

## **I542. Te Arai South Precinct**

### **I542.1. Precinct Description**

The Te Arai South Precinct contains approximately 750ha of coastal land south of Te Arai Point, known as Mangawhai South Forest. The land within the precinct forms part of the Treaty settlement between the Crown and Ngati Manuhiri. The land was purchased by Ngati Manuhiri as part of the commercial redress component of their settlement. The land is within the rohe of Ngati Manuhiri. Appropriate use and development of the precinct land represents a significant opportunity for Ngati Manuhiri, including in partnership with others, to advance its economic, cultural and social wellbeing.

The precinct and surrounds exhibits high quality landscape, biodiversity, and coastal character values. The precinct provisions seek to protect and enhance these values and secure the public's on-going use and enjoyment of the coastal area and nearby lakes, while ensuring the economic, social and cultural well-being of Mana Whenua by enabling sustainable management of this Treaty settlement land through a comprehensive land management approach. The precinct seeks to enable the transition of the land from existing unsustainable and uneconomic land uses, including production forestry, to more sustainable and economically viable land uses. It also seeks to continue and allow further utilisation of a large on-shore sand resource that is significant for the growth and development of Auckland and other regions.

To achieve these outcomes, the precinct provides for a range of appropriate land use outcomes, including subdivision for papakāinga, rural residential and other activities in exchange for a large area of public conservation and reserve along the coast. This reserve will form part of a more extensive network of reserve land extending from the Mangawhai Wildlife Reserve to the Te Arai South Forest that protects in perpetuity some 15 kilometres of coastline, plus stream margins, wetlands and ecological and conservation areas.

The precinct provisions require a public reserve as shown on I542.10.1 Precinct plan 1 to be created with subdivision. This reserve comprises the coastal dunes and a connection to Tomarata Lake and Slipper Lake.

In exchange for these public benefits, a total of 58 rural residential sites (in addition to 2 existing sites) may be created.

The precinct provisions require that the 58 new specified building areas in the rural residential sites are to be located in the three areas identified in I542.10.1 Precinct plan 1 in order to maintain the amenity and natural character values of the coastal environment and surrounding land, avoid impacts on ecological and cultural heritage values of the precinct and enable a design solution which will protect the rural character of the area. The rural and coastal character of the precinct is unique given the attributes and activities above.

The precinct provisions enable the development of an area for papakāinga. The Papakāinga is intended to allow Ngati Manuhiri to undertake a range of activities within the area defined on I542.10.1 Precinct plan 1 that focus on its social, economic and cultural wellbeing.

These provisions recognise that the principles of Te Tiriti o Waitangi require the council to enable the use and development of land acquired by Mana Whenua through Treaty settlement and related legislation.

The zoning of the land within the Te Arai South precinct is Rural - Rural Coastal Zone.

#### **I542.2. Objectives [rp/dp]**

- (1) The use and development of the Te Arai South Precinct as Treaty Settlement land is enabled in a manner which recognises its commercial redress purposes and provides for a transition to sustainable land uses, while avoiding as far as practicable, and where total avoidance is not practicable minimising adverse effects on the values of:
  - (a) the high value landscapes and significant natural features within and adjoining the precinct;
  - (b) significant ecological areas and biodiversity; and
  - (c) the special rural character and coastal character values

Where adverse effects on the values identified above cannot be avoided, remediation is required. Where adverse effects cannot be avoided or remediated, mitigation is required.

- (2) Sand mining in specific areas of the Te Arai South Precinct land occurs in a way that utilises the significant resource while avoiding, remedying or mitigating significant adverse effects.

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

#### **I542.3. Policies [rp/dp]**

- (1) Enable appropriate subdivision, use and development of the precinct by:
  - (a) providing for an appropriate range of land uses to enable the precinct's transition to sustainable land use activities, limited rural residential (low density) housing, papakāinga, commercial, tourism, conservation and recreation activities;
  - (b) providing for subdivision in exchange for a significant coastal reserve and easements which connect to Tomorata Lake and Slipper Lake; and
  - (c) providing for a comprehensive approach to land management that provides for the protection and enhancement of the precinct's special features including the coastal dunes, wetlands, and biodiversity values.
- (2) Protect the high quality landscape by managing the quantity, location, nature and scale of buildings within the precinct.

