

The Proposed Auckland Unitary Plan (notified 30 September 2013)

5.37 Riverhead 3

The activities, controls and assessment criteria in the underlying Rural Production zone and Auckland-wide rules apply in the following precinct unless otherwise specified below. Refer to planning maps for the location and extent of the precinct.

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

1. Activity table

The activities in the underlying Rural Production zone apply in the following precinct unless otherwise specified in the activity table below.

| Activity | Activity Status |
|-------------|-----------------|
| Subdivision | RD |

2. Development controls

2.1 Building height

1. Buildings on the newly created sites must not exceed 9m in height.

2.2 Building materials

1. Buildings on the newly created sites must be clad in low reflectivity materials of recessive colour.

3. Subdivision controls

1. The subdivision controls, matters of discretion and assessment criteria in the Auckland wide – [Subdivision](#) rules apply in the Riverhead 3 precinct unless otherwise specified below.
2. Every application must:
 - a. provide a scheme plan described in clause 5 below
 - b. provide for appropriate protection of natural features identified in Precinct Plan 1 - Ecological sensitivity
 - c. be in accordance with [appendix 11.5.9.1](#).
3. Every consent must be subject to conditions of consent that address the matters described in [appendix 11.5.9.1](#) as applicable. The council retains discretion to impose other conditions in accordance with the RMA.
4. Any subdivision which does not meet these requirements is a non-complying activity.

3.1 Restricted discretionary activities

1. Subdivision and associated development of services within the Riverhead 3 precinct that meets all the controls below will be assessed as a restricted discretionary activity.

3.1.1 Number of sites

1. Subdivision of the total land area within the precinct is limited to 20 sites.

3.1.2 Vegetation clearance and protection

1. Removal of native bush must not exceed 650m² on each proposed site.

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2. Subdivision and associated development of services must be consistent with Precinct plan 1: Ecological sensitivity.
3. Native bush within the area marked "Nil Carrying Capacity-C" on Precinct plan 1: Ecological sensitivity must only be removed to the minimum amount necessary to upgrade existing tracks or roads within area C (or to extend those tracks or roads to reach area A or B if they do not already do so) in order to provide access to any site.

3.1.3 Minimum site size

1. The minimum site size is 1 hectare.
2. Those parts of a site which are to be protected by covenant are to be included in the site size calculation.

3.2 Discretionary activities

Subdivision and associated development of services within the Riverhead 3 precinct that does not meet the controls in 3.1.1 and 3.13, but meets the controls in 2.1.1 and 2.2.1 and the additional controls below will be assessed as a discretionary activity.

3.2.1 Number of sites

1. Subdivision of total land area within the precinct is limited to 30 sites.

3.2.2 Location of significant ecological area or native bush, and specified building area

1. The SEA or native bush must be entirely within an individual parent site.
2. If the SEA or native bush is within a new site:
 - a. any land to be used for building and access must not compromise any native vegetation
 - b. if there is less than 1500m² available for building or access that is not covered in native trees the maximum combined size of the specified building area and any accessways is 1500m².

3.2.3 Minimum site size

1. The minimum site size is 0.6 hectares.
2. Those parts of a site which are to be protected by covenant are to be included in the site size calculation.
3. The minimum rural residential site size is 1 hectare where the protected native bush or SEA sits within the balance site.
4. The minimum rural residential site size is 2.2 hectares (2 hectares protected area and 2000m² specified building area and accessway) where the protected native bush or SEA is to be contained within the new rural residential site.
5. The minimum balance site size is 1 hectare and any smaller area is to be included within the new site.

3.2.4 Maximum site size

1. The maximum rural residential site size is 2 hectares where the protected native bush or SEA remains on the parent site.
2. The protected native bush or SEA does not remain on the parent site, the maximum rural residential site size is the protected area plus the specified building area.

3.2.5 Access and frontage

1. Each site must have a minimum road frontage of 6m. Up to five sites may gain frontage over a jointly

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owned access site, or right of way at least 6m wide.

4. Assessment - subdivision

Matters of discretion

When assessing restricted discretionary subdivision applications, the council will restrict its discretion to the general subdivision matters of discretion specified in [clause 4.1](#) of the Auckland-wide - Subdivision rules and the matters listed below.

1. Site suitability and design
 - a. shape, or size, topography, land stability, or susceptibility to other hazards
 - b. location of building platforms
 - c. visual impact
 - d. location of the boundaries of the proposed site
 - e. height and external appearance of structures to be built on the newly created site.
2. Natural character and significant natural areas
 - a. protection of significant native bush or other natural features
 - b. effects on the natural character of the coastal environment
 - c. consistency of bush removal with Precinct plan 1: Ecological Sensitivity
 - d. consistency of bush removal with the maximum clearance threshold
 - e. The protection of bush through covenants in accordance with requirements set out in [appendix 11.5.9.1](#).
3. Rural character:
 - a. the effects of subdivision on the character of the activity area.
4. Works and services contributions
 - a. contributions of works and services.
5. Infrastructure and servicing
 - a. demand for, and availability of both publicly and privately owned utility services
 - b. the design and location of wastewater treatment and disposal systems
 - c. the methods of stormwater control and treatment and the location of devices.
6. Protection of natural resources
 - a. protection of identified significant aggregate resources.
7. Access
 - a. safety and adequacy of access construction and design
 - b. mitigation of effects on environment
 - c. consistency with the council's required controls.
8. Riparian margins and aquatic fauna habitats
 - i. the enhancement of riparian margins and aquatic fauna habitats.

