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Coastal Area

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CA.1.1 Description and Expectations

Whangarei boasts a long and varied coastline stretching from Bream Tail in the south to Ngaioitonga in the north. The coastline is made up of rugged cliffs and rocky headlands, mangrove-lined harbours and estuaries, sandy beaches and sheltered bays interspersed with small rural villages.

Over the years, the coastal environment has been substantially modified, with coastal forests, dune vegetation and indigenous wetlands being largely replaced by productive land, residential development and industrial developments that rely on their proximity to the coast for their ongoing operations. Historically the coastal environment was extensively settled by Māori and early Europeans and contains many archaeological sites as well as other cultural and natural heritage features.

The coastal environment has high recreational, amenity, landscape, intrinsic, cultural and ecological value and as such is a highly desirable place to live. It is also a valuable resource to the District's economy, attracting holiday makers from within and outside the region to experience the many safe swimming and surf beaches, and the world renowned recreational opportunities based around the coast and offshore islands.

Due to pressure for residential development it is important that the coastal environment is managed to ensure that its use and development does not exceed the capacity of the environment to absorb any adverse effects, and that the amenity, landscape, ecological, historic heritage and natural character values that make it special are not compromised. This includes requirements to avoid adverse effects on the characteristics and qualities of outstanding natural character areas.

The preservation of the natural character of the coastal environment is a matter of national importance under Section 6(a) of the Resource Management Act 1991 (RMA). The RMA, the New Zealand Coastal Policy Statement and the Regional Policy Statement direct Council to preserve and protect the natural character of the coastal environment from inappropriate subdivision, use and development. Whether

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subdivision, use or development in the coastal environment is appropriate will be dependent on the natural character values of the location, and importantly the extent to which any subdivision, use or development will adversely affect those values.

Undeveloped parts of the coastal environment have largely been identified as High Natural Character Areas or Outstanding Natural Character Areas with rules and policies applying to them to protect their ecological, recreational, and landscape values. The remainder of the coastal environment has a higher degree of human modification, and while parts are still relatively undeveloped, it can accommodate low density rural residential development without generating unacceptable adverse effects provided that development is well designed and located. Development in these areas can also provide a catalyst for environmental enhancement and ecological restoration programs. It is however expected that most development in the coastal environment should be consolidated around existing coastal villages.

Land within the coastal environment requires some additional controls to manage the effects of land use and development on the coastal environment. The Coastal Area has been identified and is an 'overlay' that applies to land where the coast has a significant influence, and where land use activities can have effects on the coastal marine area. The objectives, policies and rules for the Coastal Area, as set out below, apply in addition to the rules for the underlying Environment unless otherwise stated (e.g. Rural Production, Rural Village, Environment, and Living 1 Environment).

CA.1.2 Objectives

1. Identify and protect the qualities and characteristics that contribute to the natural character of the Coastal Area from inappropriate subdivision, use and development.
2. Avoid adverse effects on the characteristics and qualities of identified Outstanding Natural Character Areas.
3. Avoid significant adverse effects, and avoid remedy or mitigate other adverse effects on the natural character, natural features and natural landscapes of the Coastal Area including identified High Natural Character Areas.
4. Manage the cumulative effects of subdivision, use and development on the amenity, landscape, and ecological values of the Coastal Area.
5. Direct development to established coastal villages and areas with existing development while retaining the values of undeveloped parts of the coast.
6. Maintain and enhance public access to and along the coast where appropriate.
7. Avoid increasing the risk of social, environmental, and economic harm from coastal hazards.
8. Protect and enhance natural defences against coastal hazards.
9. Encourage the enhancement and rehabilitation of the Coastal Area.
10. Recognise and provide for:
 - a. existing development;
 - b. activities located within the Portland SRIE; and
 - c. regionally significant infrastructure and regionally significant mineral resources; which have a functional or operational need to be located in the Coastal Area.
11. To recognise that the Coastal Area contains undeveloped Māori Land and provide for the special relationship of Māori to this ancestral land.
12. Identify and protect the values and attributes of indigenous biodiversity within the Coastal Area

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in accordance with Policy 4.4.1(1) of the Northland Regional Policy Statement 2016 (“Significant Natural Areas”).

13. Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision use and development on indigenous biodiversity in the Coastal Area that is not a Significant Natural Area.

CA.1.3 Policies

1. To protect natural character, natural features and natural landscapes in the Coastal Area:
 - a. avoid adverse effects on the qualities and characteristics of areas identified as Outstanding Natural Character Areas;
 - b. avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects on the qualities and characteristics of natural character, natural features and natural landscapes outside Outstanding Natural Character Areas;

by controlling subdivision and restricting earthworks, mineral extraction activities and farm quarries, the extent of indigenous vegetation clearance, and the location and design of buildings and structures including in relation to ridgelines, skylines and prominent headlands.
2. To design development to avoid, remedy or mitigate adverse effects on the natural character, natural features and natural landscapes of the Coastal Area outside Outstanding Natural Character Areas, by controlling subdivision, managing the visual effects of buildings and structures, and minimising indigenous vegetation clearance and earthworks.
3. To assess the scale and significance of effects of subdivision, use and development on the characteristics and qualities of natural character, natural features and natural landscapes in the Coastal Area by having particular regard to:
 - a. The extent of the natural character, natural feature or natural landscape affected;
 - b. The sensitivity of the natural character, natural feature or natural landscape to change, recognising the effects of existing land use;
 - c. The degree of modification, damage, loss or destruction that will result from the activity;
 - d. The duration and frequency of adverse effects;
 - e. Whether adverse effects are reversible or irreversible;
 - f. Whether adverse effects are minor or transitory;
 - g. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities; and
 - h. Any restoration, rehabilitation or enhancement of the specific characteristics and qualities of the particular natural character, natural feature or natural landscape affected by the activity.
4. Avoid adverse effects of subdivision use and development on:
 - a. Indigenous taxa that are listed as threatened or at risk in the NZ Threat classification system lists;
 - b. the ecological values and attributes of areas of indigenous vegetation and habitats of indigenous fauna that are significant using the assessment criteria in Appendix 5 of the Northland Regional Policy Statement 2016; and

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- c. the ecological values and attributes of areas set aside for full or partial protection of indigenous biodiversity under other legislation;
by controlling subdivision (including weed and pest management) and restricting indigenous vegetation clearance.
5. Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision use and development on:
 - a. Areas of predominantly indigenous vegetation;
 - b. Habitats of indigenous species that are important for recreational, commercial, traditional, or cultural purposes; and
 - c. Indigenous ecosystems and habitats that are particularly vulnerable to modification;
by controlling subdivision (including weed and pest management) and restricting indigenous vegetation clearance.
6. To assess the scale and significance of effects of subdivision, use and development on the values and attributes of Significant Natural Areas and other indigenous biodiversity in the Coastal Area by having particular regard to:
 - a. The extent of the ecological site affected;
 - b. The sensitivity of the ecological site to change, recognising the effects of existing land uses;
 - c. The degree of modification, damage, loss or destruction that will result from the activity;
 - d. The duration and frequency of adverse effects;
 - e. Whether adverse effects are reversible or irreversible;
 - f. Whether adverse effects are minor or transitory;
 - g. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities;
7. To provide for low density residential development in the Coastal Area by identifying areas outside High and Outstanding Natural Character Areas appropriate for carefully designed development.
8. To manage the visual impacts of buildings in the Coastal Area outside coastal villages by limiting building height and ensuring exterior colour schemes are of low reflectivity value.
9. To avoid sprawling, sporadic and ribbon development in the Coastal Area through the location and design of subdivision.
10. To consolidate residential development in areas where landscape values and natural character have already been compromised.
11. To use natural features and contours to define boundary lines and to guide fencing, planting and access ways.
12. To design new allotments and building platforms that avoid impacts on natural features or areas with high biodiversity, landscape, conservation, cultural or historic heritage values.
13. To ensure provision of public access to the coast and riparian margins at the subdivision design stage by creating esplanade reserves or strips, access strips or easements.
14. To recognise opportunities for environmental enhancement and improvements in natural

