Rural Production Zone

Issues

The Rural Production Zone (RPROZ) encompasses a large area of the Whangarei District. The purpose of the Rural Production Zone is to sustainably manage the *natural and physical resources* of the *rural area* in order to:

- Protect, sustain and promote rural production activities as well as those activities that support rural communities.
- Protect areas of significant ecological and biodiversity values (such as indigenous bush and *wetlands*).
- Enable the rehabilitation of ecological and biodiversity values.
- Maintain rural amenity and character.

The zone comprises a varied array of topography, landforms, landscapes, soil types, biodiversity and catchments. It is important that the ecological and landscape values of the Rural Production Zone are recognised and where appropriate are protected and enhanced. Ecological and landscape values contribute significantly to the rural character and distinctiveness of the Whangarei District. Parts of the Rural Production Zone are located within the coastal environment. The values of the coastal environment are managed by the District Plan's Coastal Environment provisions as well as the provisions in this section.

The interplay of historical land use and values has resulted in the environmental character that exists in the Rural Production Zone today. This character is made up of the varied natural landforms and natural features, openness, as well as an existing *subdivision* and development pattern. It is mostly characterised by a working/living environment, with the noises, odours and visual effects associated with a wide range of *farming*, horticultural, forestry and *mineral extraction* activities. There is an expectation that rural production activities will be able to continue to operate without onerous or restrictive intervention in the Rural Production Zone.

Rural production activities are important contributors to the Whangarei and Northland economy. The Rural Production Zone includes most of the productive rural land area of the District. It is important that these areas are not compromised for rural production. It is expected that a diverse range of rural production activities will continue to operate and new activities will establish in the Rural Production Zone. Changing demands for existing produce and new markets establishing mean that the provisions for the Rural Production Zone need to be flexible to accommodate current and future production needs.

The Rural Production Zone provides for *commercial activities* and *industrial activities* that have a *functional need* to service rural production activities and/or rural communities or provide location based recreation or tourist activity.

Conflicting land use and *reverse sensitivity* effects must be carefully managed where the Rural Production Zone interfaces with *sensitive activities* including habitable *buildings* in other *rural areas* and *Residential Zones*, and with *Business Zones*. Where the Rural Production Zone is traversed by existing major infrastructure services, land use conflicts must be managed. Quarrying Resource Areas apply over the Rural Production Zone and Strategic Rural Industries Zones are surrounded by the Rural Production Zone. Providing for *mineral extraction* activities and *strategic rural industries* to occur and avoidance of conflicting land use activities is important for their on-going operation.

A history of ad hoc rural living *subdivision* and development has resulted in a scattered and ad hoc pattern of development across the *rural area*. Where the rural area abuts Whangarei City, Rural Production Zone will apply. Areas for future urban growth, land use and *subdivision* development is spatially managed by the Future Urban Zone to maintain options for the continued growth of the city. Where rural living clusters have reached significant density and lifestyle character they have been identified as the Rural Lifestyle Zone to manage the actual and potential *reverse sensitivity* effects associated with rural living activities occurring in close proximity to rural production activities.

The Rural Production Zone will not support an increased level of clustered rural living development. Consistent with a consolidated pattern of development residential, rural residential and rural living activities are directed to identified rural settlements, the Future Urban Zone or the Rural Lifestyle Zone to protect the productivity, biodiversity and rural character of the Rural Production Zone.

Urban and rural residential types of development can erode the viability of rural productivity and can create *reverse sensitivity* impacts on productive uses through the visual effect of large scale *buildings* and incidental *structures*, increased traffic generation, and loss of amenity including privacy, rural outlook, spaciousness, and quietness, particularly when a new incompatible activity is located near an existing activity, with resulting conflicts.

Objectives

RPROZ-O1 Rural Land Resources

Identify and protect productive rural land resources for a diverse range of rural production activities.

RPROZ-O2 Land Use Activities

Enable a wide range of rural production activities and provide for *commercial activities* and *industrial activities* that support rural production activities and/or rural communities including recreation and tourist based activities to establish and operate in the Rural Production Zone to contribute to the District's economy.

RPROZ-O3 Rural Character and Amenity

Recognise, maintain and where appropriate protect the rural character and amenity of the Rural Production Zone.

RPROZ-O4 Adverse Effects

Avoid adverse effects on productive land resources from residential, rural residential and rural living *subdivision* and development in the Rural Production Zone.

RPROZ-O5 Fragmentation

Minimise the fragmentation of rural land and promote *site* sizes that facilitate rural production activities other than to protect significant ecological and biodiversity values.

RPROZ-O6 Coastal Environment

Provide for rural production activities that are compatible with the Coastal Environment.

RPROZ-O7 Protection and Enhancement

Encourage protection and enhancement of significant ecology, biodiversity, landscapes and historic heritage.

Policies

RPROZ-P1 Rural Character and Amenity

To protect the distinctive rural character and amenity of the Rural Production Zone including but not limited to:

1. A dominance of natural features including landforms, watercourses and vegetation.
    a. A predominately working rural production environment, including:
        i. The presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops and areas of forestry.
        ii. *Ancillary activities* and *structures* (including *crop support structures* and *artificial crop protection structures*) across the landscape.
    b. Seasonal activities.
    c. A low intensity of development, involving a combination of domestic and rural production *buildings* and *major structures*.

d. Varying levels of noise associated with seasonal and intermittent rural production activities.

e. Relatively open space and low density of development.

f. Odours, noise and *dust* typical of rural activities.

g. Generally low levels of vehicle traffic with seasonal fluctuations.

RPROZ-P2 Land Use Activities

To protect rural productive land, rural character and amenity and to encourage consolidation of activities within Whangarei City by:

1. Only providing for *commercial activities* and *industrial activities* in the Rural Production Zone where it is demonstrated that the activity:

    a. Has a direct connection with the rural resource and supports rural production activities and/or rural communities, including recreation and tourist based activities.

    b. Requires a rural location for its operational function.

    c. Will minimise the potential for *reverse sensitivity* effects between incompatible land use activities.

    d. Will contain and manage adverse effects on-site.

    e. Will contribute positively to the economy of the District.

    f. Can meet and fund local infrastructure requirements.