- (3) Avoid adverse effects of land use and development on threatened or at risk species.
- (4) 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 and waterways
- (5) Implement a comprehensive approach to land management to achieve the following outcomes:
  - (a) avoiding as far as practicable, and where total avoidance is not practicable minimising adverse effects on:
    - (i) the outstanding natural features of the dunelands;
    - (ii) outstanding landscapes;
    - (iii) the natural character values of the coastline and related inland area;
    - (iv) significant ecological areas and riparian margins; and
    - (v) biodiversity.

Where adverse effects on the values identified above cannot be avoided, remediation is required. Where adverse effects cannot be avoided or remediated, mitigation is required;
  - (b) the creation of additional significant public reserve land;
  - (c) low density rural residential dwellings;
  - (d) the protection and enhancement of biodiversity; and
  - (e) sand mining within a specific area of the precinct that avoids, remedies or mitigates adverse effects on the surrounding land and the reserve.
- (6) Provide for Māori cultural and commercial activities, including papakāinga.
- (7) Enable sand extraction activities and associated works within a specific area of the precinct, while avoiding, remedying or mitigating significant adverse effects associated with such activities. In order to meet this policy, preference will be given to sea-based transport of sand over land-based transport.
- (8) Require proposals for new sand extraction activities in the precinct to provide adequate information on the establishment and operation of the activity and demonstrate:
  - (a) the size and scale of extraction activities, the expected length of operation and the extent of the market to be served from the extraction site;

- (b) the design and layout of the site, the access roads and supporting facilities and infrastructure such as slurry lines;
- (c) that public access through the sand mining area can be provided for between the coast and the dune lakes;
- (d) include an agreement with the council regarding the rehabilitation and handover of Area D on I542.10.1 Precinct plan 1 (the area where the sand mining area and the reserve area overlap);
- (e) that adequate measures will be used to:
  - (i) manage noise, vibration, dust and illumination to maintain amenity values of the surrounding land uses;
  - (ii) manage traffic generation and maintain traffic safety, particularly measures to manage heavy vehicles entering or exiting the site. Sea-based transport of sand is a preferred method to avoid land traffic effects of sand mining;
  - (iii) avoid, remedy or mitigate any effects on soil and water quality, including impacts on watercourses within the extraction site and the effects of discharges from the site into the neighbouring environment;
  - (iv) maintain land stability;
  - (v) mitigate significant adverse effects on visual and landscape values; and
  - (vi) protect the values of identified heritage or archaeological sites, buildings, places or areas, along with Mana Whenua values;
- (f) options anticipated for the rehabilitation of the site, either by a staged process or at the end of the economic life of the sand mine, having regard to the expected life of the sand mining site; and
- (g) require a management plan to be prepared to address operational matters associated with sand extraction, including management of potential effects and measures to remedy, mitigate or offset these effects.

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

#### **I542.4. Activity table**

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

Table I542.4.1 Activity table specifies the activity status of land use, development and subdivision activities in the Te Arai South Precinct pursuant to sections 9(2), 9(3), 11 and 15 of the Resource Management Act 1991 or any combination of all of these sections where relevant.

**Table I542.4.1 Activity Table**

<b>Activity</b>		<b>Activity status</b>
<b>Use</b>		
Accommodation		
(A1)	Dwellings	P
(A2)	Papakāinga	RD
(A3)	Camping grounds	RD
(A4)	Visitor accommodation	RD
Community		
(A5)	Organised Sport and Recreation	P
(A6)	Informal Recreation	P
(A7)	Recreational trails and walkways	P
(A8)	Art works	P
Community		
(A9)	Restaurants and cafes	RD
(A10)	Rural tourist and visitor activities	RD
(A11)	Retail	RD
Industry		
(A12)	Sand extraction and associated structures and infrastructure	RD
<b>Development</b>		
(A13)	New buildings	RD
(A14)	Additions and alterations to buildings (more than 25 per cent of the existing gross floor area or 250m <sup>2</sup> whichever is the lesser)	RD
<b>Subdivision</b>		
(A15)	Subdivision for the creation of up to 58 new rural residential sites in addition to the two sites existing at 15 January 2016	RD

**I542.5. Notification**

- (1) Any application for resource consent for any of the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
- (a) Papakāinga; and
  - (b) Subdivision for the creation of up to 58 new rural residential sites in addition to the two sites existing at 15 January 2016.
- (2) Any application for resource consent for an activity listed in Table I542.4.1 Activity table and which is not listed in H1.5.1(1) or above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (3) 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).

