

**BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991 and  
the Local Government (Auckland  
Transitional Provisions) Act 2010

AND

**IN THE MATTER** of Topic 081b and 081c Rezoning and Precincts  
(Geographic Areas)

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**CHRISTINA BETTANY**  
**ON BEHALF OF**  
**THE LONG BAY-OKURA GREAT PARK SOCIETY**  
**and**  
**OKURA ENVIRONMENTAL GROUP**

**Weiti Precinct and Okura**

**10 February 2016**

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## SUMMARY

1. The purpose of this evidence is to consider the evidence in relation to submissions and further submissions to the Proposed Auckland Unitary Plan (**PAUP**) Topic 081. This report considers submissions, further submissions and Auckland Council evidence in relation to Okura and Weiti areas.
2. The submitters consider that further development in the Okura area and Weiti precincts is not appropriate.
3. The submitters are presenting evidence from a number of experts and representatives in relation to the Geographical Areas North Shore (081c) and Rodney (081b) addressing their concerns regarding proposed further development in Weiti Precinct and Okura.
4. In addition to the evidence presented in this report the submitters have included evidence from;

Bernard Michaux	Ornithology	Weiti Precinct
Sarah Wells and Dylan van Winkel	Terrestrial Ecology	Weiti Precinct and Okura
Lezette and Geoff Reid	Terrestrial Ecology	Weiti Precinct and Okura
Dianne Gatward	Public Importance	Weiti Precinct and Okura
Peter Townend	Public Importance	Weiti Precinct and Okura
Bernard Stanley	Public Importance	Weiti Precinct and Okura

5. The submitters also submit their evidence and legal synopsis for Topic 016 Rural Urban Boundary (**RUB**) as evidence for Topic 081c (Okura) and 081b (Weiti Precinct) as listed below:

Di Lucas	Landscape	Topic 016 RUB
Peter Reaburn	Planning	Topic 016 RUB
Bernard Michaux	Terrestrial Ecology	Topic 016 RUB
Alan Webb	Legal Synopsis	Topic 016 RUB

## Okura

6. The Long Bay-Okura Great Park Society (the **Society**) and the Okura Environmental Group (**OEG**) (together, the **submitters**) have considered the evidence of Austin Fox, on Topic 081b Rezoning and Precincts (Geographic Areas) and consider that his evidence meets their concerns for the Okura area except for some specific important provisions prescribed in the operative North Shore City Council District Plan (**NSCCDP**) which do not appear in the PAUP.
7. In particular, the submitters do not agree with Mr Fox's opinion that the provisions of the Countryside Living Zone (**CSL**) together with the wider provisions of the PAUP as alluded to by Mr Fox will provide adequate protection to the special qualities of the Okura area.
8. The submitters therefore seek that a new precinct or some other mechanism be established to ensure that the appropriate provisions from the NSCCDP be carried over into the final Auckland Plan.
9. To this end, Peter Reaburn, planner, on behalf of the submitters has developed a set of additional provisions for Okura that are designed to provide the environmental safeguards necessary for the protection of the area.
10. The submitters do not support any intensification of development at Okura. This includes medium density urbanisation as proposed by Okura Holdings Limited (OHL) or large lot residential as proposed by Bin Chen et al.

## Weiti

11. The submitters do not support any increase in the number of dwellings within the Weiti Precinct over and above the 150 dwellings in sub-precinct A and 400 dwellings in sub-precinct B allowed for in the Weiti Forest Park – Special 8 zone under the Auckland Council District Plan Operative Rodney Section 2011 (**ODP**).
12. Furthermore, the submitters consider that the increase from the 400 dwellings permitted in sub-precinct B in the ODP to 1050 dwellings in the PAUP without consideration of environmental impacts to be unacceptable.

13. Therefore, the submitters consider that the Auckland Unitary Plan Independent Hearings Panel (the **Panel**) should consider all evidence from a baseline of 400 dwellings instead of the 1050 dwellings listed in the PAUP.

## **INTRODUCTION**

14. My name is Christina Bettany and I have been a member of the Long Bay-Okura Great Park Society executive committee for fifteen years. I have been the Convenor of the Society for the past four years.
15. I have a Diploma in Education with Distinction. For the past thirty years I have worked in the area of social services for Government. I was instrumental in developing a number of community based social services in the North Shore prior to becoming a community funding agent for the Department of Child Youth and Family for ten years. I have taken a lead role preparing a number of consumer health publications for the Ministry of Health. My position for the past fifteen years has been assessing the family circumstances of young people estranged from their parents for the Department of Social Services.
16. I am authorised by LBOGPS and OEG to give this evidence.

## **SCOPE**

17. I wish to address issues of zoning and precincts for Okura and issues of precincts for Weiti.
18. This evidence also considers statements of evidence on behalf of Auckland Council from:
- a. Austin Fox, planning - Topic 081c Okura
  - b. Robert Scott, planning- Topic 081b Weiti
  - c. Melean Absolum, landscape - Topic 081b Weiti
  - d. Shona Myers, marine ecology - Topic 081b Weiti

- e. Austin Fox, planning - Topic 016 Rural Urban Boundary (**RUB**)
- f. Shona Myers, Megan Carbine and Carol Bergquist, marine ecology - Topic 016
- g. Dr Claudia Hellberg and Nicholas Vigar, stormwater -Topic 016 RUB Okura

19. It also takes account of the evidence presented on behalf of submitters for Topic 016 Rural Urban Boundary:

- h. Neil Donnelly, Corporate, Okura Holdings Limited (**OHL**)
- i. Neil Donnelly, Okura Structure Plan, OHL
- j. Karl Cook, planning, OHL
- k. Nick Barratt-Boyes, Design, OHL
- l. Rachel de Lambert, landscape, OHL
- m. Andrew Lohrer and Michael Townsend, marine ecology, OHL
- n. Sharon de Luca, marine ecology, OHL
- o. D. Slaven, Terrestrial ecology, OHL
- p. Edward Sides, Freshwater ecology, OHL
- q. Malcolm Green, Estuary modelling, OHL
- r. Graeme Ridley, Sediment, OHL
- s. Mark Williams, infrastructure, OHL
- t. Gordon Cessford and Craig Jones, Parks, OHL

- u. Peter Phillips, social impact, OHL
- v. Burnette McNicol, planning, Bin Chen et al
- w. Robert Pryor, landscape, Bin Chen et al
- x. D. Miller and T. Fisher, sediment and ecology, Bin Chen et al
- y. John Warman, lay evidence, Bin Chen et al
- z. Sue Adams, lay evidence, Bin Chen et al

## **OKURA**

### **Background**

20. The Okura area sits at the northern edge of the former North Shore City Council district and is a rural area which also includes Okura village. The Okura catchment drains into the Okura Estuary which forms part of the Long Bay-Okura Marine Reserve. Outside of the Okura village, the area is zoned countryside living in the PAUP as notified.
21. The Okura Estuary has significant ecological value. It is identified as an Outstanding Natural Landscape, as having High Natural Character and has significant ecological value. The northern side of the Estuary is bordered by the Okura Bush Scenic Reserve which is also identified as an ONL. The combination of marine and estuarine ecosystems and native forest are nationally and regionally rare.
22. As outlined in the evidence of Peter Reaburn for Topic 016 RUB, Okura has been the subject of much analysis and consideration over the past 20 years including being the subject of two Environment Court hearings. Of major consideration in the Court cases was the sensitive nature of the coastal environment – the quality of the waters of the Okura Estuary and the marine reserve, the landscape and the ecology.
23. In considering these factors, the Environment Court decision North Shore City Council v Auckland Regional Council A086/97 defined the location of the Long Bay/Okura Metropolitan Urban Boundary (**MUL**) on Vaughans Road ridgeline, thus preventing

urbanisation north of this boundary. This ridgeline provided a strong defensible boundary, as well as being the southern watershed for the Okura catchment.

24. The genesis of the Long Bay-Okura Great Park Society was the 1996 Environment Court decision which defined the MUL preventing urbanisation of the Okura catchment and allowing for development of the Long Bay catchment.
25. The aims of the Society are to protect the Long Bay-Okura Marine Reserve, the Long Bay Regional Park and to protect and conserve the landscape and archaeological resources of Long Bay and Okura.
26. The Okura Environmental Group, comprising Keep Okura Green, the Okura Residents and Ratepayers, the Long Bay-Okura Great Park Society, East Coast Bays Coastal Protection Group and Te Tinana o Ngati Whatua, became a major player in the Environment Court Hearing Keep Okura Green and Okura Ratepayers and Residents v North Shore City A095/2003 in which the North Shore City Council was seeking more intensive development at Okura.
27. The purpose of the OEG groups coming together was to work collaboratively to protect the waters and landscape of the Okura Estuary and environment. Some of the groups had been involved in previous litigation due to environmental concerns about Okura.
28. The 2003 Environment Court decision established the permitted density of development, differentiating between west and east Okura, west being zoned Rural 4 (i) zone with an average of 2 ha lot sizes, and east, Rural 4 (ii) with a minimum 4ha lot sizes. These zonings were reflected in the NSCCDP.

## **Zoning**

29. In the matter of zoning, the submitters agree with the evidence of Council planner, Mr Fox, that the zoning of Countryside Living should be retained for Okura.
30. However, the submitters do not agree with Mr Fox's opinion that the provisions of the CSL together with the wider provisions suggested by Council for Topic 023 SEA and Vegetation Management, Topic 041 Earthworks and Minerals, Topic 049 Discharges, Stormwater and Wastewater, Topic 056 and 057 Rural Objectives and Policies and Rural Activities and Controls, and Topic 064 Subdivision will provide adequate protection of the special qualities of the Okura area.