2. Not directly regulating outdoor agricultural and horticultural activities, excluding *intensive livestock farming*.

3. Permitting *farming* and *activities ancillary to farming or forestry.*

4. Requiring larger *site* sizes to retain productive rural options.

RPROZ-P3 Reverse Sensitivity

Avoiding *reverse sensitivity* effects by preventing *sensitive activities* within close proximity to Quarrying Resource Areas, Strategic Rural Industries, *intensive livestock farming* or other rural production activities that are lawfully established.

RPROZ-P4 Unsealed Roads

To reduce the potential of exposure to noise, *dust* and health risks by requiring a minimum separation for *residential unit*s from unsealed *road*s.

RPROZ-P5 Maintain Amenity and Character

To maintain rural amenity, and character by ensuring that all new *buildings* and *major structures* and rural land uses:

1. Are of a scale and character appropriate to the Rural Production Zone.
2. Are sited in a location sufficiently *setback* from *site* boundaries to enable privacy, the retention of openness and access to sunlight.
3. Avoid ribbon development.

RPROZ-P6 Setback Buffers

To avoid inappropriate *subdivision* and development in areas required for future urban growth by identifying '*setback* buffers' between the Rural Production Zone and the *Residential Zones*, Future Urban Zone and Rural Lifestyle Zones and the Settlement Zone Residential Sub-Zone.

RPROZ-P7 Subdivision Greater than 20ha

To enable the *subdivision* of rural land into *site*s of 20ha or more, where the following has been provided for:

1. Efficient and effective on-site servicing.
2. Avoidance of erosion, subsidence, slippage, flooding or inundation from any source.
3. Stability of land and its suitability to provide a foundation for the erection of *buildings* and *accessway*s, and parking areas (where provided).

RPROZ-P8 Subdivision Less than 20ha

To avoid the *subdivision* of land into *site*s less than 20ha unless it is demonstrated that all of the following are achieved:

1. It does not create a rural residential or rural lifestyle *site*, other than where a *Net Environmental Benefit* is achieved.
2. The *subdivision* of rural land and associated *buildings* does not inhibit or restrict the productive potential or reasonably anticipated productive potential of rural production activities.
3. The size, shape and arrangement of *site*s:
    a. Is a practical size for rural production activities, other than where a *Net Environmental Benefit* is achieved.
    b. Does not restrict the range of options for the use of production land.

4. The viability of the existing *rural production activity* is not compromised, and the existing rural production activity can continue to operate efficiently at the subdivided scale.

5. The *subdivision* and subsequent development will not result in adverse effects on the operation and viability of any adjoining *rural production activity* or strategic rural industry.

6. The *subdivision* and subsequent development will not require connection to the District's *reticulated* sewer or an extension or upgrading of any service or *road*, except where it is in the economic interest of the District and will not compromise the efficient functioning of the District's infrastructure network.

RPROZ-P9 Net Environmental Benefit

To protect and enhance biodiversity, landscapes, historic heritage, and significant ecology whilst protecting productive rural land resources, rural character and amenity by providing for *subdivision* where all of the following are achieved:

1. A *Net Environmental Benefit* is created by the legal protection in perpetuity and on-going management (maintenance and enhancement of the values and attributes, characteristics and qualities) for one or more of the following:

    a. Appropriate area(s) of *indigenous vegetation*, or habitat of indigenous fauna, assessed as significant in accordance with policy 4.4.1 and appendix 5 of the Northland Regional Policy Statement 2016; or

    b. Appropriate area(s) of Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, High Natural Character; or

    c. Heritage Buildings or Sites of Significance to Māori; or

    d. Appropriate area(s) of *Highly Erodible Land,* or land within a riparian margin of a *stream*, *river*, estuary or the coast located within Acutely or Chronically threatened land environment associated with Land Environments of New Zealand Level 4, will be retired and rehabilitated.

2. The effects of the number, size and location of *site*s, *building* platforms and *accessway*s, are managed by:

    a. Avoiding:

        i. Adverse effects on the areas(s) protected under clause (1) of this policy.

        ii. Adverse cumulative effects.

        iii. *Reverse sensitivity*.

        iv. Development on *highly versatile soils*.

        v. An urban form, by encouraging small clusters of *site*s.

b. Minimising fragmentation of rural land.

c. Protecting the productive potential of the *site*.

d. Retaining natural character, landscape qualities and characteristics, rural character and amenity.

e. Determining whether fewer than the maximum number of *site*s should be created.

f. Assessing the proposal against the Coastal Environment objectives and policies where the *site* is located in the Coastal Environment.

RPROZ-P10 Other Subdivision

To provide for limited *subdivision* of rural land creating a new *site* for a surplus existing *residential unit* where the balance area of the farm is large, and dimensions of the new *site* can accommodate the existing on-site services and provide for efficient access.

RPROZ-P11 Boundary Relocation Subdivisions

To provide for *boundary relocation subdivision*s in the Rural Production Zone where:

1. The location and design of the *subdivision* ensures all *building*s and *major structure*s comply with district-wide, overlay and zone rules.

2. Additional capacity for *residential unit*s or new *site*s is not created, except where appropriate legal protection such as a covenant, consent notice, or encumbrance is proposed that restricts development rights to pre-subdivision levels.

3. Adverse effects on rural character and *amenity values* are avoided, remedied, or mitigated relative to the existing environment.

4. The overall productive capacity of highly productive land is retained over the long-term.

RPROZ-P12 Location and Design of Subdivisions and Associated Land Developments

To locate and design *subdivision* and associated land development to avoid urban form and character, maintain rural character and *amenity values* and protect and enhance environmental features by:

1. Designing *subdivision*s to respond to the topography and characteristics of the land being developed.

2. Avoiding development on *highly versatile soils*.

3. Identifying *building* platforms that respond to *site* topography and environmental characteristics.

4. Locating *accessway*s, services, utilities and *building* platforms where these can be provided without the need for significant earthworks, retaining, benching or *site* contouring.

