

BEFORE THE INDEPENDENT HEARINGS PANEL

IN THE MATTER OF: The Proposed Auckland Unitary Plan (PAUP)

HEARING TOPIC: 075 Waitakere Ranges Heritage Area Precinct
Common Objectives and Policies;
Ranges Precinct
Coastal Settlement Precinct

SUBMITTERS: Bronwen J. Turner Submission no 4445 FS 3485
Kenneth E. and Helen M. Turner Submission no 4450;
FS 3571
Huia Private Reserve Submission no 4454; FS3672

EVIDENCE PREPARED BY: Bronwen Turner,

EVIDENCE: Primary

DATE: September 15, 2015

SUMMARY:

1. We are property owners at Cornwallis and Little Huia, within the Waitakere Ranges Heritage Area (WRHA) and therefore subject to the Waitakere Ranges Heritage Area Act 2008 (WRHAA).
2. Under the PAUP, our properties are zoned Rural Conservation and parts are covered by a variety of overlays such as SEA, ONF, ONL, ONC/HNC, and Ridgeline protection. The smaller sections are within the Waitakere Ranges Precinct/Coastal Settlements. The larger parcels are within the Waitakere Ranges Precinct/Ranges. As stated in our original submissions, the multiple layers of zoning, overlays and precincts make it extremely difficult to understand the provisions and rules and which apply under different circumstances.
3. Through our submissions and evidence below we are seeking amendments to the common Objectives and Policies and those specific to the Ranges and Coastal Settlements precincts and amendments to the Rules to better reflect and promote the purposes and objectives in the Waitakere Ranges Heritage Area Act; to clarify and reduce conflicts among the provisions; and to provide more flexibility for property owners to allow them to better care for their land and serve visitors to the Heritage Area.
4. This evidence is based upon the document 075 Auckland Council Proposed Marked-up Version – 7.14 Waitakere Ranges precinct – Ranges Precinct (after mediation); 7.18 Waitakere Coastal Settlements (after mediation) both dated August 27, 2015; and Common Objectives and Policies dated August 28, 2015 (after mediation). It is written prior to Council's evidence being provided.

5. We reserve the right to provide rebuttal to Council's evidence in October.

INTRODUCTION

6. My name is Bronwen J. Turner and I have prepared this evidence on behalf of myself; my sister and brother-in-law K.E. and H.M. Turner; and our family company Huia Private Reserve. We are property owners at Cornwallis and Little Huia, within the Waitakere Ranges Heritage Area and therefore subject to the Waitakere Ranges Heritage Area Act 2008 (WRHAA).
7. Under the PAUP, our properties are zoned Rural Conservation and parts are covered by a variety of overlays such as SEA, ONF, ONL, ONC/HNC, and Ridgeline protection. The smaller sections we own are approximately 1000 m² sections intended for a bach or house and are within the Waitakere Ranges Precinct/Coastal Settlements. The larger parcels are farmed or covered by bush and are within the Waitakere Ranges Precinct/Ranges. As stated in our original submissions, the multiple layers of zoning, overlays and precincts in the PAUP make it extremely difficult to understand the provisions and which provisions apply under different circumstances.
8. I attended three mediation sessions: on common Objectives and Policies; Coastal Settlement Objectives, Policies and Rules (partially); and Ranges Objectives, Policies and Rules.
9. Due to prior scheduled travel out of Auckland and out of communication, this evidence is written prior to the filing of Council's evidence. We reserve the right to provide rebuttal to Council's evidence in October.

EVIDENCE

Common Objectives

10. To reduce confusion and conflicts between the multiple layers of zoning, overlays and precincts, and misinterpretation of the WRHAA, the Objectives should accurately restate the Objectives of the WRHAA. Even small language changes can subtly change the meaning of an objective away from that written in the WRHAA.
11. The WRHAA in sections 7 and 8 clearly talks about the heritage area being used by people and it changing over time. The purpose of the WRHAA is to manage that change in a manner that protects the heritage features, which encompass more than environmental features. For instance it recognizes people living and working in the heritage area in distinct communities (Section 8 (i)). It lists as a heritage feature the opportunities for wilderness experiences, recreation and relaxation (section 7 (g)) and an objective is the use and enjoyment of the Regional Park (Section 8 (l)). It anticipates activities such as future uses of rural land and change occurring in the Heritage Area (Section 8 (g) and (j)). And it uses active terms such as "restore and enhance" in addition to "protect". This sense of use, activity and change should be communicated in the Objectives (and Policies).