#### **I542.6. Standards**

The underlying zone, Auckland-wide and overlay standards apply in this precinct unless otherwise specified below.

##### **I542.6.1. Papakāinga**

- (1) Papakāinga must be located within the area identified on I542.10.1 Precinct plan 1 as Papakāinga.
- (2) Papakāinga may include, marae complex, cultural activities, tourism activities, care centres including kohunga reo, educational facilities, healthcare facilities, community facilities, spa treatment facility, and a maximum of 10 dwellings.

##### **I542.6.2. Restaurants and cafes, rural tourist and visitor activities and retail**

- (1) Restaurants and cafes, rural tourist and visitor activities and retail must be an accessory activity to another activity carried out on the same site.

##### **I542.6.3. Sand extraction and associated structures and infrastructure**

- (1) Other than access roads, services and the slurry line for sand extraction, sand extraction and associated structures must be located within the area identified on I542.10.1 Precinct plan 1 as a sand mining area.
- (2) Sand extraction activities must not include any blasting.

##### **I542.6.4. Dwellings**

- (1) No more than one dwelling per site.
- (2) Dwellings may not be located on any access or service lots.

##### **I542.6.5. Yards**

- (1) The Coastal Protection Yard does not apply in this precinct.

##### **I542.6.6. Subdivision**

- (1) For the purpose of this rule, the limits on sites must not limit the creation of access or service lots.
- (2) The specified building areas in the 58 rural residential sites must be located in Area A, B or C on I542.10.1 Precinct plan 1.
- (3) No minimum net site area, minimum average site size or minimum site size applies.
- (4) The 2 sites and dwelling entitlements existing at 15 January 2016 may be relocated within area A, B and C.
- (5) At no cost to the administering body, a public reserve generally as shown on I542.10.1 Precinct plan 1 must be vested at issue of the title for the first rural residential site created under this rule, except as provided below.

- (6) The public reserve must be subject to any fencing requirements by the administering body. Fencing must be undertaken on the boundary of the reserve within the timeframe agreed by the administering body.
- (7) Within the reserve, the staged removal of pine trees and their replacement with native vegetation to enable recreation activities and otherwise protect and enhance Significant Ecological Areas and other ecological values must occur in accordance with the requirements and timeframes of the Vegetation Management Plan.
- (8) The final surveyed boundaries of the public reserve must be generally in accordance with I542.10.1 Precinct plan 1.
- (9) In the area identified on I542.10.1 Precinct plan 1 as Area D (where the sand mining area and the reserve area overlap), the reserve is not required to vest at the issue of the title for the first rural residential site, and may vest within one year of the completion of sand mining and associated rehabilitation within this area. Before this vesting, public access easements must be provided for at least 90% of Area D at any one time. This is to enable public access and use of any reserve area that cannot vest at the issue of the title for the first rural residential site.
- (10) The applicant must provide written advice from the council that the area of public reserve is acceptable for public reserve purposes including:
  - (a) access where this is necessary for the function of the public reserve to be achieved; and
  - (b) the proposed landform and rehabilitation of Area D (the area where the Sand Mining area and the Reserve Area overlap) following sand mining is suitable for public access and recreational use, including a potential camping ground in the vicinity of Tomarata Lake.
- (11) Cats, dogs (except for police dogs, dogs used in conservation management and biosecurity and guide or companion dogs (certified as helpers of people with disabilities), mustelids, goats, rabbits and rodents and any other inappropriate domestic pets are not permitted on any site including any balance titles that are on land included in the precinct.
- (12) Prior to the creation of any site under this rule, a Comprehensive Site Management Plan (CSMP) must be prepared for the precinct by the applicant for council's approval. The CSMP must be for the precinct as a whole (except for the reserve post-vesting). The purpose of the CSMP is to manage the use and development of the rural residential sites, Papakāinga and balance area as a whole, the protection and enhancement of archaeological, landscape and amenity values, ecological values including indigenous biota, soil conservation and reinstatement of sustainable native cover having regard to biota habitat requirements. Any vegetation removal within the proposed reserve area pre-vesting must be in accordance with the approved CSMP or as otherwise approved by council.