5. Locating *accessway*s, services, utilities and *building* platforms where the location is sensitive to and responds to environmental features of the *site*.

6. Ensuring that the *subdivision* will not create *reverse sensitivity* effects with respect to existing lawfully established activities.

RPROZ-P13 Quarrying Resource Area Overburden

Recognise that the placement of overburden from an adjacent Quarrying Resource Area may be appropriate if:

1. It is demonstrated that:

    a. The placement is necessary for the efficient use and development of that Quarrying Resource Area, including if doing so would preserve the long-term access to regionally significant *mineral* resources.

    b. The placement is a final or long term deposition.

    c. There is no practicable alternative within the *Mining Area* of the Quarrying Resource Area.

2. Progressive rehabilitation occurs so that rural character and *amenity values* are maintained.

3. The placement avoids *highly versatile soils*.

4. The placement is managed to protect existing and consented *sensitive activities* from unreasonable effects of noise, vibration, *dust* and illumination.

5. Other adverse effects are first avoided, and if not avoided, are remedied or mitigated.

6. An effective separation distance from existing and consented *sensitive activities* is maintained to give effect to 4 and 5 above.

Note:

1. *Any placement of overburden outside the Mining Area but inside the Quarrying Resource Area is subject to policy QRA.1.3.3.*

Rules

RPROZ-R1 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.

RPROZ-R2 Minor Building

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules RPROZ-R3 – R5.*

RPROZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum *building* height and *major structure* height is 10m above ground level.

Compliance Standards:

1. *Mineral Extraction Activities within the Mining Area of a Quarrying Resource Area are exempt and will be assessed by applying the Quarrying Resource Area Chapter provisions.*
2. *Frost protection fans are exempt from RPROZ-R3 and shall comply with RPROZ-R13.*
3. *Crop protection structures and artificial crop protection structures are exempt from RPROZ-R3 and shall comply with RPROZ-R14.*

Activity Status when compliance not achieved: Discretionary

RPROZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All *buildings* and *major structures* are set back at least:
    a. 8m from all *site* boundaries.
    b. 27m from Mean High Water Springs and the top of the bank of any *river* that has a width exceeding 3m (excluding bridges, culverts and fences).

Compliance Standards:

1. *Mineral Extraction Activities within the Mining Area of a Quarrying Resource Area are exempt and will be assessed by applying the Quarrying Resource Area Chapter provisions.*
2. *Frost protection fans are exempt from RPROZ-R4 and shall comply with RPROZ-R13.*
3. *Crop protection structures and artificial crop protection structures are exempt from RPROZ-R4 and shall comply with RPROZ-R14.*

Activity Status when compliance not achieved: Discretionary

RPROZ-R5 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative *building* and *major structure* coverage is 20% of the *net site area*.

Activity Status when compliance not achieved: Discretionary

RPROZ-R6 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of *indigenous vegetation* either:
    a. Does not exceed 500m^2 per *site* within each 10-year period from 12 December 2018; except where:
        i. The clearance is directly associated with rural production activities and that clearance is:
            a) Up to 2,000m^2 in area per *site* within each 10-year period from 12 December 2018 and the vegetation does not meet the significance criteria in Appendix 5 of the Regional Policy Statement for Northland 2016; or
            b) Of *indigenous vegetation* that has grown naturally since 12 December 2018 on land lawfully cleared of indigenous vegetation; AND
    b. Is not within 20m of a *water body*; OR

c. Is associated with:

i. Routine maintenance within 7.5m of the *eaves* of existing *buildings*:

a) Including the removal of any tree where any part of the trunk is within the 7.5m distance.

b) Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance; or

ii. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities; or

iii. Pest plant removal and biosecurity works; or

iv. Vegetation removal for customary rights; or

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

Activity Status when compliance not achieved: Discretionary

RPROZ-R7 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 *principal residential unit* per 20ha *net site area* provided that 1 principal residential unit is permitted on an *site* of any size.

Activity Status when compliance not achieved: Discretionary

RPROZ-R8 Minor Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 *minor residential unit* per *site*.

2. The nearest distance between the *minor residential unit* and the *principal residential unit*, excluding any *accessory building*s and detached *garage*s associated with either *residential unit*, does not exceed 15m.

3. The combined area of the *minor residential unit building coverage* (including *accessory building*s, *garage*s, and associated decking) is not larger than 90m^2.

Activity Status when compliance not achieved with RPROZ-R8.2 – 3: Discretionary

Activity Status when compliance not achieved with RPROZ-R8.1: Non-Complying

RPROZ-R9 Sensitive Activity

Activity Status: Permitted

Where:

1. The *sensitive activity* (excluding non-habitable *buildings*) is set back at least:
    a. 500m from:
        i. The *Mining Area* of all Quarrying Resource Areas.
        ii. The Strategic Rural Industries Zone.
        iii. *Business Zones*.
    b. 30m from:
        i. All formed unsealed *road*s.
        ii. All existing *plantation forestry* on a separate *site*.
    c. 250m from:
        i. Existing *intensive livestock farming* on a separate *site*.
        ii. Existing *activities ancillary to farming or forestry* on a separate *site*.
        iii. The Fonterra Kauri Milk Processing Site Strategic Rural Industries Zone – Ancillary Irrigation Farms.

