

Private Plan Change Request

Statutory Assessment Report

272, 274 and 278
Clevedon-Kawakawa Road,
Clevedon

Stratford Properties
Limited

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on behalf of	Lands and Survey (Auckland) Ltd		

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Introduction

Scope of Report

1. This report has been prepared in support of a Private Plan Change Request on behalf of Stratford Properties Limited to rezone approximately 9.88 hectares of land contained within the properties at 272, 274 and 278 Clevedon-Kawakawa Road, Clevedon from Rural – Rural Coastal to Rural – Countryside Living and to extend the Clevedon Sub Precinct C over this area (refer to the plan change request map attached as **Appendix 2**). The balance of the land situated on the properties at 272 and 278 Clevedon-Kawakawa Road (approximately 58.15 hectares) will be retained within the Rural - Rural Coastal Zone.
2. The statutory approval process that is being adopted for this project involves a private plan change request to rezone part of the land at 272 and 278 Clevedon-Kawakawa Road and the land at 274 Clevedon-Kawakawa Road from Rural – Rural Coastal to Rural – Countryside Living and to extend the Clevedon Sub Precinct C over this land and a subsequent resource consent application for the subdivision of 278 Clevedon-Kawakawa Road to create 11 countryside living lots, a shared access and amenity lot, a balance farm lot and a balance lot to be amalgamated with 272 Clevedon-Kawakawa Road. The resource consent application is being prepared on the basis that the plan change request will be approved prior to this application being considered. The resource consent application is therefore being made on the basis that the land area at 278 Clevedon Kawakawa Road to be used for countryside living activities is zoned Rural - Countryside Living and the Clevedon Sub Precinct C applies to this land.
3. This statutory approval approach is being taken as the proposed plan change will only enable limited countryside living development opportunities on the property at 278 Clevedon-Kawakawa Road given the extent of the flooding constraints that apply to this land and the nature of the clustered countryside living subdivision and development that is provided for by the Rural – Countryside Living Zone and the Clevedon Sub Precinct C provisions under the Auckland Unitary Plan. The proposal for which resource consent is being sought therefore defines the maximum extent of subdivision and development that will be enabled by the plan change request.
4. The 420-metre long access strip to the property at 272 Clevedon-Kawakawa Road and the existing lifestyle property at 274 Clevedon-Kawakawa Road have been included in the proposed rezoning because of the position of this land between the existing and proposed Countryside Living Zone. The proposed rezoning will not change the use or development potential of these properties given it involves an access strip and an existing relatively small (6,970m²) lifestyle property. The assessment of the plan change request contained within this report and the accompanying specialist technical reports has therefore primarily focused on the property at 278 Clevedon-Kawakawa Road.
5. This report:
 - further explains the requested plan change;
 - outlines the intended use of the land to be rezoned;
 - discusses the statutory requirements for the preparation and consideration of the requested plan change;
 - assesses the effects on the environment of the plan change;
 - presents a Section 32 evaluation; and
 - outlines a summary of consultation that has been undertaken to date.

Other Technical Reports

6. SPL has commissioned specific investigations in relation to landscape and visual, ecological, transportation, engineering and infrastructure, on-site wastewater, geotechnical, soils, land use capability and economic matters.
7. These supporting technical reports form the basis upon which this plan change request proposes additional capacity for countryside living subdivision and development at the edge of the Clevedon while also satisfying the requirement under the RMA for an assessment of the anticipated effects on the environment of implementing the plan change request.
8. The technical reports are referred to throughout this report to support the basis for the plan change request that is being promoted by SPL. The technical reports contain the baseline technical information required to demonstrate the feasibility of the plan change request and provide for an overall assessment of the appropriateness of plan change request. Where required, any recommendations contained in the supporting technical reports have been incorporated into the methods used in the proposed plan change to manage the potential for adverse effects on the environment.
9. The Technical Reports commissioned for the plan change request are outlined below:
 - Technical Report No.1 – Geotechnical Investigation Report – KGA Geotechnical Limited (K199051-1a, dated 7 October 2019)
 - Technical Report No.2 – Engineering and Infrastructure Assessment Report – Lands and Survey Ltd (117536, dated 30 October 2019)
 - Technical Report No.3 – On-site Wastewater Treatment and Disposal Report – KGA Geotechnical (K190051-2a, dated 7 October 2019)
 - Technical Report No.4 – Transport Assessment – Traffic Planning Consultants Ltd (19218, dated 7 October 2019)
 - Technical Report No.5 – Plan Change Request Cost Benefit Assessment Report – M.E Consulting (LAS 001.19, dated 8 November 2019)
 - Technical Report No.6 – Soil Assessment – Dr Douglas L. Hicks (Version 4, dated 1 November 2019)
 - Technical Report No.7 – Preliminary Site Investigation – 4Sight Consulting (R_AA4755, dated October 2019)
 - Technical Report No.8 – Land Use Capability Report – The Agribusiness Group (dated October 2019)
 - Technical Report No.9 – Ecological Report – 4Sight Consulting (AA4781, dated 7 October 2019)
 - Technical Report No.10 – Landscape Visual Assessment – by Greenwood Associates Ltd (version 3, dated 7 November 2019)

Plan Change Request Details

Applicant: Stratford Properties Limited

Address for Service: C/- Lands and Survey (Auckland) Limited
Level 2B Hurstmere Road, Takapuna, Auckland 0622

Attention: Tim Grace

Email: tim@landsandsurvey.co.nz

Phone: 027 235 3572

Requested Change: Rezone some 9.88 hectares of land at 272, 274 and 278 Clevedon-Kawakawa Road as detailed on the plan change request map attached as Appendix 2 from Rural – Rural Coastal to Rural – Countryside Living and extend the Clevedon Sub Precinct C over this land.

Undertake the following consequential changes to I408 Clevedon Precinct of the Auckland Unitary Plan (Operative in Part):

1408.6.4

(2) The following standards apply in respect of subdivision in sub-precinct C: ...

*(d) Where an application for subdivision consent is for an existing lot that contains land both inside and outside of the Clevedon Precinct, the area of land contained within the Clevedon precinct will be considered the “existing lot” or “parent allotment”. The land outside of the Clevedon precinct must not be used in the calculation of the average lot size for subdivision, **except where that land is contained within Lot 1 DP 146882.***

1408.6.5 Minimum Site Size

(1) The minimum net site area in Table H1.6.5.1 must be met.

Table I408.6.5.1 Minimum site size

Sub-precinct C	<ul style="list-style-type: none"> • not exceeding 1 dwelling per 4ha; or • not exceeding 1 dwelling per 2 ha on land identified as areas of increased subdivision opportunity on I408.10.2 Clevedon Precinct plan 2: Development restriction area and road network, • not exceeding 1 dwelling per 3.5ha on Lot 100 DP509670 (NA778231), or • not exceeding 1 dwelling per 10ha on Part Allot 2 and Part Allot 21 Parish of Wairoa (NA48C/657) for part of the
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	<p><i>landholding subject to a development restriction area as identified on I408.10.2 Clevedon Precinct plan 2: Development restriction area and road network, <u>or</u></i></p> <ul style="list-style-type: none"> • <u>not exceeding 12 dwellings on Lot 1 DP 146882.</u>
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Location:	272, 274 and 278 Clevedon-Kawakawa Road, Clevedon, Auckland
Legal Description:	Lot 1 DP 33480 and Lot 1 DP 118606, Lot 3 DP 146882 and Lot 1 DP 146882
Total Site Area:	68.025 hectares
Auckland Unitary Plan Zone:	Rural - Rural Coastal Zone, Tamaki-Firth coastal area
Overlays:	None
Controls:	Coastal Inundation 1 per cent AEP Plus 1m Control – 1m sea level rise Macroinvertebrate Community Index – Rural
Designations:	None

Background

10. Stratford Properties Limited (SPL) made a submission to the Proposed Auckland Unitary Plan (PAUP) that sought layered relief to provide the opportunity for the development of their land at 272 and 278 Clevedon-Kawakawa Road for countryside living purposes. In general the submission requested that the land be rezoned to Countryside Living and that the land be included within the Clevedon sub precinct 3 (now renamed as Clevedon sub precinct C).
11. The SPL position was that better provision for rural lifestyle living at Clevedon needed to be made in the PAUP, and that their land was more appropriate for such use, given the land:
 - Has limited productive capability because of the site-specific nature and quality of the soils;
 - Is not economically viable for rural production because of the relative size and fragmented nature of the land holdings;
 - Can provide for lots of a suitable size to accommodate on-site wastewater treatment and disposal;
 - Is in close proximity to the Clevedon village; and
 - Has natural characteristics which provide the opportunity for high amenity and environmentally appropriate development for rural lifestyle living.
12. SPL considered that their land was better suited for the clustered lifestyle type development than some of the other the land that was proposed to be contained within Clevedon sub precinct C, primarily because of the amenity values associated with their land, which is provided by the navigable lower reaches of the Wairoa River; the existing stands of exotic and native vegetation; the changes in topography; the enhancement that has already been completed through revegetation of riparian areas; the network of wetlands and streams; and the elevated and vegetated backdrops provided by the Brookby-Maraetai hills.
13. At the hearing of their submission SPL demonstrated through evidence that the location of parts of the land within the coastal environment did not mean that this land was not suitable or appropriate for countryside living. The evidence outlined how it was the nature of the land that was the most important matter. It was considered that as the land has a predominant countryside living character, and is not high in coastal natural character, the most appropriate zone for this land was Countryside Living, even if the land is influenced by physical coastal processes (coastal inundation), which could warrant the inclusion of the land within the coastal environment or the Rural - Rural Coastal Zone.
14. Unfortunately, because of time restrictions SPL did not have the opportunity to fully present this evidence to the Auckland Unitary Plan Independent Hearings Panel. SPL also did not have a detailed subdivision and development proposal that was informed by specialist technical investigations, analysis and assessment at this time to demonstrate to the Auckland Unitary Plan Independent Hearings Panel that countryside living development could be undertaken on the land with minimal potential for adverse effects from the identified flood risks.
15. The Auckland Unitary Plan Independent Hearings Panel recommended to the Council that the SPL submission be rejected and the Rural – Rural Coastal Zone be retained on the properties at 272 and 278 Clevedon-Kawakawa Road because it is adjacent to the defined coastal marine area boundary and is subject to coastal inundation. The Council accepted this recommendation. However, the Auckland Unitary Plan Independent Hearings Panel appeared to not fully appreciate that the south-western part of the property was not subject to coastal processes such as coastal inundation. It was also confusing that the Auckland Unitary Plan Independent Hearings Panel only considered the land to the east of the Wairoa River and north of the village up to the boundary with the Rural – Rural Coastal Zone to satisfy the description of the Rural – Countryside Living Zone given the existence of

the six dwellings and associated accessory buildings and the small land holdings at the south-western edge of the Rural – Rural Coastal Zone with Clevedon-Kawakawa Road. There was a brief discussion about partial rezoning of the properties at 272 and 278 Clevedon-Kawakawa Road at the hearing of the submission given these characteristics but it appears that the Auckland Unitary Plan Independent Hearings Panel did not pursue this line of thinking any further in the decision-making.

16. While SPL considered that they had some grounds for appealing the decision on their submission it was decided at the time to not take this course of action. SPL have however since reconsidered the opportunity available on their landholdings to supplement the marginal viability associated with the productive use of their land through divestment of part of the landholdings for countryside living subdivision given the suitability of the south-western extent of this land for such uses.
17. SPL decided to invest in the completion of the more specific specialist technical investigations, analysis and assessment needed to confirm that part of the landholdings can be developed for countryside living purposes with limited potential for adverse effects on future countryside living activities from the identified coastal inundation and flood risks. SPL has sought advice from the Council as to whether a non-complying resource consent application process could be used to secure resource consent for the proposed development. SPL were advised by the Council that while the proposal has some merit the current Rural – Rural Coastal and Tamaki-Firth coastal area policy direction would make it difficult to support the proposal from a strategy perspective. The Council therefore advised that it would be more appropriate to pursue a private plan change request to rezone the land to Rural – Countryside Living and include the land in Clevedon sub precinct C prior to the lodgement of a resource consent application.
18. SPL have subsequently decided to proceed with a private plan change request to rezone part of the land at 272 and 278 Clevedon-Kawakawa Road and the land at 274 Clevedon-Kawakawa Road from Rural – Rural Coastal to Rural – Countryside Living and to extend the Clevedon Sub Precinct C over this land and a subsequent resource consent application for the subdivision of 278 Clevedon-Kawakawa Road to create 11 countryside living lots, a shared access and amenity lot, a balance farm lot and a balance lot to be amalgamated with 272 Clevedon-Kawakawa Road.
19. The requested rezoning will only enable limited countryside living development opportunities on the property at 278 Clevedon-Kawakawa Road given the extent of the flooding constraints that apply to this land and the nature of the clustered countryside living subdivision and development that is provided for by the Rural – Countryside Living Zone and the Clevedon sub precinct C provisions under the Auckland Unitary Plan. The proposal for which resource consent is being sought therefore defines the maximum extent of subdivision and development that will be enabled by the plan change request.

Site Location

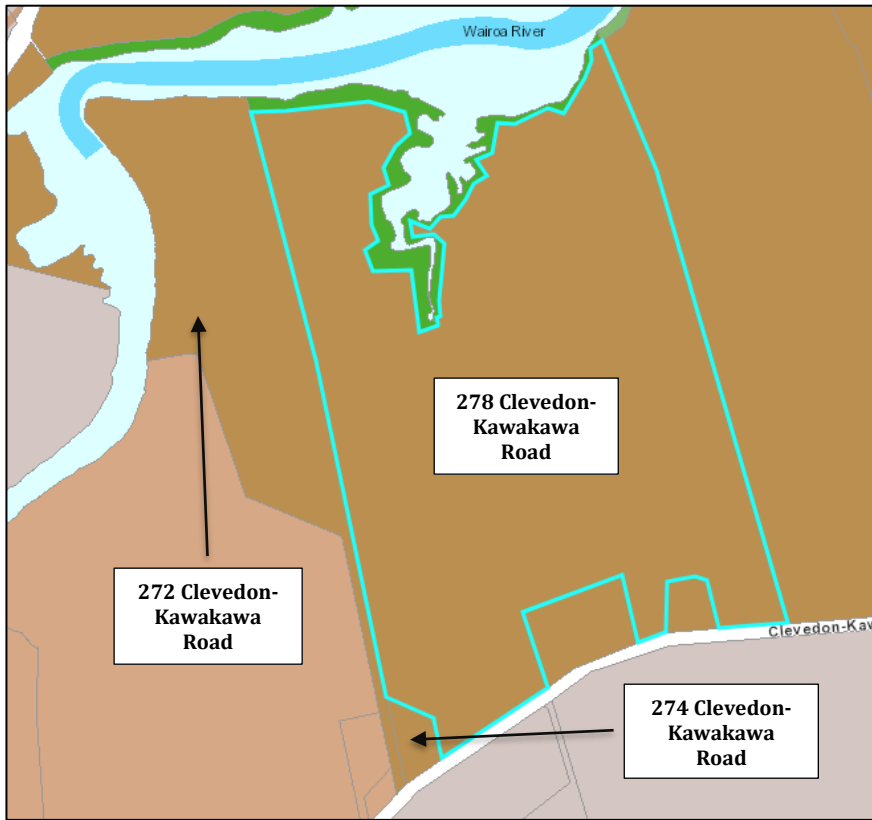


Figure 1: Site Location – Auckland Unitary Plan (Source: Auckland Council GeoMaps)



Figure 2: Site Location – Aerial Photograph (Source: Auckland Council GeoMaps)

Description of Existing Environment

Plan Change Site

20. The land subject to this private plan change request is comprised in three properties as summarised in **Table 1** below. A copy of the Certificates of Titles for these properties are contained in **Appendix 1**. **Figures 1 and 2** illustrates the main property subject to the requested rezoning at 278 Clevedon-Kawakawa Road. This property is central to the plan change request and is proposed to be subdivided to provide for eleven countryside living lots ranging in size from 3,661m² – 6,000m².

Table 1 – Property Details

Property	Legal Description	Owners	Total Area	Area to be Rezoned
272 Clevedon-Kawakawa Road	Lot 1 DP 33480 and Lot 1 DP 118606	Stratford Properties Limited	15.3275 hectares	7,336.02 m ²
274 Clevedon-Kawakawa Road	Lot 3 DP 146882	Raphael Christopher Songi and Solina Esther Theron	6,970m ²	6,970 m ²
278 Clevedon-Kawakawa Road	Lot 1 DP 146882	Stratford Properties Limited	52 hectares	8.45 hectares

21. The plan change site is located on the northern side of Clevedon-Kawakawa Road, approximately a 2.5km drive east of the Clevedon Village. The site adjoins the Wairoa River to the north and is located approximately 5km upstream of Pauto Point where the river meets the Hauraki Gulf.
22. The property at 278 Clevedon-Kawakawa Road has an irregular shape, as a result of historic subdivision undertaken to form the adjoining lifestyle properties on Clevedon-Kawakawa Road and the adjoining esplanade reserve along the margins of the Wairoa River to the north of the site, which includes the wetland area located at the rear of the site. This property currently accommodates a single-level detached dwelling and some outbuildings grouped together at the south-east corner of the property. Two small farm sheds are also located adjacent to the western boundary. The property is accessed via an approximate 3 metre width vehicle crossing adjoining Clevedon-Kawakawa Road at the south-east corner of the property. The property is also accessed via the driveway on the property at 272 Clevedon-Kawakawa Road running adjacent to the western boundary. This driveway adjoins a separate vehicle crossing onto Clevedon-Kawakawa Road.
23. The property at 272 Clevedon-Kawakawa Road is currently utilised in conjunction with the property at 278 Clevedon-Kawakawa Road. A Poplar tree lined driveway runs along the western boundary of the property forming a green edge to the plan change site. There are two dwellings located on the property. The original farmhouse is located towards the northern end of the property and is generally screened from the road by dense tree and shrub plantings. A former retail produce premises that has been converted for residential use is located at the front of the property with views to the north-east restricted by the existing plantings located around this building and along the driveway. There are a number of farm buildings located on the property near the eastern boundary with the property at 278 Clevedon-Kawakawa Road.