- (13) The CSMP must include the following:
- (a) An Ecological Management Plan;
  - (b) A Vegetation Management Plan;
  - (c) methods to ensure that earthworks undertaken are appropriately managed, and where necessary are planted in native species to control erosion;
  - (d) a plan for the management of earthworks to minimise and control sand, dust and sediment run-off from the works; and
  - (e) methods to protect and manage archaeological sites during construction and thereafter, including accidental discovery protocols, and the protection of sites of significance to iwi.
- (14) All titles created (excluding the reserve area) must include covenants or consent notices which prohibit perpetually further subdivision for the creation of residential or rural residential sites greater than the maximum 60 lots across the precinct (excluding the area identified on I542.10.1 Precinct plan 1 as Papakāinga).
- (15) The provision of “One dwelling per hectare with no more than 10 dwellings per site in the rural zones” from E20 Treaty Settlement Land, Activity table E20.4.1(A3), does not apply to the 60 sites provided for by this rule.
- (16) All titles created (excluding the reserve area but including any balance title) must include covenants which require compliance with conditions of consent, which provide for ongoing land management in accordance with the Comprehensive Site Management Plan and other land management plans required under these rules. The covenants must include a prohibition of domestic pets (including but not limited to, cats, mustelids, dogs (except for police dogs, dogs used in conservation management and biosecurity and guide or companion dogs (certified as helpers of people with disabilities), goats, rabbits and rodents) on the sites created and balance land.
- (17) Easements of sufficient width and practically located must be provided over the reserve for the purpose of services, conveying water and access to sites within the precinct.
- (18) Public access easements of 20m in width must be provided generally in accordance with the indicative locations shown on I542.10.1 Precinct plan 1, or in such locations as otherwise agreed with the council. The easements should be established at issue of the title for the first rural residential site created under this rule. Where easements traverse existing or proposed sand mining areas, such easements may provide for changes to the position of public accessways to allow for staging of sand mining and associated rehabilitation. The position of the easements must also be able to be moved including for the purpose of sand mining and associated rehabilitation staging



in agreement with the council. The easements must provide for pedestrian, cycling, equestrian and access for vehicles required for operational and maintenance purposes associated with the reserve, or such other activities otherwise agreed with council.

- (19) Pest plants are not permitted in the subdivision in private gardens or any amenity plantings.
- (20) A full time equivalent conservation ranger must be appointed and permanently employed by the future landowners to implement the Ecological Management Plan.

#### **I542.7. Assessment – controlled activities**

There are no controlled activities in this precinct.

#### **I542.8. Assessment – restricted discretionary activities**

##### **I542.8.1. 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 zone, Auckland wide, or overlay provisions.

##### **I542.8.1.1. New buildings and additions and alterations to buildings**

- (1) The extent to which the siting, design, and external appearance of buildings avoids, remedies, or mitigates adverse effects, including cumulative effects, on the landscape, visual amenity, rural character values and the remote character of the beach.
- (2) The extent to which adequate and appropriate provision is made for protection of the rural and coastal character.
- (3) Whether potential adverse effects on visual amenity arising from the proposed building, alteration or addition are appropriately managed.
- (4) The extent to which landform modification is minimised having regard to the need to provide safe access and stable building sites.
- (5) The extent to which adequate and appropriate provision is made for protection of landscape values.
- (6) Whether adequate provision is made for protection from risks from coastal hazards.

##### **I542.8.1.2. Papakāinga, Camping Grounds, Visitor Accommodation, Restaurants and cafes, Rural tourist and visitor activities, and Retail**

- (1) Whether the effects generated by vehicle traffic, including safety, are adequately and appropriately managed.
- (2) Whether adverse effects arising from noise is adequately controlled.
- (3) Whether the effects of the quantity and quality of stormwater discharges are adequately and appropriately managed.

- (4) Whether the disposal of wastewater is adequately and appropriately managed having regard to the environmental values of the Precinct.
- (5) The extent to which adequate and appropriate provision is made for protection of the rural and coastal character.
- (6) The extent to which the development and activities proposed adhere to the requirements of the Comprehensive Site Management Plan.