31. The submitters do not agree with further intensification as is being sought in east Okura by submitters including Okura Land Holdings (submitter #5133) for comprehensive medium density urbanisation, or by Bin Chen et al (submitter #5047) for large lot urbanisation. They agree with Mr Fox that both these submissions should not be supported as this would provide for urban development outside the Rural Urban Boundary (RUB) and not give effect to the New Zealand Coastal Policy Statement 2010 and the National Policy Statement on Freshwater Management.
32. Council experts - Austin Fox, planner; Claudia Hellberg and Nicholas Vigar, stormwater; Carol Bergquist, Megan Carbines and Shona Myers, ecology in the marine receiving environment; Martin Neale, Fresh water ecology - have each given evidence for why this area should remain outside of the RUB and not open to urbanisation.
33. Some of the reasons given for this conclusion were included in Mr Fox's evidence provided for Topic 016 RUB North/West:
- Urbanisation of this land will result in adverse effects on the water quality, ecology and hydrology of the streams and rivers on the land, which is inconsistent with the policy directions on the National Policy Statement of Fresh Water Management (**NPSFM**);
  - Long Bay-Okura Marine Reserve provides habitat for a number of threatened and sensitive species, and contains ecosystems and species that are under threat from the effects of land development such as sedimentation and contaminants;
  - Adverse effects of sediment and contaminants from urban development of this land, and of other development in the wider Okura Catchment, are likely to result in adverse effects on the marine reserve, contrary to the requirements of the New Zealand Coastal Policy Statement (**NZCPS**) for avoiding adverse effects of activities on marine protected areas and threatened indigenous species and ecosystems; and
  - Land is unlikely to be developed to a medium density scale without breaching the NPSFM and the NZCPS.
34. At the hearing for Topic 016 – Rural Urban Boundary - Okura (RUB), Ms Lucas, Landscape Architect, Mr Reaburn, Planner, and Mr Michaux, Ecologist each gave evidence on behalf of the submitters, also concluding that the land north of Vaughan



Road should remain outside of the RUB and not open to urbanisation or more intensive development than what is currently provided for under the operative NSCCDP.

35. Their further reasons for not supporting intensification were:

- The Okura Estuary is of considerable importance for natural landscape, natural character and ecology. Appropriately recognised as an outstanding natural landscape with associated lands and waters recognised as having high natural character, adverse effects on the natural character are to be avoided.
- The current location of the RUB provides a strong, defensible boundary. Other RUB proposals offer weaker landforms as a defensible boundary.
- Agreement with the evidence in chief of Chloe Trenouth, planning, for Council who stated (paragraph 96(b)) that where possible it is best to avoid development in catchments and areas that are not currently developed and are still of good quality.
- Urbanising Okura will adversely affect the visual amenity of the Long Bay Regional Park, the Te Araroa Walkway and the Okura Bush Scenic Reserve.
- Rare and endangered birds use the estuary and its environs as a nesting, roosting and feeding ground. Any further development of the area will adversely affect their habitat.
- Urbanising Okura will have negative landscape impacts on the area including on the outstanding natural landscapes of the Okura Estuary and Okura Bush Scenic Reserve.

36. In addition, the submitters engaged Andres Roa, stormwater, and Mark Poynter, marine ecologist, to attend expert conferencing on stormwater and ecology issues for Topic 016. Both these experts are in agreement that further urban development at the land in Okura will have negative impacts on the Marine Reserve through the effects of sedimentation and contaminants.

## PRECINCTS

### Okura Precinct

37. In both the 1996 and 2003 Okura Environment Court cases, the Court recognised the special nature of Okura in terms of its water quality, ecology, landscape, rarity in the coastal area of north Auckland, unaffected by urbanisation, and the importance of providing a natural estuary experience for Aucklanders.

38. Examples of such findings include:

*‘However our findings about the adverse effects which urbanisation in the Okura catchment would necessarily have on the environment, in particular on the quality of the waters of the estuary and its margins, support a definition of the metropolitan urban limits so as to exclude the land in that catchment....We find it reasonably foreseeable that future generations of Aucklanders will have need of accessible experience of an estuary in a natural condition. The Okura Estuary is the last of its kind on the east coast of the North Shore which retains that condition. Urbanisation in the Okura catchment would not sustain the potential of the Okura Estuary to meet that need. The Okura Estuary possesses a capacity to support life, largely due to its natural condition, and the high quality of its waters and ecosystem. Urbanisation of the part of the subject land in this part of the subject land in that catchment would necessarily result in a significant deterioration of the quality of the waters to the extent that their life-supporting capacity would be imperilled. Although development controls, settling ponds and other measures would mitigate adverse effects of urbanisation of the waters of the estuary, they would not avoid them.’ A095/2003 [10]*

*‘... in a regional context the Okura Estuary is unquestionably significant for present and future inhabitants of wider Auckland – a factor recognised in the identification of the metropolitan limit in earlier litigation. In a broad sense, that determination has an important bearing on the emphasis to be applied in seeking to maintain the area’s natural values, and in recognising that the district’s planning framework for the catchment needs clearly to reflect that the area lies beyond the metropolitan limits without being regarded as an interim or short term form of transition to future urbanisation.’ A095/2003 [64].*

39. In line with the Courts' decisions, extensive provisions relating to environmental, ecological and landscape protections, specific for Okura, were incorporated into the NSCCDP Chapter 18 Rural.
40. These provisions were included under to the headings of: Additional Issues for the Okura Catchment; Additional Objectives and Policies for Okura (Water Quality, Okura Estuary and Marine Reserve; Ecology, Natural Character and Landscape Values – Okura Estuary and Coast; Rural Character – Rural; Public Open Space – Okura; Provision of Infrastructure – Okura); Zoning Framework: Objectives Policies – Okura Rural Zones, Additional Rules (Riparian Management, Earthworks, Impervious Surfaces, Stormwater Management, Development envelope, Landscaping, Maximum Impervious Area) as well as some specific criteria listed in Table 18.1 Activities.
41. There were also some additional references to particular provisions for Okura throughout other sections of the NSCCP.
42. While some of the provisions in the NSCCDP for Okura have now been covered in the rules for Countryside Living and in other sections of the PAUP, it is of great concern to the submitters that some of the important provisions to protect Okura's sensitive water, landscape and ecology have been omitted from the PAUP.
43. The submitters consider it is vital that these provisions are included in the final Unitary Plan as the important values of the Okura area that were defined by the Court are still valid today. The special attributes of the Okura Estuary and its environs in terms of its waters, ecology and landscape have been outlined in the evidence of the Auckland Council and the submitters. This evidence clearly defines the sensitivity of the Okura Estuary and the Marine Reserve as requiring special preservation. It is the submitters opinion that the current provisions of the PAUP will not provide the level of protection needed to avoid adverse effects on this area.
44. During the mediation process, the submitters discussed their concerns regarding the omissions of the Okura provisions from the PAUP, and were advised by their planner, Peter Reaburn, and Council officers that the easiest mechanism for having these provisions included in the Unitary Plan was for a new precinct to be added to the PAUP.
45. In response to Council's invitation to provide a precinct plan for Okura so that it could serve as a discussion document, the submitters engaged Mr Reaburn. Mr Raeburn

rewrote Chapter 18 of the NSCCDP as it relates to Okura into a set of provisions so that it could be easily adopted into the PAUP. As part of this exercise Mr Raeburn omitted those sections of the Chapter 18 from the proposed precinct plan that he considered were already covered by the PAUP.

46. The precinct plan for Okura as drawn up by Mr Raeburn is attached as Attachment A. Attachment B outlines the Precinct Boundary the submitters are requesting.

47. In the proposed precinct plan Mr Raeburn has noted two areas in the text that will need further clarification. Unfortunately, as detailed below, there has been no opportunity for discussion between the submitters and Council on this set of provisions.

48. In addition, there are other specific references to Okura throughout the NSCCP, not covered by Chapter 18 that would also need to be catered for. An example of this is Section 9.4.7.4.

49. The submitters consider Mr Raeburn's Precinct Plan and other specific provisions of the NSCCP will provide the protections they are seeking for the sensitive ecological nature of the catchment, landscape character and rural amenity values.

### **Unitary Plan Process**

50. The submitters were led to believe that there would be the opportunity for discussion with Council on the submitters' Precinct Plan to address the provisions specific for protecting Okura's special qualities.

51. The submitters have been very disappointed in the process followed during the Unitary Plan mediation and further discussions on this topic. They consider that the precinct rules and maps do not appear to have been considered by Mr Fox in his evidence. Instead, Mr Fox appears to have only considered OEG's original submission and not the text and plans developed during the mediation process.

52. The submitters requested in its primary submission a request for a new precinct at Okura. During the Unitary Plan mediation process, the submitters further defined an appropriate precinct area that reflected the NSCCDP plan. In addition, they engaged planner Mr Raeburn to write appropriate provisions for the precinct.

53. During the mediation process, the submitters discussed their concerns about the provisions important for environmental protection of Okura which were missing from the PAUP with Council planner, Bain Cross. Mr Cross suggested that the only way to ensure these provisions was for a separate precinct for Okura to be established and that the submitters should address this in mediation for Topic 056/057.
54. Unfortunately, the submitters were unable to attend the second day of mediation for Topic 056/057 advised as the appropriate place to bring their request to the attention of the Auckland Unitary Plan Independent Hearings Panel (the Panel). Instead, on Council lawyer's suggestion (Heather Ash), the submitters provided a letter to the Panel outlining its concerns and signalling that they would be requesting a new precinct be created.
55. On 3 August, the Okura Environmental Group received a request to provide Council with a detailed plan for a new Okura precinct. The submitters provided Council with the required information, outlining the important provisions of the NSCCDP which had been omitted from the PAUP.
56. On 1 October, the submitters attended the pre-hearing meeting for Topic 081 Rezoning and Precincts where Council offered those wishing for a new precinct to request a meeting with Council and provide a specific proposal to resolve the situation. The submitters requested such a meeting and resubmitted the previously submitted information by the due date. Receipt of the submission was acknowledged by Council with a message that the submitters would be contacted within five days to arrange a meeting to discuss the application.
57. As mentioned above, the submitters had engaged a planner, Peter Reaburn, to rewrite the Chapter 18 provisions from the NSCCP for Okura in such a way they could be easily included in the Unitary Plan. This version along with precinct and development envelope maps was submitted to Council as part of the submission made the previous day.
58. The submitters were not contacted thereafter for a meeting with Council. Although very disappointing, they did not think this unusual for any other requests for a meeting with Council, including a letter from their lawyer requesting such a meeting for Topic 081 in relation to Long Bay, had been refused.
59. The submitters are upset on reading the evidence of Mr Fox that the submitters' precinct rules and maps do not appear to have been considered in his evidence. Instead, he

appears to have only considered OEG's original submission and not the text and plans developed during the mediation process.

