

## APPENDIX 2: PROPOSED CONSEQUENTIAL CHANGES TO WHANGAREI DISTRICT PLAN (TEXT AND RESOURCE AREA MAPS)

### Consequential Amendments to the Whangarei District Plan (Extracts)

#### Chapter 3 Referenced Documents

##### REF.1.2 Schedule of Documents Incorporated by Reference

###### i. outstanding natural landscape

*WDC. 2016. Guidelines for managing change in Outstanding Natural Landscapes.*

*Littoralis Landscape Architecture & Simon Cocker Landscape Architecture. 2014. Northland Regional Council Northland Mapping Project: Outstanding Natural Landscapes – Mapping Methodology Report. Prepared for and held by Northland Regional Council.*

#### Chapter 4 Meaning of the Words

##### 4.3 Definitions

###### **Land Preparation**

*Means the disturbance of the soil by machinery in preparation for planting or replanting crops or pasture grasses or trees, and includes blading, contour ploughing and ripping, but does not include sod sowing, ripping with mounding or direct drilling.*

(as per RWSP)

#### Chapter 6 Built Form and Development

##### 6.1 Significant Issues

The need for strategic direction on the location, shape and form of urban development in order to accommodate population growth and industrial and economic development.

The cumulative effects of ongoing or subsequent urban development, including sporadic or sprawling subdivision, and ribbon development in and around coastal areas.

The potential for adverse effects of urban sprawl, sporadic subdivision and ribbon development on **notable and** outstanding natural features and landscapes and the natural character of the coast.

#### Chapter 8 Subdivision and Development

##### 8.4.7 Policy Design and Location

To ensure subdivision and development is designed and located so as to avoid, remedy or mitigate adverse effects on, and where appropriate, enhance:

- Natural character of the coastal environment, indigenous wetlands, lakes and rivers and their margins;
- Landscape values;
- **Natural features:**
- Ecological values;

#### **8.4.9 Protection of Features**

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*Explanation and Reasons: The District has an interesting and varied landscape. Parts of it, together with its ecologies, are of outstanding and notable quality. It is important to give permanent protection to these features. The protection of such features (including the use of bonds and covenants) may allow additional development potential, by way of one or more 'Environmental Benefit' allotments during the subdivision process. One bonus lot may be approved as a restricted discretionary activity. If the feature to be protected is particularly large and/or valuable, applications for more than one Environmental Benefit lot per feature protected will be considered as a discretionary activity [refer to Rule 73.3.2 (e)].*

#### **8.4.10 Indigenous Vegetation**

To ensure that adverse effects of subdivision and development on indigenous vegetation and habitats of indigenous fauna that contribute to the natural character of the rural and coastal environment, the values of Outstanding Natural Features, Outstanding and Notable Landscape Areas and Significant Ecological Areas are avoided, remedied or mitigated.

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### **8.5 Methods**

#### **8.5.1 Regulatory Methods**

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- Resource Area rules relating to buildings, vegetation clearance, storm water, natural hazards, Outstanding and Notable Landscape Areas, Sites of Significance to Maori and Heritage Trees, Buildings, Sites and Objects.

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## **Chapter 10 The Coast**

### **10.5 Methods**

#### **10.5.1 Regulatory Methods**

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Resource Area rules relating to Outstanding and Notable Landscape Areas (Policy 10.4.1).

## **Chapter 16 Landscape**

Delete chapter.

## **Chapter 23 Network Utility Operations**

### **23.4.2 Environmental Effects**

Network utility operations should be sited, designed and operated in such a way that the adverse effects on the environment will be avoided, remediated or mitigated, as far as practicable. When siting and designing network utility facilities, particular regard should be made to:

- Areas of ~~Notable and~~ Outstanding Landscape value;
- **Outstanding Natural Features;**
- Significant Ecological Areas;
- The natural character of the coastal environment;
- Ridgelines and skylines;
- Heritage Buildings, Sites and Objects;
- Sites of Significance to Maori.

*Explanation and Reasons: Network utility operations provide important services throughout the District, enabling people and communities to provide for their social, economic and cultural well-being. The location of network utility facilities can adversely affect the natural character of the environment, particularly in ~~Notable and~~ Outstanding Landscape Areas, **Outstanding Natural Features**, Significant Ecological Areas and in the Coastal-Countryside Environment. To avoid, remedy or mitigate such effects network utility facilities should be sited in visually unobtrusive locations, wherever possible. Furthermore, mitigating measures should as far as reasonably practicable be appropriate to the environment in which they are located. Operational requirements often necessitate the siting of facilities on ridgelines or skylines, which can potentially result in adverse visual effects. Heritage Buildings, Sites and Objects and Sites of Significance to Maori are also sensitive to the adverse effects from network utility operations. Care should be exercised when siting facilities near these areas.*

## 55 Introduction to Resource Area Rules

### 55.1 Introduction

The Resource Area Rules apply to areas of the District which have particular characteristics, values and qualities that require special management to protect these features, and to control activities that would adversely affect them.