Note:

1. *Any application under rule RPROZ-R9.1(b)(i) shall comply with information requirement rule RPROZ-REQ1.*

Activity Status when compliance not achieved: Discretionary

RPROZ-R10 Commercial Activities

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and
2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and
3. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

5. The activity does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance not achieved: Discretionary

RPROZ-R11 Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *days* out of every 365-*day* period; and

2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and

3. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

5. The activity does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance not achieved: Non-Complying

RPROZ-R12 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is undertaken in an existing lawfully established *residential unit* provided the maximum visitor occupancy, in addition to any permanent residents on the *site*, is no more than six tariff-paid visitors at any given time; OR

2. The principal operator of the activity lives on the *site* for at least 183 *days* out of every 365-*day* period; and

3. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers (except visitors checking into accommodation) or the loading or unloading of vehicles; and

4. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

5. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

6. The activity does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance not achieved: Discretionary

RPROZ-R13 Frost Protection Fans

Activity Status: Permitted

Where:

1. The maximum height of the frost protection fan is 20m above ground level.

2. The frost protection fan is set back at least 8m from all *site* boundaries.

Activity Status when compliance not achieved: Discretionary

RPROZ-R14 Crop Support Structures or Artificial Crop Protection Structures

Activity Status: Permitted

Where:

1. The maximum structure height is 10m above ground level.

2. The structure is set back at least:

    a. 1m from all *site* boundaries.

    b. 27m from Mean High Water Springs and the top of the bank of any *river* that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

RPROZ-R15 Farm Quarrying

Activity Status: Permitted

Where:

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

2. The activity does not extract over 5,000m^3 in any 12 month period on the *site*.

3. The activity does not undertake blasting.

4. The activity does not establish within 500m of an existing *sensitive activity* on an adjacent *site*.

Activity Status when compliance not achieved: Discretionary

RPROZ-R16 Activities Ancillary to Farming or Forestry

Activity Status: Permitted

Where:

1. The activity does not operate within 250m of an existing *sensitive activity* on a separate *site*.
2. The activity operates within any combination of *buildings* and *major structures*, and those *building*s and *major structures* do not exceed a cumulative *gross floor area* of 2,000m^2 per *site*.
3. The activity does not operate from an outdoor area larger than 500m^2.

Activity Status when compliance not achieved: Discretionary

RPROZ-R17 Intensive Livestock Farming

Activity Status: Permitted

Where:

1. The activity is a primary activity or *ancillary activity*.
2. The activity operates within any combination of *buildings* and *major structures*, and those *building*s and *major structures* do not exceed a cumulative *gross floor area* of 2,000m^2 per *site*.
3. The activity is set back 250m from the *boundary* of a separate *site* containing a *sensitive activity*.

Activity Status when compliance not achieved with RPROZ-R17.1 and 2: Discretionary

Activity Status when compliance not achieved with RPROZ-R17.3: Non-Complying

RPROZ-R18 Emergency Services

Activity Status: Permitted

Where:

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

RPROZ-R19 Farming

Activity Status: Permitted

Where:

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

RPROZ-R20 Plantation Forestry

Activity Status: Permitted

Where:

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

RPROZ-R21 Buildings and Major Structures (excluding minor buildings) associated with Emergency Service

Activity Status: Discretionary

Where:

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

RPROZ-R22 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Discretionary

Where:

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

RPROZ-R23 Place of Assembly

Activity Status: Discretionary

Where:

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

RPROZ-R24 Recreational Facilities

Activity Status: Discretionary

Where:

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

RPROZ-R25 General Community

Activity Status: Discretionary

Where:

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

RPROZ-R26 Educational Facilities

Activity Status: Discretionary

Where:

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

RPROZ-R27 Care Centre

Activity Status: Discretionary

Where:

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

RPROZ-R28 Retirement Village

Activity Status: Discretionary

Where:

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

RPROZ-R29 Supported Residential Care

Activity Status: Discretionary

Where:

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

RPROZ-R30 Hospitals

Activity Status: Non-Complying

Where:

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

Information Requirement Rules

RPROZ-REQ1 Transport Assessment Statement

1. Any application under rule RPROZ-R9.1(b)(i) must include a transport assessment statement which:

    a. Establishes the current and predicted transport environments/traffic volumes along the *road* from which the *sensitive activity* will be set back.

    b. Establishes the likelihood of changes to the nature, scale and intensity of land uses and their traffic generating potential within the catchment served by the *road*.

734 Pataua North Road Precinct (PREC18)

Rules

PREC18-R1 Activity Status

1. Activity Status: Discretionary

    A single application for resource consent, implementation of which may be staged, for *subdivision* within Pt Lot 1 DP 94742 (734 Pataua North Road) that proposes environmental protection and on-going management of an environmental protection area, where:

    a. The *subdivision* complies with rule SUB-R16.3 except:

        i. That the *site* does not have to have existed on 12 December 2018.

        ii. SUB-R16.3(b)(i), (ii) and (iii).

        iii. SUB-R16.3(d)(iii)(b).

        iv. SUB-R16.3(e).

    b. The *subdivision* complies with the following:

        i. The environmental protection area includes the following areas as shown on Figure PREC18 1:

            a) The terrestrial *indigenous vegetation* area marked A; and

            b) The *wetland* habitat area marked B; and

            c) The indigenous riparian margin vegetation area marked C.

        ii. The maximum number of additional *site*s that can be approved is 8.

c. Any *subdivision* under rule PREC18-R1 shall comply with information requirement rules SUB-REQ3.1, SUB-REQ3.6 and SUB-REQ3.7.