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character at subdivision stage by:

- a. Protecting habitats of indigenous vegetation and species such as wetlands, duneland and riparian margins.
 - b. Excluding stock from remnants of native vegetation, the coastal marine area and riparian margins.
 - c. Replanting land to provide habitat for indigenous species.
 - d. Implementing weed and pest management programs.
 - e. Providing public access to the coast through the creation of walkways, easements, and esplanade reserves and strips.
15. To promote enhancement and rehabilitation in natural character by encouraging landscape planting that follows landform patterns, and softens or screens the appearance of built development.
 16. To ensure that adverse visual effects of earthworks scarps the characteristics and qualities of Outstanding Natural Character Areas are avoided and that significant adverse visual effects on High Natural Character Areas and coastal landscapes are avoided, remedied or mitigated, by encouraging re-vegetation of earthworks scarps.
 17. To protect coastal and fresh water quality by using best practice methods to reduce the sedimentation effects of earthworks and by re-vegetating exposed scarps.
 18. To avoid earthworks in sand dunes where this will diminish their ability to protect development from coastal hazards.
 19. To protect indigenous vegetation which contributes to either the character and visual quality of the Coastal Area or protects against natural hazards.
 20. To reduce the risk of property damage by ensuring that building platforms meet minimum floor levels, and are identified outside coastal hazard areas in subdivision plans.
 21. To utilise low impact stormwater design to protect coastal water quality and marine ecosystems.
 22. To protect and enhance coastal water quality and ecosystems by including riparian planting, indigenous vegetation protection and wetland enhancement in subdivision plans.
 23. To enable the continuation of rural production activities in the Coastal Area by allowing the construction of non-habitable buildings ancillary to rural production activities subject to standards being applied on building scale and reflectivity.
 24. To recognise that the Coastal Area may contain undeveloped ancestral Māori land and provide for tangata whenua needs for papakāinga development on that land as far as is consistent with the overall protection of the natural character of the Coastal Area.
 25. To recognise that there can be a functional need to locate, operate and maintain and upgrade infrastructure, commercial and industrial activities in certain locations in the Coastal Area proximate to existing infrastructure, commercial and industrial activities.
 26. To recognise that the following sites within the Coastal Area have limited indigenous biodiversity, landscape and natural character values and to provide for the operation, maintenance and upgrading of:
 - a. mineral extraction activities within QRA1;
 - b. activities within Portland SRIE Area; andby specifying that Coastal Area rules do not apply to those sites.

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27. To recognise and provide for the operation, maintenance and upgrading of existing National Grid Electricity Infrastructure in the Coastal Area.

28. To recognise and provide for major upgrades of existing and the development of new National Grid Electricity Infrastructure in the Coastal Area by managing adverse effects:

On:

- a. The qualities and characteristics of Outstanding Natural Character Areas;
- b. The qualities and characteristics of natural character, natural features and natural landscapes in other parts of the Coastal Area (including High Natural Character Areas);
- c. The ecological values and attributes of Significant Natural Areas and other indigenous biodiversity in the Coastal Area.

By:

- a. Ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid, in order of preference:
 - i. Infrastructure will be located:
 - a) Outside of the Coastal Area in its entirety, or if not then;
 - b) Outside of Significant Natural Areas and outside of Outstanding and High Natural Character Areas (ie within other parts of the Coastal Area), or if not then;
 - c) Outside of Significant Natural Areas and outside of Outstanding Natural Character Areas (ie within High Natural Character Areas).
 - ii. Infrastructure will be located in the more compromised parts of the areas in (i).
 - iii. Techniques (such as structure selection) will be used to avoid adverse effects.
 - iv. Adverse effects that cannot be avoided, will be remedied or mitigated.