Chapters 44 to 64 contain rules relating to Resource Areas. These are identified as follows:

- Natural Hazard Areas - Flood Susceptible Areas, Mining Hazard Areas 1, 2 and 3, Coastal Hazards 1 and 2 (Chapter 56).
- ~~Outstanding and Notable Landscape Areas (Chapter 57).~~
- Heritage Buildings, Sites and Objects (Chapter 58).
- Heritage Trees (Chapter 59).
- Sites of Significance to Maori (Chapter 60).
- Esplanade Priority Areas (Chapter 61).
- Airport Noise Boundaries (Chapter 62).
- Contaminated Sites (Chapter 63).
- Mineral Extraction Area Rules (Chapter 64).
- ~~Outstanding Natural Features including Geological Sites (Chapter 57).~~
- **Outstanding Natural Landscapes and Features (LAN Chapter)**

## 57 Landscape Area Rules

Delete chapter.

## 71 Subdivision Rules - Living 1, 2 and 3 Environments

### 71.3.15 Other Significant Features

<p>Subdivision is a <b>controlled</b> activity if:</p> <ul style="list-style-type: none"> <li>a) The boundaries of all allotments are drawn relative to a significant or notable feature identified in <b>Appendices 2 and 3 and Schedule LAN.8 13</b>, to ensure that the whole feature is entirely within one of the allotments produced by the subdivision; and</li> <li>b) Any identified building areas avoid the significant feature;</li> <li>c) Permanent protection of the significant feature is achieved;</li> </ul> <p><b>Control is reserved over:</b></p> <ul style="list-style-type: none"> <li>i. Effects on allotment boundaries and/or identified building areas on the integrity of the significant features;</li> <li>ii. Methods of permanent protection of significant features;</li> <li>iii. The additional matters listed in Chapter 70.3.</li> </ul>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The matters over which control is reserved;</li> <li>ii. Alternative location of allotment boundaries;</li> <li>iii. Alternative location of identified building areas;</li> <li>iv. Alternatives to the permanent protection of the significant feature.</li> </ul>
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### 71.3.17 Telecommunications

<p>Subdivision is a <b>controlled</b> activity if:</p> <ul style="list-style-type: none"> <li>a) All allotments are provided with a connection to a telecommunications system at the boundary of the net site area, provided that</li> <li>b) Where:             <ul style="list-style-type: none"> <li>i. There are no existing telecommunications lines and service leads/lines/connections; or</li> <li>ii. The existing telecommunications and service leads / lines / connections are underground or wireless; or</li> <li>iii. The subdivision is within any <b>Outstanding</b> or <b>Notable Landscape</b> Areas as depicted on the resource areas on the Planning Maps; all new lines including service services leads/lines/ connections shall be underground or wireless.</li> </ul> </li> </ul> <p><b>Control is reserved over:</b></p>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The matters over which control is reserved;</li> <li>ii. The need for a telecommunications system on the allotment</li> </ul>
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<ul style="list-style-type: none"> <li>i. The capacity of the proposed telecommunication system;</li> <li>ii. The effect of the proposed systems upon landscape and ecological values;</li> <li>iii. The relevant provisions of Appendix 9 and the Whangarei District Council's Environmental Engineering Standards 2010;</li> <li>iv. The additional matters listed in Chapter 70.3.</li> </ul>	
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### 71.3.18 Earthworks

<p>Subdivision is a <b>controlled</b> activity if:</p> <ul style="list-style-type: none"> <li>a) All earthworks comply with the relevant standards in Whangarei District Council's Environmental Engineering Standards 2010 and the relevant provisions in Appendix 9; and</li> <li>b) There are no changes to the natural range of water levels or the natural eco-system of flora and fauna in any indigenous wetland, as a result of the earthworks.</li> <li>c) No earthworks occur within a Site of Significance to Maori or within 10.0m of any archaeological site; and</li> <li>d) No earthworks occur within an <b>Outstanding Natural Landscape Area</b> in excess of those permitted by Rule <b>LAN.3.1.3.157-2.2.</b></li> <li>e) <b>No earthworks occur within an Outstanding Natural Feature in excess of those permitted under Rule LAN.5 Tables 1 and 2.</b></li> </ul> <p><b>Control is reserved over:</b></p> <ul style="list-style-type: none"> <li>i. Machinery to be used and hours of operation;</li> <li>ii. Effects on the locality;</li> <li>iii. Effects on ecological, heritage and landscape values;</li> <li>iv. Effects on water bodies, including indigenous wetlands;</li> <li>v. The relevant provisions of Appendix 9 and the Whangarei District Council's Environmental Engineering Standards 2010;</li> <li>vi. The additional matters listed in Chapter 70.3.</li> </ul>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The matters over which control is reserved;</li> <li>ii. Machinery to be used and hours of operation;</li> <li>iii. Effects on the locality;</li> <li>iv. Effects on ecological, heritage and landscape values;</li> <li>v. Effects on water bodies, including indigenous wetlands;</li> <li>vi. The relevant provisions of Appendix 9 and the Whangarei District Council's Environmental Engineering Standards 2010.</li> </ul>
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## Subdivision Rules – Countryside and Coastal Countryside Environments