60. They have been subsequently been advised by Council officers that this further information requesting a new precinct was not considered in Council evidence as it must of been mislaid or overlooked. The submitters are deeply concerned that their proposal will not be considered fully at this late stage of the Unitary Plan development process and we seek that the Panel redress this situation.

### **Development Envelopes**

61. The Environment Court specified that development envelopes be identified as part of the Okura Plan.

62. In response to the Environment Court decision, the NSCCDP included specific rules relating to development envelopes in the special provisions for Okura (Rule 18.6.2.6.6 and in the Table 18.1 Activities). The platforms relating to Okura East and West were identified on Appendix 9 of the NSCCDP (Attachment E). The submitters have provided a plan of the Development Envelopes overlaid on a map of Okura in Attachment D.

63. The envelopes were located in such a way to ensure minimal earthworks to keep sediment runoff into the Okura Estuary as low as possible. In addition, the sites have been located with regard to their visual impact on the surrounding environment and in particular from public places.

64. 9.4.7.4(5) of the NSCCP states:

*The building platform required by rule 9.4.7.7 shall be identified on the plan of subdivision and be located within the development envelope as shown in Appendix 9A, or for properties not covered by that Appendix, in a position and manner that will avoid, remedy or mitigate any adverse visual effect of any development on landscape quality, particularly as viewed from public places, including the Okura Estuary, roads and reserves and from adjoining lots. Section 9: Subdivision and Development District Plan June 2002 Updated October 2010 9-31 Appropriate planting shall be required to remedy or mitigate adverse effects of building sites or structures on landscape quality.*

65. While the submitter acknowledges that the Countrywide living zone in the PAUP specifies locating building platforms where they will avoid adverse effects, the submitters

consider that the protection provided in the PAUP's wording is weaker than the NSCCP provisions. For example, the PAUP provisions' wording does not adequately protect landscape effects particularly as viewed from public places, such as the Regional Park and the Okura Estuary and Okura Scenic Bush Reserve.

66. The submitters consider that it is important that the requirement for development envelopes be retained in the Unitary Plan to ensure the protection of landscape values and the waters of the Marine Reserve. The submitters therefore request that Appendix 9 and its associated provisions be incorporated into the Unitary Plan.
67. Consent Application No. LP-2141238 gave consent for a road across Long Bay Communities Ltd's property in East Okura to provide access to the Long Bay Regional Park (Attachment F shows an extract from this Consent). The formation of the road lead to a reconfiguration of some of the 4 ha lots located in East Okura in the vicinity of the Regional Park. As a result, new nominated building sites have been allocated to the lots affected by the configuration as shown in the Consent (Attachment F).
68. The submitters suggest that these nominated building sites be used as the basis for the location of development platforms to be incorporated into the Building Envelope map as detailed in Attachment D.

## **Building Heights**

69. The NSCCDP defines specific provisions on the maximum heights of buildings in Okura to ensure that the Okura Estuary Coastline is protected visually.
70. These are defined in 18.6.2.1 of the NSCCDP as;

*Rural 4(i) and 4(ii) - 8 metres, except on lots in rural 4(ii) **abutting the Okura Estuary** (refer to Table 18.1) where the maximum building height shall be **5 metres**.*

*Rural 4 (i) & (ii) - up to a maximum of 10 metres by means of a Discretionary activity application, except on lots in the rural 4(ii) zone abutting the Okura Estuary (refer to Table 18.1) - up to a maximum of 8 metres by means of a Discretionary activity application.*

71. The reason for this is explained in the NSCCDP as;

*The 8 metre requirement has been chosen to ensure that new buildings do not dominate the general character of the rural landscape. For lots abutting the Okura Estuary in the rural 4(ii)*

*zone, only a single storey dwelling or building is permitted in order to avoid adverse visual effects on the estuary and landscape in general. Additional building height up to 8 metres will be assessed as a discretionary activity. Buildings of up to 10 metres in the rural 1, 2 3 & 4 (i) and 4(ii) zones may be permitted in certain circumstances where they will not be intrusive in the rural landscape and in the case of Okura, will not adversely affect the Okura Estuary.*

72. Currently the coastal edge of Okura East (rural 4(ii)) is undeveloped. Any dwellings built in this area will be visually intrusive from the southern Okura Estuary beach and waters, as well as from the Okura Scenic Bush Reserve walkway. The Reserve's walkway is enjoyed by 60,000 people per annum. The beach, mudflats and waters of the Estuary are used by the public for a variety of recreational activities, including hikers on the Te Araroa walkway.

73. The submitters consider it is essential to carry over the building height requirements for Okura from the NSCCP to protect the high visual amenity of the Okura Estuary environment. These provisions should be included along with those provisions defined in the precinct plan prepared by Mr Reaburn.

#### **Building Heights abutting the Regional Park**

74. It is also appropriate that the heights of buildings in East Okura are restricted on the edge of the Long Bay Regional Park.

75. The northern end of the Regional Park is currently not visually imposed upon by houses and has an isolated, wildness feel that visitors seek out.

76. As part of the Long Bay Structure Plan Hearing the Court determined that the northern area of the Park has a remote quality that is important to protect. As a result of this decision carefully constructed rules were created for the Long Bay Structure Plan area located at the southern end of the northern part of the Park. These rules ensure that no nearby housing development can be seen from within the northern Park's environs. These rules have been transferred into the PAUP.

77. The submitters suggest that it is important to lessen the impact of housing in the far northern area of the Park as much as possible. This will ensure that the visual protections in the Long Bay Precinct Plan are not eroded by the impact of large housing directly on the edge of the Park at the eastern edge of Okura.



78. The plan at Attachment F shows the 4 hectare lots that directly adjoin the Regional Park on the Okura East boundary. None of these lots have been built on. Of these lots there are five lots located at the boundary of the Regional Park which if allowed to be built to the 9 metres allowed under the Countryside living provisions would visually intrude on the Park. These are the lots marked as 2, 4, 5, 6 and 7 on Attachment F.
79. The areas determined by the submitters are lots that will have high visual impacts on the Park. The lots are located on the peak of the ridge that is the boundary between the Park and East Okura. If these dwellings are allowed to be built to the height of 9 metres then this would have a significant impact on the Parks visual amenity values.
80. The far northern end of the Park has also been determined by the submitters' Landscape Architect, Di Lucas, as an Outstanding Natural Landscape. Please refer to Ms Lucas' evidence for the Long Bay – Okura Great Park Society on Topic 019 Natural features, Landscape and Character for a detail landscape analysis of the northern end of the Park.
81. Due to the expansive sea views both to the north and east, requiring mitigation with vegetation screening to block the dwellings from the Regional Park is unlikely to be successful. The future house owners of these lots are likely to trim and destroy vegetation blocking their views, as already happens in other parts of Auckland in similar situations.
82. The submitters therefore submit that these five lots be restricted to the height of one storey to protect the visual amenity of the northern end of the Regional Park.

### **Boundary between Okura West and East**

83. Mr Fox comments in Clause 6.4 that adequate additional subdivision controls have been included for Okura in Topic O56 and 057.
84. However, the submitters are concerned that there is inconsistency between Council's closing annexure, Tracked Changes for Topic 056 /057 Rural Objectives and Policies and Rural Activities and Controls, and that of Topic 064 Subdivision relating to Table 10, Part 3, Chapter H. 5 Subdivision 2.3.3 Rural zones of the PAUP.

85. The Auckland Council Closing Statement (Part II) Annexure A – Tracked Changes for Topic 056/057 shows in Table 10 in the column headed Minimum and average site areas for subdivision in Countryside Living Zone:

<b>Okura (West of SH1)</b>	minimum 2 ha	<b>Okura (East of SH1)</b>	minimum 4 ha
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86. However, in Topic 064 Rural Subdivision, Council's Closing Statement Annexure A in the same table shows;

<b>Okura (West)</b>	minimum 2 ha	<b>Okura (East)</b>	minimum 4 ha
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87. Mr Barry Mosley's evidence (P29 Topic 064 - Planning (Rural Subdivision)) provides the background to this conclusion with the inclusion of a map showing the boundary line between Okura West and East.

88. The boundary in Mr Mosley's evidence reflects the same differentiation between Okura East and West as included in the NSCCDP.

89. This boundary line runs north-west to south-east from the inlet east of Okura village, running south to Vaughan's Road and is outlined in Attachment C –Okura West and East.

90. This line is inconsistent with the line described in the Council's closing statement for Topic 056 / 057 which puts the boundary between west and east Okura as lying along SH1. State Highway 1 has never been the boundary line between these two areas so altering this could potentially be very problematic.

91. The submitters consider that the evidence and concluding statements for Topic 064 Rural Subdivision should be accepted into the Unitary Plan in respect to the additional subdivision controls and the definition of West and East Okura as this best reflect the decisions of the NSCCDP.

## **WEITI PRECINCT**

### **Background**

92. The submitters requested that all of the provisions from the Rodney District Plan for Weiti be incorporated into the PAUP.
93. The Weiti property covers over 860 hectares located between the Weiti River to the north, Okura River to the south and East Coast Road to the west and forms part of the greenbelt between the North Shore and Hibiscus Coast. It is bounded on the southern boundary by the Okura Scenic Reserve and on its coastal edges by the northern end of Long Bay-Okura Marine Reserve both of which are an outstanding natural landscape. The whole of the Marine Reserve is identified as SEA M1 65. The precinct also has areas of significant ecological areas of native bush.
94. The submitter's expert, Bernard Michaux, reports in his evidence that the Weiti-Okura coast provides an important feeding, roosting and breeding area for rare and endangered wading and shore birds. Other of the submitters' experts outline the high ecological importance of the Okura Scenic Bush Reserve, one of the last intact stands of coastal broad-leaf and kauri forests in the Auckland region, that provided habitat to a wide range of avi-fauna, including a number of rare and endangered species.
95. The key purpose of the Weiti precinct, according to Mr Scott, is to protect the green belt and open space character of the area and foster ecologically responsive urban design, including identifying key natural features, ensuring their protection, and promoting variety and uniqueness in building design. It also identifies where development is not to occur.
96. In the PAUP, the Weiti precinct incorporates three sub-precincts, A, B and C, to ensure that once developed, the landscape and open space qualities of the precinct are not progressively eroded or compromised by cumulative and ad-hoc subdivision.