**I542.8.1.3. Sand extraction and associated structures and infrastructure:**

- (1) Whether the effects generated by vehicle traffic is adequately and appropriately managed to ensure the safe and efficient functioning of the surrounding road network.
- (2) Whether adverse effects arising from noise and vibration is adequately managed.
- (3) Whether potential adverse effects on visual amenity are appropriately managed.
- (4) Whether adequate provision is made for site rehabilitation on cessation of mining activities including provision of connectivity between dune lakes and the coastal reserve.
- (5) Whether adequate provision is made for ecological buffers around the perimeter of the mining activity.
- (6) Whether adequate and appropriate provision is made for public access.
- (7) Whether adequate provision is made for the protection of indigenous ecological values.
- (8) Whether adequate provision is made for the protection of the natural character of the coastal environment.
- (9) The extent to which the mining activities proposed impact on the public reserve.

**I542.8.2. Subdivision for the creation of up to 58 new rural residential sites in addition to the two sites existing at 15 January 2016**

- (1) The measure proposed to implement the ban on inappropriate domestic pets.
- (2) The extent to which landform modification is minimised having regard to the need to provide safe access and stable building sites..
- (3) The extent to which adequate and appropriate provision is made for protection of the natural quality of waterbodies.
- (4) Whether the location of specified building areas is in accordance with the policies for the precinct..
- (5) The extent to which adequate and appropriate provision is made for protection of landscape values.

- (6) Whether adequate provision is made for protection of the natural character of the coastal environment.
- (7) The extent to which adequate and appropriate provision is made for protection of indigenous ecological values.
- (8) The extent to which adequate and appropriate provision is made for protection of threatened or at risk species, indigenous ecosystems and vegetation types that are threatened in the Auckland region.
- (9) Whether the location and form of vehicle access is consistent with the policies for the precinct.
- (10) Whether the effects generated by vehicle traffic is adequately and appropriately managed.
- (11) Whether the effects of the quantity and quality of stormwater discharges are adequately and appropriately managed.
- (12) Whether provision is made for control of pest plants.
- (13) Whether the development and activities proposed are consistent with the objective of achieving sustainable land management in this precinct.
- (14) Whether potential adverse effects on visual amenity arising from the development are appropriately managed.
- (15) The extent to which the development and activities proposed adhere to the requirements of the Comprehensive Site Management Plan.

### **I542.8.3. 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 zone, Auckland wide or overlay provisions.

#### **I542.8.3.1. New buildings and additions and alterations to buildings**

- (1) Building siting, design, and external appearance:
  - (a) The extent to which the design and location of buildings, and associated works including landscape works and access works, avoids, remedies, or mitigates adverse effects, including cumulative effects, on the landscape, visual amenity, rural character values and the remote character of the beach. The following aspects are particularly relevant:
    - (i) building bulk;
    - (ii) glare or reflections off the exterior cladding or windows;
    - (iii) landform modification needed for specified building areas and access;
    - (iv) screening from neighbouring sites;
    - (v) views of the buildings from any public road or open space used for recreation, including the beach, coastal marine area, coastline, or regional park; and

- (vi) Exterior lighting, including any street lighting, should be provided in such a way as to not be prominent, particularly against a dark background, when viewed from any public place including the coast, and not adversely affect nesting shorebirds.
  - (b) Whether buildings are sited and designed so they do not visually intrude on any significant ridge line or skyline or adversely affect landscape values when viewed from any road or other public land including the beach, the sea or regional park.
  - (c) The extent to which building finishes, including colours and materials, will be recessive and complement the rural and rural coastal character of the surrounding environment. Whether the exterior finish of the building or structure has a reflectance value of, or less than, 30 per cent as defined within the BS5252 standard colour palette.
- (2) Landscape and landform modification:
- (a) The extent to which the siting of buildings and accessory buildings avoids detracting from the rural and rural coastal character of the surrounding environment by responding sympathetically to natural landforms, landscape features, including where the proposal is within or adjacent to any ONL, ONC, and HNC area.
  - (b) Whether redevelopment does not require extensive landform modification unless for the purpose of recreating natural dune forms.
- (3) The siting of buildings and accessory buildings should demonstrate avoidance of coastal hazards.

