whether replanting prevents vehicular access to existing transmission lines; and
- (viii) whether the revegetation programme/plan for any proposed planting:
  - include plants appropriate to the locality, allowing for matters such as slope, soil type, exposure to winds, degree of shading and wetness of the site;
  - include weed/pest removal and the provision of stock proof fencing as part of the preparation;
  - consider the season of planting;

- ensure the plant size is appropriate to the locality;
- protect and enhance ecological values and natural landscape; and patterns and values.

(m) effects on rural character and rural amenity values:

- (i) the extent to which subdivision design accommodates the purpose(s) of any constraints areas it lies within open space is maintained, taking into consideration whether buildings are dispersed or clustered in response to the landform;
- (ii) the extent to which any earthworks integrate with surrounding natural landforms;
- (iii) the extent to which revegetation or mitigation planting integrates with surrounding vegetation patterns and natural boundaries i.e. streams, gullies, ridgelines;
- (iv) the extent to which any proposed urban elements, such as kerb and channel, subdivision entrances and entry statements, curtilage, boundary fences, boundary walls and exterior lighting, are incompatible with the precinct's rural character;
- (v) the extent to which the appearance of a working rural landscape is maintained e.g. pasture, vineyards, agriculture;
- (vi) the extent to which the locations of any buildings to be constructed, proposed planting or earthworks restrict existing views of the open countryside surrounding properties; and
- (vii) the extent to which the environmental effects of alternative locations for the proposed boundaries of any new sites, the proposed practicable building platforms or activities on the site have been considered and whether the proposed location provides the best environmental outcome with respect to its overall design.

(n) subdivision for significant enhancement planting:

- (i) whether there are no adverse effects on the rural character and amenity values within the precinct;
- (ii) whether the proposal achieves good environmental outcomes on the parent site or an appropriate alternative site;
- (iii) whether adequate legal and physical protection provides for the replanted area, including fencing, weed and animal pest control;
- (iv) whether native planting is appropriate for the site e.g. eco-sourcing, soil type, aspect, wetness; and
- (v) whether replanted area is sustainable and becomes an ecosystem in its own right.

(o) effects on landfill activities

The extent to which subdivision of development is located in the Quarry Buffer Area surrounding Whitford Quarry and Whitford Landfill, subdivision or development is located and designed to avoid the potential for adverse effects (including reverse sensitivity effects) on the existing landfill, including (in addition to the measures that apply in respect of quarry activities in the Quarry Buffer Area rules):

- (i) whether the location and orientation of a dwelling and outdoor living areas in the specified building area can ensure occupants are adequately separated and/or protected from the adverse effects of landfill activities and heavy haulage routes, including existing and future odour, noise, dust and vibration;
- (ii) whether building design, landform modifications or planting proposals are able to mitigate existing and future odour, noise and visual effects of the landfill activity;
- (iii) whether sufficient acoustic insulation measures in the design of a building in the specified building area can ensure an internal noise environment in habitable rooms that does not exceed LAeqLdn (1hr) 40dBA; and
- (iv) whether buildings or activities in the specified building area would unduly limit the operation of an existing landfill activity, including its future operations.

#### **I441.9. Special information requirements**

##### **I441.9.1. Removal of native vegetation shown on Whitford Precinct: Precinct plan 2: Location of permanent streams and native vegetation indicative constraints areas.**

- (1) An application to remove native vegetation must have a management plan that includes:
  - (a) the nature, extent, ecological and landscape significance of all native vegetation on the site;
  - (b) the nature and extent of any proposed alteration to the native vegetation;
  - (c) the reasons for altering native vegetation;
  - (d) the nature and extent of any development of the site likely to affect the area of remaining native vegetation;
  - (e) details of noxious weed and animal control; and
  - (f) details in both map and written form, and sufficient information to give a clear understanding of the plan.

