Coastal Environment

Issues

Whangārei boasts a long and varied coastline stretching from Bream Tail in the south to Ngaiotonga 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 site*s 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. The Resource Management Act, 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 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 Environment 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 Environment, as set out below, apply in addition to the rules for the underlying zone unless otherwise stated (e.g. Rural Production Zone, Settlement Zone and General *Residential Zones*).

Objectives

CE-O1 Natural Character

Identify and protect the qualities and characteristics that contribute to the natural character of the Coastal Environment from inappropriate subdivision, use and development.

CE-O2 Outstanding Natural Character Areas

Avoid adverse effects on the characteristics and qualities of identified Outstanding Natural Character Areas.

CE-O3 High Natural Character Areas

Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on the natural character, natural features and natural landscapes of the Coastal Environment including identified High Natural Character Areas.

CE-O4 Cumulative Effects

Manage the cumulative effects of *subdivision*, use and development on the amenity, landscape, and ecological values of the Coastal Environment.

CE-O5 Future Development

Direct development to established coastal villages and areas with existing development while retaining the values of undeveloped parts of the coast.

CE-O6 Public Access

Maintain and enhance public access to and along the coast where appropriate.

CE-O7 Coastal Hazards

Avoid increasing the risk of social, environmental, and economic harm from coastal hazards.

CE-O8 Natural Defences

Protect and enhance natural defences against coastal hazards.

CE-O9 Enhancement and Rehabilitation

Encourage the enhancement and rehabilitation of the Coastal Environment.

CE-O10 Activities Provided For

Recognise and provide for:

1. Existing development;
2. Activities located within the Portland Strategic Rural Industries Zone; and
3. *Regionally significant infrastructure* and regionally significant *mineral* resources; which have a functional or *operational need* to be located in the Coastal Environment.

CE-O11 Māori Land

Recognise that the Coastal Environment contains undeveloped Māori Land and provide for the special relationship of Māori to this ancestral land.

CE-O12 Indigenous Biodiversity

Identify and protect the values and attributes of indigenous biodiversity within the Coastal Environment in accordance with Policy 4.4.1(1) of the Northland Regional Policy Statement 2016 ("Significant Natural Areas").

CE-O13 Indigenous Biodiversity not in a Significant Natural Area

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

Policies

CE-P1 Natural Character, Natural Features, and Natural Landscapes

To protect natural character, natural features and natural landscapes in the Coastal Environment by:

1. Avoiding adverse effects on the qualities and characteristics of areas identified as Outstanding Natural Character Areas;

2. Avoiding 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;

3. 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.

CE-P2 Natural Character of the Coastal Environment outside Outstanding Natural Character Areas

To design development to avoid, remedy or mitigate adverse effects on the natural character, natural features and natural landscapes of the Coastal Environment outside of Outstanding Natural Character Areas, by controlling *subdivision*, managing the visual effects of *buildings* and *structures*, and minimising *indigenous vegetation* clearance and *earthworks*.

CE-P3 Assessment of Effects

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 Environment by having particular regard to:

1. The extent of the natural character, natural feature or natural landscape affected:

2. The sensitivity of the natural character, natural feature or natural landscape to change, recognising the effects of existing land use:

3. The degree of modification, damage, loss or destruction that will result from the activity;

4. The duration and frequency of adverse effects;

5. Whether adverse effects are reversible or irreversible;

6. Whether adverse effects are minor or transitory;

7. 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

8. 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.

CE-P4 Biodiversity within Significant Natural Areas

To avoid adverse effects of *subdivision*, use and development on:

1. Indigenous taxa that are listed as threatened or at risk in the NZ Threat classification system lists;

2. 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

3. The ecological values and attributes of areas set aside for full or partial protection of indigenous biodiversity under other legislation;

4. By controlling *subdivision* (including weed and pest management) and restricting *indigenous vegetation* clearance.

CE-P5 Biodiversity Outside of Significant Natural Areas

To avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of *subdivision*, use and development on:

1. Areas of predominantly *indigenous vegetation*;

2. Habitats of indigenous species that are important for recreational, commercial, traditional, or cultural purposes; and

3. Indigenous ecosystems and habitats that are particularly vulnerable to modification;

by controlling *subdivision* (including weed and pest management) and restricting *indigenous vegetation* clearance.