24. The properties at 272 and 278 Clevedon-Kawakawa Road are predominantly in pasture and are utilised as a single farming operation. Some shelter trees are dispersed intermittently around the properties. The properties are currently used for the grazing of relatively light animals (because of the high degree of risk of pugging of the pastures) and the production of supplements to be sold off the property (such as hay or silage).
25. The properties contain several farm tracks formed in gravel that are located intermittently around the plan change site. A gravel farm track accessed off the driveway on the property at 272 Clevedon – Kawakawa Road extends up to the northern part of the plan change site adjacent to the Wairoa River. At the centre of the plan change site a drainage trench runs perpendicular from the road frontage towards the Wairoa River end of the site for a length of approximately 670 metres. At this point the drainage trench transitions into a stream and terminates in the wetland area adjoining the Wairoa River.
26. The property at 274 Clevedon-Kawakawa Road is an existing rural residential or lifestyle property that is located adjacent to the road. The property contains an existing single level dwelling, double garage and associated former farm buildings. The property is accessed from Clevedon-Kawakawa Road via an existing 3-metre wide crossing and a concrete driveway to the double garage at the rear of the existing dwelling. The existing dwelling, garage and farm buildings are fenced to provide for a single paddock around these buildings. This paddock is used for the casual grazing of animals. The property has been included in the proposed rezoning because it has the existing Countryside Living Zone on its western boundary, and the proposed Countryside Living Zone on its eastern and northern boundary, and because of its relatively small size (6,970m²). The existing dwelling located on the property at 274 Clevedon-Kawakawa Road will have views to the north over the area proposed for development on the plan change site.
27. The plan change site has a varying topography with the majority of the site comprising moderate slopes up to a 10% gradient, with the exception of the elevated areas where there are moderate to steep slopes of up to 35% gradient. The boundaries are all fenced with post and wire fencing. The paddocks within the plan change site are delineated with post and wire fencing.
28. The majority of the plan change site is within the 1 per cent annual exceedance floodplain, with the exception of the property at 274 Clevedon-Kawakawa Road, two elevated areas at the south-west corner of the property at 278 Clevedon-Kawakawa Road, another elevated area at the south-east corner of the property at 278 Clevedon-Kawakawa Road and the front dwelling area and the access strip on the property at 272 Clevedon-Kawakawa Road. The coastal inundation 1 per cent annual exceedance probability plus 1 metre sea level rise also extends over a similar, slightly reduced extent of the plan change site as the 1 per cent annual exceedance probability floodplain.
29. The plan change site is not serviced with any public reticulated wastewater or water supply infrastructure. The existing dwellings located within the plan change site are serviced via private rainwater collection tanks and on-site wastewater treatment and disposal systems. The dwellings are also connected to the public utility networks located within Clevedon – Kawakawa Road.

Surrounding Environment

30. The site is located within the Clevedon rural area approximately 2.5 kilometres east of the Clevedon Village. The Clevedon Village is a small village with several amenities, including shops, cafes and restaurants, a service station, and a community centre. The Clevedon village has been identified for relatively substantial growth over the next 30 years.
31. The Wairoa River is located along the northern boundary of the plan change site. There are several properties in the surrounding area located adjacent to the Wairoa River that have access to the river via a boat ramp and or jetty. There is a relatively large jetty and a boat ramp approximately 300 metres east of the plan change site accessed from 261 North Road. There is an esplanade reserve located along the margins of the southern side of the Wairoa River which extends the full length of the northern boundary of the property at 278 Clevedon-

Kawakawa Road. The esplanade reserve has a width ranging from over 45 metres to less than 2.5 metres. A small tributary extends out from Wairoa River and juts into (but does not form part of) the property at 278 Clevedon-Kawakawa Road forming a natural wetland area. This wetland area has been fenced to exclude stock access and is planted with native riparian species.

32. The land surrounding the plan change site is used for predominately rural residential or lifestyle purposes on a variety of smaller lifestyle properties (under 8 hectares) and larger small-scale rural properties (up to 60 hectares). The surrounding area is contained by the Clevedon-Maraetai foothills to the north-west and the Hunua foothills to the south. The dominant landscape feature in the area is the Wairoa River.
33. The land to the south and south-west of the Wairoa River comprises of the irregularly shaped river flats that are bordered by North Road. This area contains scattered lifestyle dwellings with associated amenity plantings and accessory buildings. The Clevedon-Maraetai foothills then rise up from North Road to form the northern side of the Clevedon valley. There are a variety of large lifestyle dwellings located on the slopes of the foothills that overlook the valley below. The Clevedon-Maraetai foothills also contain a number of pine plantations.
34. To the south of the site across Clevedon-Kawakawa Road the land is gently rolling and rises up to the Hunua foothills. The area contains extensive roadside hedging, scattered trees and shelterbelts. The land to the south is generally held in larger landholdings and is predominately used for pastoral grazing purposes, although these properties are interspersed with smaller lifestyle properties with dwellings located within the Hunua foothills to obtain the dramatic coastal views to the north.
35. The land to the east is low-lying and generally flat. The Urungahau Stream winds its way northwards throughout this area to its convergence with the Wairoa River. A large part of the land to the east is contained within the flood plain and is prone to flooding around the margins of the river. The land is generally used for pastoral grazing purposes.
36. To the west there are a series of small and large lifestyle properties situated within the low-lying Wairoa River margins that form a soft edge to the Clevedon village. The Clevedon Polo Grounds are located at the western extent of this lifestyle area at the edge of the Clevedon village. The dwellings on these properties are generally oriented away from the plan change site and are enclosed by amenity plantings.
37. In close proximity to the site on the property to the west at 254 Clevedon-Kawakawa Road (across the driveway to the property at 272 Clevedon-Kawakawa Road) is a recently completed Countryside Living development that comprises of nine new lifestyle lots. Titles are expected to be issued for this development shortly. This Countryside Living development is broadly similar in scale and character to the subdivision and development that is proposed for the plan change site. There is also a dwelling located in close proximity to the site situated on the lifestyle property at 262 Clevedon-Kawakawa Road to the south-east of the plan change site. The views to the plan change site from this dwelling are limited by the existing trees located within this property and along the driveway on the property at 272 Clevedon-Kawakawa Road.
38. There are two dwellings located on the lifestyle properties at 294 and 300 Clevedon-Kawakawa Road situated along the same frontage of the plan change site with Clevedon-Kawakawa Road. These properties were created by previous subdivision of the property at 278 Clevedon-Kawakawa Road. There is a variety of shelter plantings located on these lifestyle properties that interrupts views to the area proposed for development on the plan change site. The orientation of the dwellings and the existing shelter plantings on the properties at 294 and 300 Clevedon-Kawakawa Road means these dwellings have limited views to the area proposed for development on the site.
39. The adjacent property to the east at 340 Clevedon-Kawakawa Road is currently used for pastoral grazing of stock. The property contains a horse training track and stables, but these facilities do not appear to be currently utilised for this purpose. The land is low lying and essentially the entire property is covered by the flood plain. The only

area outside the flood plain is a small area at the south-west corner of the site which is occupied by a large dwelling, a cottage, farm buildings and stables.

40. Clevedon-Kawakawa Road is classified as an arterial road in the AUP (OP). The road has an approximate width of 21 metres, and accommodates 5 metre width berms on either side, adjoining 2 metre unsealed verges, with a two-lane carriageway. There are power lines located along the southern side of this road.

Auckland Unitary Plan Zone

41. The plan change site is currently zoned Rural - Rural Coastal Zone and is located within the Tamaki-Firth coastal area. The plan change site is also subject to the following controls:
- Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise.
 - Macroinvertebrate Community Index – Rural.
42. The northern edge of the property at 272 Clevedon-Kawakawa Road is subject to the Significant Ecological Areas Overlay (SEA_T_5361, Terrestrial). The front part of the property at 272 Clevedon-Kawakawa Road (which contains the converted dwelling) on the western side of the access strip is zoned Rural – Countryside Living and is contained within Clevedon sub-precinct C.
43. There is a range of mainly rural zonings in the surrounding area (refer to **Figure 1** above). Sites to the east and the three adjoining sites to the south but north of Clevedon-Kawakawa Road are zoned Rural - Rural Coastal and are located within the Tamaki-Firth coastal area. Sites to the south of Clevedon Kawakawa Road are zoned Rural – Rural Production. The Rural – Countryside Living zoning applies to the sites adjoining the plan change site to the west on the northern side of Clevedon-Kawakawa Road. These sites are also contained within the Clevedon sub precinct C. The esplanade reserve and wetland areas at the northern edge of the plan change site are zoned Open Space – Conservation and areas of this land which adjoin the Wairoa River is subject to the Significant Ecological Areas Overlay (SEA_T_5361, Terrestrial).
44. Most of the land on the northern side of the Clevedon-Kawakawa Road is generally subject to the Coastal Inundation 1 per cent Annual Exceedance Probability Plus 1m Control – 1m sea level rise control to varying extents (refer to **Figure 3** below).

Context

45. The scale of development that will be enabled by the plan change request is small both in the context of countryside living in Southern Auckland and Clevedon itself. Currently the Clevedon Area Unit contains a little over 1,000 households, with the Clevedon Village accounting for around 160 – 170 households (2018). Based on current Statistics New Zealand growth futures the wider Clevedon area is expected to grow by around 25 households annually while the village itself is expected to grow by only 3 or 4 dwellings. This implies growth interest is in the wider rural lifestyle areas rather than directly within the village. In this context the proposal represents approximately 6 months growth from the wider Clevedon area.
46. The provision made in the AUP (OP) for new countryside living lots to the north and east of the Clevedon village beyond the Wairoa River is relatively limited. To date there has been two clustered countryside living subdivisions completed in this part of the Rural – Countryside Living Zone in accordance with the provision made for such subdivision under the Clevedon sub precinct C. These subdivisions have been completed on the properties at 252 Clevedon-Kawakawa Road (the adjacent property to the west) and 102 and 110 McNicol Road. These developments have provided for 9 and 7 new countryside living lots respectively.

47. The following properties are still available to be subdivided for countryside living purposes within that part of the Rural – Countryside Living Zone (and associated Clevedon sub precinct C) located to the north and east of the Clevedon village:
- 202 Clevedon Kawakawa Road – 6 countryside living lots
 - 102 Clevedon Kawakawa Road – 6 countryside living lots
 - 84 – 86 Clevedon Kawakawa Road – 1 countryside living lot
 - 90 McNicol Road – 4 countryside living lots
 - 150 McNicol Road – 5 countryside living lots
 - 30 Otau Mountain Road – 3 countryside living lots.
48. There are no other properties located within the Rural - Countryside Living Zone located to the north and east of the Clevedon village that can be subdivided for countryside living purpose under the Clevedon sub precinct C provisions as they are too small.
49. As such, this part of the Rural - Countryside Living Zone at Clevedon only provides for a year's growth in countryside living, even though it covers an area of some 210 hectares. In terms of the provisions of the Clevedon sub precinct C, only some 12% of the existing zone area is likely to be used for countryside living purposes, with the remaining 78% of the existing zone area continued to be used for the existing lifestyle purposes and the existing rural purposes.

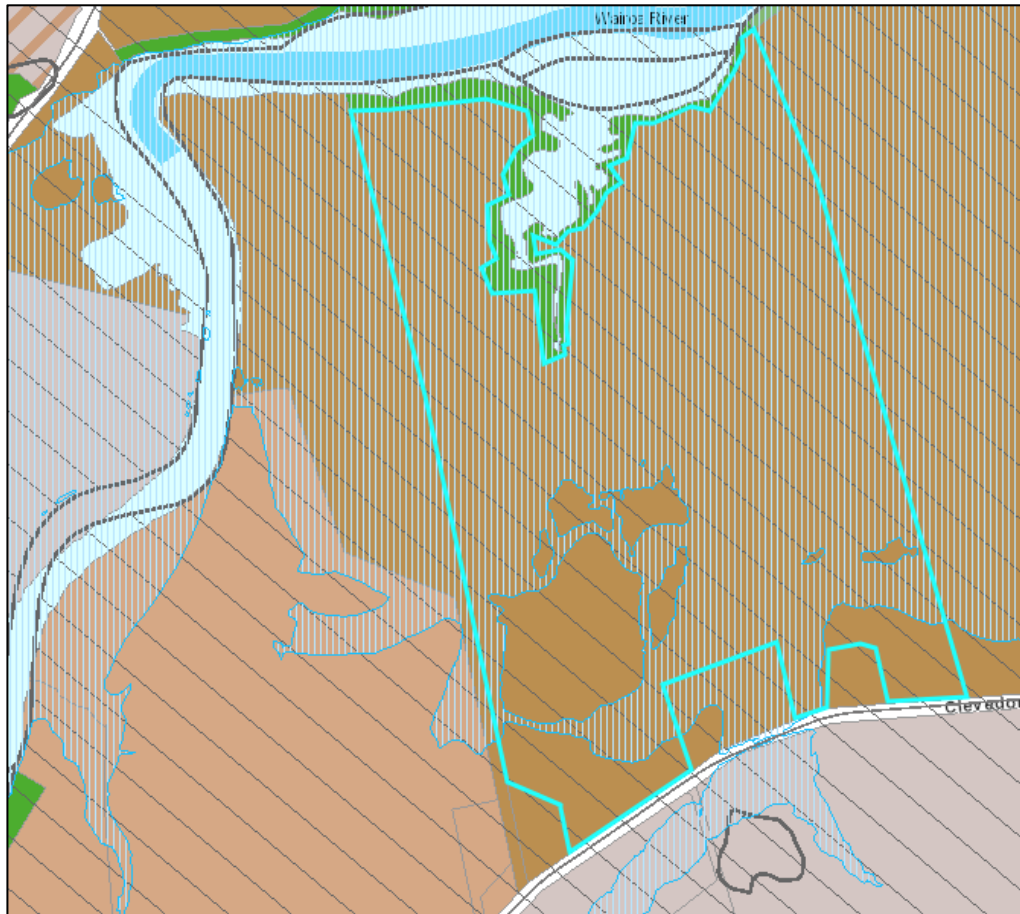


Figure 3: Coastal Inundation 1% AEP Plus 1m Control – 1m sea level rise (Source: Auckland Unitary Plan Maps)

Proposed Plan Change

50. Clause 21 of the Resource Management Act 1991 (RMA) provides for any person to request a change to a District Plan. Clause 22 of the RMA details the form of any request to change a District Plan and requires the request to be made in writing, and:
- Explain the purpose of the plan change request;
 - Explain the reasons for the plan change request;
 - Contain an evaluation report prepared in accordance with section 32;
 - Describe the effects anticipated in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the plan change.
51. This Statutory Assessment Report provides the information, assessment and evaluation that is required to be provided to support the plan change request under the RMA.

Requested Plan Change

52. The plan change request seeks to rezone approximately 9.88 hectares of land contained within the properties at 272, 274 and 278 Clevedon-Kawakawa Road, Clevedon from Rural – Rural Coastal to Rural – Countryside Living and to extend the Clevedon Sub Precinct C over this area. The requested rezoning of this land is detailed on the plan change request map attached as **Appendix 2**. The balance of the land situated on the properties at 272 and 278 Clevedon-Kawakawa Road (approximately 58.15 hectares) will be retained within the Rural - Rural Coastal Zone.
53. There are two feasible options in terms of the proposed rezoning, which are as follows:
- Option 1 – Extend the adjacent Rural – Countryside Living Zone and the Clevedon Sub Precinct C over all the land contained within the properties at 272, 274 and 278 Clevedon-Kawakawa Road; or
 - Option 2 - Rezone only the land to Rural – Countryside Living (and apply the Clevedon Sub Precinct C to this land) that is required for countryside living subdivision and development on the property at 278 Clevedon-Kawakawa Road, and the existing lifestyle property adjacent to this land at 274 Clevedon-Kawakawa Road and the access strip adjacent to this land at 272 Clevedon-Kawakawa Road, to provide a connection with the adjacent Rural – Countryside Living Zone and Clevedon sub precinct C to the west.
54. The most appropriate option is considered to be Option 2 as this will ensure that the majority of the land which is subject to flooding on the properties is retained within the Rural – Rural Coastal Zone. However, in terms of the countryside living subdivision and development enabled by the proposed rezoning, it is considered appropriate that the Clevedon sub precinct C density standard of 1 dwelling per 4 hectares should still apply to the total area (52 hectares) of the land contained within the property at 278 Clevedon-Kawakawa. To ensure that this applies a minor consequential change will be required to the provisions of I408 Clevedon Precinct of the AUP (OP) as follows:

1408.6.4

(2) The following standards apply in respect of subdivision in sub-precinct C: ...

(d) Where an application for subdivision consent is for an existing lot that contains land both inside and outside of the Clevedon Precinct, the area of land contained within the Clevedon precinct will be considered the “existing

lot” or “parent allotment”. The land outside of the Clevedon precinct must not be used in the calculation of the average lot size for subdivision, **except where that land is contained within Lot 1 DP 146882.**

1408.6.5 Minimum Site Size

(1) The minimum net site area in Table H1.6.5.1 must be met.

Table 1408.6.5.1 Minimum site size

Sub-precinct C	<ul style="list-style-type: none"> • not exceeding 1 dwelling per 4ha; or • not exceeding 1 dwelling per 2 ha on land identified as areas of increased subdivision opportunity on 1408.10.2 Clevedon Precinct plan 2: Development restriction area and road network, • not exceeding 1 dwelling per 3.5ha on Lot 100 DP509670 (NA778231), or • not exceeding 1 dwelling per 10ha on Part Allot 2 and Part Allot 21 Parish of Wairoa (NA48C/657) for part of the landholding subject to a development restriction area as identified on 1408.10.2 Clevedon Precinct plan 2: Development restriction area and road network, <u>or</u> • <u>not exceeding 12 dwellings on Lot 1 DP 146882.</u>
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Purpose of Requested Plan Change

55. The purpose of the requested plan change is to enable the subdivision and development of the property at 278 Clevedon-Kawakawa Road for countryside living purposes. The statutory approval process that is being adopted for this project involves the private plan change request to rezone the land and a subsequent resource consent application for the subdivision of the land. The resource consent application has been prepared on the basis that the plan change request will be approved prior to this application being considered. The resource consent application is therefore being made on the basis that the land area at 278 Clevedon-Kawakawa Road to be used for countryside living activities is zoned Rural - Countryside Living and the Clevedon sub precinct C applies to this land.
56. This statutory approval approach is being taken as the requested rezoning will only enable limited countryside living development opportunities on the property at 278 Clevedon-Kawakawa Road given the extent of the flooding constraints that apply to this land and the nature of the clustered countryside living subdivision and development that is provided for by the Rural – Countryside Living Zone and the Clevedon sub precinct C provisions under the AUP (OP). The proposal for which resource consent is being sought therefore defines the maximum extent of subdivision and development that will be enabled by the plan change request.
57. The countryside living subdivision and development that will be enabled on the land will comprise of eleven lifestyle lots, a jointly owned lot containing a shared private access road, wetland area and native bush planting area, a balance farm lot and a lot to be amalgamated with the adjoining property at 272 Clevedon-Kawakawa Road. The proposal will also provide for the enhancement of the wetland areas located within the plan change site and the riparian areas located adjacent to the Wairoa River. The subdivision scheme plan and the landscape planting plan for the subdivision and development that is subsequently proposed on the land are attached as **Appendix 3**. The proposed subdivision utilises the land located within the property at 278 Clevedon-Kawakawa Road that is situated outside of the flood plain for the proposed house sites. The shared access to these house sites will pass through a low-lying area that is located within the flood plain but the accessway will be raised

above the floodplain. The required service infrastructure will be provided on-site within the lots at the time of construction of the dwellings on the lots.