12. **Objective 1:** The WRHAA states in Section 8 Heritage area objectives

“ The objectives of establishing and maintaining the heritage area are –
(i) to recognize that people live and work in the area in distinct communities,
and to enable those people to provide for their social, economic,
environmental, and cultural well-being:

This objective uses the active verb “to enable” people. Enable should be used in the PAUP objective not the more passive term “is provided for”.

Thus we request Objective 1 be amended as follows:

Objective 1: The social, cultural, economic and environmental well-being of the area’s people and communities is enabled ~~provided for~~ while the heritage features defined in the WRHAA are protected, restored and enhanced in the precinct.

13. **Objective 9:** The language in Section 7 2 (i) the WRHAA refers to “the subservience of the built environment”. We request this language be reinstated in the Objective as follows:

Objective 9: The built environment ~~does not dominate~~ is subservient to the natural and rural landscape.

14. **Objective 11:** In relation to rural activities the Act states as objectives in Section 8 (g) and (j)

“(g) (iii) managing change within a landscape in an integrated way, including managing change in a rural landscape to retain a rural character:
(J) to provide for future uses of rural land in order to retain a rural character in the area”:

This indicates the intention that change in the rural landscape is anticipated and future uses are provided for, uses which could be different from existing uses. These uses may not be limited to rural uses but are uses that retain the rural character. Recreation and related tourism could be an example. Upon reconsideration since mediation, we believe the language of Objective 11 which says “rural activities are provided for “ could be read to mean continuing with existing uses. It does not adequately capture the objective of there being “future” uses as stated in the Act and that these may be broader than strictly rural. We request the Objective be amended to restate the Act as follows:

Objective 11: Future uses of rural land ~~Rural activities~~ are provided for to retain rural character.

15. **Objective 13:** Taken as a whole, the Objectives make no reference to the coastal environment, which is a dominant feature of the Ranges and is listed as a feature in Section 7 of the WRHAA. Areas such as Piha and Little Huia

foreshore are heavily used, are integral to the character and identity of the WRHA and affect activity and development in the WRHA.

We request the addition of an Objective as follows:

Objective 21: The coastal areas are protected, restored and enhanced while being used for the benefit and enjoyment of people and communities.

16. The Objectives as stated do not capture the recreation purposes of the WRHA. As stated in Section 7 (2) (g) a feature of the heritage area that is to be protected, restored and enhanced is
“ the opportunities that the area provides for wilderness experiences, recreation and relaxation in close proximity to metropolitan Auckland”.

This is a feature separate from the Waitakere Ranges Regional Park, which is listed in (2) (m). It could apply to the coastal areas and opportunities on private property.

Thus we request the addition of an objective 22 (new numbering will be required):

Objective 22: Opportunities are provided for wilderness experiences, recreation and relaxation.

17. While we support many of the amendments proposed during mediation including deleting objectives, we reserve our position on the Objectives until we have reviewed Council’s proposed revised text.

Common Policies

18. A set of Policies (together with amendments proposed through the submission process) has been created for the Rural Conservation Zone and hence apply within this precinct. The Policies proposed for this precinct generally repeat those Policies. Is this necessary? For ease of use, we request that the Precinct either have only Policies that are specific and unique to the Heritage Area (in other words many would then be deleted) or that it be made clear in the text that these Policies completely replace those in the Rural Conservation zone. This would reduce the complexity of the provisions and make it easier for landowners to understand and comply with the provisions.
19. As with the Objectives above, we believe the wording of policies should use the language of the WRHAA to the extent possible, to avoid any misinterpretation or subtle change in meaning.
20. **Policy 13:** Upon reconsidering this policy since mediation, we believe this policy should be amended to make it clear that the activities mentioned also serve visitors to the heritage area, not just residents.