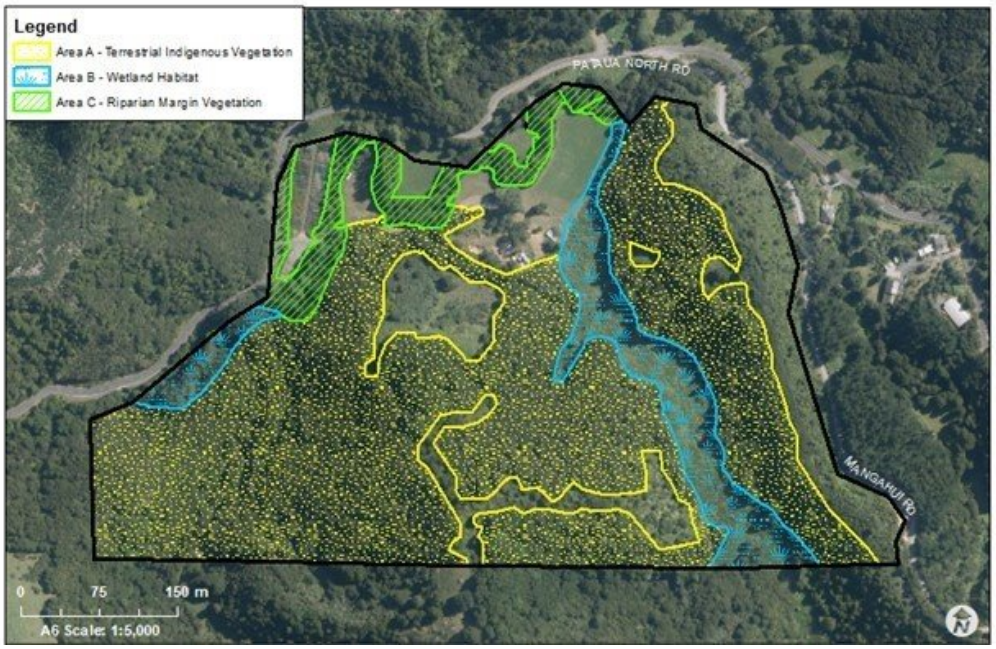


Figure PREC18 1. 734 Pataua North Road (Part Lot 1 DP 94742)

128 and 172 Awaroa River Road Precinct (PREC19)

Rules

PREC19-R1 Activity Status

Activity Status: Controlled

Where:

1. A single application for resource consent (implementation of which may be staged) to subdivide 128 and 172 Awaroa River Road, Whangarei (Lot 3 DP 317977 and Lot 2 DP 87364) where:

    a. A total of 7 additional *site*s are created (excluding 2 balance *site*s arising from the 2 existing *site*s, each containing an existing *residential unit*).

    b. All existing *indigenous vegetation* within Lot 3 DP 317977 and Lot 2 DP 87364 shall be legally protected in perpetuity in its entirety and managed on an on-going basis in accordance with a Management Plan.

    c. Every covenanted area is held within a single *site*.

    d. No new *buildings* or *major structures* have been erected since 12 December 2018 prior to *subdivision* approval.

e. Every proposed *site* shall identify a *building* envelope no larger than 100m^2 and that complies with the *setback*s of the Rural Production Zone.

f. Every proposed *site* shall identify the balance of the *site* beyond the identified *building* envelope as subject to a No Build covenant.

g. *Building*s and *major structures* within *building* envelopes in accordance with PREC19-R1.1(e) shall:

   i. Where the *building* envelope is located above the 80m contour, not exceed 6m in height above ground level, and otherwise not exceed 8m in height above ground level.

   ii. Have a roofline below the 90m contour.

   iii. Not exceed a combined *gross floor area* of 750m^2.

   iv. Not have exteriors:

      a) Coloured or painted with a colour with a light reflectance value greater than 35%, provided that 2% of each exterior elevation is exempt.

      b) Utilising mirror glazing.

      c) With a roof colour with a light reflectance value greater than 30%.

   v. Be built into the landform, stepped in structure, with irregular roofline.

h. The application shall identify areas of landscape mitigation planting:

   i. Within every proposed *site*, to filter views of the proposed *building* envelopes from outside of the *subdivision* and between *building* envelopes.

   ii. For *building* envelopes above the 70m contour, to ensure that there is a permanent vegetated backdrop so that *buildings* are not seen on the skyline.

i. Planting of areas identified in PREC19-R1.1(h) shall be established in accordance with (h) and shall be:

   i. Legally protected in perpetuity in its entirety.

   ii. Managed on an on-going basis in accordance with a Management Plan.

j. All proposed *accessway*s and manoeuvring areas shall be finished with recessive materials (i.e. blue metal, concreate with exposed aggregate or black oxide additive).

k. The application shall include proposed conditions of consent which are a means by which compliance with rules PREC19-R1.1(g), (i) and (j) is ensured.

l. The application shall include a management plan that specifies the protection measures proposed to ensure that the vegetation remains protected in perpetuity, that includes how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:

   i. The establishment of secure stock exclusion.

   ii. *Site* preparation and the establishment of plantings.

   iii. The maintenance of plantings. The survival rate must ensure a minimum 90% of the original density and species.

   iv. The maintenance of *indigenous vegetation* must ensure animal and plant pest control occurs.

Matters of control:

1. The extent of covenant areas and need for on-going management such as pest and weed control, and stock proof fencing.
2. The location and suitability of *building* envelopes to mitigate effects on privacy, rural character, landscape and *amenity values*.
3. The adequacy of landscape mitigation planting to mitigate effects on privacy, rural character, landscape and *amenity values*.
4. The need for additional planting to strengthen any existing native vegetation screening of proposed *building* envelopes.
5. The use of recessive materials on *accessway*s and manoeuvring areas to mitigate landscape effects.
6. The visibility of water tanks, including a preference for vegetative screening.
7. The type and colour of *boundary* fencing and gates including:
   a. A preference for post and wire or post and rail.
   b. A preference for timber rail or steel rail gates.
   c. A preference for recessive colours.
   d. Discouragement of solid close board timber fences and gates.
8. Recessive external lighting.
9. Eco-sourcing of plant species required for landscape planting.
10. Avoiding pest species for landscape planting.