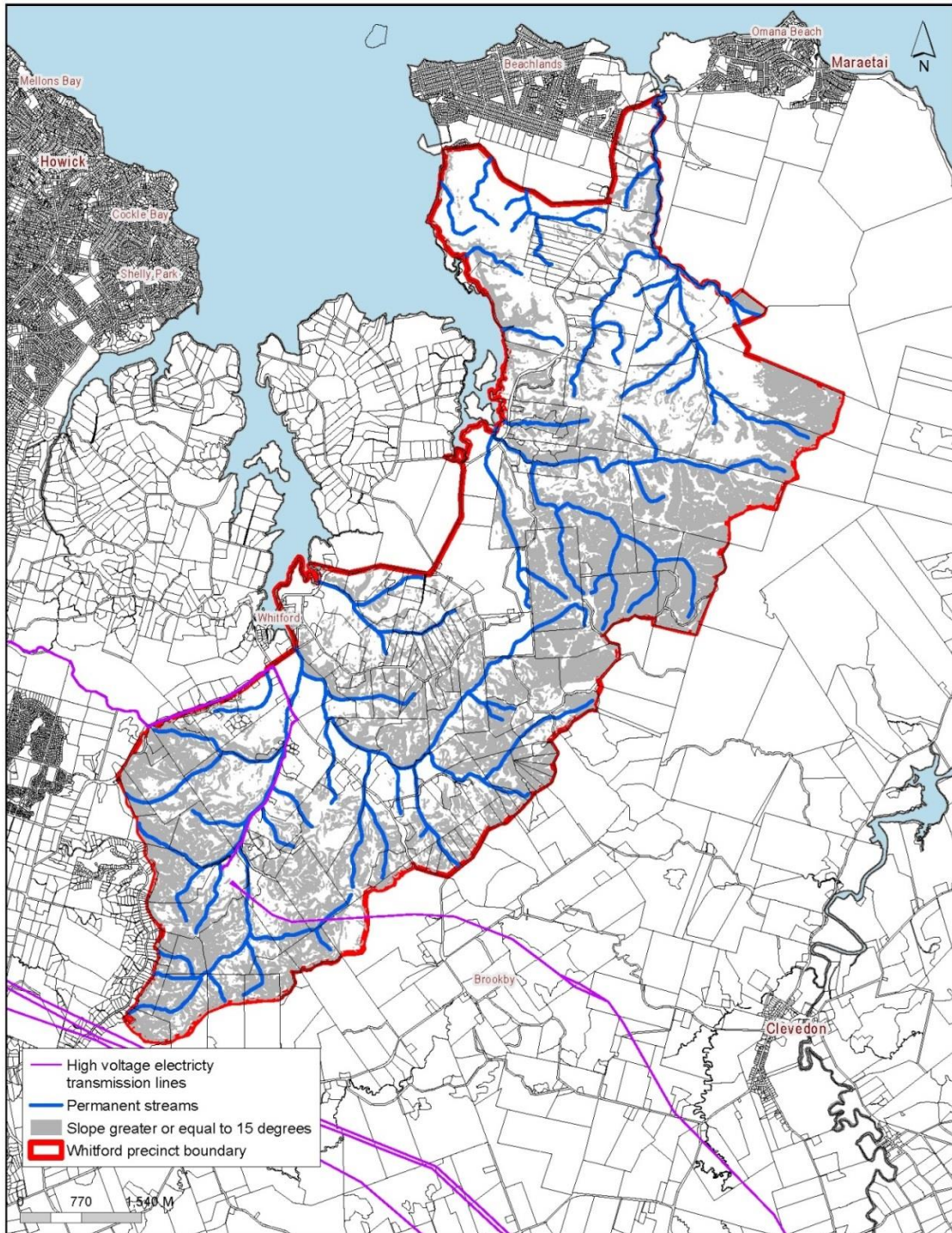
### **I441.9.2. Forestry**

- (1) An application for resource consent for forestry must include a management plan prepared to council's satisfaction and including the following information:
  - (a) location and scale of areas proposed for forestry;
  - (b) an assessment of any archaeological or historic sites within the areas proposed for forestry;
  - (c) an assessment of the impact of the proposal on natural habitat values of the locality and measures to be used to protect those values;
  - (d) an assessment of the impact of the proposal on any natural heritage overlay areas and measures to be used to preserve and protect the quality, character and values of those landscapes;
  - (e) methods to be used to prevent erosion during forestry work;
  - (f) the time period over which forestry will take place;
  - (g) measures to be used to protect water flow and quality of any bodies of water or wetlands in the vicinity;
  - (h) methods to be employed to inhibit the spread of fire within and in the vicinity of the area to be forested;
  - (i) likely methods to be employed in harvesting operations;
  - (j) estimated volumes of timber produced and intended methods of transport of harvested timber from the site;
  - (k) the likely demands placed on roads and transportation facilities through the transportation of harvested timber; and
  - (l) the application must also include a sustainable forest management plan.