### **Housing density in ODP**

97. Under the Special 8 (Weiti Forest Park) Zone section of the Auckland Council District Plan Operative Rodney Section 2011 (ODP), approval was given for 150 and 400 dwellings within sub-precincts A and B respectively, totalling 550. The Proposed Auckland Unitary Plan (PAUP) shows 150 in sub-precinct A and 1050 in sub-precinct B permitted, giving a total 1200 in the Weiti precinct.

98. The submitters are concerned at the difference in the number of houses between that which is permitted under the ODP (550) and that shown in the PAUP (1200) and how this came about.
99. Mr Scott in his evidence states that the increase of houses in sub precinct B occurred following a request from the land owner during the consultation period of the Draft Auckland Unitary Plan. At that time, the land owner also requested further development of 400 dwellings in a new 'pod' within sub-precinct B.
100. According to Mr Scott, the request was supported by assessment reports on transport, infrastructure, water reticulation and wastewater options. There was no reference to any environmental reports – stormwater, ecology or landscape.
101. Council Officers, under pressure to provide for the housing intensification goals of Auckland, but concerned about the environmental impacts of any further development, agreed to intensify only the area already previously agreed for development in the ODP.
102. It is clear that the decision for the further addition of 650 additional houses within the same footprint has not been assessed for environmental impacts to consider the potential adverse effects on landscape and ecological values, including cumulative effects. This is of deep concern to the submitters as this is a precinct in which environment protections, including ecological conservation and enhancement should rate highly.
103. The submitters believe that an assessment should have been made as to the possible impact of the increase to 650 dwellings on the environment including the effects of the extra earth disturbance during the building of dwellings, stormwater management, heavy metal accumulation from the greater density of housing, ecological effects on the Marine Reserve, landscape values etc. This lack of environmental assessment contravenes the Resource Management Act which states that an environmental impact report needs to be considered.
104. The submitters' concerns appear to be shared by Shona Myers who states in her marine ecology evidence [6.4]: 'the increased level of development proposed in the PAUP compared with the ODP will increase downstream impacts on the ecological values of the coastal marine area and the marine reserve.'

105. If adverse effects were to occur within the sensitive Okura-Karepiro Bay area which is also part of the Marine Reserve, this would contravene the provisions of the NZCPS which says that adverse effects must be avoided.
106. Due to the lack of environmental reports in assessing the effects of the increase of housing from 400 to 1050 in sub-precinct B, the submitters strongly believe that the base number of dwellings for assessing the appropriate level of urban density for Weiti should be 550 – 150 in sub-precinct A and 400 in sub-precinct B as permitted in the ODP.

### **Ecological Values**

107. The submitters have submitted ecological evidence which outlines the high ecological value of the Okura Bush Scenic Reserve and its margins.
108. The Reserve is a large area of mature native forest which includes kauri not affected by kauri dieback. The area is likely to have a range of regionally rare native flora, and is habitat to a range of native and exotic birds and native lizards, some of which are endangered
109. The reserve comprises of three combined features – marine, estuary, and native bush – which make this sequence rare both regionally and nationally.
110. The submitters' reports describe the pressures that further development of Okura and/or Weiti would have on these sensitive ecosystems. Their concerns include the effects of visitors to the Reserve, increase of predators such as cats and dogs, and an increase in weed invasion.

### **Okura and Weiti**

111. At Topic 016 RUB expert conferencing for Okura on stormwater and ecology issues Council and the submitters' experts expressed concern about the impact further development, would have on the Okura Estuary and the Marine Reserve. Council experts subsequently produced evidence stating that they did not support any further development within the Okura catchment as insufficient assessment had been done catchment wide to predict the effect further development would have on the highly sensitive Okura Estuary and Long Bay-Okura Marine Reserve.

112. Weiti sub-precinct A and B drain into Karepiro Bay. Karepiro Bay is located at the mouth of the Okura Estuary and is an intrinsic part of the Long Bay-Okura Marine Reserve. There is no distinction between the bodies of water of Karepiro Bay and the Okura Estuary. Sediment and contaminants discharging into the Karepiro Bay catchment will have a direct impact on the health of the Okura Estuary and vice versa. Therefore, the submitters believe that the Panel should also carefully consider the evidence of Council regarding Okura, and in particular, the evidence of Ms Hellberg, and Mr Vigar, stormwater; and Ms Bergquist, Ms Carbines and Ms Myers, marine ecology on Topic 016 when assessing the appropriate levels of development in the Weiti precinct.
113. Karepiro and Okura cannot be considered in isolation. Impacts on both of these catchments need to be weighed together when considering the environmental impacts on the Okura/Karepiro estuary and the Long Bay Okura Marine Reserve.
114. To that effect, the submitter considers that when assessing the effects of development on the Estuary and the Marine Reserve that an environmental impact report assessing the Okura and Karepiro catchments together would be necessary.

### **Submission for Further Development**

115. Further to the PAUP increase in dwellings to a total of 1050 in sub-precinct B, Weiti Development LP and Green and McCahill Holdings Ltd (WDGM) has put in a submission requesting a new 'pod' of a further 400 dwellings in sub-precinct B, taking the number of buildings to 1450 in that sub-precinct (1600 for the whole precinct).
116. The submitters are concerned that the pod of land in sub-precinct B in which WDGM has requested for the further 400 dwellings is much steeper than the land of the other two pods of land in sub-precinct B. We are concerned that the extent of earthworks needed to develop the pod would have an adverse effect on the landscape values, and that the sediment loads that would have a downstream effect on the Marine Reserve and ecology.
117. WDGM has also requested changes to the PAUP to enable residential subdivision and development in sub-precinct C.

118. As stated the ODP, 'a key principle is to protect the greenbelt and open space character of the area and foster ecologically responsive urban design, including identifying key natural features and ensuring their protection to create variety and uniqueness. Activities that are provided for within the greenbelt and are consistent with the open space character include conservation activities and outdoor recreation activities.'
119. Sub-precinct C has an underlying zone of Rural Conservation. The underlying zoning for this sub-precinct is Rural Conservation and under the provisions of the ODP, no dwellings are permitted in this precinct. The submitters believe that if residential development were to occur within sub-precinct C, this would radically change the character of the sub-precinct. It would also impact adversely on the areas of the coastal environment where the sub-precinct abuts the Marine Reserve both from an ecological and landscape perspective, and would negate the intent of the ODP to provide the open space green belt envisaged to separate the urban limits of the North Shore and the Hibiscus Coast.
120. A large percentage of sub-precinct C's catchment flows into the upper Okura Estuary and any development in this area is highly likely to have severe impacts on the health of the upper reaches of the Estuary.
121. For these reasons the submitters strongly support the provisions of the PAUP that state no dwellings are permitted in sub-precinct C.

## **Conclusion**

122. Mr Scott in his evidence has stated that there are many natural and historic features and values of national or regional significance in the Weiti precinct, and it is important that they are managed so that they can be enjoyed and appreciated by future generations. The provisions of the Special 8 zone of the ODP were expressly developed to protect these special features.
123. For the reasons outlined above the submitters are opposed to any further development of the Weiti precinct over and above the numbers specified in the ODP, being 150 and 400 dwellings within sub-precincts A and B respectively, totalling 550.

## Attachment A

### Proposed Auckland Unitary Plan – New Okura Precinct

Prepared by Peter Raeburn

(Adapted from Chapters 18 – Objectives and Policies and 9 – Rules of the North Shore Section of the Auckland District Plan)

#### Okura Precinct

#### Chapter F

#### 5.60 – Okura

The objectives and policies of the underlying Countryside Living zone apply in the Okura precinct unless otherwise specified. Refer to the planning maps for the location and extent of the precinct.

#### Precinct description

The Okura precinct lies on the southern side of the Okura catchment. The precinct is a rural area located close to the urban area of Long Bay. The precinct provisions provide for countryside living development that recognises the sensitive ecological nature of the catchment and which maintains and enhances the landscape character, rural amenity values and environmental quality of the area.

Based on environmental constraints relating to water quality, topography, extent of regenerating native bush/significant landscape features, landscape sensitivity and stormwater management, areas within which building development may occur are limited. Okura is also divided into two sub-precincts within which different levels of subdivision is enabled, consistent with the different characteristics and sensitivities of these areas.

#### 1. Okura West sub-precinct A

Okura West sub-precinct A comprises land generally west of Okura Village. This sub-precinct comprises two areas. Firstly, the land west of Okura River Road contains the steepest slopes in this part of the Okura catchment and a large proportion of the area has been identified as containing significant landscape features. The area also has the highest landscape sensitivity. The majority of the landscape units identified in a 1995 LA4 study have moderate landscape sensitivity (ratings of 3-4). Landscape units 7, 9, and 10 however have high landscape sensitivity. Units 9 and 10 are both located west of Okura River Road, whilst unit 7 is immediately south of Okura Village. Secondly, the land between Vaughan's Road and the Okura Village area has a mix of moderate slopes, largely in and around the stream valleys and flatter land. Significant landscape features comprise the regenerating bush focused in and around the stream valleys. The area has moderate - low landscape sensitivity.

A 2ha average lot size with a minimum lot size of 5000m<sup>2</sup> is provided for as a restricted discretionary activity in this sub-precinct. The minimum lot size will assist in reducing the length of driveways/right-



of-ways required to service new lots created by subdivision by enabling the siting of dwellings in close proximity, whilst the average lot size will ensure that the overall rural character is retained.

#### Okura East sub-precinct B

Okura East sub-precinct B generally comprises land with moderate to gentle slopes. Significant landscape features that are constraints to development in this area include the coastal margins, foreslopes, streams and primary ridgelines. Very little regenerating native bush is present in the area. A 4ha minimum lot size is provided for as a restricted discretionary activity in this sub-precinct.

#### Objectives

The objectives are as listed in the Countryside Living zone except as specified below:

1. To manage subdivision in a manner that maintains and enhances the quality of the waters of the Okura estuary and its tributaries and the marine reserve.
2. To maintain and enhance biodiversity, and significant ecosystems including the native terrestrial vegetation and habitats of the Okura catchment and the biological communities of the Okura estuary, the Long Bay - Okura Marine Reserve and Hauraki Gulf Marine Park.
3. To protect, maintain and enhance the natural character of the margins of the Okura estuary and the coastal environment.
4. To maintain and enhance the rural character of the Okura area
5. To maintain a rural backdrop to Long Bay Regional Park/Piripiri Park.
6. To enhance appropriate public access to and enjoyment of Long Bay Regional Park/Piripiri Park, the Okura estuary, and the coast whilst ensuring that adverse effects on the environment are avoided.
7. To maintain rural amenity and natural landscape values of the coastal environment and the quality of the environment by avoiding adverse effects of infrastructure within the Okura catchment.