Reasons for Requested Plan Change

58. SPL has struggled for many years to utilise the properties at 272 and 278 Clevedon-Kawakawa Road as a viable commercial farming operation. The total amount of soil available on the property which is classified as prime is too small to justify the establishment of a modern horticultural operation. The location of the soils classified as prime on the property are also isolated to the south-western and south-eastern corners of the property and as such cannot be amalgamated with any adjacent properties to form a viable block of elite or prime soils that would be of sufficient scale to carry out a viable modern horticultural operation.
59. The low-lying nature of the properties and the high degree of risk of both flooding from rainfall and the risk of coastal inundation means there is a very limited range of alternative viable productive land uses that can be undertaken on the properties. The pastoral grazing of relatively light animals, because of the high risk of pugging of the pastures, the making of supplements to be sold off the property (such as hay or silage) and the growing of maize on the few elevated paddocks are the only potentially viable land uses. However, because of the high degree of risk from flooding, none of these options are without a high degree of risk, and therefore are not high returning productive land uses.
60. The area surrounding the properties has a rural residential or lifestyle character, which is to be expected, given the close proximity of these areas to the Clevedon village, the fragmentation that has already occurred through the historical subdivision of farms in the area for lifestyle purposes, and the difficulties associated with the use of the relatively small properties now located in this area as economic farming units. The area therefore incorporates a range of different types of rural lifestyle development from small residential type sites to larger farmlet type sites. However, these properties all essentially share the common characteristic of being used for low-density living at the rural edge of the Clevedon village.
61. The properties are located adjacent to the eastern edge of the Rural – Countryside Living Zone and the associated Clevedon sub precinct C. A countryside living subdivision and development has recently been completed on the adjacent land on the adjoining property at 252 Clevedon-Kawakawa Road. This countryside living development has a direct relationship with the higher part of the land situated on the properties that is located outside of the floodplain. The subdivision and development of this part of the properties would therefore provide a natural termination for the progression of countryside living activities, as the land to the east of this high point within the properties is all low-lying and subject to flooding and coastal inundation, which means it is not suitable for housing activities.
62. SPL are therefore of the view that the most appropriate and viable use of the land into the future is to utilise those areas of the properties that are located outside the floodplain for countryside living activities and to retain those areas of the properties that are located within the floodplain for small-scale rural production activities to support the wider rural area, such as the causal grazing of lambs and sheep, the making of supplements to be sold off the properties (such as hay or silage) and the growing of maize for stock feed.
63. The Countryside Living Zone and the Clevedon sub precinct C provisions of the AUP (OP) will ensure that such an outcome is achieved on the properties. These provisions will ensure that the character, amenity and natural values associated with the land requested to be rezoned is maintained and where possible enhanced. The potential for the rural character and amenity of the land to be adversely affected through subsequent subdivision and development for countryside living purposes can be appropriately avoided, remedied or mitigated through the clustered subdivision and development approach that requires a substantial area to be retained for productive purposes which is implicit in the Clevedon sub precinct C provisions of the AUP (OP).
64. SPL has now invested in the specialist technical investigations, analysis and assessment required to demonstrate the appropriateness of the land for countryside living subdivision and development. SPL consider that if they

had this level of detail to present to the Auckland Unitary Plan Independent Hearings Panel through the PAUP process that the properties would have been rezoned to Rural – Countryside Living and included within Clevedon sub-precinct C consistent with the decisions made for the adjacent properties, particularly as this information now demonstrates that countryside living subdivision and development can be undertaken on the land with minimal potential for adverse effects from the identified flood risks.

65. SPL have been advised by the Council that while the proposed subdivision and development of the properties has some merit the current Rural – Rural Coastal and Tamaki-Firth coastal area policy direction would make it difficult to support a resource consent application from a strategy perspective. The Council has therefore advised that it would be more appropriate to pursue a private plan change request to rezone the land to Rural – Countryside Living and extend the Clevedon sub precinct C over the land rather than undertake a non-complying resource consent process.
66. SPL has accepted this advice and has submitted the private plan change request to enable the subdivision and development of the property at 278 Clevedon-Kawakawa Road for countryside living purposes. SPL are of the view that this is the most efficient and effective planning approach to achieve a more sustainable use of their land from both an economic and environmental perspective.

Plan Change versus Resource Consent

67. The Rural - Countryside Living Zone provisions and Clevedon sub precinct C provisions are aligned with the development outcomes desired for the property at 278 Clevedon-Kawakawa Road, especially given the flooding constraints associated with the land, and the opportunities available for ecological enhancement of the land and the associated riparian edges of the Wairoa River. The property at 278 Clevedon-Kawakawa Road is well suited to a clustered countryside living subdivision and development approach consistent with the direction set out in the Clevedon sub precinct C provisions. In addition, Countryside Living is the zoning on the adjoining land to the west, making the proposed zone extension over the south-western corner of the plan change site a natural progression.
68. The subdivision and development of the site for countryside living purposes would be a non-complying activity under the current Rural - Rural Coastal Zone. The intended subdivision and development would be somewhat contrary to the more specific direction for this zone. When applying the gate way tests of section 104D(1) of the RMA, it is considered that a resource consent application would pass the effects test, as it has minor adverse effects on the environment, however the proposal could not be considered to give effect to the Rural - Rural Coastal Zone objectives and policies of the AUP (OP). As such, it is considered that a more appropriate approach is to rezone the land first, and thereby allow the policy issues in the Regional Policy Statement to be addressed through the plan change process.
69. The pre-application liaison undertaken with the Council has confirmed that this is the most appropriate approach to ultimately achieve the countryside living subdivision and development that is desired for the land. The Council has advised that it would be more appropriate to pursue a private plan change request to rezone the land to Rural – Countryside Living and extend the Clevedon sub precinct C over the land rather than undertake a non-complying resource consent process.

Statutory Context

Functions of the Council

70. The functions of the Council for giving effect to the RMA are set out in Section 31, and include those functions that relate to plan development, implementation and review. The Council's functions under Section 31 are as follows:
- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
 - (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district*
 - (b) *the control of any actual or potential effects of the use, development or protection of land, including for the purpose of –*
 - (i) *the avoidance or mitigation of natural hazards; and*
 - (ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and*
 - (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
 - (iii) *the maintenance of indigenous biological diversity:*
 - (c) *[Repealed]*
 - (d) *the control of the emission of noise and the mitigation of the effects of noise:*
 - (e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
 - (f) *any other functions specified in this Act.*
 - (2) *The methods used to carry out any of the functions under subsection (1) may include the control of subdivision.*
71. This function is linked to Section 72 of the RMA which states the purpose of District Plans as being “... to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act”.
72. Section 73 (2) of the RMA allows any person to request a change to a District Plan in accordance with Part 2 or 5 Schedule 1 of the RMA. SPL has made the plan change request in accordance with Section 73 (2) and Clause 21 of Part 2 to Schedule 1 to the RMA.

Matters to be Considered

73. Section 74 of the RMA provides the statutory framework for assessing the plan change request and sets out those matters the Council must consider. These include:

- The extent to which the plan change request is in accordance with the functions of the Council for the purpose of giving effect to the RMA as set out in Section 31;
 - The extent to which the plan change request achieves the purpose and principles of the RMA as set out in Part 2; and
 - The extent to which the plan change request is appropriate in terms of Section 32 and is the most appropriate way to achieve the purpose of the Act and the most effective and efficient means of achieving the objectives of the District Plan.
74. Section 74 also requires the Council to have regard to other statutory documents when considering the plan change request, which in this case includes the following:
- Any proposed Regional Policy Statement or proposed Regional Plan;
 - Management plans and strategies prepared under other Acts; and
 - Relevant entries in the Heritage New Zealand Register.
75. Under Section 75 of the RMA the Council is required to ensure that the plan change gives effect to any national policy statement, national planning standards, the New Zealand Coastal Policy Statement and the Auckland Regional Policy Statement. The plan change must also not be inconsistent with a regional plan.

Part 2 of the Resource Management Act

76. The purpose of the RMA is to promote the sustainable management of natural and physical resources. As stated in section 5 of the Act, this means:
- 5(2) In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*
77. Section 6 sets out matters of national importance, being the natural character of the coastal environment, lakes and rivers, protection of outstanding natural features, protection of areas of significant indigenous vegetation and habitats of indigenous fauna, maintenance and enhancement of public access along coastal marine areas, lakes and rivers, and the relationship of Maori and their culture and traditions, protection of historic heritage, protection of customary rights and management of significant risks from natural hazards. The relevant matters in respect to the plan change request are changes to the natural character of the coastal environment and risks from natural hazards.
78. Section 7 requires particular regard to be had to ‘other matters.’ Of relevance to the proposed plan change are:
- (a) kaitiakitanga;*
 - (aa) the ethic of stewardship;*
 - (b) the efficient use and development of natural and physical resources;*

- (c) *the maintenance and enhancement of amenity values;*
- (f) *maintenance and enhancement of the quality of the environment; and*
- (g) *any finite characteristics of natural and physical resources.*

79. Section 8 requires the principles of the Treaty of Waitangi to be taken into account.

80. A broad assessment of the plan change request against the provisions of Part 2 of the RMA has been completed in the assessment section below. This assessment has found that the plan change request can provide for the purpose and principles of the RMA and as such will promote the sustainable management of natural and physical resources.

Section 32 of the RMA

81. Section 32 of the RMA establishes the process for evaluating the appropriateness of the proposed plan change in achieving the purpose of the RMA. SPL has a duty under Section 32 to evaluate whether the proposed rezoning of the land to facilitate countryside living subdivision and development is the most appropriate way to achieve the objectives of the Auckland Unitary Plan (Operative in part) before the plan change request is publicly notified. Section 32 states:

(1) *An evaluation report required under this Act must—*

(a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*

(b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*

(i) *identifying other reasonably practicable options for achieving the objectives; and*

(ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*

(iii) *summarising the reasons for deciding on the provisions; and*

(c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

(2) *An assessment under subsection (1)(b)(ii) must—*

(a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*

(i) *economic growth that are anticipated to be provided or reduced; and*

(ii) *employment that are anticipated to be provided or reduced; and*

(b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*

(c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

- (3) *If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
- (a) the provisions and objectives of the amending proposal; and*
 - (b) the objectives of the existing proposal to the extent that those objectives—*
 - (i) are relevant to the objectives of the amending proposal; and*
 - (ii) would remain if the amending proposal were to take effect.*
- (4) *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*
- (4A) *If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*
- (a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
 - (b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection—*
- (a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or*
 - (b) at the same time as the proposal is notified.*
- (6) *In this section, —*
- Objectives means, —*
- (a) for a proposal that contains or states objectives, those objectives;*
 - (b) for all other proposals, the purpose of the proposal.*
- Proposal means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*
- Provisions means, —*
- (a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change;*
 - (b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.*

82. The evaluation completed under Section 32 of the RMA is summarised in the Section 32 evaluation section below.

Assessment of Actual or Potential Effects on the Environment

Overview

83. In accordance with clause 22 of Part 2 of the First Schedule of the RMA and the Fourth Schedule of the RMA this section of the report provides an assessment of the actual and potential effects on the environment associated with the plan change request. In assessing a plan change request for rezoning, consideration of adverse effects on the environment is at a broader level than for a specific activity subject to a resource consent application, where the details of a specific building or activity would be provided.
84. The following assessment ascertains the suitability of the land to be rezoned for the type of activities that could occur under the requested Rural - Countryside Living Zone and the associated Clevedon sub precinct C and the potential for adverse effects on the environment arising from this type of activity. In this respect, the creditable maximum subdivision and development potential of the area proposed to be rezoned for countryside living purposes is represented by the resource consent application for the subdivision of 278 Clevedon-Kawakawa Road to create 11 countryside living lots, a shared access and amenity lot, a balance farm lot and a balance lot to be amalgamated with 272 Clevedon-Kawakawa Road. The assessment of effects is therefore cognisant of this maximum subdivision and development potential.
85. The property at 274 Clevedon-Kawakawa Road and the driveway to the property at 272 Clevedon-Kawakawa Road are already developed and given the small size and nature of this land these properties will not be afforded any further development potential under the Rural - Countryside Living Zone provisions. As such, in terms of effects, the status quo will apply to these sites, regardless of the current or proposed zoning.
86. As the plan change request is not seeking to amend or alter any of the existing objectives, policies or rules of the AUPM (OP) any potential for adverse effects associated with the proposed rezoning will be mitigated by the existing provisions of the Rural – Countryside Living Zone, the associated provisions of Clevedon sub precinct C and the other relevant provisions of the wider AUP (OP) . In particular, the subdivision standards for Clevedon sub precinct C will ensure that the actual or potential effects of future activities do not adversely affect the surrounding environment.
87. The assessment of effects provided below is therefore focused on outlining how any potential for adverse effects associated with the use of the rezoned land for countryside living activities in the future, and in particular for subdivision and development to create 11 countryside living lots, a shared access and amenity lot and a balance farm lot, will continue to be managed by the relevant provisions of the AUP (OP).
88. The primary potential for adverse effects associated with the proposed rezoning of the land to provide for countryside living activities relate to the following:
- Landscape Character Values
 - Rural Character and Amenity
 - Visual Amenity
 - Natural Character
 - Ecology and Biodiversity
 - Reverse Sensitivity
 - Productive Potential
 - Natural Hazards

- Soil Contamination
 - Earthworks
 - Transportation and Traffic
 - Stormwater Management
 - Infrastructure
 - Archaeology and Heritage
89. Overall, the potential for adverse effects on the environment associated with the proposed rezoning are considered to be minor, given the location of the majority of the land to be rezoned outside of the floodplain, the lifestyle character and amenity values that are currently attributed to the area, the ecological and amenity benefits that can be achieved, the suitability of the land to be rezoned for use of on-site service infrastructure and the control that will be provided by the existing AUP (OP) provisions.

Landscape Character Values

90. A Landscape Visual Assessment has been completed by Greenwood Associates which has assessed the landscape character values associated with the surrounding area and the potential for adverse effects on these landscape character values that may be associated with the countryside living subdivision and development that will be enabled by the rezoning. The Landscape Visual Assessment is attached as Technical Report No. 10 in **Appendix 13**.
91. As detailed in the Landscape Visual Assessment the land surrounding the plan change site is used for predominately rural residential or lifestyle purposes on a variety of smaller lifestyle properties and larger small-scale rural properties. The surrounding area is contained by the Clevedon-Maraetai foothills to the north-west and the Hunua foothills to the south. The dominant landscape feature in the area is the Wairoa River. The landscape of the area surrounding the site is therefore characterised by a predominance of rural residential or lifestyle activities, which sit in an attractive valley like landscape setting, which is dominated by the Wairoa River and its margins, and the foothills that enclose the area to the north-west and to the south. This provides a relatively soft edge to the Clevedon Village on the southern side of the Wairoa River. The area provides a legible transition between the urban land uses within the Clevedon village and the rural land uses further to the east beyond the plan change site.
92. The potential for adverse effects on landscape character relates to the extent of change to this landscape setting that will be enabled by the rezoning through the provision that will be made for the addition of eleven new dwellings within the south-western part of the site (which comprises some 12% of the properties at 272 and 278 Clevedon-Kawakawa Road). As a result, the openness of the landscape would be reduced, and a greater level of domestication would be apparent within this rural area. The provision to be made for additional housing will result in a somewhat significant change in the landscape, which is currently open pastureland, transforming the current open rural character at this part of the site to clustered rural lifestyle development. However, the landscape character of the surrounding area is already influenced by such development, which will ensure that the perceived level or extent of change is minimised.
93. The location of the dwellings that will be enabled by the plan change request is determined by the flood plain. The only areas available for development outside of the flood plain are set back from the road edge and the adjacent property boundaries, reducing the visual impact of the future built forms on the neighbouring properties and the road. The Clevedon sub precinct C provisions will also ensure that a large balance area (some 45.41 hectares) will remain in rural use, which will retain the open rural nature of the surrounding area, especially

adjacent to the coastal environment along the edge of the Wairoa River, thereby providing for the mitigation of any potential for adverse landscape effects.