Assessment criteria

The council will consider the relevant assessment criteria in [clause 4.1](#) of the Auckland wide - subdivision rules and the relevant assessment criteria below for the restricted discretionary activities listed above.

1. Site suitability and design

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- a. whether the site is unusual in terms of shape, or size, topography, land stability, or susceptibility to other hazards, and the degree to which these matters necessitate a non standard frontage or access should be considered.
 - b. the effect of the proposed frontage and accesses on the rural character in the vicinity of the site should be considered.
 - c. building platforms should be appropriately located, with regard to the information provided from the detailed site survey and site investigation, including any geotechnical surveys.
 - d. the proposal should mitigate potential visual impact, including impact on other building sites and on views from public roads.
 - e. height and external appearance of structures to be built on the newly created site should be controlled.
2. Natural character and significant natural areas
- a. significant native bush or other natural features should be protected.
 - b. the effects – including cumulative effects – of subdivision and the resulting use and development on the natural character of the coastal environment where subdivision applications adjoin the coastal marine area should be considered.
 - c. the proposed subdivision layout should be consistent with Precinct plan 1: Ecological Sensitivity.
 - d. the proposed subdivision layout should be consistent with the requirement that no native bush should be removed from within the area marked "Nil Carrying Capacity-C" on Precinct plan 1: Ecological sensitivity, except to the minimum amount necessary to upgrade existing tracks or roads within area C (or to extend those tracks or roads to reach area A or B if they do not already do so) in order to provide access to any site.
 - e. any bush clearance should not exceed the minimum clearance threshold of up to 650m²
 - f. bush protection covenants should be used in accordance with [appendix 11.5.9.1](#).
 - g. the proposal should mitigate the potential impact of subdivision and associated services on the native bush on the property.
3. Rural character
- a. the effects – including cumulative effects – of subdivision on the character of the activity area should be considered.
4. Works and services
- a. works and services should be used wherever possible.
5. Infrastructure and servicing
- a. the proposed subdivision should take into account the demand for, and availability of both publicly and privately owned utility services.
 - b. the wastewater treatment systems should be designed and located to avoid, remedy or mitigate adverse effects.
 - c. the stormwater control methods should:
 - i. mimic as far as possible the natural drainage processes of the area
 - ii. minimise modifications to existing natural drainage systems
 - iii. minimise impervious surfaces
 - iv. employ appropriate methods to detain and treat stormwater before dispersal to waterways.

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6. Protection of natural resources
 - a. identified significant aggregate resources should be protected from activities which are likely to be sensitive to rock extraction and processing.
7. Access
 - a. the proposed access should provide safe and adequate access to the proposed sites, and the proposed standard of vehicle access construction and design.
 - b. the access to the proposed sites should be adequate, safe and should mitigate potential adverse effects on the environment.
 - c. access to the proposed sites, including reinstatement of the bridge at the bottom of Cobblers Lane if such is proposed, or alternative road access, should be formed to the council's required standards.
8. Riparian margins and aquatic fauna habitats
 - a. the proposal should enhance riparian margins and aquatic fauna habitats where access considerations make such practicable. In granting any subdivision consent, the council will not impose requirements for the restoration and enhancement of riparian margins on any land to vest in the council as esplanade reserve along the northern bank of the Rangitopuni Stream.

5. Special information requirements

Scheme plan

1. An application for restricted discretionary or discretionary subdivision activity must be accompanied by a scheme plan.
2. A scheme plan must be prepared after carrying out a detailed site survey, to provide a framework for any subdivision application. The scheme plan must identify:
 - a. the boundaries of all proposed sites.
 - b. that no removal of native bush will occur within the area marked "Nil Carrying Capacity-C" on Precinct Plan 1 - Ecological sensitivity except to the minimum amount necessary to upgrade existing tracks or roads within area C (or to extend those tracks or roads to reach area A or B if they do not already do so) in order to provide access to any site.
 - c. the layout of access to each proposed site to be formed to the council's required standards, which might include reinstatement of a bridge at the bottom of Cobblers Lane, or alternative road access.
 - d. a suitable building platform on each proposed site.
 - e. the location of access and driveways.
 - f. the location of wastewater treatment systems and stormwater control methods.
 - g. any proposed staging of the subdivision and offered bush protection (by way of future covenants to be registered against the sites to be created by that particular application for consent).

6. Definitions

Native bush

Areas of vegetation with both a substantially intact canopy and either:

- a regenerating understory or
- containing features which meet the acceptance criteria for native bush in the guidelines for the field assessment of native bush in [appendix 11.5.9.1](#).

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

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7. Precinct plan

Precinct plan 1: Ecological sensitivity



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