#### Policies

The policies are as listed in the Countryside Living zone except as specified below:

1. The intensity of rural development in the Okura catchment must avoid adverse effects on water quality and ecology, including within the Okura estuary and marine reserve.
2. Rural subdivision within the Okura catchment must be designed and managed in a way that ensures the protection and enhancement of streams, wetlands and the coast and their margins through the protection of existing native vegetation and revegetation of bare or degraded areas susceptible to erosion and the restoration of ecological corridors and riparian margins.
3. The grouping or clustering of sites / buildings may be undertaken in Okura WestEast Sub-Precinct A in areas where the environmental constraints such as slope, presence of native

vegetation and landscape sensitivity are low and where significant environmental benefits are to be achieved, particularly in terms of enhancing water quality through the appropriate placement of roads and building sites, revegetation and low impact stormwater management techniques.

4. Existing native vegetation must be protected and enhanced, and revegetation must be undertaken within and adjacent to river or stream valleys and on steeper land (>15°), so as to intercept sediment, protect against erosion and provide suitable habitats for terrestrial and aquatic life and enhance biodiversity and significant ecosystems. Subdivision must be designed, located and undertaken in a way that enhances the landscape through revegetation with native species, does not impede or adversely affect the potential for regeneration of native vegetation, and enhances the extent, range and linkages between areas of native vegetation within riparian margins and coastal edges and prevents stock access to native vegetation, streams, riparian margins and coastal margins.
5. Environmental enhancement and rehabilitation of the margins of the Okura estuary, the coast, riparian areas and existing areas of native vegetation must be undertaken to mitigate the effects of existing and future development.
6. The rural character of Okura must be enhanced with appropriate planting of riparian margins, the coastal environment, inland water courses and the protection of remnant/regenerating native vegetation.
7. In addition to conservation values, the location and width of public access along the estuary and coast must be determined by having regard to the potential recreational use of the adjacent estuary and coast.
8. Walkways, cycleways and bridle paths must be provided throughout the rural area in a manner that provides recreational opportunities and access to Long Bay Regional Park/[Piripiri Park](#), the Okura estuary and the coast and is compatible with conservation values and maintains the privacy and security of adjacent properties.
9. Convenient and safe parking, including where appropriate bus parking, must be provided in association with public access in a manner that avoids adverse effects on the environment.

## Chapter K

### 5.60 – Okura

#### 1. Activity table

The activities, controls and assessment criteria in the underlying Countryside Living zone and Auckland-wide rules apply in the following precinct and sub-precincts unless otherwise specified. Refer to planning maps for the location and extent of the precinct and sub-precincts.

Activity table 1 - Okura sub-precincts A and B	
Activity	Activity status
Rural	

Subdivision	
Subdivision which meets the Auckland-wide subdivision and Okura precinct subdivision rules	RD
Rural Framework Plan (Okura <b>West</b> sub-precinct A only)	RD
Subdivision that does not meet the Auckland-wide subdivision and Okura precinct subdivision rules	NC

**Commented [PR1]:** Requires more work (cluster development in the western sub-precinct is not a focus of issue for the submitter)

## 2. Subdivision controls

The subdivision controls applying in the Okura sub-precincts are specified below.

### 2.1 Subdivision density

Okura sub-precinct	Site density
Okura West A	<p>Minimum Site Area – 5000m<sup>2</sup>  Average Site Area - 2 ha  A consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the title to ensure that an average lot size of 2 ha is maintained and that further subdivision does not result in an average site area of less than 2 ha as based on the original parent lot.</p>
Okura East B	<p>No more than one site per 4ha gross across the entire existing site  A consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the title to ensure that a minimum lot size of 4 ha is maintained and that further subdivision(s) do not result in a minimum site area of less than 4 ha as based on the original parent lot or lots</p>

### 2.2 Rural Cluster Development (Okura **West** Sub-Precinct A)

Rural Cluster Development may be accommodated by way of a Rural Framework Plan. A Rural Framework Plan detailing the restoration and development of the total site may be prepared in consultation with the Council, tangata whenua and other relevant authorities prior to any development. Once approved, the restoration and development of the site must comply with the plan. Any changes to an approved rural framework plan will require a further Restricted Activity application.

The Rural Framework Plan must include the following information:

1. A land use capability study identifying land suitable/unsuitable for development based on the following constraints:
  - Any significant landscape features;
  - Areas of high landscape sensitivity;
  - Areas of steeper, (>15°) and/or unstable land;
  - Existing vegetation;
  - Existing watercourses;
  - Sites of cultural heritage significance
  - Any significant public views from public places such as roads, existing reserves;

2. A development concept detailing:

- The location of proposed building sites;
- The location of roads, accessways & driveways;
- Areas of existing vegetation to be protected;
- Proposed areas of revegetation & landscaping;
- Provision for stormwater management;
- Provision for public access, including proposed esplanade reserves;
- The relationship of the proposed development to adjacent land uses;
- Land to be held & managed in common ownership;
- Proposed lot boundaries;
- Areas subject to covenants preventing further subdivision and development;
- The staging of development;
- Provision for ~~on-site~~onsite waste water disposal.

3. The Rural Framework Plan must identify the environmental constraints associated with the site and detail how the design concept responds to and avoids those constraints and maximizes opportunities for:

- Enhancement of water quality within streams and the Okura estuary;
- Revegetation of the landscape and establishment/enhancement of ecological linkages;
- Retention of the natural character of the coast;
- Retention of the rural character of the area;
- Retention and enhancement of significant views from public land;
- Public access to and along the coast where appropriate in terms of ecological, cultural heritage and safety reasons.

4. Minimum Area Requirement

1. A minimum parent site area of 20 ha is required for any rural cluster development.

5. Density

1. The maximum average density must not exceed 1 dwelling per 2 ha's of site area. A consent notice under section 221 of the Resource Management Act 1991 must ~~be entered~~be entered into and registered against the title to ensure that an average lot size of 2ha is maintained and that further subdivision(s) do not result in an average site area of less than 2 ha as based on the original parent lot.

6. Site Area ~~Per~~per Dwelling

1. The minimum site area per dwelling must be not less than 2500m<sup>2</sup> and the maximum site area per dwelling must not be greater than 5000m<sup>2</sup>

7. Maximum Number of Dwellings in Any Cluster

1. The maximum number of dwellings per cluster must not exceed 6.

8. Separation of Clusters of Dwellings

1. Clusters of dwellings must be a minimum 25 metres from other clusters and 50 metres from external site boundaries

## 9. Protection of Existing Native Bush

1. Native bush must be protected in accordance with Rule 2.3.

## 10. Building Platform

1. Building platforms must be in accordance with Rule 2.4.

## 11. Revegetation

1. Revegetation must be undertaken in accordance with Rule 2.5.
2. A minimum of 10% of the total site area must be revegetated.

## 12. Covenants Protecting Common Areas

1. The plan of subdivision must identify cluster house sites, shared rights of way or jointly owned access lots and the balance or common area. The balance ~~or common~~ common area may be held in common undivided shares and must be covenanted in perpetuity to prevent further subdivision and/or development.
2. An agreement to covenant the balance or common areas on the property must be entered into before the issue by the Council of a Certificate of Completion pursuant to Section 224(c) of the Resource Management Act; or
3. A consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure compliance with this condition of the consent

Commented [PR2]: ? Requires more work

## 2.3 Protection of Existing Native Bush

1. The proposed building/house sites and access thereto must be confined to land totally clear of native vegetation as at 17 October 2003.
2. Covenants in perpetuity must be registered against the titles of the lots to be created through subdivision. These covenants must require that existing native vegetation on the original lot and the newly created lots is protected and remains undisturbed and weeds and pests are controlled.
3. All covenanted areas must be fenced to prevent undergrazing, unless the Council approves an alternative fencing layout which effectively excludes all livestock from such areas, and such fencing is to be maintained in livestock proof condition
4. An agreement to covenant the native bush on the property must be entered into before the issue by the Council of a Certificate of Completion pursuant to Section 224(c) of the Resource Management Act; or
5. A consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure compliance with the condition of the consent.

## 2.4 Building Platform

1. A building platform must be identified on the plan of subdivision and be located within the development envelope as shown in Precinct Plan 2, or for properties not covered by that Plan, in a position and manner that will avoid, remedy or mitigate any adverse visual effect of any

development on landscape quality, particularly as viewed from public places, including the Okura Estuary, roads and reserves and from adjoining lots. Appropriate planting shall be required to remedy or mitigate adverse effects of building sites or structures on landscape quality

## **2.5 Revegetation**

1. A planting and revegetation plan/programme must be prepared and carried out primarily to protect and enhance ecological values and rural landscape values -and patterns.
2. The plan must set out the planting and maintenance methodology, and a programme for replanting where the survival rate of plantings has been such -that replacement planting is required.
3. All plants must be a healthy species appropriate to the locality and conditions, -including the soil type, aspect, exposure and topography.
4. Planting and revegetation must be undertaken along coastal and stream margins, in wetland areas for the purpose of ecological enhancement and stormwater management, to extend existing and promote new ecological corridors, to stabilise areas of steeper land (>15°) and erosion prone areas, and to provide visual privacy. Appropriate native tree species must be planted alongside streams to provide shade and aid in the ecological recovery of the waterway.
5. The planting and revegetation plan must identify any significant public view shafts and the planting programme must take into account such public views where practical.
6. Covenants in perpetuity must be registered against the titles of the lots to be created through subdivision. These covenants must require that revegetation occurs in the areas identified on the plan of subdivision and in accordance with the planting and revegetation programme and that the areas of revegetation are protected and remain undisturbed and must require an ongoing programme of weed and pest control to be established.
7. All covenanted areas must be fenced to prevent undergrazing and such fencing is to be maintained in livestock proof condition.
8. An agreement to covenant the revegetated areas on the property must be entered into before the issue by the Council of a Certificate of Completion pursuant to Section 224(c) of the Resource Management Act; or
9. A consent notice under section 221 of the Resource Management Act 1991 must be entered into and registered against the title in order to secure compliance with the condition of the consent