CE-P6 Significant Natural Areas and Biodiversity

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 Environment by having particular regard to:

1. The extent of the ecological site affected;

2. The sensitivity of the ecological site to change, recognising the effects of existing land uses;

3. The degree of modification, damage, loss or destruction that will result from the activity;

4. The duration and frequency of adverse effects;

5. Whether adverse effects are reversible or irreversible;

6. Whether adverse effects are minor or transitory;

7. 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.

CE-P7 Low Density Residential Development

To provide for low density residential development in the Coastal Environment by identifying areas outside High Natural Character Areas and Outstanding Natural Character Areas appropriate for carefully designed development.

CE-P8 Visual Impacts

To manage the visual impacts of *buildings* and *major structures* in the Coastal Environment outside coastal villages by limiting the height of *buildings* and *major structures* and ensuring exterior colour schemes are of low reflectivity value.

CE-P9 Avoidance of Ribbon Development

To avoid sprawling, sporadic and ribbon development in the Coastal Environment through the location and design of *subdivision*.

CE-P10 Consolidation of Residential Development

To consolidate residential development in areas where landscape values and natural character have already been compromised.

CE-P11 Use of Natural Features

To use natural features and contours to define *boundary* lines and to guide fencing, planting and accessways.

CE-P12 Design of New Sites and Building Platforms

To design new *sites* and *building* platforms that avoid impacts on natural features or areas with high biodiversity, landscape, conservation, cultural or historic heritage values.

CE-P13 Public Access

To ensure provision of public access to the coast and riparian margins at the *subdivision* design stage by creating *esplanade reserves* or *esplanade strips*, *access strips* or easements.

CE-P14 Environmental Enhancement and Improvements in Natural Character

To recognise opportunities for environmental enhancement and improvements in natural character at *subdivision* stage by:

1. Protecting habitats of *indigenous vegetation* and species such as *wetlands*, duneland and riparian margins.

2. Excluding stock from remnants of native vegetation, the coastal marine area and riparian margins.

3. Replanting land to provide habitat for indigenous species.

4. Implementing weed and pest management programs.

5. Providing public access to the coast through the creation of walkways, easements, and *esplanade reserve*s and *esplanade strip*s.

CE-P15 Landscape Planting

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.

CE-P16 Visual Effects of Earthworks Scarps

To ensure that adverse visual effects of *earthworks* scarps on 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.

CE-P17 Coastal and Fresh Water Quality

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.

CE-P18 Earthworks in Sand Dunes

To avoid *earthworks* in sand dunes where this will diminish their ability to protect development from coastal hazards.

CE-P19 Protecting Indigenous Vegetation

To protect *indigenous vegetation* which contributes to either the character and visual quality of the Coastal Environment or protects against natural hazards.

CE-P20 Coastal Hazard Areas

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.

CE-P21 Low Impact Stormwater Design

To utilise low impact *stormwater* design to protect *coastal water* quality and marine ecosystems.

CE-P22 Protecting and Enhancing Coastal Water Quality and Ecosystems

To protect and enhance *coastal water* quality and ecosystems by including riparian planting, *indigenous vegetation* protection and *wetland* enhancement in *subdivision* plans.

CE-P23 Enabling Rural Production Activities

To enable the continuation of *rural production activities* in the Coastal Environment by allowing the construction of non-habitable *buildings* ancillary to *rural production activities* subject to standards being applied on *building* scale and reflectivity.

CE-P24 Papakāinga Development

To recognise that the Coastal Environment 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 Environment.

CE-P25 Infrastructure, Commercial Activities and Industrial Activities

To recognise that there can be a *functional need* to locate, operate and maintain and upgrade infrastructure, *commercial activities* and *industrial activities* in certain locations in the Coastal Environment proximate to existing infrastructure, *commercial activities* and *industrial activities*.

CE-P26 Sites with Limited Indigenous Biodiversity, Landscape and Natural Character Values

To recognise that the following sites within the Coastal Environment have limited indigenous biodiversity, landscape and natural character values and to provide for the operation, maintenance and upgrading of:

1. Mineral extraction activities within Quarrying Resource Area 1;
2. Activities within Portland Strategic Rural Industries Zone Area; and by specifying that Coastal Environment rules do not apply to those sites.