We request Policy 13 be amended as follows:

13. Limit commercial and office activities to home occupations and activities that support the heritage area's distinctive communities and visitors.
21. While we support many of the amendments proposed during mediation including deleting policies, we reserve our position on the Policies until we have reviewed Council's proposed revised text.

7.14 Ranges Precinct

Precinct description

22. A map should be provided together with the text to clarify whether all the land in the precinct is in one or other of 2 subprecincts (Ranges precinct/rural bush living subprecinct or Ranges precinct/Oratia sub-precinct) or whether there are three areas: Ranges precinct; Ranges precinct/rural bush living subprecinct; and Ranges precinct/Oratia sub-precinct. This is not clear from the text or in the Rules.
23. **Introductory paragraph:** In describing the heritage features this paragraph omits reference to the rural character and the people living and working in the area's distinctive communities, as listed in Section 7 of the WRHAA. Either all the features should be listed or none. Similarly the paragraph fails to reference the most important section of the Act, the Objectives in Section 8. The description as written gives a skewed view of the precinct as being devoid of residents and ongoing human activity.

We request the last sentence of the paragraph be amended as follows:
The heritage features, as listed in section 7 of the WRHAA, encompass a range of ecological, landscape, historical, cultural and natural character values and include rural areas and distinctive small communities in which people live and work. ~~are specifically defined at section 7 of the WRHAA. The objectives of the WRHAA as defined in section 8 must be met.~~

24. **Second paragraph:** The paragraph should clarify the open space is regional park or public open space and that the precinct includes areas of rural character that were or still are small farms or orchards (which are no longer economic) and that these are components of the Heritage Area's distinctive communities. It must be kept in mind that the area being described and to which the precinct's provisions apply is private property. The majority of the features described in the paragraph are within the regional park not generally the private land. The paragraph does not communicate that people live and work in this area and as such the paragraph is misleading.

We request the second paragraph be amended as follows:

This Precinct comprises most of the privately-owned land around the periphery of the public open space and regional park within the heritage area and its small settlements. This typically ~~contains~~ is of a rural character containing former orchards or small farms with paddocks, adjacent to distinctive communities. ~~and It can~~ contains important natural features such

as large areas of contiguous native bush, coastal areas, significant landforms and geological sites and significant terrestrial and aquatic ecosystems.

25. **Paragraph 3:** This paragraph is also misleading and gives the impression of little happening in the precinct. It omits language in the WRHAA which says future uses of rural land must be provided for and change must be managed in the rural landscape to maintain the rural character and enable the social, cultural, economic and environmental well being of the people who live and work in the precinct. The precinct must also serve visitors to the Heritage area and provision for them must be made. This is the new economic base for the rural land and communities, which will help sustain the rural character of the Heritage area and the economic well being of its residents.

We request the paragraph be deleted and replaced by the following language to better reflect the language of the WRHAA as follows:

~~The Precinct provides little limited opportunity for further growth and development. This recognizes the local, regional and national significance of the area and prevents development from having an adverse impact on critical finite resources.~~

The Precinct provides little capacity for further subdivision. However as provided for in the WRHAA future uses and development of rural land are managed to retain the rural character. The precinct serves visitors to the regional park, coastal areas and public open space. These activities advance the social and economic, cultural and environmental wellbeing of the people living and working in the precinct and their distinct communities, while protecting other heritage features.

Objectives

26. As stated above in relation to the Common Objectives and Policies, to make it easier for the lay person to use and understand the Unitary Plan, we request the Objectives be limited to those that are unique or specific to this precinct.

Thus we request all Objectives be deleted except Objectives 6 and 9.

Policies

27. As stated above in relation to the Common Objectives and Policies, to make it easier for the lay person to use and understand the Unitary Plan, we request the Policies be limited to those that are unique or specific to this precinct.