While

- b. Recognising that:
 - i. In some circumstances adverse effects on the identified qualities and characteristics of Outstanding Natural Character Areas will need to be avoided.
 - ii. In some circumstances adverse effects on the ecological values and attributes of Significant Natural Areas will need to be avoided
 - iii. a minor or transitory effect may not be an adverse effect.
 - iv. there may be more than minor cumulative effects from minor or transitory effects.
 - v. For Significant Natural Areas, where effects are or may be irreversible then they are likely to be more than minor.
 - vi. many areas contain ongoing use and development that was present when the area was identified as Significant, High or Outstanding or have subsequently been lawfully established.

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CA.1.4 Guidance Note

1. The following shall form the basis for resource consent applications in the Coastal Area:
 - a. The objectives, policies and provisions for the Coastal Area.
 - b. The objectives, policies and provisions for LAN Landscapes and Features, for Outstanding Natural Landscapes and Outstanding Natural Features in the Coastal Area.
 - c. The objectives, policies and provisions for the Rural Area in the District Plan.
 - d. The objectives policies and provisions for the underlying Environment in the District Plan.
 - e. The objectives, policies and provisions for Resource Areas in the District Plan.
 - f. The District Wide objectives, policies and provisions in the District Plan.
2. The CA.2 rules of this chapter apply to any site or portion of a site mapped as Coastal Area (except sites specified in CA.2.1.2 to CA.2.1.4) but not mapped as High Natural Character Area or Outstanding Natural Character Area.
3. The CA.3 rules of this chapter apply to any site or portion of a site mapped as High Natural Character Area.
4. The CA.4 rules of this chapter apply to any site or portion of a site mapped as Outstanding Natural Character Area.
5. The CA.5 rules of this chapter apply to any site or portion of a site mapped as Coastal Area, High Natural Character Area or Outstanding Natural Character Area.

Coastal Area Landscape

CA.2.1 Eligibility Rules

1. The rules below apply in addition to the rules of the underlying Environment, unless otherwise stated. Where the standards are different between the underlying Environment and the Coastal Area the most restrictive rule shall apply.
2. Any mineral extraction activity that is located within QRA1 shall not be subject to the Coastal Area Landuse rules.
3. Any activity within the Portland SRIE Area shall not be subject to the Coastal Area Landuse rules.
4. Any activity related to the primary function of and within the Oil Refinery Overlay Area shall not be subject to the Coastal Area landuse rules.

CA.2.2 Permitted Activities

1. Maintenance and minor upgrading of buildings and structures including those associated with public parks and reserves, network utilities, or community infrastructure is a permitted activity.
2. Any other activity not requiring consent as a discretionary or non-complying activity is a permitted activity.
3. Construction, alteration or maintenance of buildings or structures in the Business 4 Environment outside a High or Outstanding Natural Character Area.

CA.2.3 Discretionary Activities

1. Construction or external alteration of a building within both the Coastal Area and the Rural Production Environment but outside a High or Outstanding Natural Character Area:
 - a. That exceeds a height of 8.5m.
 - b. Where exteriors:
 - i. are coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
 - ii. Utilise mirror glazing.
 - c. With a roof colour with a light reflectance value greater than 30%.
2. Earthworks within the Coastal Area but outside a Business 4 Environment or a Strategic Rural Industry Environment:
 - a. Where the maximum volume of material disturbed or removed exceeds 500m³ within each 10 year period from 21 February 2019.
 - b. Where the maximum face height of any cut and/or batter faces exceeds 2m.
 - c. With the exception of earthworks associated with:
 - i. The repair and maintenance of fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, or farm and forestry tracks.
 - ii. Garden amenities, gardening or the planting of any vegetation.
 - iii. The provision and maintenance of walking or cycling tracks.
 - iv. The burial of marine mammals.
 - v. Any lawfully established mineral extraction activity.