CE-P27 Existing National Grid Electricity Infrastructure

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

CE-P28 Major Upgrades of Existing and the Development of New National Grid Electricity Infrastructure

To recognise and provide for major upgrades of existing and the development of new *National Grid Electricity Infrastructure* in the Coastal Environment by managing adverse effects on:

1. The qualities and characteristics of Outstanding Natural Character Areas;

2. The qualities and characteristics of natural character, natural features and natural landscapes in other parts of the Coastal Environment (including High Natural Character Areas);

3. The ecological values and attributes of Significant Natural Areas and other indigenous biodiversity in the Coastal Environment. 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 Environment in its entirety, or if not then;

            b) Outside of Significant Natural Areas and outside of Outstanding Natural Character Areas and High Natural Character Areas (i.e. within other parts of the Coastal Environment), or if not then;

            c) Outside of Significant Natural Areas and outside of Outstanding Natural Character Areas (i.e. within High Natural Character Areas).

        ii. Infrastructure will be located in the more compromised parts of the areas in (a).

        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.

Guidance Note

1. The following shall form the basis for resource consent applications in the Coastal Environment:

    a. The objectives, policies and provisions for the Coastal Environment.

    b. The objectives, policies and provisions for Natural Features and Landscapes, for Outstanding Natural Landscapes and Outstanding Natural Features in the Coastal Environment.

    c. The Strategic Direction objectives and policies.

    d. The objectives, policies and provisions for the underlying Zone in the District Plan.

    e. The objectives, policies and provisions for District-Wide Matters in the District Plan.

    f. The District-Wide objectives, policies and provisions in the District Plan.

2. CE-R1 – CE-R12 of this chapter apply to any *site* or portion of a *site* mapped as Coastal Environment (except *site*s specified in CE-R1.2 to CE-R1.4) but not mapped as High Natural Character Area or Outstanding Natural Character Area.

3. CE-HNC-R1 – CE-HNC-R12 of this chapter apply to any *site* or portion of a *site* mapped as High Natural Character Area.

4. CE-ONC-R1 – CE-ONC-R12 of this chapter apply to any *site* or portion of a *site* mapped as Outstanding Natural Character Area.

5. The *subdivision* rules of this chapter apply to any *site* or portion of a *site* mapped as Coastal Environment, High Natural Character Area or Outstanding Natural Character Area.

General Rules

CE-R1 Application of the Coastal Environment Land Use Rules

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

2. Any *mineral extraction* activity that is located within Quarrying Resource Area 1 shall not be subject to the Coastal Environment land use rules.

3. Any activity within the Portland Strategic Rural Industries Zone Area shall not be subject to the Coastal Environment land use rules (refer to maps shown in SRIZ Appendix 1 - Maps).

4. Any activity related to the primary function of and within the Marsden Point Energy Precinct shall not be subject to the Coastal Environment land use rules.

5. The Coastal Environment rules of this chapter apply to any *site* or portion of a *site* mapped as Coastal Environment (except *site*s specified in CE-R1.2 to CE-R1.4) but not mapped as High Natural Character Area or Outstanding Natural Character Area.

6. The *subdivision* rules of this chapter apply to any *site* or portion of a *site* mapped as Coastal Environment, High Natural Character Area or Outstanding Natural Character Area.

7. The CE-HNC rules of this chapter apply to any *site* or portion of a *site* mapped as High Natural Character Area.

8. The CE-ONC rules of this chapter apply to any *site* or portion of a *site* mapped as Outstanding Natural Character Area.

CE-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.

2. The activity is not prohibited under any rule of the District Plan.

CE-R3 Minor Building

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rules CE-R5.

CE-R4 Construction, Alteration and Maintenance of Buildings and Structures within the Heavy Industrial Zone

Activity Status: Permitted

Where:

1. The activity is outside of a High Natural Character Area or Outstanding Natural Character Area.

CE-R5 Buildings and Major Structures within the Rural Production Zone

Activity Status: Permitted

Where:

1. The building or major structure is outside a High Natural Character Area or Outstanding Natural Character Area and:

    a. The maximum *building* and *major structure* height is 8.5m above *ground level*.

    b. Exteriors are not coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt

    c. Exteriors do not utilise mirror glazing.

Activity Status when compliance not achieved: Discretionary

CE-R6 Maintenance and Minor Upgrading of Buildings and Structures

Activity Status: Permitted

Where:

1. The activity is a primary activity or an *ancillary activity*.

Note:

1. Buildings and structures include those associated with public parks and reserves, network utilities, or community infrastructure.