We request all Policies be deleted except Policies 8, 12 and 22.

28. **Policies 8 and 12:** Both omit one of the purposes of the precinct is to serve visitors to the Heritage area.

We request Policies 8 and 12 be amended as follows:

Policy 8: Enable non residential activities:

- a. which benefit and rely upon residents within and visitors to the heritage area and which support the heritage area's distinct communities;

Policy 12: Provide for small-scale retail and services in appropriate locations to support the wellbeing of the heritage area's distinct communities, residents and visitors and help reduce the need for travel outside of the heritage area.

29. While we support many of the amendments proposed during mediation including deleting objectives and policies, we reserve our position on the Objectives and Policies until we have reviewed Council's proposed revised text.

Rules

Activity Table and Land Use and Development Controls:

30. Overall the Activity Table and associated land use controls must take into account two important factors: most of the parcels and landholdings are small; and rural uses such as orchards, vineyards and farming are no longer economic as practiced up until recently. Many parcels are lying vacant or relatively unused. While some parcels can continue to be farmed, new forms of these activities and new uses generally are required.
31. Our primary concern is that the Precinct allow sufficient uses that are economic for the smaller parcels and that are of a nature for property owners to maintain the rural character as required by the WRHAA. As proposed in the draft (after mediation) we do not believe this to be the case. Small scale forestry to allow such things as Christmas tree or firewood farms; nurseries; on-site primary produce manufacturing such as processing blueberries or making cider or wine should all be encouraged. We question whether these could be undertaken as a home occupation. It is not clear.
32. Activities associated with use of the regional park, native bush and access to the sea - recreation and visitor services in general – have the potential to supplement niche agricultural and horticultural uses.
33. Similarly, a dwelling should be permitted on every parcel that existed prior to notification of the Unitary Plan. The rules as proposed do not allow this.
34. Too many activities require an expensive resource consent process, which will be a barrier to property owners pursuing new/better uses for their property. More activities should have Permitted or Restricted Discretionary activity status to encourage better care of properties.
35. We do not believe the uses as proposed, together with the land use controls, enable the residents to provide for their social, cultural and economic wellbeing as is required by the WRHAA.

36. We propose alternative activity status and land use controls to address these concerns as follows:

1. Activity Table - Ranges Precinct

Activity	Activity Status Rural Conservation – Council Track changes version June Rebuttal	Activity Table Mediation Version – Ranges precinct	Activity Table Proposed by Turners – Ranges precinct (where amendment requested)
Rural			
Farming	P	P	P – with amended land use controls
Rural airstrips	P	D	NC
Forestry	P	NC	P for parcels up to 4 ha;
Conservation planting	P	P	
Rural commercial services	D	NC	D if definition includes farm visits
Farm Visits			P consistent with Coastal Settlements
On-site primary produce manufacturing	D	NC	D
Post harvest facilities	NC	D	
Produce Sales	P	P	
Quarries, farm or forestry	P	NC	D
Animal breeding or boarding	D	D	
Equestrian centres	NC	D	
Accommodation			
Up to 2 dwellings per site		P	P with amended land use controls
Subsidiary dwellings	RD	NC	RD
Home occupation	P	P	
Camping grounds	RD		
Visitor accommodation	NC	RD	P
Commerce			
Restaurants and cafes	NC	D	
Storage and lock up facilities	NC	D	
Garden Centres	NC		D
Markets	NC		D
Show homes	C	NC	
Veterinary clinics	NC		D
Filming activities		P	