94. The Landscape Visual Assessment has considered the cumulative adverse effects on the landscape character values associated with surrounding area. Consideration has been given to whether the additional density of development would exceed the absorption capacity of the landscape and transform it to a large lot residential (or suburban) landscape rather than the specific type of countryside living character that is provided for (and has now been established) on the adjacent properties to the west. The Landscape Visual Assessment has found that the landscape character of the area would retain an appropriate balance of clustered countryside living development and open space within native revegetation areas once the site is fully developed, particularly as there is a limit to the maximum development potential of the site and the adjacent site to the west. The additional countryside living development would have some adverse cumulative effect on landscape character values, but overall the assessment has found that the magnitude of the effect would be low.
95. The Clevedon sub precinct C provisions also provide for appropriate mechanisms to ensure that any potential for adverse effects on landscape character values are mitigated through the design approach that is required for subdivision and development within the precinct. All subdivision and development require resource consent. The rules and standards include requirements for:
- Retention of a large balance area that is required to be used for rural purposes in perpetuity;
 - Limitation of lot sizes to 2,500m² to 6,000m²;
 - Housing clusters of not more than five dwellings; and
 - Low density of development at 1 dwelling per 4 hectares.
96. The assessment criteria also require consideration of measures to avoid, remedy or mitigate any potential for adverse effects on landscape character values, which includes consideration of the design of buildings including bulk and scale; consideration of siting and design of buildings and structures to avoid adverse effects on amenity, visual dominance, privacy, shading of adjoining properties and whether the building and structures blend in with the existing rural character; consideration of whether proposals enhance landscape character through sensitive response to cultural, natural and landscape values; consideration of landscape planting to relieve bulk, mitigate areas of impervious surface, provide privacy, screen infrastructure and retain existing significant vegetation; and consideration of the design of buildings and structures to maintain the amenity and quality of the surrounding environment.
97. The proposed housing clusters that will be enabled by the rezoning can be appropriately located in the least sensitive part of the landscape, where they are consistent with the existing pattern of development to the west and south-west. The provision made for future subdivision and development at this part of the site in conjunction with the Clevedon sub precinct C standards will ensure that a high-quality countryside living character is maintained at this locality. As such, it is considered the clustered countryside living subdivision and development that will be enabled by the plan change will be consistent with the landscape character values that are prevalent in the surrounding area.
98. Overall, based on the Landscape Visual Assessment, it is considered that any adverse effects on the landscape character values associated with the surrounding area as a result of allowing the requested rezoning will be minimal. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Rural Character and Amenity

99. The Landscape Visual Assessment has specifically assessed the potential for adverse effects on rural character and amenity as a result of the countryside living subdivision and development that will be enabled by the plan change request. The assessment has found that the Rural – Countryside Living zoning of the properties on the northern side of Clevedon-Kawakawa Road, directly to the west of the site, has already influenced the rural framework of this area. This has cemented in place a rural – residential or lifestyle character within the surrounding area, which is also prevalent on the plan change site, given the presence of the lifestyle sites clustered directly adjacent to the existing Rural – Countryside Living Zone to the east. This provides an opportunity for the plan change site to be further integrated into this environment through utilisation of those parts of the site that are located outside of the floodplain for clustered countryside living.
100. The assessment has found that any potential for adverse effects on the rural character and amenity of the surrounding area can be appropriately offset through the use of restoration and amenity planting at the time of development. Such restoration and amenity planting is proposed as part of the subsequent resource consent application and the use of such planting to provide for mitigation of any potential for adverse effects on rural character and amenity values is explicit in the assessment criteria for both the Countryside Living Zone and the Clevedon sub precinct C (refer to H19.12.2 and I408.8.2 of the AUP (OP)). The use of such planting would create a vegetative framework that would enable the built elements to be well integrated into the site and the surrounding rural landscape context.
101. In addition, the assessment considers that the revegetation of the boundaries and internal pockets of the site with indigenous plants will provide an increased amenity, habitat and landscape connection to the surrounding hills and the Wairoa River at the base of the site. The requirement for such planting is also explicit in the assessment criteria for both the Countryside Living Zone and the Clevedon sub precinct C (refer to H19.12.2 and I408.8.2 of the AUP (OP)). It is accepted that initially the change that allows a relatively significant increase in built form will have a degree of visual impact. However, it is assessed that this impact will diminish as the mitigation plantings mature, and as the future residents establish property specific amenity planting. The assessment has found that a combination of restoration and amenity planting at the time of development (such as the combination of the proposed exotic trees and additional native vegetation proposed to be planted on the site as part of the subsequent resource consent application) will result in an enhanced outcome for the landscape with no adverse effects on the rural character and amenity associated with the surrounding area.
102. As outlined above the land surrounding the plan change site is used for predominately rural residential or lifestyle purposes on a variety of smaller lifestyle properties and larger small-scale rural properties. The character and amenity that is attributed to this rural area is therefore predominately one of rural lifestyle living on the edge of the Clevedon Village. In particular the countryside living subdivision that has recently been completed adjacent to the plan change site to the west (252 Clevedon-Kawakawa Road) has a direct link to the land that is located outside of the floodplain within the plan change site. This land will be enabled for similar subdivision and development as a result of the requested rezoning. The character and amenity of the rural area beyond this land to the east towards the coast does change to a more productive rural type environment as the extent of dwellings dissipate, and the properties become larger. The plan change site therefore provides a natural boundary or barrier for rural residential or lifestyle land uses at the eastern edge of the countryside living environment that surrounds the Clevedon village. The relatively limited provision that would be made for additional clustered countryside living activities as a result of the requested rezoning will therefore be entirely consistent with the rural character and amenity values that are attributed to the surrounding area.
103. Overall, based on the Landscape Visual Assessment, it is considered that any adverse effects on the rural character and amenity values that are associated with the surrounding area as a result of allowing the requested rezoning will be minimal. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Visual Amenity

104. The Landscape Visual Assessment includes a visual effects assessment based on the expected maximum countryside living subdivision and development potential of the plan change site that will be enabled by the plan change request (as detailed by the proposal that forms the subsequent resource consent application). The assessment indicates that the visual effects would mainly come from the subsequent development of the lots created by the subdivision and will relate mainly to the change of land use through the addition of eleven new dwellings within the south-western part of the site. The assessment has found that the combination of the low topography and the existing mature shelterbelts makes the site difficult to identify throughout the visual catchment. Due to the flat topography of the Clevedon area, the visual access is limited to the properties that are located directly adjacent to the plan change site. The pockets of vegetation on the Wairoa River flood plains further decreases the visual catchment of the plan change site, particularly from the northern side of the Wairoa River.
105. The assessment identifies the public and private viewing audiences for the plan change site. The public viewing audience is limited to views when driving along either Clevedon-Kawakawa Road or along North Road. There are minor views available from properties along North Road, with all views being partial, and the closest being 512 metres from the site. Although several dwellings to the south overlook the property, the assessment considers that the visual captivation is focused further to the northern coastal edge, reducing the impact of any future development on the site. As the site is located lower than the surrounding area, it will not be in the main view from the majority of the houses which overlook the site to the north, from their higher elevation within the foothills on the southern side of Clevedon-Kawakawa Road.
106. The private viewing audience is limited to the properties located adjacent to the plan change site to the west, east and south. The southern properties at 247, 271 and 285 Clevedon-Kawakawa Road are immediately across the road from the site. Due to the topographical layout of the area, and the extent of existing vegetation, only the dwellings at 271 and 285 Clevedon-Kawakawa Road have direct views to the site, and these are the most affected viewpoints in this location. The subdivision and development that will be enabled in the foreground of the views from these dwellings will change the rural framework of the area, however the background hills will continue to retain the rural vista from these elevated properties. In addition, the visual impact is mitigated by the set back of the development enabled within the site and the planting and design controls that is expected to form part of any future development (as per the requirements of the assessment criteria contained in H19.12.2 and I408.8.2 of the AUP (OP)). Due to the small catchment of those experiencing change and the actual effect created by the buildings that would be enabled within the plan change site visible from this representative viewpoint, the assessment considers that the change to this viewer catchment is very low, with any potential for adverse visual effects to be less than minor.
107. The existing properties to the east and west of the plan change site, in particular 274 (which forms part of the plan change site) and 294 Clevedon-Kawakawa Road, will be more visually affected by any future development enabled by the plan change request than other properties due to their close proximity, and the similarity in levels and predominant views. For the above two properties, the assessment has found that the views to the plan change site are unobstructed with any change being significant to the rural outlook of the respective dwellings. The assessment considers that the moderating factor is the existing low value of the landscape character, being flat pasture devoid of any natural features. These moderating influences along with the mitigating vegetative framework that is expected to form part of any future development proposals (as is the case with the proposal included with the subsequent resource consent application) are considered to result in an overall low effect to the viewing audience at these positions, with any potential for adverse visual effects considered to be minor.
108. The views to the plan change site from recently completed countryside living development to the west on the property at 252 Clevedon-Kawakawa Road are obstructed by the mature existing buffer of high deciduous trees. The assessment has found the distance of the viewpoint from the site seen through the trunks and branches of the trees makes it difficult to identify the site through the tree lined neighbouring driveway. In combination with

the distance, the shelterbelt creates a strong visual barrier when trying to locate the site. Due to the limited visual access, any potential for adverse visual effects are considered very low or less than minor.

109. The views to the plan change site from the existing dwellings to the west at 272 and 262 Clevedon-Kawakawa Road located adjacent to the road frontage are restricted by the shelterbelt which totally obscures the site from view along the western boundary. This shelterbelt forces the aspect and views from the dwellings towards a north-east aspect. Views accessed from the viewpoint location take advantage of the north-east and easterly direction rather than west and north-west. Due to the limited visual access the effect to this viewer catchment is considered negligible, with any potential for adverse visual effects considered to be minor.
110. The visual assessment has found that overall the potential for adverse visual effects associated with the level of change that will be enabled on the plan change site as a result of the requested rezoning to be less than minor. Despite the introduction of built form into the site and the surrounding rural area as a result of the enablement to be provided for the eleven new dwellings, the combination of the effective planting and design mitigation, building layout and reduced earthworks that is anticipated to form part of any future development proposals, means any future subdivision and development represents an appropriate use of the land. The visual change from a more open rural context to a more intense countryside living context will be consistent with the land use type and density of the countryside living activities that already exist within the surrounding area. Whilst visible from a select few private viewpoints most of the development to be enabled by the plan change request is not visible from a significant proportion of the surrounding viewing catchment. The assessment has found that the overall level of effects on the landscape character and visual amenity of the site and the surrounding area is less than minor and considered acceptable within the context of the existing rural living character that is already prevalent along Clevedon-Kawakawa Road at the frontage of the site and immediately to the west of the site.
111. Overall, based on the Landscape Visual Assessment, it is considered that any adverse visual effects as a result of allowing the requested rezoning will be minimal. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Natural Character

112. The Landscape Visual Assessment has also assessed natural character. The assessment has found that the plan change site has low amenity values and low natural character values, as all significant vegetation has been removed as a result of the past conversion to pasture. The only vegetation that provides any ecological value is limited to the mangroves on the northern boundary of the site with the Wairoa River. The site is currently used solely for pastoral grazing purposes. The open grasslands of the site blend with the wider rural areas, as the land use is mostly small-scale pastoral farming, or rural residential and lifestyle land holdings.
113. The assessment considers that while there would be an overall loss of natural character as a result of intensification of rural living in the south-western portion of the site, the extensive native revegetation that is likely to form part of the future subdivision and development, as directed by the AUP (OP) objectives and policies and assessment criteria, would enhance habitat values for native species and will improve the quality of stormwater run-off to the Wairoa River in comparison with the existing land use.
114. Based on the Landscape Visual Assessment, it is considered that the current level of natural character on the site is low, and the effects on the natural character resulting from the requested rezoning will be able to be appropriately mitigated by revegetation at the time of subdivision and development (as proposed within the subsequent resource consent application) as directed by the objectives and policies and assessment criteria of the AUP (OP).

Ecology and Biodiversity

115. An Ecological Assessment has been completed by 4Sight Consulting Ltd that has considered the potential for any ecological effects as a result of the requested rezoning and the restoration opportunities for the plan change site. The Ecological Assessment Report is attached as Technical Report No. 9 in **Appendix 12**. A Significant Ecological Area (SEA) is located at the northern end of the plan change site along the Wairoa River. This SEA is located some 550 metres from that part of the site that is located outside the flood plain where the future countryside living subdivision and development will be enabled by the plan change request. As such, there is minimal potential for any future subdivision and development to adversely affect the biodiversity values associated with the SEA and the wider Wairoa River coastal ecosystem.
116. The assessment has found that the ecological values present on the site are negligible. As such, the overall ecological impacts from the subdivision and development that will be enabled by the requested rezoning will be very low. The assessment has indicated that there is potential for positive effects as part of any future subdivision and development on the site through the implementation of the identified enhancement opportunities, such as wetland and riparian restoration, inanga spawning habitat creation and improvement to fish passage. The report considers that the implementation of these ecological enhancement opportunities at the time of subdivision and development of the site would result in a net ecological gain. The potential restoration areas are detailed on **Figure 4** below.

Figure 4: Potential Restoration Areas



117. The potential restoration areas are identified as follows:
- **Enhancement Opportunity Area A** – this area comprises an area of approximately 2 hectares currently dominated by exotic grazed pasture. A minor artificial drainage channel runs alongside its northern boundary. As part of any future development, an opportunity exists to backfill the channel, thereby allowing natural, occasional flooding of the area. The enhancement area is located within the wider,

periodically inundated, flood plain. The area could be used to re-establish a kahikatea-dominated alluvial floodplain wetland / forest system and for the discharge of stormwater.

- **Enhancement Opportunity Area B** – this area comprises an area of approximately 2.2 hectares located alongside the meandering tributary of the Wairoa River. It is currently characterised by a fenced off, narrow riparian margin dominated by rank grasses and some indigenous sedges. The area is partially located within the plan change site and partially within land in public ownership. This area could be used to establish plantings of suitable indigenous species to enhance riparian and instream habitat through shading and complexity.
- **Enhancement Opportunity Area C** – this area comprises an area of approximately 2.5 hectares, a wetland area situated upstream of the riparian margins of the Wairoa River. As a less productive and often water-logged area of the plan change site, this area could be permanently fenced off from stock and enhanced through suitable plantings.

118. The Rural – Countryside Living Zone and Clevedon sub precinct C provisions of the AUP (OP) encourage the implementation of such ecological enhancement opportunities for subdivision in the rural areas. In particular, assessment criteria I408.8.2 of the AUP (OP) requires any future resource consent proposal to enhance the character of the Rural - Countryside Living Zone and respond sensitively to cultural, natural and landscape values of the Clevedon precinct.
119. The impacts associated with the future earthworks and countryside living activities are expected to be limited to the potential for sediment discharges to downstream aquatic receiving environments. However, these effects can be effectively managed and minimised using appropriate erosion and sediment control measures at the time of development. Such mitigation approaches are required by the AUP (OP) provisions for earthworks that exceed the required area and quantity limits.
120. It is noted that the subsequent resource consent application includes a substantial amount of restoration planting within all three of the above recommended enhancement areas and the fencing of these areas to prevent stock access. It is also noted that the subsequent resource consent application includes earthworks plans and sediment and erosion control plans that will use industry standard techniques to avoid or mitigate any potential for sediment loaded runoff to enter the downstream receiving environments.
121. Overall, based on the Ecological Assessment, it is considered that any adverse effects on the ecological and biodiversity values associated with the surrounding area as a result of allowing the requested rezoning will be minimal. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Reverse Sensitivity

122. The land use around the plan change site is characterised by mostly rural lifestyle properties, particularly around the southern part of the site where the clustered countryside living development is proposed to be located. The neighbouring property to the west of this part of the site is being developed to provide for nine countryside living lots ranging in size from 4,000m² – 6,755m², which will be located along the western edge of the site. This part of the site is also located some 400 metres from the eastern edge of the site, and is buffered from the adjacent rural property to the east by the two dwellings located on the lifestyle properties at 294 and 300 Clevedon-Kawakawa Road and the existing dwelling located within the south-eastern corner of the site. The required balance lot will buffer the southern part of the site from the properties located on the northern side of the Wairoa River, however these properties are predominantly lifestyle in nature.
123. The proposed rezoning will not result in any future dwellings being located next to any existing incompatible land uses, such as intensive farming operations, quarries or a rural industry. The types of rural lifestyle uses that

surround the plan change site have limited potential to result in nuisance type effects on the new lifestyle living activities. As such, there is limited potential for reverse sensitivity effects to occur on established rural activities as a result of the introduction of new countryside living activities into the area. Any potential for adverse effects will be mitigated by the buffer planting that will likely occur as a result of the future subdivision and development of the land.

124. It is however acknowledged that the site is located within a productive rural area, where agricultural management practices such as agrochemical spraying, use of farm machinery, the operation of bird scarers and other similar activities may occur in the future. It is therefore possible that future countryside living residents could complain about such activities, which while being a nuisance in a residential setting, are normal occurrences in a rural environment, and are generally permitted by the AUP (OP). The potential for such complaints to adversely affect permitted rural activities can be managed using 'no complaints covenants' at the time of subdivision where considered necessary. These covenants would prevent the future countryside living residents from making any complaints about such activities being undertaken on the surrounding rural properties.

Productive Potential

125. The Agribusiness Group has prepared a Land Use Capability Report which has assessed the productive potential of the plan change site based on the soils that have been identified on the site. The Land Use Capability Report is attached as Technical Report No. 8 in **Appendix 11**.
126. The assessment has considered the soil types, hydrology, coastal inundation and existing land use on the property at 278 Clevedon-Kawakawa Road where land would be taken out of production for countryside living land uses. The Land Use Capability Report is supported by the soils assessment that has been completed by Dr Douglas Hicks which is detailed in the Soil Assessment Report attached as Technical Report No. 6 in **Appendix 9**. The soils assessment has identified that some 6.03 hectares (11%) of the site meets the AUP definition of prime soil. The countryside living activities enabled by the proposed rezoning would be located on some 4.65 hectares of these prime soils, as this is the area of the site that is located outside of the floodplain. 67.5% of the site is classified as sub-prime soils. Sub-prime soils fall outside of the AUP definition for prime soils and therefore are not subject to the protection for productive uses that is afforded to these soils by the policy direction of the AUP (OP).
127. The Land Use Capability Report has indicated that the property does not have a high number of potential productive land uses because of the low-lying nature of the land and the high degree of risk of both flooding from rainfall and the risk of coastal inundation. The potential land uses include pastoral grazing of relatively light animals (because of the high risk of pugging of the pastures), the making of supplements to be sold off the property (such as hay or silage) and the growing of maize in the few elevated paddocks. However, because of the high degree of risk from flooding, none of these options would be without a high degree of risk. As such, it is considered that these land use options will not be high returning land uses. The Land Use Capability Report concludes that the potential viable land uses are severely limited by the low lying nature of the property.
128. The major factor in protecting the elite and prime soils in the AUP is to ensure that there are sufficient soils which have the desirable characteristics to enable the continuation of horticultural production, particularly the commercial vegetable production sector. The Land Use Capability Report considers that the total amount of soil available which is classified as prime is too small to justify the establishment of a modern horticultural operation. This is because the amount of prime soils on the site is too small to allow for the scale of operation which is required to make horticulture viable. The commercial vegetable production sector regards blocks of land below 50 hectares as unsuitable for an efficient operation. The orchard sector, for example kiwi fruit and avocados, require that the soil that they grow their crops on be free draining and predominantly volcanic soils. Overall, the site does not offer enough area of prime soils in order to achieve the scale of operation required for a viable horticultural operation or the soils with the required drainage to be attractive to the horticultural sector.