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3. Earthworks within sand dunes, with the exception of earthworks associated with:
 - a. A dune restoration project.
 - b. A weed or pest management program.
 - c. The provision and maintenance of public accessways.
 - d. The burial of marine mammals.
 - e. A temporary military training activity.
 - f. The maintenance, minor upgrading or replacement of existing lawfully established pipeline infrastructure, provided that the dunes are returned to the same form to that which existed prior to the earthworks being undertaken.
4. The clearance of indigenous vegetation in the Coastal Area exceeding 500m² per site within each 10 year period from 21 February 2019 with the exception of vegetation clearance associated with:
 - a. Routine maintenance within 3m of the eaves of existing buildings:
 - i. Including the removal of any tree where any part of the trunk is within the 3m distance.
 - ii. Excluding damage to the roots or removal of any tree where the trunk is outside the 3m distance.
 - b. Maintenance and repair of existing tracks, lawns, gardens, fences, and drains.
 - c. Pest plant removal and biosecurity works.
 - d. Vegetation removal for customary rights.
 - e. Conservation planting, including planting for ecological restoration purposes.
 - f. Routine maintenance for the safe operation of the transport network.
 - g. Understorey clearance permitted in accordance with REG93(1) and (2)(a) of the National Environmental Standard for Plantation Forestry 2017.
5. Farm quarry within the Coastal Area which:
 - a. Disturb or move more than 500m³ of material in any 12 month period; or
 - b. Have any cut and/or batter faces which exceeds 2m; or
 - c. Involve blasting; or
 - d. Where excavations and processing are undertaken within 200m of a road boundary; or existing residential unit.
6. All other mineral extraction activities within the Coastal Area.
7. National Grid Electricity Infrastructure.

High Natural Character Area Landuse

CA.3.1 Eligibility Rules

1. The rules below apply in addition to the rules of the underlying Environment, unless otherwise stated. Where the standards are different between the underlying Environment and the High Natural Character Area the most restrictive rule shall apply.

CA.3.2 Permitted Activities

1. Any activity not requiring consent as a discretionary or non-complying activity is a permitted activity.

CA.3.3 Discretionary Activities

1. Construction or external alteration of a building within a High Natural Character Area:
 - a. That exceeds a height of 5.5m.
 - b. Where exteriors:
 - i. are coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
 - c. With a roof colour with a light reflectance value greater than 30%; and/or
 - d. That exceeds 50m² gross floor area in the Rural Production Environment.
2. Earthworks within a High Natural Character Area:
 - a. Where the maximum volume of material disturbed or removed exceeds 250m³ within each 10 year period from 21 February 2019.
 - b. Where the maximum face height of any cut and/or batter faces exceeds 2m.
 - c. With the exception of earthworks associated with:
 - i. The repair and maintenance of fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, or farm and forestry tracks.
 - ii. Garden amenities, gardening or the planting of any vegetation.
 - iii. The provision and maintenance of walking or cycling tracks.
 - iv. The burial of marine mammals.
 - v. Any lawfully established mineral extraction activity.
3. Earthworks within sand dunes, with the exception of earthworks associated with:
 - a. A dune restoration project.
 - b. A weed or pest management program.
 - c. The provision and maintenance of public accessways.
 - d. The burial of marine mammals.
 - e. A temporary military training activity.
 - f. The maintenance, minor upgrading or replacement of existing lawfully established pipeline infrastructure, provided that the dunes are returned to the same form to that which existed prior to the earthworks being undertaken.
4. The clearance of indigenous vegetation within a High Natural Character Area exceeding 250m² per site within each 10 year period from 21 February 2019, with the exception of vegetation

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clearance associated with:

- a. Routine maintenance within 3m of the eaves of existing buildings:
 - i. Including the removal of any tree where any part of the trunk is within the 3m distance.
 - ii. Excluding damage to the roots or removal of any tree where the trunk is outside the 3m distance.
 - b. Maintenance and repair of existing tracks, lawns, gardens, fences, and drains.
 - c. Pest plant removal and biosecurity works.
 - d. Vegetation removal for customary rights.
 - e. Conservation planting, including planting for ecological restoration purposes.
5. Papakāinga development on ancestral Māori land within a High Natural Character Area.
 6. Farm quarry within the High Natural Character Area which:
 - a. Disturb or move more than 250m³ of material; or
 - b. Have any cut and/or batter faces which exceeds 2m
 - c. Involve blasting; or
 - d. Where excavations and processing are undertaken within 200m of a road boundary; or existing residential unit.
 7. All other mineral extraction activities within the High Natural Character Area.
 8. National Grid Electricity Infrastructure.