Retail		RD	
Non-residential activities not otherwise provided for		D	
Expansion of lawfully established non-residential activities		RD	
Rural tourist and visitor activities*	D		RD
Community			
Care centres	P		
Care centre for up to 10 people		D	
Care centre for more than 10 people		NC	
Community facilities	NC	D	RD
Health care facilities	NC	D	
Educational facilities	NC	NC	
Information facilities	P	D	P
Outdoor recreation activities*		RD	
Informal recreation and leisure	P		P
Organized sport and recreation	NC		D
Emergency services	RD		RD
Clubrooms	RD		RD
Industry			
Artisan industries	D	P	
Mineral exploration and prospecting	P	NC	
Subdivision			
Subdivision in Ranges precinct			RD
Subdivision in Rural bush living sub-precinct		D	
Subdivision in Oratia sub-precinct		NC	
Land disturbing activities			
Cleanfill disposal site – sites greater than 1 ha	NC		D for sites smaller than 1 ha; NC for sites greater than 1ha

* not defined in the Definitions section of the PAUP; as defined in Rural Zone Activity Table and Land Use Controls

2. Land Use Controls

37. **2.1 Farming:** Farming must be permitted within the overlays as this is the historic use in the precinct. Farming should not be a NC activity.

These rules should be deleted and the Overlay Rules prevail as amended per our previous submissions.

38. **2.2 Dwellings:**

1. The language in this paragraph is misleading as property owners will not understand the clause “if Council did not grant consent to its creation”. It leads one to think that a dwelling is not a permitted activity on legally created parcels that existed at the time of the notification of the PAUP. A dwelling should be permitted on all legally created parcels regardless of the size.

Parcels smaller than 2 ha should be allowed to be created in the future. A 2 ha size minimum leaves parcels of a size that are not economic to be farmed or used for rural activities, yet too large for a homeowner to maintain easily or economically.

We request the paragraph be deleted in its entirety as follows:

~~1. Any site on which dwellings are proposed must be greater than 2 ha if the Council did not grant consent to its creation.~~

2. These provisions work against the objectives of the WRHAA by creating much larger structures that will be more difficult to blend into the bush or the rural environment. For example, visitors using trampers’ huts want to be more isolated in the rural or bush environment. The structures should be permitted to be separate to allow them to be tucked into the landscape.

Consistent with evidence we provided on Rural Conservation zoning, the GFA of one of the smaller dwelling is too small to adequately provide facilities such as bathrooms and kitchens. It could result in substandard dwellings being created. We request a larger GFA. If parcels are not permitted to be subdivided to a size smaller than 1 ha then (b) is unnecessary.

We request the following amendments:

2. Two dwellings on one site must comply with the following:
 - a. the GFA of one of the dwellings must not exceed 110m² ~~65m²~~ excluding garages;
 - b. ~~the site must have a minimum net site area of 1500m²~~
 - c. ~~the additional dwelling must be incorporated within or share a common wall no longer than 3m with the other dwelling on the site.~~
3. Dwellings that do not comply with clause 1 or 2 above are a discretionary non-complying activity

39. **2.3 Artisan Industries:** These activities should be encouraged and retail sales should be permitted. Because of the small scale of these activities retail sales may be necessary to help these activities be economically successful. The restriction on vehicle trips is unrealistic if there are employees and customers.

We request the provisions be amended as follows:

1. Any artisan industry must comply with the following:
 - a. no retail sales ~~greater than 100m2~~ are carried out from the site on which the artisan industry is located
 - b. no more than five persons are engaged in the production of arts and crafts on the site
 - c. maximum ~~30~~ 50 vehicle movements per day.
2. Any artisan industry that does not comply with clauses 1 ~~(b) or 1(c)~~ above ~~is~~ are a discretionary activity.
- ~~3. Any artisan industry that does not comply with clause 1 (a) above is a restricted discretionary activity, provided that the retail area does not exceed 100m2 GFA~~
- ~~4. Any artisan industry that does not comply with clause 3 above is a non-complying activity.~~

40. 2.6 Retail

1. To be consistent with the paragraph above clause 1 (a) should be deleted and retail sales serving residents and visitors should have the Restricted Discretionary activity status.

Therefore we request the clause be deleted as follows:

- ~~1. a. retail sales are limited to sales of products from artisan industries.~~

- 41. 2.7 Visitor accommodation:** Small-scale visitor accommodation is a compatible and acceptable activity for this precinct given the number of visitors coming to the WRHA. It is necessary also to generate income allowing property owners to care for their properties and keep them in rural or bush character. It can be provided in a manner that protects heritage features. The size restriction of 20 ha will mean essentially none will meet the RD status in the precinct.