CE-R7 Earthworks within Sand Dunes

Activity Status: Permitted

Where:

1. The *earthworks* are 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.

Activity Status when compliance not achieved: Discretionary

CE-R8 Earthworks in the Coastal Environment

Within the Coastal Environment but outside of Sand Dunes or the Heavy Industrial Zone or the Strategic Rural Industries zone

Activity Status: Permitted

Where:

1. The *earthworks*:

    a. do not exceed the maximum volume of 500m^3 material disturbed or removed within each 10-year period from 21 February 2019; and

    b. Do not exceed the maximum cumulative face height of any single or terraced cut(s), fill(s), and/or batter faces of 2m. Where there are terraced cut and/or batter faces, and there is less than a 5m separation distance between any separate cut, fill or batter face, or combination of either, the height shall be measured from the lowest *ground level* of either to the highest point of either; OR

    c. Are associated with:

        i. The repair and maintenance of fences, utility connections, *accessway*s, parking areas, effluent disposal systems, swimming pools, or farm and *plantation 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.

Activity Status when compliance not achieved: Discretionary

CE-R9 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of *indigenous vegetation* does not exceed 500m^2 per *site* within each 10-year period from 21 January 2019 unless the clearance is 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, or 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.

Activity Status when compliance not achieved: Discretionary

CE-R10 Farm Quarrying

Activity Status: Permitted

Where:

1. The activity does not disturb or move more than 500m^3 of material in any 12 month period; or

2. The maximum cumulative face height of any single or terraced cut(s), fill(s), and/or batter faces does not exceed 2m. Where there are terraced cut and/or batter faces, and there is less than a 5m separation distance between any separate cut, fill or batter face, or combination of either, the height shall be measured from the lowest *ground level* of either to the highest point of either; or

3. The activity does not involve blasting; or

4. The activity does not involve excavations and processing which are undertaken within 200m of a *road* boundary; or an existing *residential unit*.

Activity Status when compliance not achieved: Discretionary

CE-R11 National Grid Electricity Infrastructure

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-R12 All other Mineral Extraction (excluding Farm Quarries)

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

High Natural Character Area Rules

Rules

CE-HNC-R1 General Rules

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

CE-HNC-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

CE-HNC-R3 Minor Building

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rule CE-HNC-R4.*

CE-HNC-R4 Buildings and Major Structures

Activity Status: Permitted

Where:

1. The maximum *building* and *major structure* height does not exceed 5.5m above *ground level*.
2. Exteriors are not coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
3. The roof colour does not have a light reflectance value greater than 30%.

4. The *building* and *major structure* do not exceed a *gross floor area* of 50m^2 in the Rural Production Zone.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R5 Earthworks within Sand Dunes

Activity Status: Permitted

Where:

1. The *earthworks* are 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.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R6 Earthworks

In High Natural Character Areas outside of Sand Dunes

Activity Status: Permitted

Where:

1. The *earthworks*:
    a. Do not exceed the maximum volume of 250m^3 material disturbed or removed within each 10-year period from 21 February 2019; and
    b. Do not exceed the maximum cumulative face height of any single or terraced cut(s), fill(s), and/or batter faces of 2m. Where there are terraced cut and/or batter faces, and there is less than a 5m separation distance between any separate cut, fill or batter face, or combination of either, the height shall be measured from the lowest *ground level* of either to the highest point of either; OR

c. Are associated with:

i. The repair and maintenance of fences, utility connections, accessways, parking areas, effluent disposal systems, swimming pools, or farm and *plantation 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.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R7 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of *indigenous vegetation* does not exceed 250m^2 per *site* within each 10-year period from 21 January 2019 unless the clearance is 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; or

b. Maintenance and repair of existing tracks, lawns, gardens, fences, or drains; or

c. Pest plant removal and biosecurity works; or

d. Vegetation removal for customary rights; or

e. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R8 Farm Quarries

Activity Status: Permitted

Where:

1. The activity does not disturb or move more than 250m^3 of material; or

2. The maximum cumulative face height of any single or terraced cut(s), fill(s), and/or batter faces does not exceed 2m. Where there are terraced cut and/or batter faces, and there is less than a 5m separation distance between any separate cut, fill or batter face, or combination of either, the height shall be measured from the lowest *ground level* of either to the highest point of either; or

3. The activity does not involve blasting; or

4. The activity does not involve excavations and processing which are undertaken within 200m of a *road* boundary; or an existing *residential unit*.