129. In addition, the prime soils are located to the south-western corner of the site are isolated from other neighbouring sites with prime or elite soils. The soil map of the property indicates that where areas of prime or elite soils extend through the property boundary into adjacent properties (which are already primarily used for lifestyle activities), the area of prime soil on the adjacent property is even smaller, and already occupied by houses, sheds and yards. As such, possible amalgamation of the property with other adjacent properties that may contain prime or elite soils that are located outside of the Rural - Countryside Living Zone, to form a larger contiguous block of high-quality soils, is not realistically feasible. Consequently, the desire to ensure that there are enough soils retained in productive use on properties in rural areas to enable the continuation of horticultural production is not able to be delivered in this location.
130. The Land Use Capability Report concludes that the proposed rezoning would not compromise the capability of the prime soils located on the property for vegetable production as there are only small isolated areas of such soils found on the property, which are not sufficient in size to be viable for a food growing operation. The limited value of this land for intensive rural production also means that the requested rezoning would not compromise the direction to recognise the productive potential of land that does not contain elite or prime soils. Overall, the potential for adverse effects on the productive potential of the land resource located within the property as a result of the land use change that will be enabled by the requested rezoning will be minimal.

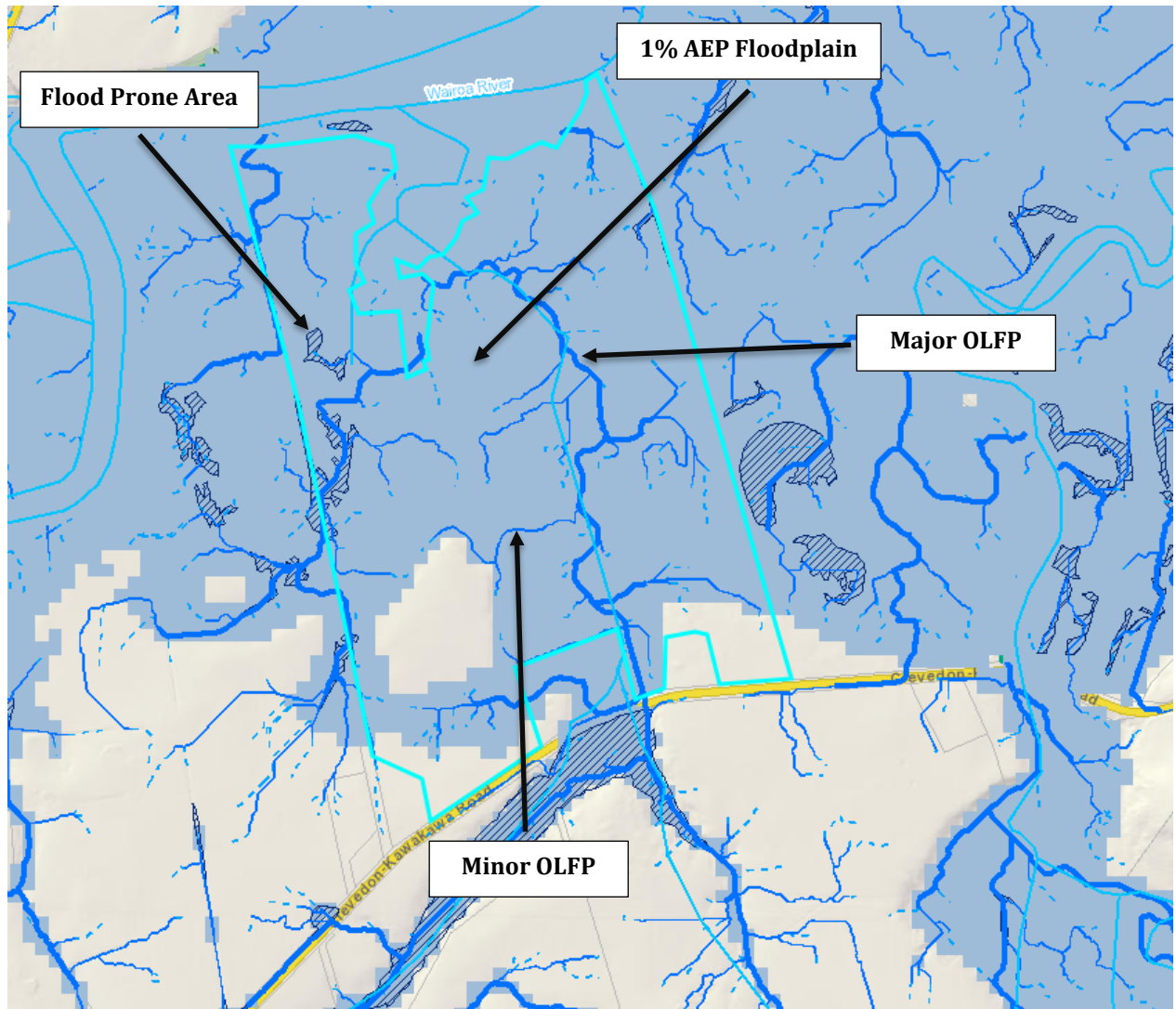
Natural Hazards

Flooding

131. An Engineering and Infrastructure Assessment Report has been prepared by Lands and Survey (Auckland) Ltd primarily to support the subsequent resource consent application. This report has assessed the flooding risks associated with the plan change site. The Engineering and Infrastructure Assessment Report is attached as Technical Report No. 2 in **Appendix 5**.
132. The site has been identified on Auckland Council Geomaps to be located within a 1% AEP floodplain and contains major and minor overland flow paths. The floodplain indicates areas on the site predicted to be covered by flood water as result of a rainstorm event of a scale that occurs on average once every hundred years. There are also some localised flood prone areas located on the site. The flood prone areas are topographical depressions. The flood prone extent is the area water will pond up to in a 1% AEP extreme rainfall event assuming the outlet to the topographical depression is blocked. The floodplain, flood prone areas and major and minor overland flow paths are shown on **Figure 5** below. The site is also identified as being subject to the Coastal Inundation 1 per cent AEP Plus 1m - 1m Sea Level Rise Control within the AUP (OP). This area covers a slightly reduced area on the site than the 1% AEP floodplain. As a result of these natural hazard flood risks being identified on the site any future subdivision and development on the site will require resource consent under the rules contained in Table E36.4.1 of the AUP (OP). These rules enable the risk of adverse effects from flood hazards to be appropriately assessed at the time of subdivision and development and for significant adverse effects to be avoided through refusal of resource consent where necessary. It also ensures that future subdivision and development only occurs where the risks of adverse effects from flood hazards are not increased overall and where practicable are reduced, taking into account the likely long-term effects of climate change.
133. The rezoning approach has considered the constraints and risks posed by the floodplain, flood prone areas and overland flow paths. This has resulted in only those parts of the plan change site that are substantially located outside AEP 1% floodplain, coastal inundation areas and flood prone areas being included in the area that has been requested to be rezoned Rural - Countryside Living and included in Clevedon sub precinct C. This provides the opportunity for all future indicative building areas within the countryside living lots to be created by future subdivision to be located outside of the floodplain, coastal inundation areas and floor prone areas. The area requested to be rezoned also provides the opportunity for the future indicative building areas to be located clear of the identified overland flow paths.

134. The Infrastructure and Engineering Assessment Report has identified that as per the Stormwater Code of Practice 2015 (Table 4.5 Freeboard Requirement for Vulnerable Activities) any future development on the site should have a minimum 500mm freeboard above the flood level to prevent the site from being affected by potential flooding from the adjacent overland flow paths, floodplain, coastal inundation and flood prone areas. The Infrastructure and Engineering Assessment Report has recommended building finished floor levels of RL 4.9 metres for all future habitable buildings. This can be achieved on a large part of the area requested to be rezoned, which will ensure that any future dwellings will not be subject to flooding.

Figure 5 – Identified Flood Risks



135. The Infrastructure and Engineering Assessment Report has also assessed the flood risk associated with the private access road that is proposed as part of the subsequent subdivision and development where it passes through the floodplain and the overland flow paths. The driveway will be designed to provide a minimum freeboard of 200mm at the lowest point above the flood level (RL 4.4m) during 1% AEP event. Rotten rock / brown rock or similar approved engineering fill will be used to build up the driveway on the floodplain area with a maximum batter slope of 1 in 3 (33% gradient). Where the driveway will cross the major overland flow path it is proposed to install 2 x 675mm diameter culverts at the crossing with headwall and riprap erosion protection. The culverts are sized to be 100 year at inlet control without overtopping the road level. As such, the water depth will be less than 200mm across the private road during the 1% AEP event, which complies with the AUP (OP) requirements and will not restrict access during a flood event. This initial design solution confirms that any future development on the land

to be located within the extended Rural - Countryside Living Zone that is outside the floodplain can be provided with appropriate access to Clevedon-Kawakawa Road.

136. The balance of the site located within the floodplain will be retrained within the Rural - Rural Coastal Zone and the land use within this area will not likely change. This area may be used by the future residents of the extended Rural – Countryside Living Zone to access the Wairoa River for recreation purposes. However, the area will not be used for any long-term or overnight uses such as parking of vehicles. Anyone using the land to access the Wairoa River would notice rising floodwaters in a heavy rainfall event and would return to their property before the balance area is inundated with floodwaters.
137. Overall, there will be suitable areas for future development provided within the area that is requested to be rezoned Rural – Countryside Living and included within Clevedon sub precinct C that are located outside of the 1% AEP flood level, coastal inundation areas and flood prone areas. The future indicative specified building platforms and wastewater disposal areas can be located above the 1% AEP flood level and can be provided with a 500mm freeboard. As such, any potential for adverse flooding effects on dwellings constructed in the future within the area proposed to be rezoned will be minimal.
138. Any potential for adverse effects can be avoided, remedied or mitigated by requiring all dwellings to have an RL4.9m at the time of development. This can be secured through an appropriate condition of consent and the issue of a consent notice specifying the required condition at the time of subdivision and development. The Infrastructure and Engineering Assessment Report has also confirmed that flood free access (water depth less than 200mm across the road during the 1% AEP event) can be provided to all the areas located outside of the floodplain that will be available for development as a result of the requested rezoning.
139. The Engineering and Infrastructure Assessment Report has also confirmed that indicative specified building areas can be located outside of the overland flow paths identified on the site. At the point of discharge from the site, there will effectively be no change to the nature of the overland flow passing from the site into the downstream receiving environment. The future development enabled by the proposed rezoning can therefore maintain the function of the overland flow paths to convey stormwater runoff safely from the site to the receiving environment.
140. The provisions of Chapter E36 – Natural Hazards and Flooding of the AUP (OP) can ensure that the measures recommended for any future subdivision and development for countryside living purposes within the site to avoid or mitigate any potential flood risks or effects can be required as part of the resource consent. In particular, the assessment criteria contained in E36.8.2 in respect to *activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area, activities in the 1 per cent annual exceedance probability (AEP) flood plain and Activities in overland flow paths* provide the mechanisms to ensure that any actual or potential adverse effects from future subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated at the time of development.

Geotechnical

141. KGA Geotechnical Limited has completed a preliminary geotechnical investigation of the property at 278 Clevedon-Kawakawa Road to ascertain whether the land located outside of the floodplain that will become available for development as a result of the proposed rezoning will be suitable for the subsequent development. The findings of this investigation are detailed in the Geotechnical Investigation Report attached Technical Report No. 1 in **Appendix 4**.
142. The preliminary geotechnical assessment has confirmed that based on the review of the available geotechnical information and the initial site investigations that the site will generally be suitable for the subdivision and development that will be enabled by the proposed rezoning and the subsequent construction of dwellings on the site.

143. KGA consider that the risk of deep-seated widespread slope instability impacting on the future development of the site will be non-existent. KGA also expect there will be no settlement issues for the future development of the site. KGA are of the view that subject to their recommendations, provided that any construction works and drainage works are carried out in accordance with NZS4404: 2004, "Land Development and Subdivision Engineering" and Council standard specifications, the land located outside of the floodplain should generally be suitable for conventional light timber framed dwellings constructed in accordance with the requirements of NZS3604:2011 "Timber Frame Buildings", subject to the usual considerations such as proximity to service trenches and / or the presence of expansive soils.
144. KGA has indicated that the future dwellings can be serviced with on-site effluent disposal in accordance with Auckland Regional Council TP58, "On-site Wastewater Systems". KGA recommend that specific classification of soils in relation to wastewater discharges should be addressed in the Geotechnical Completion Report, prior to release of titles, but are anticipated to likely require the use of dripper lines designed for category 6 soils at a dosage rate of 3 litres per square metre per day. The requirement for the Geotechnical Completion Report to address specific classification of soils in relation to wastewater discharges can be secured through an appropriate condition of consent.
145. KGA has made several recommendations for the earthwork operations in respect to erosion and sediment control, compaction control, accessway, foundations for buildings, effluent disposal and construction monitoring. These recommendations can be considered further at the time of resource consent. KGA anticipate as is general practice that the Council will impose a condition on any future resource consents that requires a Geotechnical Completion Report and / or Statement of Professional Opinion as to Suitability of Land for Building Development to be provided by a Chartered Professional Engineer to confirm the construction works have been completed in accordance with recommendations of Geotechnical Investigation Report.
146. It is also expected that the matters raised in the Geotechnical Investigation Report will be further addressed at the resource consent and / or building consent stage, when a site-specific geotechnical investigation is undertaken to confirm the inferred geological model, geotechnical recommendations and geotechnical design parameters.
147. Overall, the assessment completed by KGA does not identify any significant geotechnical issues that may be associated with the site, or specific measures that need to be put in place, other than good construction practice with an appropriate level of monitoring by a competent engineer or engineering geologist, and appropriate site-specific investigation and design at the building consent stage.

Soil Contamination

148. A Preliminary Site Investigation (PSI) report has been prepared by 4Sight Consulting Ltd that has investigated the potential for soil contamination in line with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS). The investigation included reviewing the history of the site and field observations. The PSI has found that the property at 278 Clevedon-Kawakawa Road has no record of HAIL activities past or present, and that the soils within the site have not been subject to HAIL activities. The Preliminary Site Investigation (PSI) report is attached as Technical Report No. 7 in **Appendix 10**.
149. As the land use on the plan change site is changing from rural to countryside living there is some potential for any contamination that may have occurred within the soils from the previous rural use to adversely affect the future lifestyle living uses. To establish and identify any potential risk of soil contamination relating to past and current activities carried out within the area of the site to be used for countryside living activities, a review of the following information was completed:
- Current and historical aerial photographs;
 - Auckland Council property files;

- Former Auckland Regional Council site files.
- Interview with current landowners.

150. An inspection of any identified risk areas on the site such as those where Hazardous Activities and Industries List (HAIL) activities may have occurred was also completed.

151. The key findings of the PSI are:

- There are no buildings or structures and no visible signs of contamination were identified within the area outside of the floodplain that will be made available for future countryside living uses;
- A review of historical aerial images identified the site has been in use as rural land in pasture, comprised of multiple paddocks from at least the 1960's - present. Small, singular farm buildings have been present on the western boundary and south-eastern corner of the site. There has been no evidence of significant land disturbance or presence of structures within the development area during this time;
- Several small-scale farm sheds are present in the western portion of the site. The cladding of one shed is potentially constructed of ACM in deteriorating condition. It is noted that the proposed future development of the site as detailed in the subsequent resource consent application will include the amalgamation of the area in which these sheds are located with the neighbouring property; and
- Property files and a Site Contamination Enquiry obtained from the Council, as well as a search of the Council Contaminated Land and Closed Landfills Databases did not identify any potentially contaminating activities that are currently or have historically occurred on the site. No hazardous substances incidences have occurred on the site or any surrounding properties according to a review of information maintained by the Environmental Protection Agency.

152. Based on the findings of this investigation the following recommendations have been made:

- Based on observations during the site visit and review of background material, it is considered there is no record of HAIL activities that are currently or have previously been undertaken on the area to be developed on the site. In addition, the rest of the site will remain in use as production land. On this basis, the NESCS is not applicable to the proposed change of land use and soil disturbance associated with the future development of the site; and
- Soils within the area outside of the floodplain to be made available for development by the proposed rezoning have not been subject to HAIL activities, and as such it is considered highly unlikely that contaminants in soil would pose a risk to human health. If soils are to be excavated they are suitable for reuse on the site from a human health risk perspective. If soils are to be disposed of off-site, they would likely be considered as cleanfill, however this should be confirmed through analysis and confirmation with the disposal facility prior to removal from the site.

153. There is the potential for asbestos in shallow soils associated with the use of asbestos containing building materials outside of the area to be made available for future development on the site by the proposed rezoning. The NESCS is not applicable to the remainder of the site, outside of the proposed rezoning area, as long as it continues to be in used as production land. However, should removal of this building be required, an asbestos survey of the building should be undertaken and, should ACM be confirmed, the removal / demolition should be managed in accordance with the Health and Safety at Work (Asbestos) Regulations 2016, and the WorkSafe New Zealand Approved Code of Practice for the Management and Removal of Asbestos.

154. 4Sight are of the view that based on the findings of the preliminary site investigation it will not be necessary to conduct further soil or ground water investigations on the site at the time of subdivision and development.