## **3. Assessment – Restricted Discretionary activities**

### **3.1 Subdivision**

#### **3.1.1 Matters of discretion**

1. The council will restrict its discretion to the matters below for subdivision that is a restricted discretionary activity in the Okura Precinct, in addition to the matters for discretion in Chapter C.6
  - a. compliance with subdivision controls
  - b. earthworks and sediment control
  - c. site stability

- d. wastewater disposal
- e. protection and enhancement of riparian areas and vegetation
- f. location of building platforms
- g. protection and enhancement of open space
- h. stormwater management
- i. location of internal private ways and rights-of-way

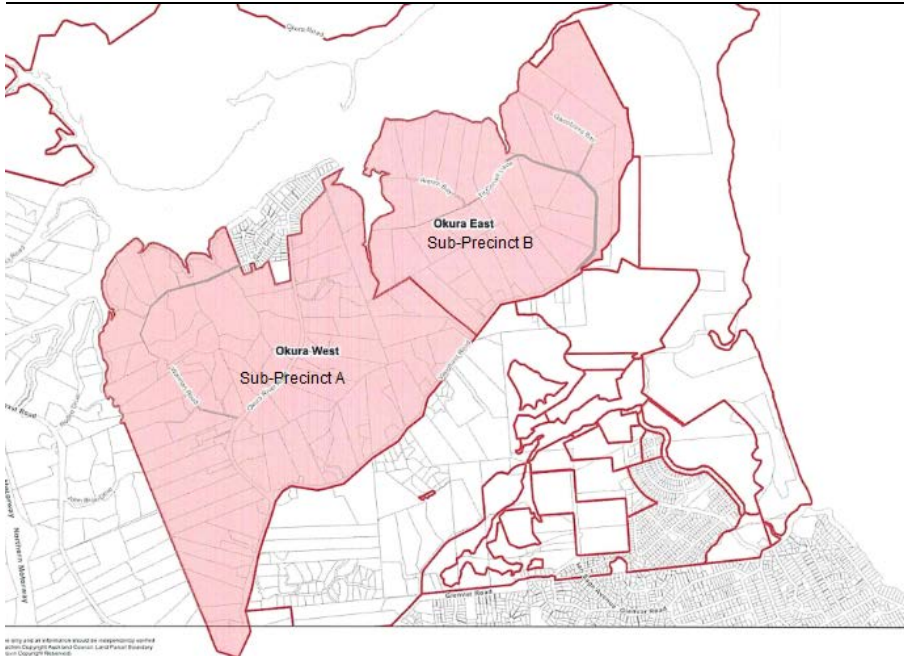
### 3.1.2 Assessment criteria

For subdivision that is a restricted discretionary activity in the Okura Precinct the following assessment criteria apply in addition to the assessment criteria in Chapter C.6

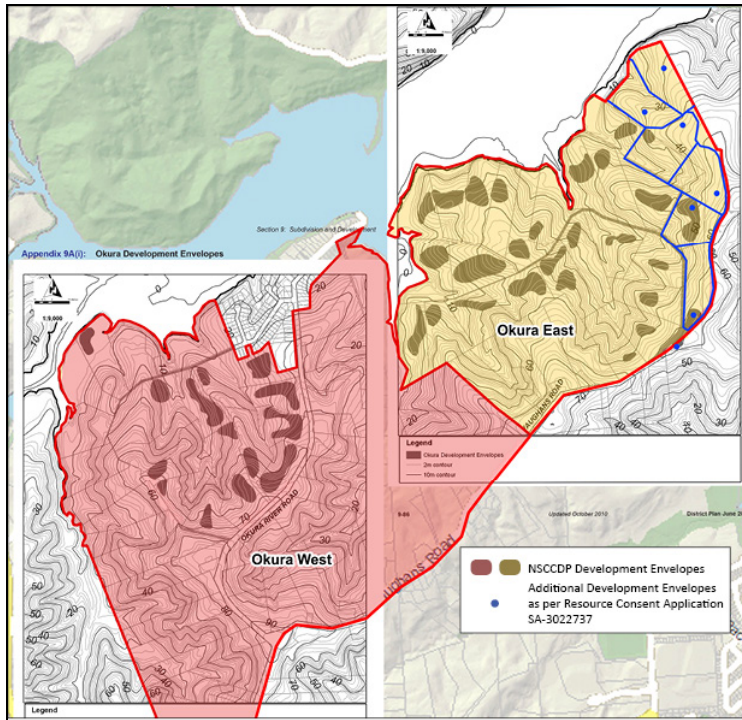
1. The subdivision design should avoid subsequent development within areas of significant vegetation and on natural landscape elements and heritage features, minimise soil erosion, avoid development on floodplains and steep slopes ( $> 15^\circ$ ) and use drainage methods that protect and enhance streams;
2. The design and placement of roads, driveways and building platforms and the subsequent buildings should minimise alteration to landforms, avoid visible scars on the landscape, particularly the coastal margins and foreshores (as defined by the coastal conservation area and foreshore yard rules) and primary ridgelines, not dominate skylines or disrupt the integrity of natural features, take advantage of natural drainage systems and minimise earthworks and soil erosion;
3. Access and building platforms should be located in a position that will minimise the visual impact of any subsequent development as viewed from public places, including the Okura Estuary, roads and reserves and from adjoining lots. Building platforms on the coastal margins, foreshores (as defined by the foreshore yard rule) and primary ridges will generally not be permitted so as to avoid, remedy or mitigate the visual impact of subsequent structures on the landscape. Where development envelopes have been identified, buildings and structures should be located within them;
4. Formal or legal protection of areas of significant vegetation, significant natural features, riparian margins and natural water courses should be secured;
5. The positive effects of clustering development including reductions in the area of earthworks, avoidance of areas of steeper/unstable land, more efficient use of driveways/access roads;
6. The provision of esplanade reserves, public accessways and walkways.
7. Barriers to fish passage should be avoided, remedied or mitigated.
8. In respect of any planting or revegetation plan or programme:
  - i) Plants should be locally sourced from within the ecological district;
  - ii) Plants should be appropriate to the locality having regard to matters such as slope, soil type, exposure to winds, degree of shading, tolerance of salt spray, wetness of the site;
  - iii) Site preparation should be adequate in terms of removal of weeds, removal of pest and stock control;
  - iv) The proposed site maintenance in respect of mulching, pest control;
  - v) The time of planting;
  - vi) The size of the plants;
  - vii) Monitoring in terms of survival rates, growth of plants, canopy closure;
  - viii) The revegetation should protect and enhance ecological values and ~~rural~~ [rural landscape](#) patterns and values.

## 8. Precinct plans



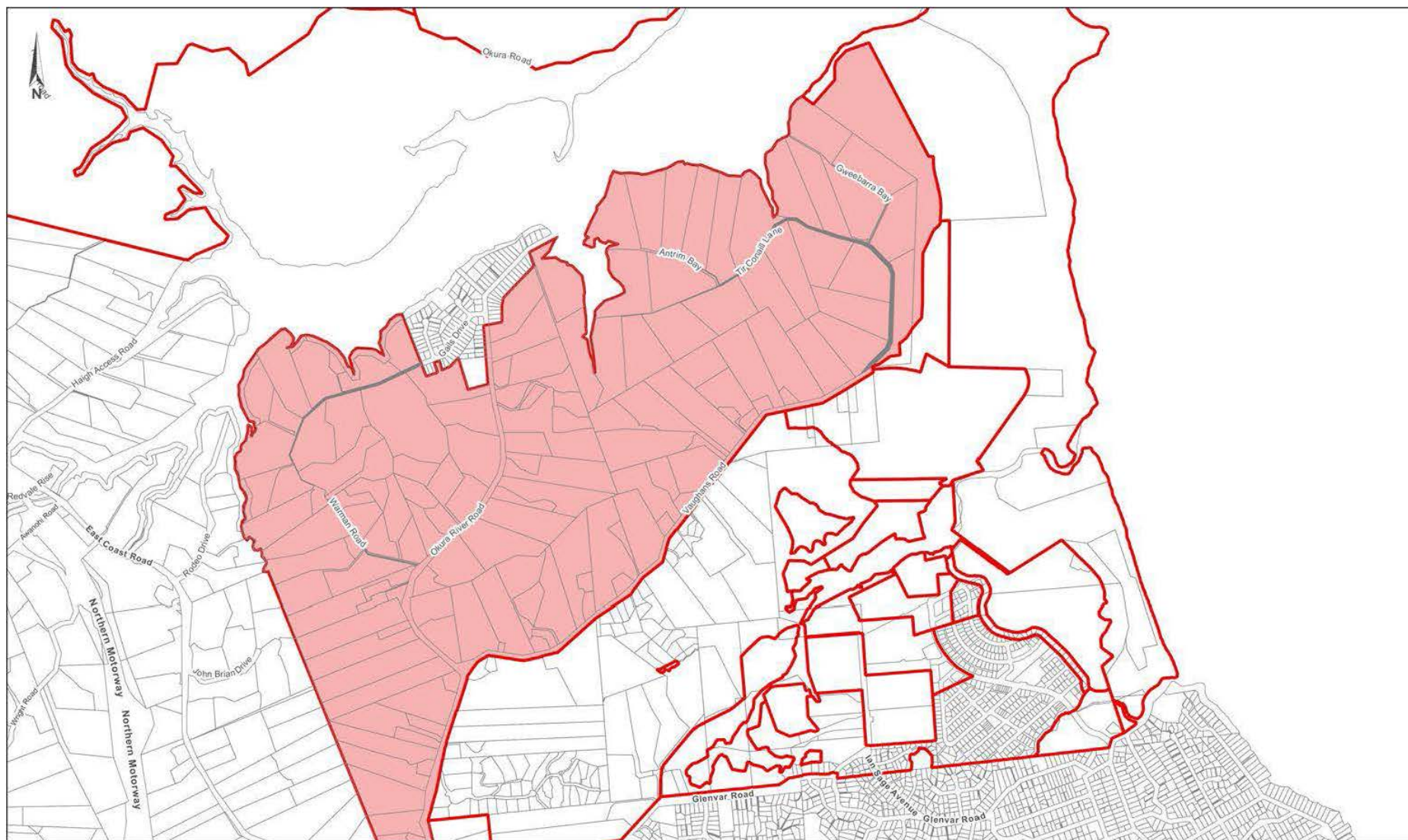


Precinct plan 1: Okura precinct



Precinct plan 2: Okura precinct – Development Envelopes

## Attachment B – Okura Precinct Boundary



This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.  
Height datum: Auckland 1946.