11. Appropriateness of conditions to enforce ongoing compliance.

Note:

1. *Refer to the How the Plan Works Chapter for Assessment of Controlled Activities.*

Activity Status when compliance not achieved: Non-Complying

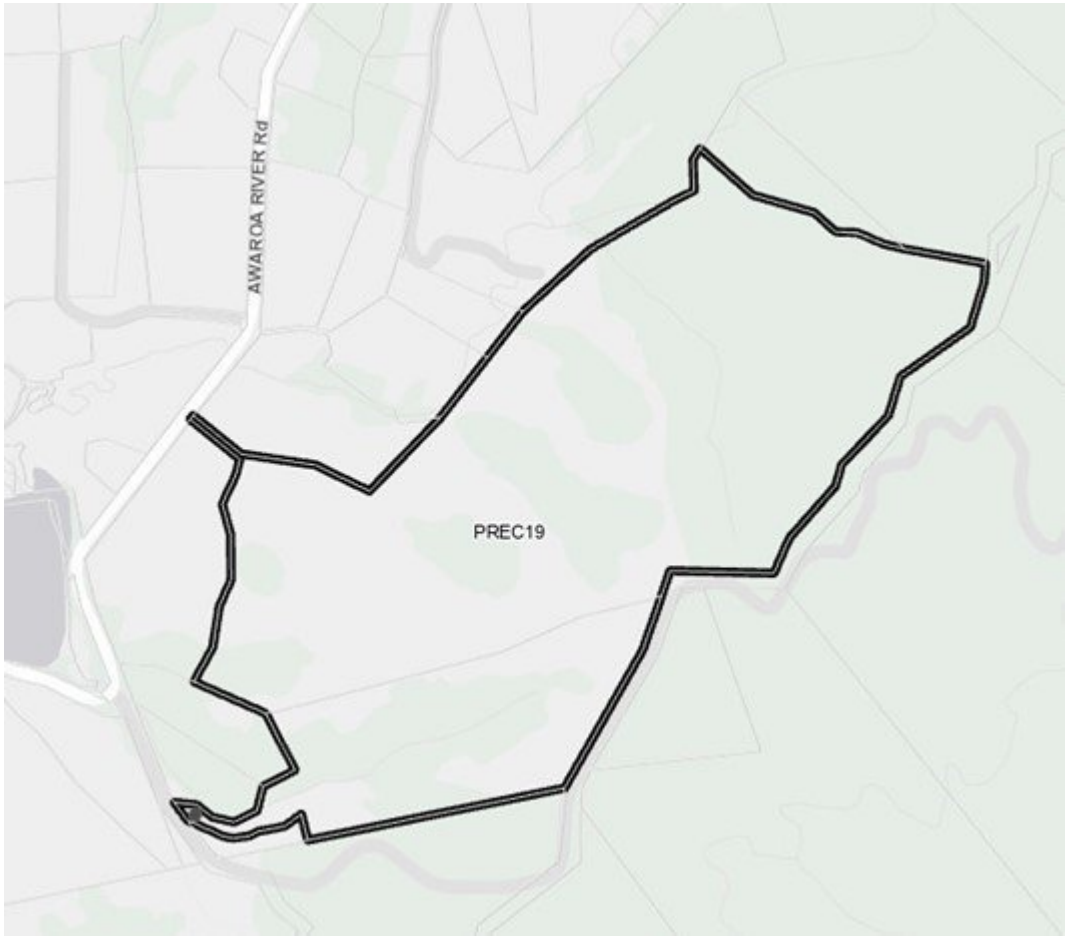


Figure PREC19 1: 128 and 172 Awaroa River Road, Whangarei (Lot 3 DP 317977 and Lot 2 DP 87364)

2487 Whangarei Heads Road Precinct (PREC20)

Rules

PREC20-R1 Activity Status

Activity Status: Discretionary

Where:

1. A *subdivision* application for resource consent (implementation of which may be staged) to subdivide 2487 Whangarei Heads Road (Part Allot 17 PSH of Manaia) where:

    a. A maximum of three additional *site*s are created (excluding the balance *site*); and

b. All land identified as Outstanding Natural Landscape in the District-Wide Matters Maps shall be:

i. Legally protected in perpetuity in its entirety.

ii. Managed on an on-going basis in accordance with a Management Plan.

iii. Held within a single *site*.

Activity Status when compliance not achieved: Non-Complying

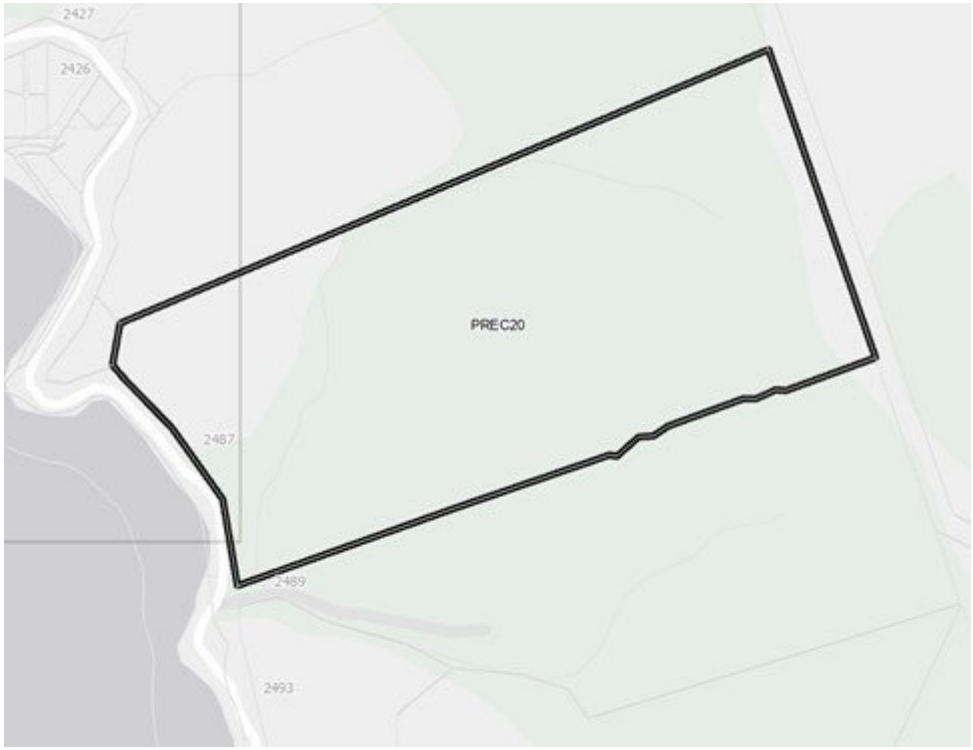


Figure PREC20 1: 2487 Whangarei Heads Road (Part Allot 17 PSH of Manaia)