Activity Status when compliance not achieved: Discretionary

CE-HNC-R9 Mineral Extraction (excluding Farm Quarries)

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-HNC-R10 National Grid Electricity Infrastructure

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-HNC-R11 Papakāinga Development on Ancestral Māori Land

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-HNC-R12 Subdivision within a High Natural Character Area

Activity Status: Discretionary

Where:

1. A proposed *boundary* is within a High Natural Character Area.

Notes:

1. All subdivision proposals will also be assessed against the policies and provisions of the underlying Zone.

2. *For the purposes of CE-HNC-R12.1 a proposed boundary does not include the boundary of the parent site.*

Outstanding Natural Character Area Rules

Rules

CE-ONC-R1 General Rules

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

CE-ONC-R2 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

CE-ONC-R3 Minor Building

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules CE-ONC-R4 and CE-ONC-R5.*

CE-ONC-R4 Buildings and Major Structures

Activity Status: Permitted

Where:

1. The maximum *building* height and *major structure* height does not exceed 5.5m above *ground level*.
2. Exteriors are not coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.
3. Exteriors do not utilise mirror glazing.
4. The roof colour does not have a light reflectance value greater than 30%.
5. The *building* and *major structure* do not exceed a *gross floor area* of 25m^2.

Activity Status when compliance not achieved: Non-Complying

CE-ONC-R5 External Alterations or Extensions to an Existing Building and Major Structure

Activity Status: Permitted

Where:

1. The extension or *alteration* does not add more than 50m^2 *gross floor area* to an existing *building* or *major structure*.

Activity Status when compliance not achieved: Discretionary

CE-ONC-R6 Earthworks

1. Activity Status: Permitted

   Where:

   a. The *earthworks* are directly associated with:

      i. The repair and maintenance of fences, utility connections, *accessway*s, parking areas, effluent disposal systems, swimming pools, or farm and *plantation forestry* tracks.

      ii. Garden amenities, *gardening* or the planting of any vegetation.

      iii. The provision and maintenance of 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.

2. Activity Status: Discretionary

   Where:

   a. The *earthworks* are to provide for a *building* platform or *accessway* and:

      i. Do not exceed the maximum volume of 150m^3 material disturbed or removed within each 10-year period from 21 February 2019, and

ii. Do not exceed the maximum cumulative face height any single or terraced cut(s), fill(s), and/or batter faces of 2m. Where there are terraced cut and/or batter faces, and there is less than a 5m separation distance between any separate cut, fill or batter face, or combination of either, the height shall be measured from the lowest *ground level* of either to the highest point of either.

3. Activity Status when compliance not achieved with CE-ONC-R6.1 or CE-ONC-R6.2: Non-Complying

Note:

1. Earthworks are a non-complying activity where they are not to provide for a building platform or accessway in accordance with CE-ONC-R6.2 and are not directly associated with the activities listed in CE-ONC-R6.1.

CE-ONC-R7 Indigenous Vegetation Clearance

1. Activity Status: Permitted

   Where:

   a. The clearance of *indigenous vegetation* is for the repair and maintenance of existing *buildings* and *structures*, tracks, fences, or other lawfully established activities.

2. Activity Status: Discretionary

   Where:

   a. The clearance of *indigenous vegetation* does not exceed 150m^2 per *site* within each 10-year period from 21 February 2019.

3. Activity Status when compliance not achieved with CE-ONC-R7.1-2: Non-Complying

CE-ONC-R8 Farm Quarries

Activity Status: Permitted

Where:

1. The activity does not disturb or move more than 150m^3 of material.

2. The maximum cumulative face height of any single or terraced cut(s), fill(s), and/or batter faces does not exceed 2m. Where there are terraced cut and/or batter faces, and there is less than a 5m separation distance between any separate cut, fill or batter face, or combination of either, the height shall be measured from the lowest *ground level* of either to the highest point of either.

3. The activity does not involve blasting.

4. The activity does not involve excavation and processing which are undertaken within 200m of a *road* boundary or existing *residential unit*.

Activity Status when compliance not achieved: Non-complying

CE-ONC-R9 National Grid Electricity Infrastructure

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-ONC-R10 Papakāinga Development on Ancestral Māori Land

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-ONC-R11 Mineral Extraction (excluding Farm Quarries)

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

CE-ONC-R12 Subdivision within an Outstanding Natural Character Area

Activity Status: Non-Complying

Where:

1. A proposed *boundary* is within an Outstanding Natural Character Area.

Notes:

1. *All subdivision proposals will also be assessed against the policies and provisions of the underlying Zone.*

2. *A proposed boundary does not include the boundary of the parent site.*