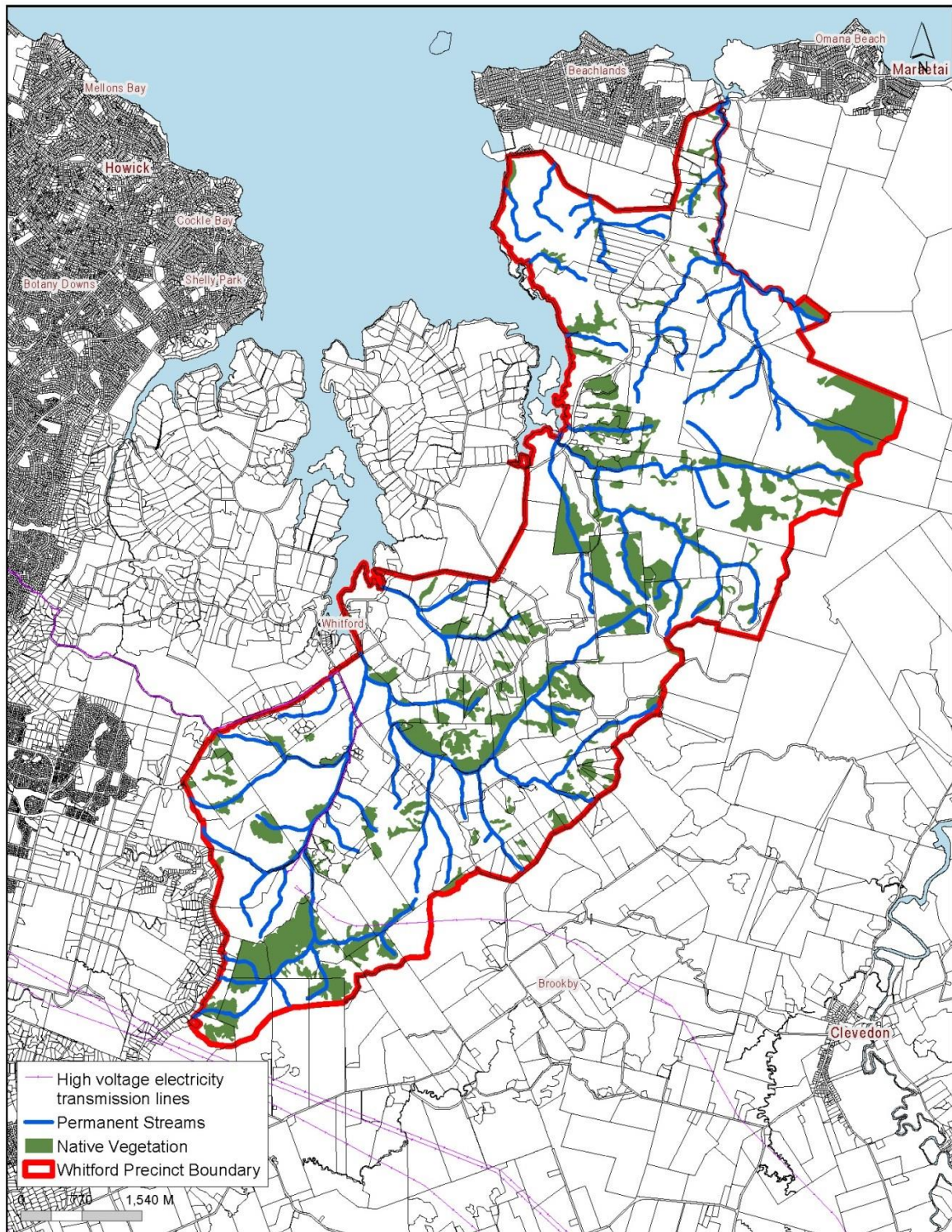
### **I441.10. Precinct plans**



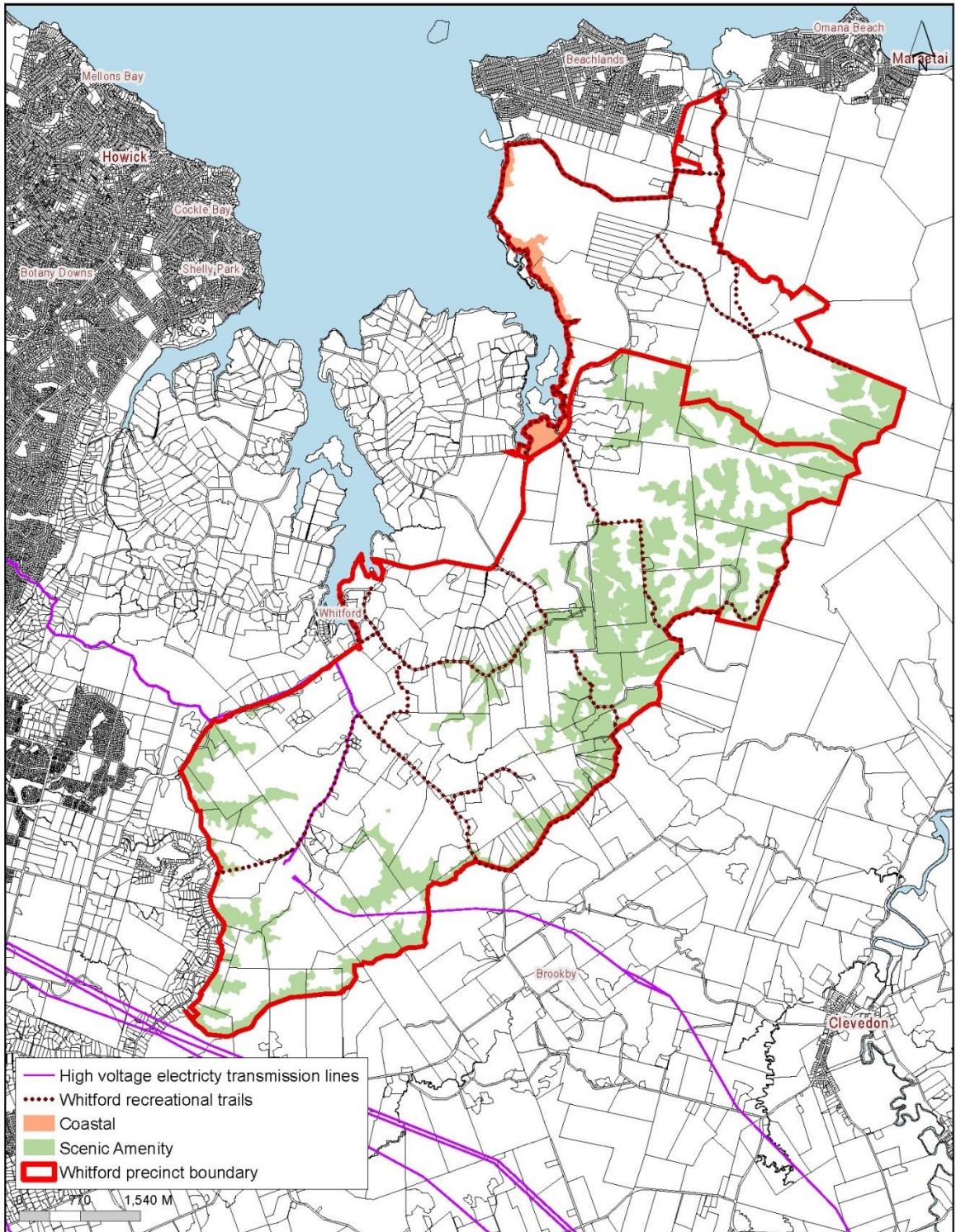
I441.10.1. Whitford Precinct: Precinct plan 1



I441.10.2. Whitford Precinct: Precinct plan 2 - vegetation management



I441.10.3. Whitford Precinct: Precinct plan 3 - coastal and scenic amenity



I441.10.4. Whitford Precinct: Precinct plan 4 - location of road corridor