### 73.3.4 Building Area

<p>Subdivision is a <b>controlled</b> activity if:</p> <p>a) Every allotment of less than 4.0ha on the subdivision, or every allotment on the subdivision where the land is identified as an Outstanding <del>or Notable</del> Landscape Area, contains a building area of at least 100.0m<sup>2</sup> on which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in this Plan.</p> <p><b>Control is reserved over:</b></p> <ol style="list-style-type: none"> <li>i. The need for earthworks;</li> <li>ii. Provision for parking, loading, manoeuvring and access;</li> <li>iii. Effects of natural hazards;</li> <li>iv. Bulk, height, location, foundations and floor level of any structures on allotments;</li> <li>v. Protection of land from natural hazards;</li> <li>vi. Protection of residential units from the adverse effects of mineral extraction including noise, traffic, dust, vibration and visual impact;</li> <li>vii. The additional matters listed in Chapter 70.3.</li> </ol>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>discretionary</b> activity.</p>
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### 73.3.15 Electricity

<p>Subdivision is a <b>controlled</b> activity if:</p> <p>a) All allotments are provided with the ability to connect to an electrical supply system at the boundary of the net site area; and</p> <p>b) Where the most efficient route for electrical supply to an allotment is across other allotments, or other land owned by the subdivider, easements are provided to secure that route; and</p> <p>c) Where an electrical supply system is provided to any allotment of less than 3.0ha in area, or the subdivision is within any <del>Notable</del> <b>of</b> Outstanding Landscape Areas</p>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>i. The matters over which control is reserved;</li> <li>ii. The need for an electrical supply system on the allotment.</li> </ol>
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<p>the connection from the reticulated electricity supply system to the net site area of the new allotment shall be underground.</p> <p><b>Control is reserved over:</b></p> <ul style="list-style-type: none"> <li>i. The capacity of the proposed reticulated system;</li> <li>ii. The effect of the proposed systems upon landscape and ecological features;</li> <li>iii. The best route for electricity supply;</li> <li>iv. The additional matters listed in Chapter 70.3.</li> </ul>	
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### 73.3.16 Telecommunications

<p>Subdivision is a <b>controlled</b> activity if:</p> <ul style="list-style-type: none"> <li>a) All allotments are provided with a connection to a telecommunications system at the boundary of the net site area; and</li> <li>b) Where: <ul style="list-style-type: none"> <li>i. A telecommunications system is provided to any allotment less than 3.0ha in area; or</li> <li>ii. The existing telecommunications system and service leads/lines/connections are underground or wireless; or</li> <li>iii. The subdivision is within any Outstanding <del>or</del> <b>Notable</b> Landscape Areas as depicted on the resource areas on the Planning Maps; all new lines including service leads/lines/connections shall be underground or wireless.</li> </ul> </li> </ul> <p><b>Control is reserved over:</b></p> <ul style="list-style-type: none"> <li>i. The need for a telecommunications system on the allotment;</li> <li>ii. The additional matters listed in Chapter 70.3.</li> </ul>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The matters over which control is reserved;</li> <li>ii. The need for a telecommunications system on the allotment.</li> </ul>
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### 17.3.17 Earthworks

<p>Subdivision is a <b>controlled</b> activity if:</p> <ul style="list-style-type: none"> <li>a) All earthworks comply with the relevant standards in Whangarei District Council's Environmental Engineering Standards 2010 and the relevant provisions in Appendix 9; and</li> </ul>	<p>Any activity that does not comply with a standard for a controlled activity is a <b>discretionary</b> activity.</p>
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<p>b) There are no changes to the natural range of water levels or the natural eco-system of flora and fauna in any indigenous wetland as a result of the earthworks; and</p> <p>c) No earthworks occur within a Site of Significance to Maori or within 10.0m of any archaeological site; and</p> <p>d) No earthworks occur within an Outstanding Natural Landscape Area in excess of those permitted by Rule LAN.3.1.3.157.2.2.</p> <p>e) No earthworks occur within an Outstanding Natural Feature in excess of those permitted under Rule LAN.5 Tables 1 and 2.</p> <p><b>Control is reserved over:</b></p> <p>f) Machinery to be used and hours of operation;</p> <p>g) Effects on the locality;</p> <p>h) Effects on ecological, heritage and landscape values;</p> <p>i) Effects on water bodies, including wetlands;</p> <p>j) The relevant provisions of Appendix 9 and the Whangarei District Council's Environmental Engineering Standards 2010;</p> <p>k) The additional matters listed in Chapter 70.3.</p>	
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## 85 Designations

Conditions

### 4 Outstanding and Notable Landscapes

The following conditions apply to designation: DE 57 and apply to those parts of the sites identified by the Resource Areas Maps as being in an Outstanding Landscape Area.

- a) As per Rule LAN.3.1.3.1 57.2.2 and 57.2.4 Permitted Activity.
- b) These conditions may be relaxed when works are carried out in accordance with an approved outline plan of works and that outline plan has included a visual assessment which indicates that such works are reasonably necessary, they will not unduly compromise landscape values and the development will be subject to appropriate mitigation measures.

**Side note:** DE 57 is Whangarei Heads School and partially in the Mt Manaia ONL.