Extended family groups, outdoor recreation clubs and church groups are creating demand for lodge type accommodation with self catering to supplement the few Auckland Council facilities in the area.

It should have Permitted activity status without the parcel size restriction.

We request section 2.7 be amended as follows:

1. Visitor accommodation as a permitted ~~restricted discretionary~~ activity is limited to:
 - ~~a. sites greater than 20 ha~~
 - b. a maximum of 20 guests
2. Visitor accommodation that does not comply with clause 1 above is a discretionary ~~non-complying~~ activity.

- 42. 2.11 Outdoor Recreation Activities:** Outdoor recreation should be allowed as both as a separate activity and a home occupation as that is how most activities are being provided in this precinct. The size restriction on buildings may be too small for boat/kayak, trailer, life jacket storage for example.

We request the following amendments:

1. Outdoor recreation activities must:
 - a. be undertaken entirely outdoors:
 - b. involve buildings
 - i. limited to structures ancillary to the activity
 - ii. no greater than 40m² ~~30m²~~
 - c. not include:
 - i. activities involving motorsport and gun clubs
 - ii. temporary activities or
 - iii. ~~home occupations~~

3. Development Controls

43. **3.2 Yards:** Without an accompanying map it is unclear to which areas of the precinct these rules apply. Paragraphs 1 and 2 appear to be in conflict and combined with overlay restrictions on most properties will restrict flexibility on locating buildings in appropriate, least damaging positions on properties. If these provisions remain, the yard sizes should relate to parcel size. These provisions require clarification by Auckland Council.

We request Para 2 be deleted in its entirety as follows:

~~2. Buildings within the Rural bush living sub-precinct set back less than 10m from a site boundary to a minimum of 3m are a restricted discretionary activity provided that the building height within 10m of the site boundary does not exceed 8m.~~

44. **4.1 Discretionary Activities:** We have requested Auckland Council revise this section. It appears to prohibit subdivision as the requirements of clauses 1 and 2 are difficult to understand, appear contradictory and have dimensions that we don't believe can be achieved within the Precinct.

We request 4.1 be deleted entirely and a revised section include Subdivision as a P activity for 1 ha properties (consistent with 2.2 Dwellings above) and that any activity not meeting the requirements be Noncomplying (as opposed to Prohibited).

7.18 Waitakere Coastal Settlements

Description

45. **Introductory paragraph:** As per our comments above for the Ranges precinct, in describing the heritage features this paragraph omits reference to the rural character and the people living and working in the area's distinctive communities, as listed in Section 7 of the WRHAA. Either all the features should be listed or none. Similarly the paragraph fails to reference the most important section of the Act, the Objectives in Section 8. The description as written gives a skewed view of the precinct as being devoid of residents and ongoing human activity.

We request the last sentence of the paragraph be amended as follows:

The heritage features, as listed in section 7 of the WRHAA, encompass a range of ecological, landscape, historical, cultural and natural character values and include rural areas and distinctive small communities in which people live and work. ~~are specifically defined at section 7 of the WRHAA.~~ The objectives of the WRHAA as defined in section 8 must be met.

46. We requested the following sentence be added to the second paragraph as noted in the mediated version, to place the settlements in context:

Rural activities are located in and around the settlements.

Objectives

47. **Objective 3:** We request the deletion of the word “existing” as it is unclear whether this would mean the form and pattern of development is locked into that which existed at the time of notification of the Unitary Plan. The form and character is evolving as smaller, substandard baches are replaced by permanent homes. This evolution is healthy and can occur in a manner that protects the heritage features. We believe the word “existing” is unnecessary.

We request Objective 3 be amended as follows:

2. Settlement is of a density and scale that reflects and maintains the form and pattern of ~~existing~~ development.

Policies

48. **Policy 13:** We believe this policy will be included in the common policies, and request that it be amended to reflect the precincts’ role in serving visitors to the heritage area.