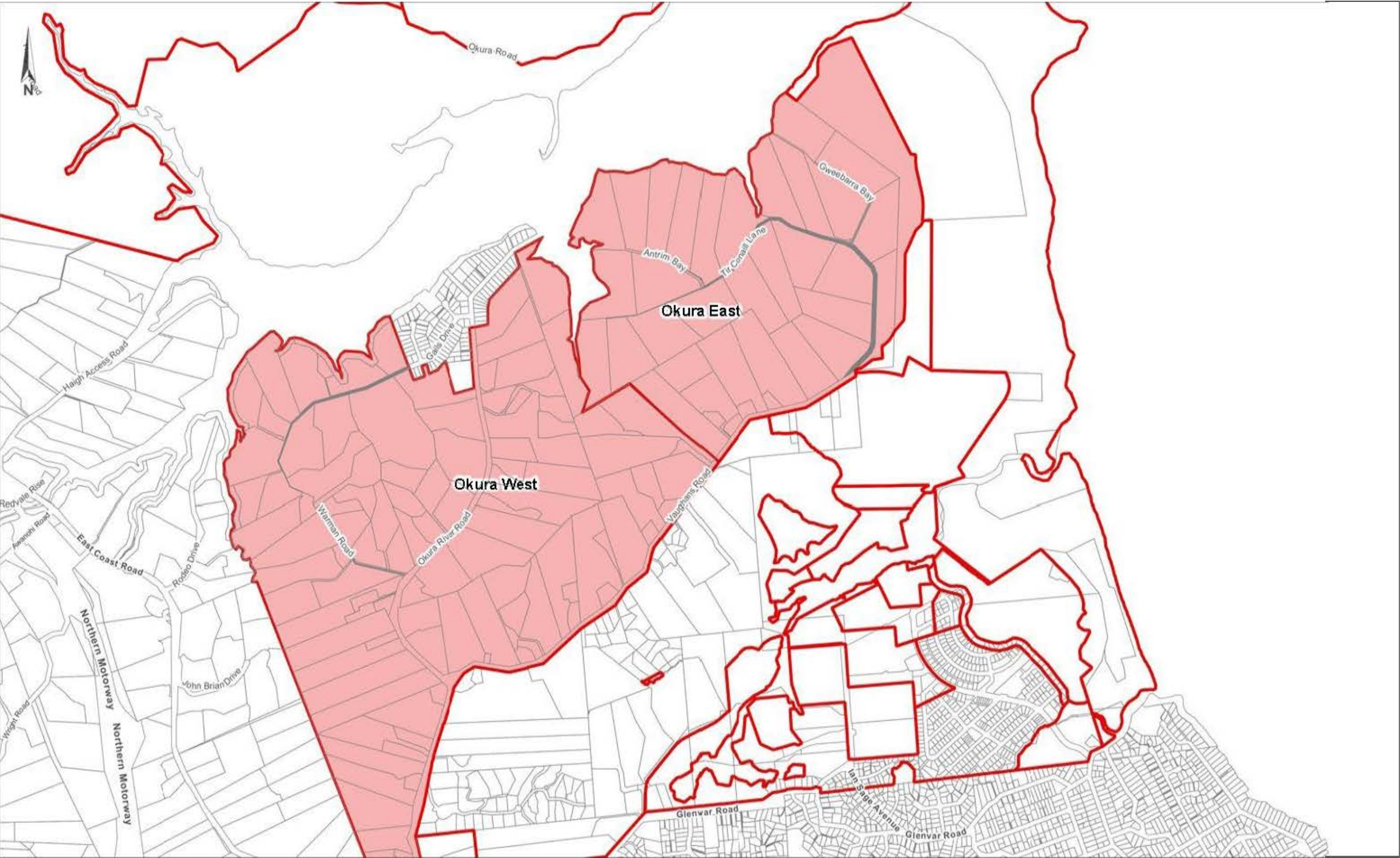
1:15,000 Auckland Council

Plan Created: 26/8/15

Precincts

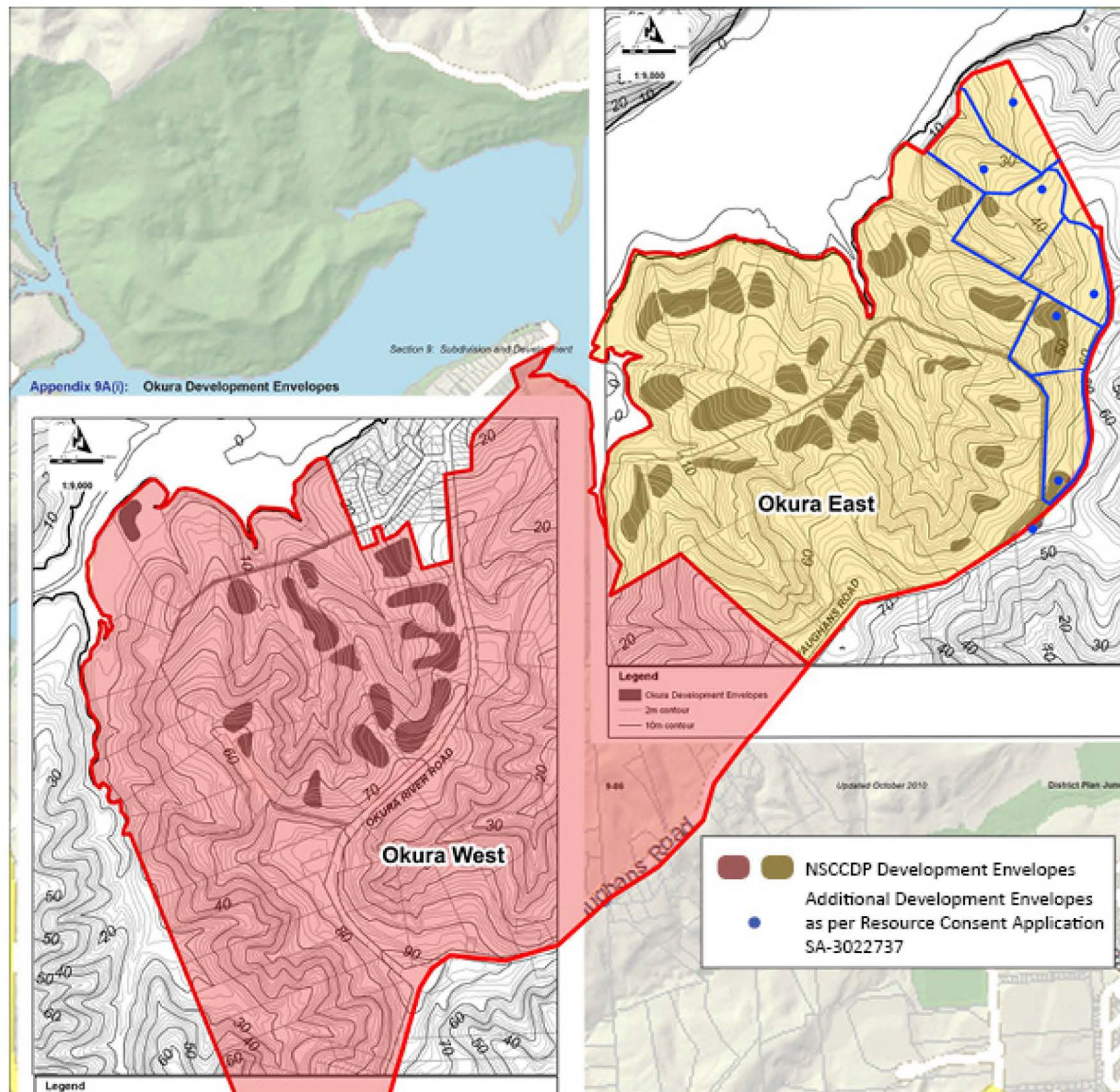


Attachment C – Okura West and East





## Attachment D – Development Envelopes Okura West and East

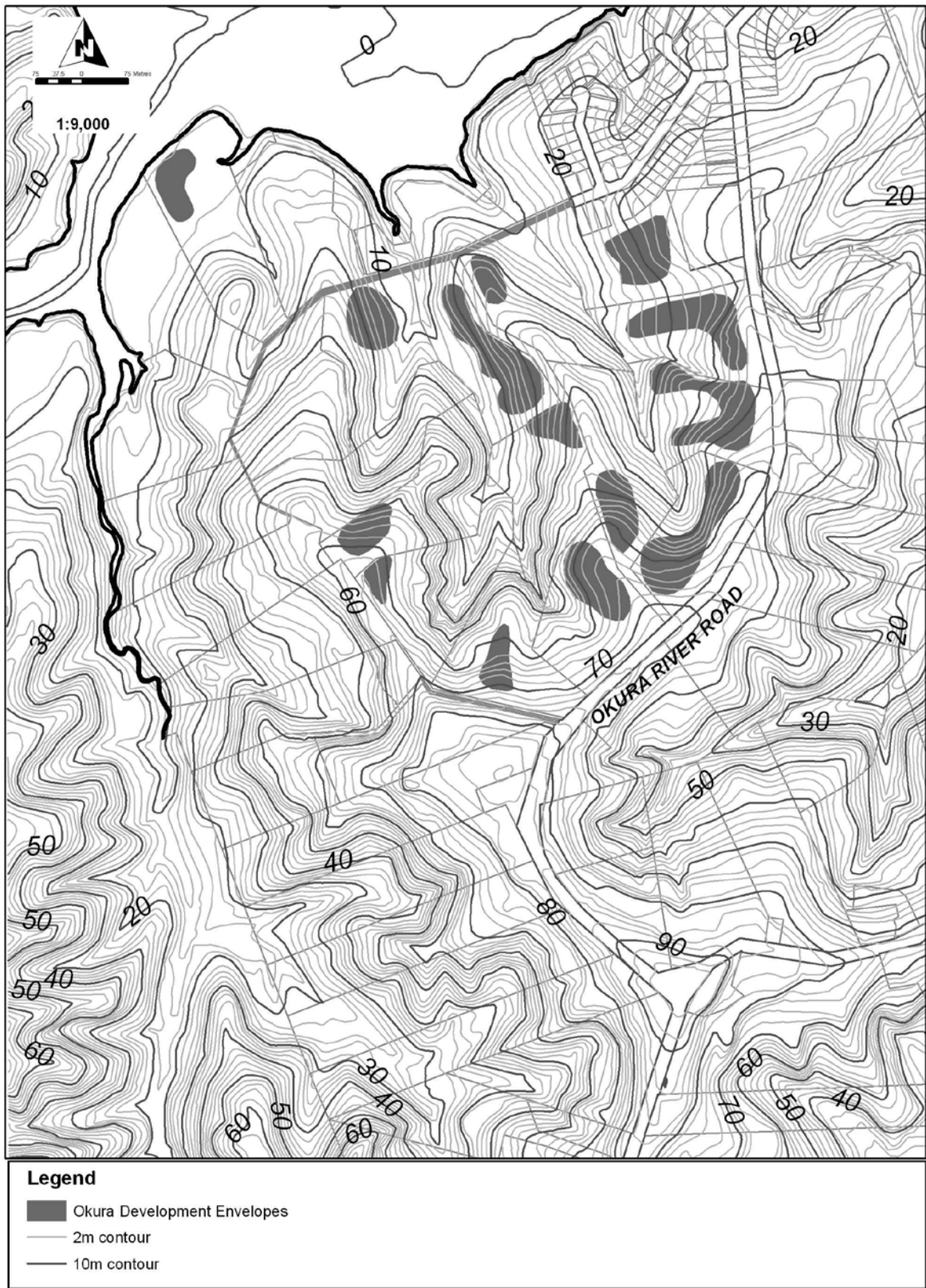


**Attachment E**  
**Okura Development Envelopes, Appendix 9 North Shore City**  
**Council District Plan**

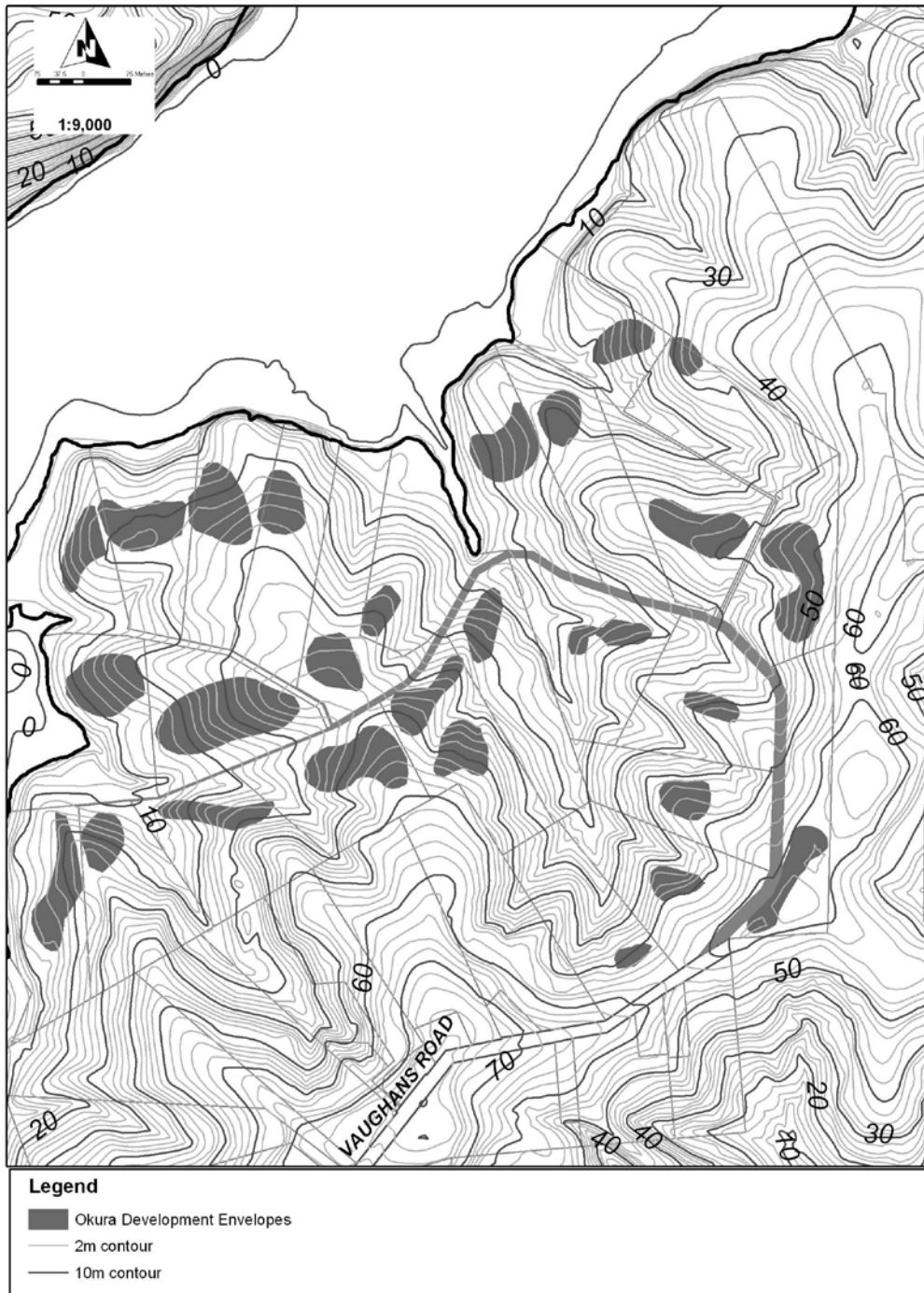


**Appendix 9A: Okura Development Envelopes**





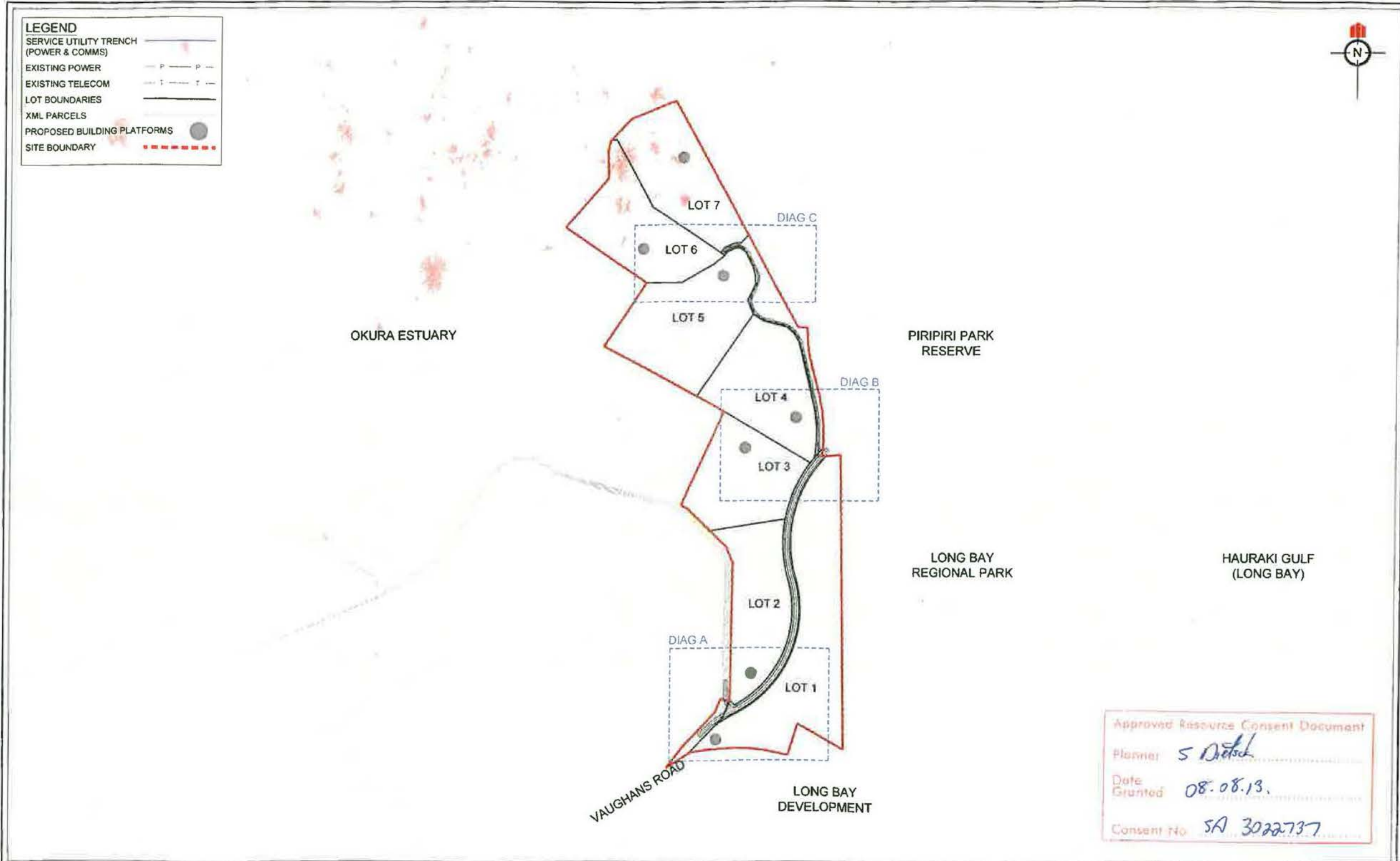
**Appendix 9A(i): Okura Development Envelopes**



**Appendix 9A(ii): Okura Development Envelopes**



Attachment F – Additional Development Envelopes



REVISION DETAILS		NAME	DATE	CLIENT
1.				

		<b>PIRIPIRI POINT SUBDIVISION</b> UTILITIES PLAN AUCKLAND COUNCIL		<b>WOODS</b> Engineers, Surveyors, Planners.	DESIGNED: MM CHECKED: MM APPROVED: MM JOB NUMBER: 10314 ISSUED: XXX DWG. NO: 10314-01-UT-700	ISSUED FOR INFORMATION DRAWN: MM SURVEYED: NA SCALE: 1:7500 @ A3 REV: ..
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