**I542.8.4. Camping Grounds, Visitor Accommodation, Restaurants and cafes, Rural tourist and visitor activities, and Retail**

- (1) Whether noise from fans, ventilators, heaters, or other machines, or from on-site activities will be adequately mitigated.
- (2) The extent to which the design and location of buildings and operation of the activity, and the associated traffic, avoids, remedies or mitigates adverse effects on the road network or traffic safety.
- (3) Whether stormwater runoff from roof and paved areas is discharged in a manner that is hydrologically neutral by excess flows, volumes and timing of runoff in excess of pre-development runoff, being discharged to ground through suitable storage and soakage systems.
- (4) Whether adequate wastewater capacity will be provided within the on-site wastewater system based on the design occupancy to avoid significant adverse effects on public health, water quality and amenity values and to remedy or mitigate other adverse effects.
- (5) The extent to which the operation of the activity avoids, remedies or mitigates adverse effects on rural and coastal character.

- (6) Whether the activity complies with all the requirements of the Comprehensive Site Management Plan.

**I542.8.5. Sand extraction and associated structures and infrastructure**

- (1) Whether the expected traffic generated by the activity does not adversely affect the safe and efficient functioning of the surrounding road network.
- (2) Whether adverse effects on visual amenity will be mitigated through the use of screening and landscaping.
- (3) Whether noise and vibration from machinery, pumps and on-site activities will be adequately avoided, remedied or mitigated including through limiting the hours of operation.
- (4) Whether methods of site rehabilitation, following cessation of sand extraction, results in ecological connectivity between the dune lakes and the coastal reserve.
- (5) Whether an appropriately sized and planted ecological buffer will be provided between the sand mine and dune lakes.
- (6) Whether public access will be provided/maintained between the coastal reserve and the dune lakes (refer to linkages shown on I542.10.1 Precinct plan 1).
- (7) Whether a mechanism is proposed (e.g. completion certificate from a suitably qualified expert) in which Area D (where the Sanding Mining area and the Reserve Area overlap) is to be vested with council on completion of the sanding mining and associated rehabilitation within this area.
- (8) The extent to which the operation of the activity avoids, remedies or mitigates adverse effects on indigenous ecological values.
- (9) The extent to which the operation of the activity avoids, remedies or mitigates adverse effects on rural and coastal character values of the precinct.
- (10) The extent to which sand mining activities avoids, remedies or mitigates adverse effects on nearby open space.

**I542.8.6. Subdivision for the creation of up to 58 new rural residential sites in addition to the two sites existing at 15 January 2016**

- (1) The extent to which the measures proposed to control horses are likely to be adequate.
- (2) The extent to which the measures to protect shorebirds, lizards and threatened plant species, during earthworks and the construction period and thereafter are likely to be adequate.

Where the measures in (a) – (b) are not provided, the subdivision will be considered inappropriate.

- (3) Whether the subdivision maintains the special character and amenity of the Rural Coastal zone including the extent to which the subdivision will avoid

adverse effects, including cumulative effects, on the rural character anticipated in the zone having regard to the special rural and coastal character values of the Precinct.

- (4) Whether the subdivision, including provision for access and utilities, will not require extensive landform modification and the extent to which the adverse effects on the landscape and amenity values of the particular area will be avoided or appropriately mitigated. Where this is not achievable, the subdivision will be considered to be inappropriate.
- (5) Whether the subdivision and site development, including provisions for access and utilities, will use the existing landform as a basis as far as is practicable so that adverse effects on the landscape and discharge of silt are avoided or appropriately mitigated.
- (6) Whether the subdivision and associated works will not have adverse effects on the natural quality of any waterbodies, including streams flowing to the sea and the sea itself.
- (7) Whether specified building areas identified in the subdivision allow for any house or structure to be built below the brow of any ridge or hill on which it would be sited so that the highest point of any building or structure is below the landform or any existing trees or bush screening the building site, when the site (or sites) is viewed from any public road or public land including any beach or the sea, but excluding any areas of reserve proposed to be vested or regional park. From the latter areas of reserve or regional park, whether specified building areas for future buildings will be integrated into the landscape as far as practicable to avoid adverse visual amenity effects. Where avoidance is not practicable, whether effects will be remedied or mitigated. Where this is not achievable, the specified building area/s will be considered inappropriate.
- (8) Whether exterior lighting, including any street lighting, will be provided in such a way as to not be prominent, particularly against a dark background, when viewed from any public place including the coast, and not adversely affect nesting shorebirds.
- (9) The extent to which the subdivision ensures the protection or enhancement of the high landscape values of the area having regard to the local landscape's ability to absorb change in respect of other factors, including the nature and variability of local terrain, the extent and distribution of vegetation cover, and the location and nature of existing development and structures in it.
- (10) The extent to which the subdivision, including the location of specified building areas, ensures the protection or enhancement of the natural character of the coastal environment, and avoids, remedies or mitigates adverse effects on the natural landforms and vegetation cover that contribute to such character and values having regard to:

- (a) current levels of naturalness and the integrity of that part of the coastal environment; and
  - (b) screening and integration potential afforded by natural landforms and vegetation.
- (11) Whether the subdivision and development protects and does not adversely affect in a more than minor way the natural functioning of coastal processes.
- (12) Whether the subdivision and subsequent development does not have a significant adverse effect on indigenous flora and fauna and ecological values and the extent to which any such effects will be avoided or effectively mitigated including the area of land that extends down to the mean high water springs.
- (13) The extent to which subdivision avoids, remedies or mitigates adverse effects on: threatened or at risk species; indigenous ecosystems and vegetation types that are threatened in the Auckland region or are naturally rare; and areas containing nationally and regionally significant examples of indigenous community types.
- (14) The extent to which subdivision avoids significant adverse effects and avoids, remedies or mitigates other adverse effects of activities on: areas of predominantly indigenous vegetation in the coastal environment; habitats that are important during the vulnerable life stages of indigenous species; and indigenous ecosystems and habitats that are found only in the coastal environment and which are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones and saltmarsh, and ecological corridors.
- (15) Whether vehicle access to sensitive areas will be avoided and walkway access limited to a small number of defined walking paths to ensure that any adverse effects on the quality and/or remote character of the precinct and beach environment and the adverse effects on the ecological values of the dunes are avoided. Vehicle access to the beach from the site must not be allowed except for emergency responses or reserve management purposes.
- (16) Whether subdivision retains a rural character and does not create an urban character.
- (17) In circumstances where one or more of the above criteria are not met, the proposal may be considered inappropriate and the council in its discretion may refuse consent, or grant consent to a lesser number of sites, and/or to a different design of subdivision.
- (18) Whether traffic will be managed to ensure that the local road network will function safely and efficiently when subjected to the increased traffic movements associated with any subdivision of the site.
- (19) Whether stormwater runoff from roof and paved areas will be discharged in a manner that is hydrologically neutral by excess flows, volumes and timing of

runoff in excess of pre-development runoff, being discharged to ground through suitable storage and soakage systems.

- (20) Whether measures will be implemented to ban pest plants.
- (21) Whether the density of the proposed subdivision provides for the sustainable land management of the precinct.
- (22) Whether the proposed subdivision includes legally binding mechanisms to ensure adherence of owners and their successors in title to the CSMP.

#### **I542.9. Special information requirements**

##### **I542.9.1. Subdivision for the creation of up to 58 new rural residential sites in addition to the two sites existing at 15 January 2016**

- (1) An application for Subdivision for the creation of up to 58 new house rural residential sites in addition to the two sites existing at 15 January 2016 must be accompanied by a Comprehensive Site Management Plan (CSMP).
- (2) The CSMP must contain the following information, in addition to any information required in the constituent plans below:
  - (a) identify the areas of the site to be developed for rural residential sites, including a landscape and visual assessment of the effects on identified natural heritage overlay values and the rural character and amenity;
  - (b) identify the location of rural residential sites and associated specified building areas, including geotechnical information demonstrating the stability of any proposed building site;
  - (c) identify the location of any archaeological sites;
  - (d) identify the areas of the site to be vegetated or managed to transition from pine to native cover, and how this will be achieved;
  - (e) specify the proposed staging of the subdivision and associated vegetation management;
  - (f) detail the legal mechanisms for achieving the purpose of the CSMP; and
  - (g) identify the location of any fencing agreed with council.
- (3) The Ecological Management Plan must include the following methods to protect ecological values:
  - (a) pest and predator control and monitoring, including establishment of buffer zones on the site to protect ecological values;
  - (b) management of people to avoid shorebird habitats, particularly during the breeding season and management and protection of shorebirds breeding in construction zones;