We request Policy 13 be amended as follows:

13. Limit commercial and office activities to home occupations and activities that support the heritage area’s distinctive communities and visitors.

49. **Policy 14:** Consistent with our request in the Ranges Precinct above we request the following amendment to Policy 14:

Policy 14: Provide for small-scale retail and services in appropriate locations to support the wellbeing of the heritage area’s distinct communities, residents and visitors and help reduce the need for travel outside of the heritage area.

Activities, land use and development controls

Activity Table 1. Coastal Settlements Precinct

Activity	Activity Status Rural Conservation –	Activity Table Mediation Version –	Activity Table Proposed by Turners –

	Council Track changes version June Rebuttal	Coastal Settlements precinct	Coastal Settlements precinct (where amendment requested)
Rural			
Farming	P	P	P – with amended land use controls
Rural airstrips	P	D	NC
Forestry	P	NC	P for parcels up to 4 ha;
Rural commercial services	D	NC	
Farm Visits		P	P consistent with Ranges Precinct
On-site primary produce manufacturing	D	D	
Post harvest facilities	NC	D	
Produce Sales	P	NC	RD
Quarries, farm or forestry	P	NC	D
Accommodation			
Up to 2 dwellings per site		P	P with amended land use controls
Subsidiary dwellings	RD	NC	RD
Home occupation	P	P	
Camping grounds	RD	NC	D with land use controls
Visitor accommodation	NC	NC	D with land use controls
Commerce			
Restaurants and cafes	NC	NC	D
Storage and lock up facilities	NC	D	
Garden Centres	NC	NC	D
Markets	NC	NC	D
Show homes	C	NC	
Veterinary clinics	NC		D
Filming activities		C	
Retail		RD up to 100m2 GFA	RD with amended land use controls
Non-residential activities not otherwise provided for		D	
Expansion of lawfully established non-residential activities		RD	
Community			
Care centres	P	D	
Community facilities	NC	D	
Healthcare facilities	NC	D	

Information facilities	P	D	
Clubrooms	RD	D	
Organized sport and recreation	NC	D	
Emergency services	RD	D	
Industry			
Artisan industries	D	P	
Mineral exploration	P	NC	
Subdivision			
Subdivision		RD	

2. Land use controls

50. **2.1 Farming:** As per our comments on the Ranges precinct above, Farming must be permitted within the overlays where this is the historic use of property. Farming should not be a NC activity.

These rules should be deleted and the Overlay Rules prevail as amended per our previous submissions.

51. **2.2 Dwellings:** A parcel size of 2 ha is inconsistent with the overall character of the precinct, which is predominantly smaller quarter acre sections. Consistent with our comments on Subdivision below, this requirement should be deleted and replaced by a minimum size of 1000m², which is the approximate historic size of sections in the precinct.

Sections for baches were created historically. Using properties for dwellings should be enabled as this is a location within the WRHA where dwellings are appropriate.

As per our comments on the Rural Conservation zone and Ranges precinct, 65m² is too small to incorporate kitchen and bathroom facilities and could result in substandard dwellings being built. And the requirement for a common wall with the main dwelling will lead to much larger structures on small sites that could be more difficult incorporate into the landscape.

As they stand, it seems inconsistent these provisions for dwellings are more restrictive than for health care facilities which are not a historic or even a compatible activity in the precinct.

We request the following amendments:

2.2 Dwellings

1. The site of any dwelling must be 1000m² or larger ~~exceed 2-ha~~ if the Council or its predecessors did not consent to its creation.
2. Two dwellings on one site must comply with the following:
 - a. the site must have a minimum net site area of 1500m²

- b. the GFA of one of the dwellings must not exceed 110 m2 ~~65m2~~ excluding any garaging for motor vehicles
 - c. ~~the additional dwelling must be incorporated within or share a common wall no longer than 3m with the other dwelling on the site.~~
3. Development that does not comply with clause 1 or 2 above is a discretionary non-complying activity.