Earthworks

155. The Engineering and Infrastructure Assessment Report that has been prepared by Lands and Survey (attached as **Appendix 5**) to support the subsequent resource consent application has assessed the earthworks required for the future subdivision and development of the site. This assessment has indicated that any future earthworks required to implement the subdivision and development that will be enabled by the proposed rezoning will be relatively minimal and within the extent and levels that is to be expected for a subdivision and development of this nature. The report has also demonstrated that any future earthworks can be suitably managed using industry standard construction management practices. More specifically, the report has demonstrated that an appropriate sediment and erosion control methodology will be available to ensure that any potential for the uncontrolled discharges of sediment laden run-off to the sensitive downstream receiving environment of the Wairoa River can be appropriately managed.
156. Land disturbance is managed in the AUP (OP) through the provisions contained in Chapter 11 – Land Disturbance – Regional and Chapter 12 – Land Disturbance – District. Land disturbance is an essential prerequisite for the development of land and the construction and maintenance of infrastructure. The management of the adverse effects of land disturbance in the AUP (OP) focuses on both large and small disturbance areas, as the cumulative adverse effects from several small earthwork sites can be significant as can single large areas of exposed earth, in particular in terms of the discharge of sediment laden runoff into sensitive receiving environments. Land disturbance can also have direct physical impacts on sites of archaeological and heritage value. Given the lengthy history of Māori settlement in Auckland, sites of significance including burial sites are found across Auckland. Procedures are in place for dealing with any human remains found during land disturbance. There are also places and areas that have landscape or landform values that are identified in the AUP (OP), where land disturbance is discouraged. The site does not contain any such areas.
157. The standards contained in E12.6.1 and E12.6.2 of the AUP (OP) ensure that the effects associated with permitted earthwork activities are appropriately managed. The assessment criteria contained in E12.8.2 ensure that any actual or potential for adverse effects associated with earthworks that exceed the permitted activity quantity and area thresholds or which do not comply with the standards can be appropriately avoided, remedied or mitigated through the resource consent process. These provisions allow mechanisms such as construction management plans (to manage nuisance type effects on adjacent properties such as construction noise, dust and disturbance of existing infrastructure), sediment and erosion control plans (to manage the uncontrolled discharge of sediment laden runoff) and accidental discovery protocols (to manage the uncovering of items of historical and cultural value) to be required through conditions of consent at the resource consent stage.
158. Overall, it is considered that any adverse effects associated with the extent and nature of the earthwork activity that will be enabled by the requested rezoning will be minimal. Any potential for adverse effects from the earthworks associated with the future subdivision and development of the site for countryside living purposes will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Transportation and Traffic

159. A transportation and traffic assessment has been completed by Traffic Planning Consultants Ltd (TPC). The Transportation Assessment Report is attached as Technical Report No. 4 in **Appendix 7**. The report assesses the transport-related matters associated with the development that will be enabled by the proposed rezoning (as represented by the subsequent resource consent application), including:
- A description of the site and its surrounding environment;
 - A description of the key transport-related aspects of the proposed development;
 - The proposed access for vehicles at the site;
 - The visibility from the proposed access;

- The expected volumes of vehicular traffic likely to be generated by the development;
 - The expected effect of the additional traffic flows on the surrounding network.
160. Clevedon-Kawakawa Road is classified as an arterial road in the AUP (OP) with a speed limit of 100km/h. At the site frontage, Clevedon-Kawakawa Road has two lanes separated with a white dashed centreline. It intersects with Holdens Road to the west and Ness Valley Road towards the east. No footpaths are present on Clevedon-Kawakawa Road. No public transport services are available in Clevedon.
161. TPC have reviewed the crash history for the past 5 years within 500m of the site, which includes four reported crashes. Two of the crashes were rear-end crashes, one involved a reversing truck into a driveway and not noticing an oncoming vehicle on the opposite lane as it crossed the centre-line, and the other involved a vehicle coming into contact with loose gravel on the road. TPC has found that there is no commonality with the crashes that suggest an inherent safety issue in the vicinity of the site.
162. TPC has estimated that the development enabled by the proposed rezoning (11 countryside living lots) will generate a total of 99 vehicle trips daily. Given the low existing traffic volume on Clevedon-Kawakawa Road, TPC are of the view that the traffic generated by the development that will be enabled by the proposed rezoning is not expected to have any significant effects on the operation of the surrounding road network.
163. In terms of access the assessment has found that a suitable vehicle crossing can be provided to the plan change site and access can be provided internally within the plan change site in accordance with the AUP (OP) requirements. The assessment has also concluded that access can be located on Clevedon-Kawakawa Road with suitable sight distances. As Clevedon-Kawakawa Road is an arterial road, vehicle crossings are managed through the provisions of Chapter E27 of the AUP (OP), and resource consent will be required at the time of subdivision and development for any future access provision. The assessment criteria set out in E27.8.2 of the AUP (OP) will ensure that access is provided to future countryside living activities in manner that avoids, remedies or mitigates any potential for adverse effects on the transportation environment.
164. Overall, TPC consider that the future vehicle access arrangement onto Clevedon-Kawakawa Road will be acceptable and can be safely accommodated within the current transportation environment. The assessment has indicated that:
- The future shared driveway will be used by low numbers of pedestrians during hours of darkness and will be suitably illuminated by vehicle headlights, mitigating the non-provision of dedicated lighting.
 - The visibility from the future vehicle access has been assessed and found to be sufficient in providing sight distance to oncoming vehicles in both directions;
 - The expected volume of trips generated by the future development enabled by the proposed rezoning (11 countryside living lots) is not expected to have any adverse effects on the efficiency of the surrounding road network; and
 - The future development enabled by the proposed rezoning (11 countryside living lots) can be established such that the effects to the function, capacity and safety of the surrounding transport network can be accommodated and are acceptable.
165. As such, any actual and potential adverse effects on the existing transport environment that may be associated with the requested rezoning are considered to be less than minor. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Stormwater Management

166. The Infrastructure and Engineering Assessment Report (attached as Technical Report No. 2 in **Appendix 5**) demonstrates that there is a stormwater management approach available for future development that can mitigate any potential for adverse effects that may be associated with the increase in runoff generated by the subdivision and development that will be enabled by the proposed rezoning. This can be achieved through using a swale along the driveways and the use of tanks for stormwater attenuation for a 2 year and a 10 year ARI on the future lots. Stormwater from future building and paved areas on the lots can be discharged through a spreader bar into pasture and sheet flow into the nearby watercourse.
167. The culverts required to provide for the driveway to be constructed across the overland flow paths can be designed to cater for the 10% AEP event without the road overtopping and cater for the 1% AEP event with the carriageway being at least 200mm above the flood levels during either of these flood events.
168. At the time of the construction of the future dwellings specific design of a stormwater attenuation tank will be required to meet the following criteria:
- Provide extended detention volume and release volume over a 24-hour period.
 - Attenuate both the 1% AEP event and 10% AEP event to pre-development peak flow rates.

This can be managed through the subsequent resource consent and building consent processes.

169. The implementation of a stormwater management approach in line with that detailed in Infrastructure and Engineering Assessment Report will provide for the required level of mitigation to minimise the effects of the subdivision and development enabled by the requested rezoning on the downstream receiving environment in terms of flooding, stream erosion and capacity. The use of swales will also provide for treatment of the runoff in accordance with the ARC TP10 guidance. As such, any potential for adverse effects in terms of the quantity and quality of the stormwater discharged from the plan change site can be appropriately avoided or mitigated at the time of subdivision and development in accordance the Rural – Countryside Zone and Clevedon sub precinct C provisions to a point where such effects will be minimal.

Infrastructure

170. The Infrastructure and Engineering Assessment Report (attached as Technical Report No. 2 in **Appendix 5**) and the On-site Wastewater Treatment and Disposal Report (attached as Technical Report No. 3 in **Appendix 6**) have demonstrated that the subdivision and development that will be enabled by the requested rezoning (11 countryside living lots) can be appropriately serviced via the use of on-site water supply tanks that utilise rainwater collected from the roof areas for potable use, and advanced secondary wastewater treatment systems discharging via pressure compensated dripper irrigation lines.
171. The Infrastructure and Engineering Assessment Report indicates that based on the expected, average occupancy of the future dwellings there will be enough collection area for any individual dwelling to be self-sufficient for potable water usage with only minor requirements for external water augmentation. The On-site Wastewater Treatment and Disposal Report also indicates that future lots can be provided that are adequately sized to provide more than enough area for the discharge of wastewater in accordance with the relevant criteria. The wastewater discharge areas can be located with adequate setbacks from stormwater drains, overland flow paths, steep slopes and above the 100-year flood level. The future primary and secondary disposal areas can also be located clear of excavation or fill areas. As such, the subdivision and development that will be enabled by the proposed rezoning (11 countryside living lots) will be able to be serviced for water supply and wastewater at the time of development in manner that will result in limited potential for adverse effects on the surrounding environment.

172. The On-site Wastewater Treatment and Disposal Report has demonstrated that the application of wastewater to the land is the best practicable and most environmentally sustainable solution for final effluent disposal on the land to be rezoned for the following reasons:

- Low loading rates and good areal distribution to minimise the potential for ground saturation;
- Minimal disturbance of existing vegetation;
- Ability to modify line spacing within planting areas (where applicable);
- Maximised evapotranspiration by proposed trees and vegetation; and
- Effluent is spread over a wide area for better assimilation by soil, bacteria, and vegetation.

173. The subdivision and development that will be enabled by the requested rezoning (11 countryside living lots) can be provided with enough water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting requirements. Previous advice from the New Zealand Fire Service on other countryside living developments indicates that exclusive firefighting water storage is not required and that the on-site water storage will be enough to meet firefighting requirements.

174. The subdivision and development that will be enabled by the requested rezoning (11 countryside living lots) can be provided with underground connections to the communication and electricity networks within the Clevedon-Kawakawa Road corridor in accordance with the network utility provider design requirements.

175. Overall, based on the Infrastructure and Engineering Assessment Report and the On-site Wastewater Treatment and Disposal Report, it is considered that any adverse effects associated with the provision of infrastructure to the subdivision and development that will be enabled by the requested rezoning will be minimal. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP).

Archaeology and Heritage

176. There are no known archaeological, heritage or cultural values associated with the area of the site proposed for rezoning. In terms of the wider area, the Wairoa River is of significance to iwi, however the area of the site proposed for rezoning is located some 600 metres from this river. As such, there will be limited potential for any adverse effects on archaeological and heritage values, or cultural values as a result of the proposed rezoning. Any potential for adverse effects can be appropriately managed by the accidental discovery rule contained in the AUP (OP) (Rule E12.6.1) in the event of the discovery of sensitive material, such as human remains and kōiwi, an archaeological site, a Māori cultural artefact / taonga tuturu or a protected New Zealand object at the time of development.

177. The applicant has consulted with Ngai Tai Ki Tamaki who have advised that they support the proposed rezoning and there is no requirement to obtain a cultural impact assessment. This confirms there is limited cultural values associated with the area that is proposed to be included in the Rural – Countryside Living Zone and Clevedon sub precinct C.

Positive Effects

178. The subsequent subdivision and development that will be enabled by the requested rezoning has the potential to result in several positive effects for the surrounding environment, which primarily relate to the following:

- The provision of an additional housing choice close to the Clevedon village;

- An increase in the resident population (albeit a small increase) close to the Clevedon village, which will have benefits in terms of the additional custom for businesses in the village, and the increased use of community facilities and services provided within the area;
- The restoration of the margins of the Wairoa River through planting with appropriate native species and the exclusion of stock;
- A substantial increase in the extent of exotic and native vegetation that is provided within the area.

179. Market Economics has prepared an economic cost benefit assessment in line with the section 32 requirements of the RMA to support the plan change request. The Economic Cost Benefit Assessment Report is attached as Technical Report No. 5 in **Appendix 8**. The key objective of this report is to provide an assessment under section 32 (2) (a) and 9(b) of the RMA with regards to an economic effects assessment using a cost benefit analysis. The key aspects that are covered are as follows:

- Benefits – what are the benefits from an economic perspective – improved or retained output and / or economic (employment) retention and / or growth?
- Costs – what are the costs from an economic perspective – what losses will occur as a result of the applicants being unable to subdivide and are there any potential losses to the wider community?
- Outcome – what is the outcome, in terms of will it be a positive or negative contribution, which may or may not be able to be expressed in dollar terms?

180. The assessment has shown that while the scale of the requested rezoning is small, there are a range of costs and benefits that will impact individual players such as the farm owner, local shops and services, and wider entities such as the Council and more indirectly the Auckland population.

181. The key consideration for the farming enterprise is whether the operation is viable in the future based on their current ability to operate on the land. The assessment has found that on the face of it, it would seem like inclusion of the prime land in the farming operation would help to better ensure the viability of the farm. However, it has become increasingly common for farming enterprises to seek other revenue streams to help boost their financial viability and subdividing a section of the land would be one way of gaining capital to help the long term viability of the residual farm business.

182. The key anticipated costs of the development that may have a negative impact are those associated with a reduction in agricultural output from the existing farming unit. The loss of elite and prime soils is a key concern for the Council, as once built structures are developed on them, then that resource is lost. However, the assessment has found that in this case the amount of soil is small, fragmented and isolated. The prime soils found on the plan change site are not able to be joined into a productive unit, so other than the marginal loss of production on the existing farm unit, they are not anticipated to contribute to agricultural production into the future.

183. The assessment has shown that the subdivision and development that will be enabled by the requested rezoning is likely to have more positive economic impacts than negative economic impacts. As such, it is reasonable to conclude that the plan change request will result in overall positive economic outcomes for the surrounding environment.

Summary of Effects

184. It is considered that the overall effects of the plan change request will be minimal and acceptable, and no persons on adjacent sites will be adversely affected by the proposed rezoning of the plan change site. Any potential for adverse effects from the subdivision and development that will be enabled by the plan change request will be

able to be adequately avoided, remedied or mitigated through the existing provisions of the AUP (OP) through the subsequent resource consent process.

Statutory Assessment

185. A number of statutory and strategic planning documents are required to be considered in the assessment of the plan change request as outlined above. This section provides an assessment of the extent to which the proposed plan change will give effect to or will have regard to these statutory and strategic planning documents.

National Policy Statements

National Policy Statement on Urban Development Capacity

186. The National Policy Statement on Urban Development Capacity 2016 (NPS: UDC) came into effect on 1 December 2016. It recognises the national significance of urban environments and provides direction to decision-makers on planning for urban environments. The NPS: UDC seeks to ensure there is enough development capacity for housing and business with a suite of objectives and policies to guide decision-making in urban areas.
187. The NPS: UDC recognises that national significance of well-functioning urban environments, with particular focus on ensuring that local authorities, through their planning, both:
- enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
 - provide enough space for their populations to happily live and work. This can be both through allowing development to 'go up' by intensifying existing urban areas, and 'out' by releasing land in greenfield areas.

Assessment

188. The plan change request seeks to rezone from one type of rural zone to another. No urban land is included in the proposal, therefore the NPS: UDC is not applicable. However, the plan change proposal will meet the demand needed for approximately 6 months of countryside living growth from the wider Clevedon area. As such, allowing the additional provision for countryside living at this locality will not compromise the provision already made for growth within the Clevedon precinct. In effect, the relatively minimal provision to be made for additional countryside living growth will not result in the growth planned for other areas within the wider Clevedon area not being realised. There is likely to be a demand for additional countryside living opportunities in this area above and above what has already been provided for by the AUP (OP). As such, the proposal will enable a limited area of additional countryside living subdivision and development, which will not comprise the achievement of a quality compact urban form within the urban areas (RUB) and the Clevedon village.

National Policy Statement for Freshwater Management

189. The National Policy Statement for Freshwater Management 2011 (NPS: FM) sets a national policy framework for managing freshwater quality and quantity. The NPS: FM was updated in August 2017 to incorporate amendments from the National Policy Statement for Freshwater Amendment Order 2017. The amendments came into effect on 6 September 2017 and include provisions that seek to improve fresh water quality with a target to increase the proportion of rivers and lakes suitable for primary contact to 90 per cent by 2040. There are also new provisions that enable the use of freshwater for economic wellbeing.

Assessment

190. The northern half of the plan change site is dissected by an unnamed tributary of the Wairoa River. This is currently fenced to prevent stock access. The northern boundary of the site is situated along the tidally influenced Wairoa River which flows into the Tamaki Straight, an arm of the Hauraki Gulf. Mangroves are present on this lower part of the Wairoa River.

191. As outlined in the assessment of effects above, 4Sight has assessed the provision that will be made for subdivision and development in the southern portion of the plan change site and the ecological effects that may be associated with this subdivision and development. The report found that there is potential for positive effects as part of any development that will be enabled by the proposed rezoning, including the opportunity for the implementation of enhancement, like wetland and riparian restoration, inanga spawning habitat creation and improvement to fish passage. The report considers that the implementation of these ecological opportunities would result in a net ecological gain. These measures will also result in positive freshwater outcomes.
192. The subsequent subdivision and development would include the on-site management of wastewater and stormwater to ensure that appropriate collection, treatment and disposal is undertaken to avoid or mitigate any potential for adverse effects on the downstream receiving environment. For example, swales along the edge of driveways would be proposed, which will provide for water quality treatment.
193. The provision that will be made for subdivision and development in the southern portion of the plan change site will have low ecological impacts, and potentially result in an ecological gain through restoration and amenity plantings for the fresh water and wetlands on the site and the adjoining Wairoa River. Stormwater and wastewater is also to be managed to protect water quality. Based on this, it is considered that the proposed plan change will enable the appropriate management of freshwater quality on the plan change site, and therefore the plan change is consistent with and will give effect to the NPS FM.

National Environmental Standards

194. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) sets out the standards for assessing and managing contaminants in soil to protect human health. The NESCS is relevant to the plan change request. The NESCS not only protects people and the environment, but provides a nationally consistent set of planning controls and soil contaminant values. The NESCS further ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed, and where necessary, the land is remediated or the contaminants contained to make the land safe for human use. The NESCS classifies as permitted activities:
- removal or replacement of fuel storage systems and associated soil, and associated subsurface soil sampling;
 - soil sampling;
 - small-scale (no greater than 25 cubic metres per 500 square metres of affected land) and temporary (two months' duration) soil disturbance activities;
 - a maximum of 5 cubic metres per 500 square metres of soil to be removed from site; and
 - subdividing land or changing land use where a preliminary investigation shows it is highly unlikely the proposed new use will pose a risk to human health.

Assessment

195. As outlined in the assessment of effects above, a Preliminary Site Investigation (PSI) report has been completed to investigate potential soil contamination. The PSI found that the site has no record of HAIL activities past or present, and that the soils within the plan change site have not been subject to HAIL activities. As such, appropriate regard has been given to the NES CS and the national standards are not likely to be applicable for the change of land use that will be enabled by the plan change request. The PSI did note the potential for asbestos in shallows soils associated with some old farm buildings. However, these farm buildings are located outside of the area proposed to be used for countryside living uses. The farm use of this part of the plan change site is proposed to continue, therefore the NES CS does not apply.

New Zealand Coastal Policy Statement

196. The New Zealand Coastal Policy Statement 2010 (NZCPS) is a national policy statement under the RMA. The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand. This NZCPS is to be applied as required by the RMA by persons exercising functions and powers under the RMA.