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Outstanding Natural Character Area Landuse

CA.4.1 Eligibility Rules

1. The rules below apply in addition to the rules of the underlying Environment, unless otherwise stated. Where the standards are different between the underlying Environment and the Outstanding Natural Character Area the most restrictive rule shall apply.

CA.4.2 Permitted Activity

1. Any activity not requiring consent as a discretionary or non-complying activity is a permitted activity.

CA.4.3 Discretionary Activities

1. External alterations or extensions greater than 50m² gross floor area of an existing building within an Outstanding Natural Character Area.
2. Papakāinga development on ancestral Māori land within an Outstanding Natural Character Area.
3. Earthworks within an Outstanding Natural Character Area:
 - a. Where the earthworks are to provide for a building platform or access and:
 - i. The maximum volume of material disturbed or removed does not exceed 150m³ within each 10 year period from 21 February 2019.
 - ii. The maximum face height of any cut and/or batter faces does not exceed 2m.
 - b. With the exception of earthworks directly associated with:
 - i. The repair and maintenance of fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, or farm and forestry tracks.
 - ii. Garden amenities, gardening or the planting of any vegetation.
 - iii. The provision and maintenance of public walking or cycling tracks.
 - iv. Earthworks within sand dunes associated with a dune restoration project, weed or pest management program, or the provision and maintenance of public accessways.
 - v. The burial of marine mammals (within sand dunes or otherwise).
 - vi. The maintenance, minor upgrading or replacement of existing lawfully established pipeline infrastructure, provided that the dunes are returned to the same form to that which existed prior to the earthworks being undertaken.
4. The clearance of indigenous vegetation within an Outstanding Natural Character Area up to 150m² per site within each 10 year period from 21 February 2019, with the exception of vegetation clearance for the repair and maintenance of existing buildings and structures, tracks, fences, and other lawfully established activities.
5. National Grid Electricity Infrastructure.

CA.4.4 Non-Complying Activities

1. Construction of a building within an Outstanding Natural Character Area
 - a. That exceeds a height of 5.5m.

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- b. Where exteriors:
 - i. are coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
 - ii. Utilise mirror glazing.
 - c. With a roof colour with a light reflectance value greater than 30%.
 - d. That exceeds 25m² gross floor area.
2. Earthworks within an Outstanding Natural Character Area that does not meet the criteria for a discretionary activity under rule CA.4.3.3.
 3. The clearance of indigenous vegetation within an Outstanding Natural Character Area exceeding 150m² per site within each 10 year period from 21 February 2019.
 4. Farm quarry within the Outstanding Natural Character Area which:
 - a. Disturb or move more than 150m³ or material.
 - b. Have any cut and/or batter faces which exceeds 2m.
 - c. Involve blasting.
 - d. Where excavation and processing are undertaken within 200m of a road boundary or existing residential unit.
 5. All other mineral extraction activities within the Outstanding Natural Character Area.

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Subdivision

CA.5.1 Eligibility Rules

1. Subdivision where a proposed boundary is within a High Natural Character Area is a discretionary activity.
2. Subdivision where a proposed boundary is with an Outstanding Natural Character Area is a non-complying activity.
3. All subdivision proposals will also be assessed against the policies and provisions of the underlying Environment.

CA.5.2 Guidance Note

1. For the purposes of CA.5.1 a proposed boundary does not include the boundary of the parent allotment.

Subdivision

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
18 April 2019	AM	New Chapter	PC87 Coastal Area	Operative Date 3 April 2019	MM
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Editor

Allie Miller (AM)
Eden Edwardson (EE)

Editor Position

Support Assistant District Plan

Approved By

Melissa McGrath (MM)

Approver Position

Manager District Plan