- 52. Accommodation:** Visitor accommodation and camping grounds could be accommodated on larger parcels within the settlements. A private campground has historically existed within Huia and is a compatible activity. Extended family groups, outdoor recreation clubs and church groups are creating demand for lodge type accommodation with self catering to supplement the few Auckland Council facilities in the area.

We request a parcel size of 1ha and a maximum of 20 guests be set for the Discretionary status, with NC status if this requirement is not met.

2.x Visitor Accommodation and Camping grounds

1. Visitor accommodation and camping grounds must comply with the following:

- a. the site must have a minimum site area of 1 ha;
- b. no more than 20 guests at one time

2. Visitor accommodation and camping grounds that do not comply with any one of the above clauses are a non-complying activity.

- 53. Restaurants and cafes:** Typically the coastal settlements are underserved with restaurants and cafes. In the case of the communities along the Manukau coastline, there is one café/shop between Whatipu and Titirangi. Should that business close, the community would have nothing and would have to drive to Woodlands Park (more than 15 kms) to reach the first shop and Titirangi (more than 21 kms) for a café or restaurant. As we've seen in Piha, the introduction of the café created a community hub and a welcome stop for beach goers. While the market will not support a proliferation of such businesses, some competition must be encouraged to allow new ventures into the market with different offerings, serving the growing number of visitors to the area. The cost of start-up should not be so high as to make ventures uneconomic.

To enact Policy 14, we request restaurants and cafes be given Discretionary status with the restrictions as per the notified PAUP as follows:

- 1. Restaurants and cafes must comply with the following:
 - a. shall not incorporate drive through sales
 - b. the gross floor area is 300m2
 - c. ~~buildings associated with the activity comply with the building coverage rules of the sub-precinct.~~
- 2. Restaurants and cafes that do not comply with the above clauses are a non-complying activity.

54. **Garden centres, markets and veterinary clinics:** It is not clear whether these are permitted as a home occupation. At a small scale these uses should be acceptable as a home occupation; if they are not permitted as a home occupation we request they have Discretionary activity status with a minimum site size of 1 ha.
55. **2.7 Retail:** The comments above relating to restaurants and cafes apply also to retail. We believe there is a need in the market for a small amount of retail that is not associated with artisan industries, to provide competition and serve the growing number of visitors to the area.

To enact Policy 14, we request the requirement that retail be related to artisan industries be deleted as follows:

2.7 Retail up to 100m² GFA

1. Retail (excluding permitted home occupations) must comply with the following:
 - a. ~~retail sales are limited to sales of products from artisan industries~~
 - b. retail sales are from a floor space no greater than 100m²

3. Development controls

56. **3.3 Building coverage:** We believe the 15% restriction applied to smaller 1000m² parcels will result in making structures much higher in order to provide adequate living space. Higher buildings could be more visible and less able to be tucked into the landscape. We believe property owners should be given more flexibility, especially if they wish to incorporate garages into the structure, minimizing the number of structures on the site.

We request the minimum size be increased as follows:

1. Buildings must have a coverage of no more than 20% ~~15%~~ net site area or 300m² whichever is the lesser.

4. Subdivision controls

57. **4.1 Subdivision controls:** The typical parcel size in the coastal settlements is the traditional quarter acre or approximately 1000 m². Many parcels are predominantly covered by an SEA overlay and there is a high likelihood the provision in clause b will make most subdivisions (to the extent there are any) non-complying. The SEA rules are sufficiently stringent that this clause is unnecessary.

We request this historic size be continued and request the following amendment:

1. Subdivision is a restricted discretionary activity where it complies with the following:
 - a. the minimum net site area for each proposed site is 1000m² ~~4000m²~~;
 - b. ~~a building platform must be available within each proposed site on an area outside of an SEA and~~

- c. no new roads may be created by the subdivision.

Position reserved

- 58. While we support many of the amendments proposed during mediation, we reserve our position on the Objectives until we have reviewed Council's proposed revised text.