Assessment

197. The plan change site is currently zoned Rural – Rural Coastal under the AUP (OP) and is within the Rural – Rural Coastal Zone Tāmaki Firth coastal area. This area encompasses rural coastal land from Maraetai south-east to the regional boundary south of Matingarahi on the Firth of Thames. It is a mixture of flat land around the lower reaches of the Wairoa River and at Kawakawa Bay, Ōrere Point and Waimangu Point, separated by rolling to steep hill country. This coastal area is predominantly pastoral land but backs onto steep forest-covered hill country in the north and the Hunua Ranges in the south. Pastoral farming is predominant, interspersed with local areas of indigenous vegetation. The site is not located within a High or Outstanding Natural Character Overlay or an Outstanding Natural Landscape Overlay. There is a Significant Ecological Area (SEA) mapped along the coastal fringe of the Wairoa River, covering the existing esplanade reserve between the site and the river.
198. The purpose of the Rural - Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland’s harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone is more extensive than the coastal environment line identified by using the NZCPS criteria. It recognises the significance of the coast to the character and identity of Auckland and its role as a favoured place to live and work and for recreational and leisure activities. The coastal environment, and in particular the coastal edge and margins of lakes and rivers, is important to Mana Whenua.
199. The requested rezoning relates to that part of the properties at 272 and 278 Clevedon-Kawakawa Road that are located the farthest from the defined coastal marine boundary along the Wairoa River and which have limited influence from coastal processes, including coastal inundation. The majority of the land within these properties (some 58 hectares) will be retained within the Rural – Rural Coastal Zone Tāmaki Firth coastal area and will continue to be used for pastoral farming purposes. Only that land that does not display any of the coastal characteristics expected within the Tāmaki Firth coastal area and which is essentially not affected by coastal processes is requested to be rezoned to Rural – Countryside Living and included within Clevedon sub precinct C. As this part of the site is located some 500 – 600 metres from the margins of the Wairoa River the subdivision and development that will be enabled by the proposed rezoning will have limited influence on the existing characteristics and qualities that contribute to the natural character of the Wairoa River and its margins.
200. The area to be rezoned is not an area where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands; is in the main outside of the area at risk from coastal hazards; does not contain any coastal vegetation or habitats of indigenous coastal species; does not contain elements or features that contribute to the natural character, landscape, visual qualities or amenity values; and does not have any known items of cultural and historic heritage. As such, the area to be rezoned does not meet the NZCPS criteria for a coastal environment. The NZCPS therefore has limited relevance to the plan change request.
201. The plan change request will therefore be generally consistent with the policy direction of the NZCPS. In this respect, the countryside living subdivision and development that will be enabled by the requested rezoning will:
- Not compromise the integrity, form, functioning and resilience of the coastal environment, including the coastal ecosystems located to the north of the area to be rezoned (Objective 1);

- Be located in that part of the site that does contain the characteristics and qualities that contribute to the natural character, natural features and landscape values of the coastal environment (Objective 2);
- Provide for restoration of the adjacent coastal environment (Objective 2);
- Not impact on those characteristics of the coastal environment that are of special value to tangata whenua (Objective 3);
- Maintain public access to and along the coastal marine area (Objective 4);
- Locate new countryside living development away from the areas prone to coastal inundation risks (Objective 5); and
- Provide for appropriate development adjacent to the coastal environment in a manner that can protect the values of the coastal environment and enhance the biophysical values associated with the Wairoa River and its margins (Objective 6).

202. The requested rezoning will therefore also be consistent with the more specific policy direction of the NZCPS, in respect to the policies relating to activities in the coastal environment (Policy 6); strategic planning (Policy 7); indigenous biological diversity (Policy 11); preservation of natural character (Policy 13); restoration of natural character (Policy 14); natural features and natural landscapes (Policy 15); historic heritage identification and protection (Policy 17); public open space (Policy 18); walking access (Policy 19); sedimentation (Policy 22); and subdivision, use and development in areas of coastal hazard risk (Policy 25).

203. Overall, it is considered that the plan change request will be consistent with the direction provided by the NZCPS.

Hauraki Gulf Marine Park Act 2000

204. The Hauraki Gulf Marine Park Act recognises the national significance of the Hauraki Gulf, inclusive of the interrelationship between the Gulf, its islands and catchments, and the ability of that interrelationship to sustain the life-supporting capacity of the environment. For the coastal environment of the Hauraki Gulf, the Act requires that sections 7 and 8 must be treated as a New Zealand Coastal Policy Statement issued under the Act. Section 10(2) of the Act states that if there is a conflict between sections 7 and 8 and the provisions of the NZCPS, the NZCPS prevails.

205. The purpose of the Act is to:

- (a) Integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (b) Establish the Hauraki Gulf Marine Park:
- (c) Establish objectives for the management of the Hauraki Gulf, its islands, and catchments:
- (d) Recognise the historic, traditional, cultural and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:
- (e) Establish the Hauraki Gulf Forum

206. When assessing activities within the Gulf and its catchment, statutory authorities are required to have regard to the matters in sections 7 and 8 of the Act. Section 8 sets out the objectives for the management of the Gulf as follows:

- (a) The protection and, where appropriate, the enhancement of the life supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments;
- (b) The protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments;
- (c) The protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship;
- (d) The protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources;
- (e) The maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand; and
- (f) The maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchment, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

Assessment

207. The plan change site is located within a catchment which ultimately flows to the Hauraki Gulf. Overall, consistent with the assessment completed against the NZCPS above, it is considered that the purpose, objectives and provisions of the Hauraki Gulf Marine Park Act are not compromised by the countryside living subdivision and development that will be enabled by the plan change request, as:
- Appropriate provision can be made for the on-site treatment and disposal of wastewater which will ensure there will not be any reduction in water quality (including clarity) of the Wairoa River and ultimately the Hauraki Gulf;
 - A comprehensive stormwater management approach can be implemented on the site using a treatment train approach which ensure that there is minimal potential for adverse effects at the downstream receiving environment of the Wairoa River;
 - The requested Rural - Countryside Living Zone will be located more than 500 – 600 metres away from the Coastal Marine Area of the Wairoa River; and
 - The development approach will use restoration plantings including wetland restoration and riparian plantings as part of the subsequent resource consent application, which will be of benefit to the Hauraki Gulf.

Auckland Regional Policy Statement

208. The Auckland Unitary Plan: Regional Policy Statement identifies the following nine issues of regional significance for resource management in Auckland:
- Issue 1 Issues of Regional Significance
 - Issue 2 Urban growth and form
 - Issue 3 Infrastructure, transport and energy

- Issue 4 Built heritage and character
- Issue 5 Natural heritage (landscapes, natural features, volcanic view shafts and trees)
- Issue 6 Issues of significance to Mana Whenua
- Issue 7 Natural resources
- Issue 8 The coastal environment
- Issue 9 The rural environment
- Issue 10 Environmental risk

209. The following table provides a summary of the assessment completed against the objectives and policies of the Regional Policy Statement that are considered relevant to the proposed plan change

B2. Tāhuhu whakaruruhau ā-taone - Urban growth and form	
<p>Relevant Objectives:</p> <ul style="list-style-type: none"> • B2.2.1 (1) • B2.2.1 (4) • B2.7.1 (2) 	<p>Assessment:</p> <ul style="list-style-type: none"> • The plan change request will make provision for a limited amount of additional Countryside Living subdivision and development in an area that is already used for this purpose which will not comprise the achievement of a quality compact urban form within the RUB and the Clevedon village. • The plan change request will make provision to meet the demand for approximately 6 months growth from the wider Clevedon area. • The plan change request will maintain rural character and will not compromise rural productivity given the restrictions associated with the sub-prime soils located over most of the site. • The plan change request will maintain and to a degree enhance public access to and along the Wairoa River and the adjacent wetlands.
<p>Relevant Policies:</p> <ul style="list-style-type: none"> • B2.2.2 (4) • B2.7.2 (9) 	
B4. Te tiaki taonga tuku iho - Natural heritage	
<p>Relevant Objective</p> <ul style="list-style-type: none"> • B4.2.1 (2) 	<p>Assessment:</p> <ul style="list-style-type: none"> • The area to be rezoned for Countryside Living subdivision and development is located some 500 – 600 metres from the Wairoa River and some 210 metres from the edge of the nearest wetland adjacent to the Wairoa River. • The plan change request will not compromise the ongoing protection of the Wairoa River and its margins and will continue to provide the mechanisms that can be used to require the enhancement of the adjacent wetlands. • Consultation has been completed with Ngai Tai Ki Tamaki who have confirmed that no Cultural Impact Assessment is required. • Ngai Tai Ki Tamaki has provided general support for the Countryside Living subdivision and development that will be enabled by the plan change request.

B6. Mana Whenua	
Relevant Objectives: <ul style="list-style-type: none"> • B6.2.1 (1) • B6.2.1 (2) 	Assessment: <ul style="list-style-type: none"> • Consultation has been completed with Ngai Tai Ki Tamaki who have confirmed that no Cultural Impact Assessment is required. • Ngai Tai Ki Tamaki has provided general support for the Countryside Living subdivision and development that will be enabled by the plan change request.
Relevant Policies: <ul style="list-style-type: none"> • B6.2.2 (1) • B6.2.2 (2) 	
B7. Toitū te whenua, toitū te taiao – Natural resources	
Relevant Objectives: <ul style="list-style-type: none"> • B7.2.1 (1) • B7.2.1 (2) • B7.3.1 (3) 	Assessment: <ul style="list-style-type: none"> • The area to be rezoned for Countryside Living subdivision and development is located some 500 – 600 metres from the Wairoa River and some 210 metres from the edge of the nearest wetland adjacent to the Wairoa River. • The plan change request will not compromise the ongoing protection of the Wairoa River and its margins and will continue to provide the mechanisms that can be used to require the enhancement of the adjacent wetlands. • The area to be rezoned for Countryside Living subdivision and development is appropriate for the use of on-site water supply, stormwater and wastewater infrastructure. • Wastewater and stormwater will be managed to ensure appropriate treatment and disposal to minimise any potential for adverse effects on the downstream receiving environments. • A stormwater management approach that utilises low impact treatment train principles can be implemented on the site to avoid, remedy or mitigate any potential for adverse effects on the downstream receiving environment.
Relevant Policies: <ul style="list-style-type: none"> • B7.2.2 (3) • B7.2.2 (4) • B7.3.2 (1) 	
B8. Toitū te taiwhenua - Coastal environment	
Relevant Objectives: <ul style="list-style-type: none"> • B8.2.1 (2) • B8.2.1 (3) • B8.3.1 (1) • B8.3.1 (2) • B8.3.1 (7) • B8.4.1 (1) • B8.5.1 (1) 	Assessment: <ul style="list-style-type: none"> • The area to be rezoned for Countryside Living subdivision and development is located some 500 – 600 metres from the Wairoa River and some 210 metres from the edge of the nearest wetland adjacent to the Wairoa River and will therefore have limited influence on the existing characteristics and qualities that contribute to the natural character of the Wairoa River and its margins. • The requested rezoning will provide for the mechanisms that can be used to achieve revegetation of the existing pasture which will contribute to the enhancement of the natural character of the surrounding area and mitigate any potential for adverse effects on the existing characteristics and qualities that contribute to the natural character of the Wairoa River and its margins.
Relevant Policies:	

<ul style="list-style-type: none"> • B8.2.2 (4) • B8.3.2 (1) • B8.3.2 (2) • B8.3.2 (4) • B8.3.2 (7) • B8.4.2 (1) • B8.5.2 (1) • B8.5.2 (2) • B8.5.2 (3) 	<ul style="list-style-type: none"> • The requested rezoning will provide for the mechanisms that can be used to achieve the restoration and rehabilitation of the degraded wetlands located adjacent to the Wairoa River which will provide for the enhancement of the characteristics and qualities that contribute to the natural character of the Wairoa River and its margins. • The requested rezoning provides for Countryside Living subdivision and development on that part of the site which is located outside of the 1% AEP floodplain and the coastal inundation areas. • The requested rezoning provides for Countryside Living subdivision and development on land that is adjacent to and surrounded by the existing Countryside Living subdivision and development to the west, south and east. • The requested rezoning will ensure that any potential for adverse effects on the values of the coastal environment of the Wairoa River are avoided or mitigated through the mechanisms that will encourage revegetation planting within the riparian margins of the river and the associated wetlands. • The requested rezoning provides for building areas to be located on that part of the site that is not affected by coastal inundation which will ensure that any risk of social, environmental and economic harm is not increased by future subdivision and development enabled by the rezoning of the land. • The plan change site is not located within the coastal marine area. • The site has been converted to pasture and utilised for pastoral farming activities for many years which has significantly compromised any natural character values that may have been associated with the land. • The area to be rezoned for Countryside Living subdivision and development is located within an area that is already characterised by Countryside Living activities, with the recent countryside living subdivision and development completed to the west of the site being located directly adjacent to that part of the site that is to be rezoned for countryside living purposes. • The area to be rezoned for Countryside Living subdivision and development is not located in an area with natural and physical resources that have been scheduled in the AUP (OP) in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character. • The area to be rezoned is suitable for the on-site management of wastewater and stormwater to ensure that appropriate collection, treatment and disposal is undertaken to avoid or mitigate any potential for adverse effects on the downstream receiving environment. • The area to be rezoned for Countryside Living subdivision and development is setback a relatively substantial distance from the CMA to ensure that the natural character and amenity values of the Wairoa River and margins are appropriately protected. • The future countryside living subdivision and development will maintain the existing provision made for public access to and along the Wairoa
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	<p>River and will provide for access to the Wairoa River for residents of the Countryside Living development.</p> <ul style="list-style-type: none"> The pan change request will not compromise the achievement of enhanced ecological and amenity values within the Hauraki Gulf.
B9. Toitū te tuawhenua- Rural environment	
<p>Relevant Objectives:</p> <ul style="list-style-type: none"> B9.2.1 (1) B9.2.1 (2) B9.2.1 (3) B9.2.1 (4) B9.3.1 (1) B9.3.1 (2) B9.3.1 (3) B9.4.1 (1) B9.4.1 (2) B9.4.1 (3) B9.4.1 (4) 	<p>Assessment:</p> <ul style="list-style-type: none"> There are no elite soils located on the site and only 11% of the site comprises of prime soils. However, 4.65 hectares of these prime soils (77% of the 6.03 hectares of Prime soils located on the site) will be used for non-primary productive Countryside Living purposes. The majority of the soils on the site are sub-prime soils (68%) or other soils (20%) and the low lying nature of the site and the high degree of risk from flooding and coastal inundation restricts the productive use of this land to pastoral grazing of relatively light animals (because of the high degree of risk of pugging of the pastures), production of supplements to be sold off the property (such as hay or silage) and the growing of maize, which is of limited value in terms of the contribution the land can make to the wider economic productivity of Auckland and New Zealand. The use of part of the land for Countryside Living purposes will provide for support of the Clevedon Village and the community through an increase in the surrounding rural residential population (albeit a small increase), which will rely on the Clevedon Village as their nearest service centre.
<p>Relevant Policies:</p> <ul style="list-style-type: none"> B9.2.2 (1) B9.2.2 (2) B9.3.1 (1) B9.3.1 (2) B9.3.1 (3) B9.4.2 (1) B9.4.2 (2) 	<ul style="list-style-type: none"> The requested rezoning will not compromise the maintenance and to a degree enhancement of the character, amenity, landscape and biodiversity values of the surrounding rural area. The requested rezoning represents increased provision for Countryside Living opportunities in an area that is already characterised by such activities and on land that is of limited productive value in a manner that will maintain, and to a degree enhance, rural and coastal character and amenity values, and enhance biodiversity values. The area to be rezoned for Countryside Living subdivision and development is located adjacent to the existing lifestyle properties and small scale farming properties and separated from the adjacent larger rural properties and areas containing mineral resources, meaning any potential for reverse sensitivity type effects on rural production activities is limited. The plan change request will provide the opportunity through the existing provisions of the AUP (OP) for substantial areas of mitigation planting to provide a buffer to rural production activities on adjacent sites. The property does not provide enough area of the desirable prime soils that would make it an attractive proposition for a commercial vegetable growing operation and the location of the small area of prime soils on

	<p>the site limits the capability, flexibility and accessibility of these soils for primary production.</p> <ul style="list-style-type: none"> • The Clevedon Sub Precinct C provisions provide for some 80% - 90% of the property to be retained for the existing limited rural productive uses in conjunction with the adjoining property at 272 Clevedon Kawakawa Road through the clustered development approach that is provided for by these provisions. These provisions also provide for some recognition of the productive potential of the land even though the productive value of this land is limited. • While Countryside Living activities do not depend on prime soil, the area surrounding the small part of the site containing Prime soils is characterised by lifestyle or rural residential activities and the extent of prime soils contained on the site is not large enough to be an attractive proposition for a commercial vegetable grower. • The Clevedon Sub Precinct C provisions will prevent sporadic and scattered subdivision of the land for Countryside Living purposes through the clustered development approach provided for by these provisions. • The plan change request provides for location of building sites at the south-western part of the site outside of the floodplain areas and areas subject to coastal inundation. • The lifestyle or rural residential nature and character of the surrounding rural environment means the requested rezoning of the land will avoid or mitigate any potential for adverse effects on the character, amenity, natural character and landscape values associated with the surrounding area. • The plan change request will provide the opportunity through the existing provisions of the AUP (OP) for the protection and enhancement of indigenous biodiversity values. • Overall, the requested rezoning provides for new rural lifestyle subdivision and development at a location and at a scale and density that: <ul style="list-style-type: none"> ○ Does not compromise the achievement of a quality compact urban form within the RUB and does not compromise the expansion of the Clevedon Village; ○ Is not subject to any scheduled natural and physical resources; ○ Does not contain any elite soils; ○ Requires utilisation of a small area of prime soils that would not be attractive to a commercial vegetable grower because the area of the prime soils is not economically viable; ○ Is not located near any mineral extraction activities; ○ Maintains landscape, rural character and amenity, and enhances coastal character and amenity; ○ Means any potential for reverse sensitivity type effects on existing or new rural activities can be avoided; and
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	<ul style="list-style-type: none"> ○ Makes provision for the appropriate level of on-site infrastructure.
B10. Ngā tūpono ki te taiao - Environmental risk	
<p>Relevant Objectives:</p> <ul style="list-style-type: none"> • 10.2.1 (3) • 10.2.2 (4) • 10.2.2 (5) • 10.2.2 (6) 	<p>Assessment:</p> <ul style="list-style-type: none"> • The natural hazard flood risks and coastal inundation risks have been assessed on the basis of a 100-year timeframe. • The plan change request provides for the location of all building platforms outside of the identified floodplain and / or coastal inundation flood area.
<p>Relevant Policies:</p> <ul style="list-style-type: none"> • 10.2.2 (4) • 10.2.2 (5) • 10.2.2 (6) • 10.2.2 (7) • 10.2.2 (8) • 10.2.2 (9) • 10.2.2 (11) • 10.2.2 (13) 	<ul style="list-style-type: none"> • The proposal does not include any earthworks, changes to natural and built drainage systems or vegetation clearance that will increase the identified flooding and coastal inundation hazards. • Proposal provides for reduction of natural hazard risks by protecting and restoring vegetation and locating of dwellings outside of the identified floodplains. • Proposal provides for the strengthening of vegetation and riparian margins and long-term protection of the floodplain. • Proposal does not increase the risk of adverse effects from natural hazards.