1007 Cove Road Precinct (PREC21)

Rules

PREC21-R1 Activity Status

Activity Status: Discretionary

Where:

1. A single application for resource consent (implementation of which may be staged) that achieves a *Net Environmental Benefit* to subdivide 1007 Cove Road, Waipu (Lot 3 DP 67636) where:

a. Up to a maximum of 3 additional *site*s are created (excluding 1 balance *site*).

b. Every *site* has a *net site area* of at least 2,000m^2.

c. Designation WDC-54 insofar as it crosses the *site* has been given effect to, with no compensation payable by:

   i. Incorporating the land within the *site* that is subject to the designation into an *esplanade reserve* pursuant to section 231 of Resource Management Act 1991, which is to be vested in the Council; or

   ii. Incorporating the land within the *site* that is subject to the designation into an *esplanade strip* pursuant to section 232 of the Resource Management Act 1991, which is to be created by an instrument registered against the relevant title(s); or

   iii. Registering on the relevant title(s) an easement in gross or other legal instrument that ensures public access in perpetuity across the land within the *site* that is subject to designation.

d. Any *subdivision* under rule PREC21.R1.1(c) shall comply with the following information requirements where relevant:

   i. Information requirement rule SUB-REQ3. 1 – 3.

   ii. Information requirement rule SUB-REQ3.4.

   iii. Information requirement rule SUB-REQ3.5.

Note:

1. *There is no requirement for an esplanade strip or esplanade reserve in addition to PREC21-R1.1(c).*

Activity Status when compliance not achieved: Non-Complying

Note:

1. *Any non-complying subdivision shall comply with information requirement rule SUB-REQ3.7.*

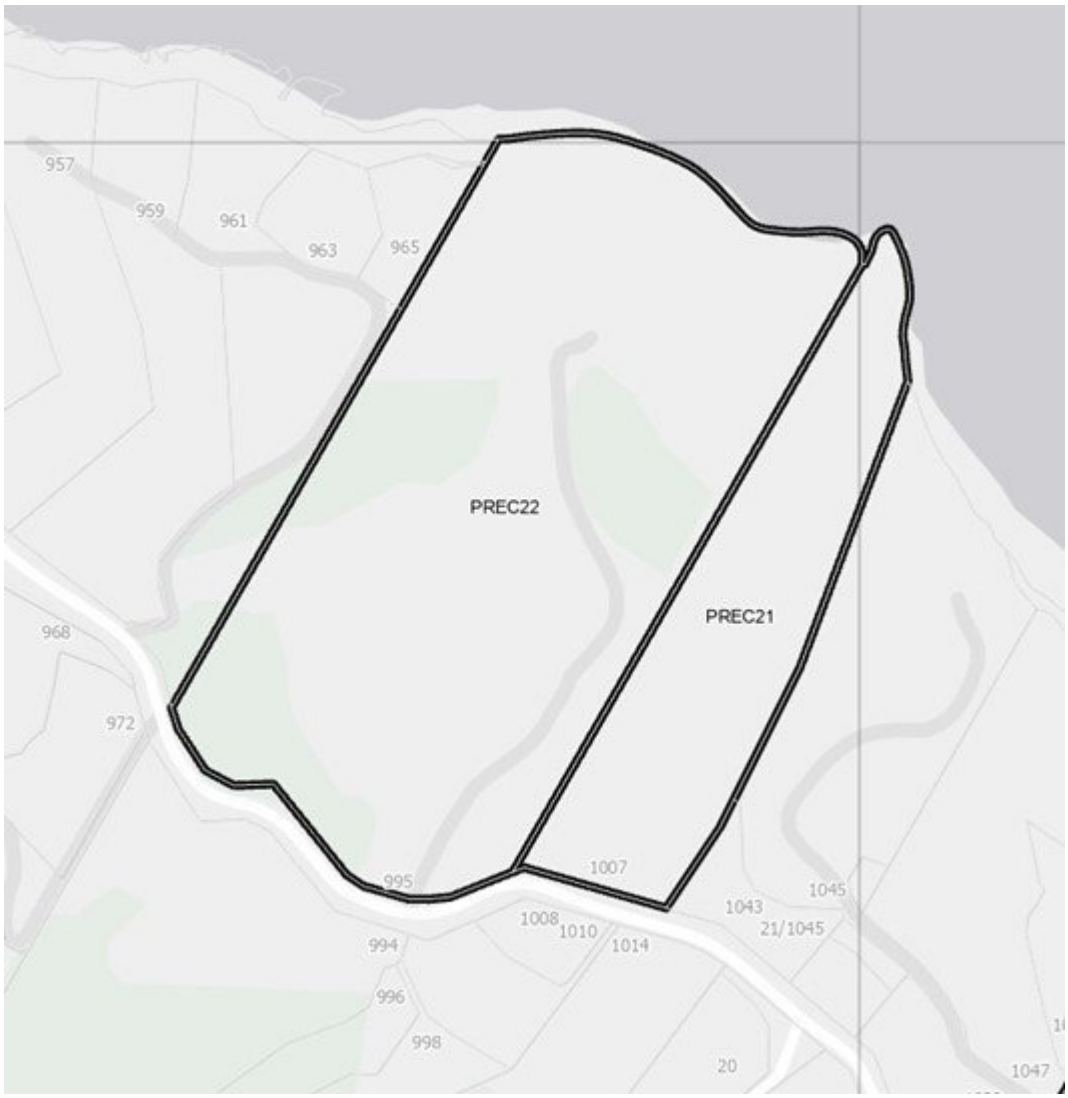


Figure PREC21 1: 1007 Cove Road, Waipu (Lot 3 DP 67636)