- (c) management of earthworks and construction activities to avoid shorebird habitats, particularly during the breeding season;
  - (d) management and protection of threatened plant species and associated shorebird and native biodiversity habitat;
  - (e) mechanisms to ensure that the Ecological Management Plan and its requirements are binding on and funded by future landowners;
  - (f) conservation management including pest control, protection of shorebirds from disturbance and habitat restoration;
  - (g) long term monitoring and reporting on shorebird habitat; and
  - (h) a full time equivalent conservation ranger must be appointed and permanently employed by the future landowners to implement the Ecological Management Plan.
- (4) The Ecological Management Plan must contain the following information:
- (a) a review of current information on the status of shorebird species, and ecological values in the area;
  - (b) survey methodologies to gather baseline information on species and ecological values present, the size of populations and the state of their habitats;
  - (c) identification of the threats to local shorebird populations and ecological values;
  - (d) proposed methods for conservation management including pest control, protection from disturbance and habitat restoration;
  - (e) proposed methods for long term monitoring and reporting; and
  - (f) details of how the conservation ranger and other costs will be funded.
- (5) The Vegetation Management Plan must include the following methods to manage vegetation on the land:
- (a) the maintenance of adequate vegetative screening or landform back-drop associated with any subdivision to protect or enhance any significant landscape values of the area;
  - (b) methods to ensure that the degree to which development associated with the subdivision would affect the natural landforms and vegetation cover that affects such character and values is minimised having regards to:
    - (i) current levels of naturalness of the areas in the precinct and the integrity of that part of the coastal environment; and

- (ii) screening and integration potential afforded by natural landforms and existing vegetation; and
  - (iii) the staged removal of pines and their replacement with native re-vegetation to enable recreation activities and protect and enhance SEAs or ecological values in the coastal reserve and in a 50 m riparian buffer extending along the Poutawa Stream from mean high water springs.
- (6) The Vegetation Management Plan must include the following information:
- (a) estimated timeframe and details of the staged pine removal and subsequent revegetation;
  - (b) a pre-revegetation site assessment including:
    - (i) descriptions of the ecosystems present on a plan; and
    - (ii) existing topography, contours, drainage, natural watercourses, vegetation cover and other significant landform or features.
  - (c) a planting plan assessment including:
    - (i) the location and extent of planting on a scheme plan; and
    - (ii) site preparation for planting;
    - (iii) site planting (species to be planted, size of plants and locations for planting, density, sourcing of plants and fertilisers);
    - (iv) maintenance of planting; and
    - (v) Annual monitoring programme (survival rates, size of plants, canopy closure).

#### **I542.9.2. Sand Extraction**

- (1) An application for sand extraction and associated structures and infrastructure must be accompanied by a Sand Mine Management Plan with the following information:
- (a) a site plan indicating:
    - (i) existing topography, contours, drainage, natural watercourses, vegetation cover and other significant landform or features;
    - (ii) site layout, general design and location of buildings and infrastructure (including any slurry pipe for offshore collection);
    - (iii) areas for extraction, storage, stockpiling, processing and distribution;
    - (iv) predicted final contours and drainage; and
    - (v) boundary screening where necessary;
  - (b) a description of current and future operations, including:
    - (i) Vegetation removal and site preparation;

- (ii) sand extraction, processing, storage and distribution;
  - (iii) estimated volumes of sand to be extracted;
  - (iv) estimated timeframe and staging of sand to be extracted;
  - (v) the proposed rehabilitation methodology; and
  - (vi) the method of site access, circulation and parking.
- (c) a description of the methods to:
- (i) manage the effects of dust, noise, glare and vibration on the amenity of residents in the vicinity of the sand mining site;
  - (ii) manage the effects associated with vehicle movements;
  - (iii) protect and maintain areas of ecological importance, existing watertables, outstanding landforms, geologically significant sites and archeological sites;
  - (iv) monitor and report in relation to the above matters;
  - (v) manage any interface with existing or proposed reserves, and public access easements; and
  - (vi) manage the installation and operation of any slurry pipe for offshore collection.
- (d) an erosion and sediment control plan, including calculations to confirm compliance with best practice for sand mining associated activities including overburden removal.
- (2) Any amendments to the Sand Mine Management Plan must be provided to the council and may trigger the need for a new resource consent or variation to existing consent conditions.

I542.10 Precinct plans

I542.10.1 Te Arai South Precinct plan 1