995 Cove Road Precinct (PREC22)

Rules

PREC22-R1 Activity Status

Activity Status: Discretionary

Where:

1. A single application for resource consent (implementation of which may be staged) that achieves a *Net Environmental Benefit* to subdivide 995 Cove Road, Waipu (Part Lot 1 DP 69511) where:

    a. Up to a maximum of 4 additional *site*s are created (excluding 1 balance *site*).

    b. Every *site* had a *net site area* of at least 2,000m^2.

c. Designation WDC-54 insofar as it crosses the *site* has been given effect to, with no compensation payable by:

   i. Incorporating the land within the *site* that is subject to the designation into an *esplanade reserve* pursuant to section 231 of Resource Management Act 1991, which is to be vested in the Council; or

   ii. Incorporating the land within the *site* that is subject to the designation into an *esplanade strip* pursuant to section 232 of the Resource Management Act 1991, which is to be created by an instrument registered against the relevant title(s); or

   iii. Registering on the relevant title(s) an easement in gross or other legal instrument that ensures public access in perpetuity across the land within the *site* that is subject to designation.

d. Any *subdivision* under rule PREC22-R1 shall comply with the following information requirements where relevant:

   i. Information requirement rule SUB-REQ3.1 – 3.

   ii. Information requirement rule SUB-REQ3.4.

   iii. Information requirement rule SUB-REQ3.5 (where the application creates 3 or less additional *site*s, excluding one balance *site*).

Note:

1. *There is no requirement for an esplanade strip or esplanade reserve in addition to PREC22-R1.1(c).*

Activity Status when compliance not achieved: Non-Complying

Note:

1. *Any non-complying subdivision shall comply with information requirement rule SUB-REQ3.7.*

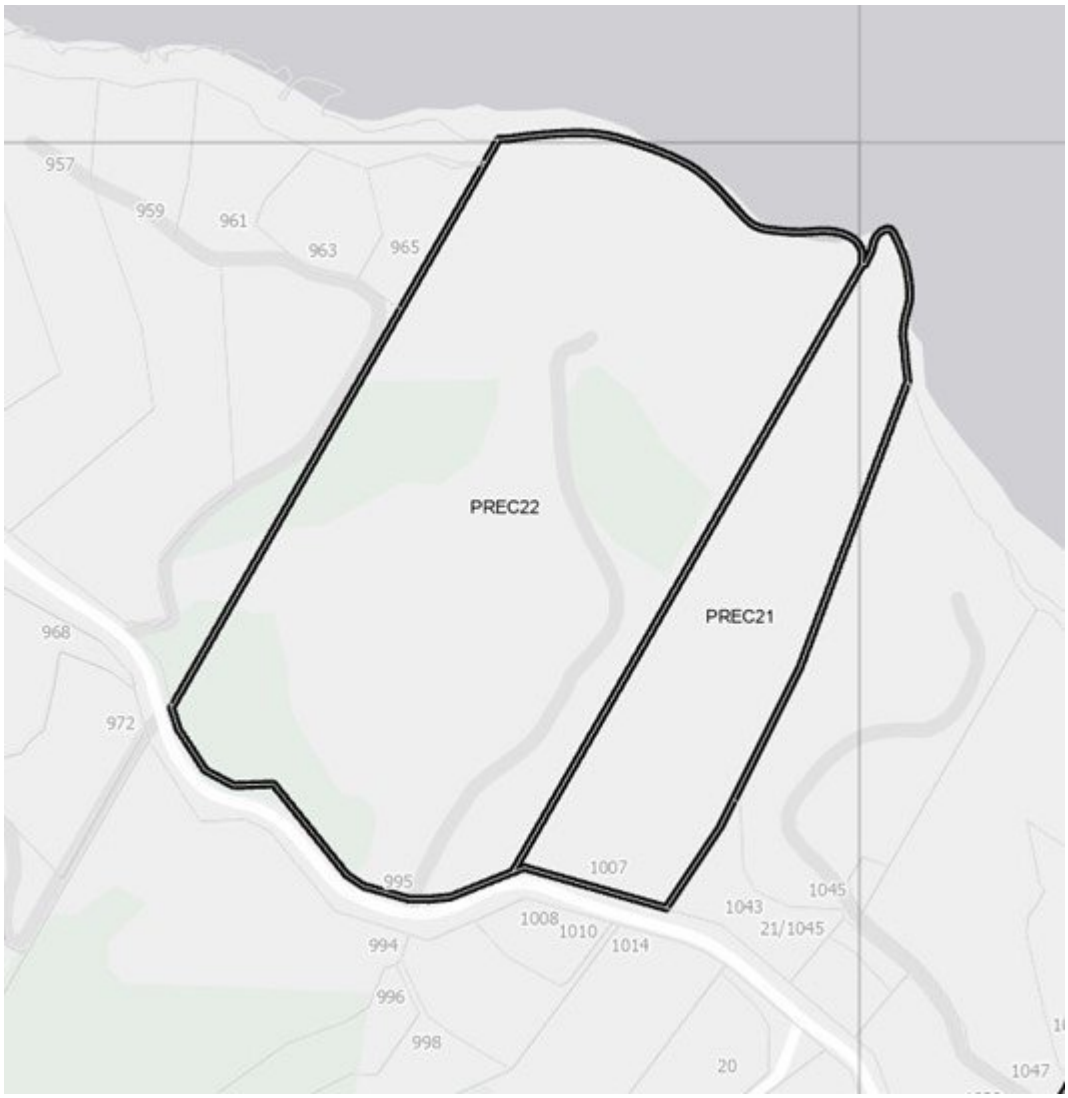


Figure PREC22 1: 995 Cove Road, Waipu (Part Lot 1 DP 69511)