210. It is considered that based on the overall assessment of the plan change request against the objectives and policies contained in the Auckland Unitary Plan: Regional Policy Statement that the requested rezoning will give effect to the wider direction for the rural areas of the Auckland Region. There is some tension with the policy direction that seeks to discourage new countryside living subdivision, use and development on land containing prime soils and encourage the continued use of land that does not contain elite or prime soils for rural production. However, as indicated above, there is a limited amount of prime soils located on the plan change site, and these soils are isolated from the other pockets of prime soils that are located within the wider rural area. The productive potential of the land that does not contain prime soils is also constrained as a result of the low lying and wet nature of this land.
211. As such, the utilisation of that part of the land for countryside living purposes that is located outside of the floodplain and coastal inundation areas, in line with the framework provided by Clevedon sub precinct C, which requires a more efficient use of the land resource through a clustered development approach, lot sizes of between 2,500m² and 6,000m² and a substantial balance area to be retained in perpetuity for productive use (meaning less of the rural land resource is taken out of production), will provide the opportunity for greater investment to be made in the productive use of the majority of the landholdings. This means that most of the land will be able to be more effectively and efficiently utilised for rural production consistent with the overall direction of the Auckland Unitary Plan: Regional Policy Statement.
212. In terms of the growth strategy for the region, it is important to recognise that the requested extension of the Countryside Living Zone is negligible when considered in relation to the wider provision made for Countryside Living in Auckland. The requested area to be rezoned at some 9.9 hectares represents less than 0.004% of the Countryside Living zoned land in Auckland, and less than 0.01% of the Countryside Living zoned land provided for in the Franklin Local Board Area. The relative significance of the scale and density of this zone expansion is further negated by the density requirement for Clevedon sub precinct C of 1 dwelling per 4 hectares (bearing in

mind the general approach for the majority of the Countryside Living zones is 1 dwelling per 2 hectares), which will result in the enablement of only 11 additional dwellings within the extended area (based on the consequential amendment requested to the Clevedon sub precinct C rules), which is 0.01% of the 10,000 additional dwellings that are expected to be required in the Countryside Living zone and other rural zones between 2012 and 2041.¹

213. Policy B9.4.2 (4) is the key policy for the consideration of the plan change request. This policy effectively provides the criteria to test whether rural land is appropriate for countryside living subdivision, use and development. Policy B9.4.2 (4) is as follows:

(4) Provide for new rural lifestyle subdivision in locations and at scales and densities so as to:

(a) avoid areas that would undermine the integrity of the Rural Urban Boundary or compromise the expansion of the satellite towns of Warkworth and Pukekohe, and rural and coastal towns and villages;

(b) protect areas where natural and physical resources have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character;

(c) avoid land containing elite soil;

(d) avoid where practicable land containing prime soil;

(e) avoid areas that would constrain the operation of existing mineral extraction activities or areas containing mineral resources identified in the plan for future extraction;

(f) maintain or enhance landscape, rural and, where relevant, coastal, character and amenity values;

(g) avoid the potential for reverse sensitivity effects that could hinder the continued operation or growth of existing rural activities, or the establishment of new rural activities; and

(h) safeguard the operation, maintenance, upgrading or development of existing or planned infrastructure.

214. This policy direction is considered in detail below.

Clause a

215. The requested rezoning will not undermine the integrity of the RUB or compromise the planned expansion of the Clevedon Village for the following reasons:

- The expanded zone will provide for a relatively small number of additional dwellings outside of the RUB at Clevedon;
- The closest part of the RUB at the metropolitan edge of Auckland is located some 8.5 km to the west of the Clevedon Village;
- The number of additional dwellings enabled by the expanded zone represents some 0.01% of the additional number of dwellings required to provide for growth in the rural areas of Auckland, and some 1.3% of the additional 800 dwellings that are enabled by the Clevedon Precinct;
- The living opportunities to be provided for in the Clevedon Village are distinctively different from the living opportunities to be provided for in the expanded zone, meaning those people who wish to live in

¹ Auckland Plan, Figure D6 – Total Anticipated Dwelling Growth 2012 – 2041.

the village would not likely be interested in the different living opportunity to be provided on the plan change site;

- The dwellings enabled in the expanded zone are not anticipated or expected to be serviced by the new wastewater infrastructure that is planned for the Clevedon Village.

Clause b

216. The plan change site does not contain any resources scheduled under the AUP (OP). The riparian margin of the Wairoa River that bounds the plan change site to the north is identified as a Significant Ecological Area (SEA). However, this SEA is located some 500 to 600 metres from that part of the site that is requested to be rezoned for countryside living subdivision and development.

Clause c

217. There is no elite soil located on the plan change site.

Clause d

218. The 9.9-hectare area of land to be rezoned for Countryside Living subdivision and development comprises some 4.65 hectares of prime soils. This area is part of the land that is located outside of the 1% AEP floodplain and the coastal inundation area on the site. As such, it is the only land on the site that can be used for habitable purposes. This is consistent with the historical use of the other prime soils on the site and within the adjacent properties, which are all being utilised for residential purposes. As such, in order to avoid the flood risks to future countryside living activities, it would not be practicable to avoid the relatively small area of land that contains the prime soils.
219. The consideration of the requested rezoning by its very nature requires a balancing of several competing resource management issues to provide for the sustainable management of the natural and physical resources of the Auckland region. In respect to the prime soils, as Auckland is the largest and fastest growing metropolitan area in the country, with growth still significantly constrained by suitable land for development, making sure that this growth is provided for at appropriate locations is just as important as managing the productive potential of the land resource, especially where there is only isolated small areas of prime soils involved, which are not viable for a commercial vegetable growing operation, as is the case with the site.

Clause e

220. The plan change site does not contain and is not located adjacent to any mineral extraction activities or any areas containing mineral resources.

Clause f

221. As detailed in the assessment of effects above the Countryside Living subdivision and development that will be enabled by the requested rezoning will at the least maintain the landscape and rural character and amenity values that are associated with the surrounding area.

Clause g

222. As detailed in the assessment of effects above the Countryside Living subdivision and development that will be enabled by the requested rezoning can avoid the potential for reverse sensitivity effects that could hinder the continued operation or growth of existing rural activities or the establishment of new rural activities.

Clause h

223. The requested rezoning will not compromise the operation, maintenance, upgrading or development of existing or planned infrastructure as all future countryside living lots will be serviced with on-site infrastructure. Clevedon-Kawakawa Road also has the capacity to accommodate the limited growth that will be enabled by the requested rezoning.
224. The location and extent of the requested rezoning is entirely appropriate given the land area to be included in the Rural - Countryside Living Zone is situated near to the Clevedon Village (3 – 4 minute drive) and will be contiguous with the existing Rural - Countryside Living Zone and Clevedon sub precinct C. The area requested to be rezoned already displays a countryside living character as detailed in the assessment of effects above. In this respect the area surrounding the plan change site is already fragmented by lifestyle sites and is now highly influenced by the directly adjacent countryside living subdivision. Overall, based on the above assessment, it is reasonable to consider that the requested rezoning meets the criteria provided by Policy B9.4.2 (4) to test the appropriateness of new areas for countryside living subdivision, use and development.

Auckland Council Strategic Plans

The Auckland Plan and the Development Strategy

225. The Auckland Plan is the Council's key strategic document which sets the Council's social, economic, environmental and cultural objectives. A key component of the Auckland Plan is the Development Strategy which sets out how future growth will be accommodated up to 2040. In terms of quantity of developable land, the Development Strategy aims to provide for up to 70 per cent of growth within existing urban areas and up to 40 per cent outside of urban areas including greenfield areas, satellite towns and rural and coastal towns. It is noted that the Development Strategy identifies Clevedon as a rural settlement sequenced for growth in the 2012 - 2017 timeframe.
226. The Development Strategy states that there will be limited growth in rural areas, and that rural lifestyle growth will be focused into those areas zoned as Countryside Living, away from the most environmentally sensitive and economically productive areas. The proposed plan change seeks for the Countryside Living Zone to be applied to the plan change site to enable rural lifestyle growth. The rural lifestyle growth on the plan change site is proposed to be clustered in the area that is outside of the floodplain, thus ensuring that it is away from the environmentally sensitive areas on the site. The area that is outside of the floodplain is also the location of the majority of the prime soils found on the site. However, this area of prime soil is not economically productive because of its small size and isolation from other elite or prime soils.
227. The Development Strategy states that the small amount of growth anticipated in the wider rural area is likely to relate to environmental enhancement and existing vacant lots. This is to ensure that Auckland's rural, coastal, marine and natural environments can co-exists in a balanced way with working activities, such as farming. The plan change site is in effect, a 'vacant lot' used for primary production with one dwelling located on it. Environmental enhancement can be achieved through the subdivision and development that will be enabled by the requested rezoning, with extensive areas of revegetation and restoration forming part of the subsequent resource consent application. Therefore, it is considered that the plan change request is consistent with the Development Strategy's approach to rural growth.
228. This is supported by the assessment contained in the Economic Cost Benefit Assessment Report attached as Technical Report No. 5 in **Appendix 8**. The scale of subdivision and development to be enabled by the proposed rezoning (11 countryside living lots) is considered small – both in the context of countryside living in Southern Auckland and Clevedon itself. Currently the Clevedon Area Unit contains a little over 1,000 households, with the Clevedon Village accounting for around 160 – 170 households (2018). Based on current Statistics New Zealand growth futures the wider Clevedon area is expected to grow by around 25 households annually while the village itself is expected to grow by only 3 or 4 dwellings. This implies growth interest is in the wider rural lifestyle areas rather than directly within the village. In this context the proposal represents approximately 6 months growth from the wider Clevedon area.

229. The current provision made within the AUP (OP) for new countryside living lots to the north and east of the Clevedon village beyond the river is relatively limited. To date there has been two clustered countryside living subdivisions completed in this part of the Rural – Countryside Living Zone in accordance with the provision made for such subdivision under the Clevedon Sub Precinct C. These subdivisions have been completed on the properties at 252 Clevedon Kawakawa Road and 102 and 110 McNicol Road and have provided for 9 and 7 new countryside living lots respectively. The following properties are still available to be subdivided for countryside living purposes:
- 202 Clevedon Kawakawa Road – 6 countryside living lots
 - 102 Clevedon Kawakawa Road – 6 countryside living lots
 - 84 – 86 Clevedon Kawakawa Road – 1 countryside living lot
 - 90 McNicol Road – 4 countryside living lots
 - 150 McNicol Road – 5 countryside living lots
 - 30 Otau Mountain Road – 3 countryside living lots.
230. There are no other properties located within the Rural Countryside Living Zone located to the north and east of the Clevedon Village that can be subdivided for countryside living purpose under the Clevedon sub precinct C provisions as they are too small.
231. As such, this part of the Rural - Countryside Living Zone at Clevedon only provides for a year's growth in countryside living, even though it covers an area of some 210 hectares. In terms of the provisions of the Clevedon sub precinct C, only some 12% of the existing zone area is likely to be used for countryside living purposes, with the remaining 78% of the existing zone area continued to be used for the existing lifestyle purposes and the existing rural purposes.
232. The Strategy states that to ensure that rural production can continue and develop, land fragmentation and reverse sensitivity is to be minimised to safeguard elite and prime soils, and support the resources and production systems that underpin working rural land. The proposed countryside living use of the south-western portion of the site and the continued farming use of the remainder of the site are both consistent with the surrounding land uses. The zoning around the site is a mixture of Rural - Countryside Living (west of the site), Rural - Rural Coastal (east of the site) and Rural - Rural Production (south of the site). Equally, the land use around the site is a mixture of lifestyle properties, rural-residential properties and small-scale farms, with the larger farming blocks located to the east and south-east of the site. The plan change request will not introduce a new land use into this rural environment, therefore reverse sensitivity is not considered to be an issue for the plan change request.
233. The fragmentation of the prime soils located on the site is a significant issue for the Council. However, as identified in the Land Use Capability Report (attached as Technical Report No. 8 in **Appendix 11**), the area of prime soils on the site are limited in extent to a relatively small area, and isolated from other areas of elite or prime soil. As such, in effect, the prime soils on the site are already fragmented, and it is not viable to utilise them in conjunction with other areas of elite or prime soils given the extent of physical separation.
234. The Land Use Capability Report has concluded that the requested rezoning would not compromise the capability of the prime soils located on the plan change site for vegetable production as there are only small isolated areas of such soils found on the property, which are not sufficient in size to be viable for a food growing operation. The limited value of this land for intensive rural production also means that the requested rezoning would not compromise the direction to recognise the productive potential of land that does not contain elite or prime soils.

Other Council Strategic Plans

235. There are number of strategic planning documents prepared by the Council in recent years that have some relevance to the wider purpose of the plan change request. These include:
- Future Urban Land Supply Strategy;
 - Supporting Growth – Delivering Transport Networks; and
 - Auckland Transport Alignment Project.
236. As the plan change request will not result in any need for new or upgraded public infrastructure to support the limited growth for countryside living purposes that will be provided for by the requested rezoning of the land, it is considered that the strategic direction provided in these documents will not be compromised by the proposed plan change requested.

Auckland Unitary Plan

238. The Auckland Unitary Plan - Operative in part (AUP (OP)) sets out the policy direction for the rural areas of Auckland and the provision to be made for countryside living in these areas. The purpose of this section of the report is to outline the most relevant parts of the AUP (OP) in respect to the management of the rural area in order to establish the context for the rezoning that is being requested. Consideration is given to whether the requested changes to the AUP (OP) are in keeping with objective and policy framework that has fallen out of the overall strategic direction for growth and change in the rural areas.
239. In terms of section 32 of the RMA the most prevalent question is whether the Rural – Countryside Living Zone and the associated Clevedon sub precinct C is a more appropriate zone for the land concerned than the Rural – Rural Coastal Zone. The examination of the objectives and policies for the Rural – Countryside Living Zone, Clevedon sub precinct C, Rural – Rural Coastal Zone and Tāmaki Firth Coastal Area confirms the overall direction and outcomes that are intended to be achieved through these zonings. This examination has shown that overall the nature and character of the land requested to be rezoned and the nature and character of the immediate and wider environment that this land sits within means that this land generally better satisfies the description of the Rural – Countryside Living Zone. As such, the most appropriate zone for this land is Rural – Countryside Living.

Rural Zones

240. There are five rural zones in the AUP (OP), including the Rural – Rural Coastal Zone and the Rural – Countryside Living Zone. The objectives, policies and rules relating to all the rural zones are contained in Chapter H19 of the AUP (OP) and there are several objectives and policies that apply to all five rural zones, and which are relevant to the plan change request, such as:
- *Elite soil is protected, and prime soil is managed, for potential rural production* (Objective H19.2.1 (3)).
 - *Rural lifestyle development avoids fragmentation of productive land* (Objective H19.2.1 (4)).
 - *Enable rural production activities on elite and prime soil and avoid land-use activities and development not based on, or related to, rural production from locating on elite soil and avoid where practicable such activities and development from locating on prime soil* (Policy H19.2.2 (3)).
 - *Enable and maintain the productive potential of land that is not elite or prime soil but which has productive potential for rural production purposes, and avoid its use for other activities including rural lifestyle living except where these are provided for or enabled by Policy H19.2.2(5)* (Policy H19.2.2 (4)).
 - *Enable a range of rural production activities and a limited range of other activities in rural areas by*
 - (a) *separating potentially incompatible activities such as rural production and rural lifestyle living into different zones* (Policy H19.2.2 (5)(a)).
 - (b) *avoiding or restricting rural subdivision for activities not associated with rural production in areas other than those subdivision provided for in E39 Subdivision – Rural; ...* (Policy H19.2.2 (5)(b)).
 - (c) *managing the effects of activities in rural areas so that;*
 - (i) *essential infrastructure can be funded, coordinated and provided in a timely, integrated, efficient and appropriate manner; and*
 - (ii) *reverse sensitivity effects do not constrain rural production activities* (Policy H19.2.2 (5)(c)).

- *The character, amenity values and biodiversity values of rural areas are maintained or enhanced while accommodating the localised character of different parts of these areas and the dynamic nature of rural production activities (Objective H19.2.3 (1)).*
- *Areas of significant indigenous biodiversity are protected and enhanced (Objective H19.2.3 (2)).*
- *Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics:*
 - (a) a predominantly working rural environment;*
 - (b) fewer buildings of an urban scale, nature and design, other than residential buildings and buildings accessory to farming*
 - (c) a general absence of infrastructure which is of an urban type and scale (Policy H19.2.4 (1)).*
- *Recognise the following are typical features of the ... Rural – Rural Coastal Zone and will generally not give rise to issues of reverse sensitivity in these zones:*
 - (a) the presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops, plantation forests and farm forests;*
 - (b) noise, odour, dust, traffic and visual effects associated with use of the land for farming, horticulture, forestry, mineral extraction and cleanfills;*
 - (c) the presence of existing mineral extraction activities on sites zoned as Special Purpose – Quarry Zone;*
 - (d) accessory buildings dot the landscape, particularly where farming activities are the dominant activity; and*
 - (e) activities which provide for the relationship of Mana Whenua to their ancestral land and taonga (Policy H19.2.4 (2)).*

Rural – Rural Coastal Zone

241. The AUP (OP) describes the purpose of the Rural-Rural Coastal Zone is to:

Retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland's harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone also provides opportunities to access the coastal marine area and support marine-related activities.

242. The AUP (OP) also recognises that the zone is more extensive than the coastal environment line identified by the NZCPS criteria and that much, but not all of the zone and the adjacent coastal marine area is covered by Outstanding Natural Character, High Natural Character, Outstanding Natural Landscape and Significant Ecological Areas overlays.

243. The AUP (OP) recognises that parts of the zone are under significant development pressure for rural lifestyle settlement, and therefore provides objectives to enable rural production activities while managing adverse effects (H19.5.2 (1)), ensure buildings are of a scale and intensity that do not detract from rural and coastal character and amenity values (H19.5.2 (3)), limit rural lifestyle subdivision (H19.5.2 (4)) and maintain and enhance the significant relationship between land, freshwater bodies and the CMA (H19.5.2 (5)).

244. The policy direction seeks to maintain the distinctive rural and coastal character of the zone (H19.5.3 (1)), which is identified as being:
- farming and forestry with a low density of buildings and other significant structures;
 - rural character and amenity values, biodiversity values, values based on particular physical and natural features such as beaches, ridgelines, estuaries, harbours, indigenous vegetation, wetlands, or similar features;
 - physical and visual links between land, freshwater lakes and the coastal marine area; or
 - traditional cultural relationships of Mana Whenua with the coastal environment.
245. The distinctive rural and coastal character is anticipated to be maintained by controlling the number, location, size and visual impact of dwellings and their curtilage and accessways (H19.5.3 (5)). The management of the location and design of buildings and other significant structures is also required (H19.5.3 (6)), by:
- avoiding locating on the top of ridgelines so their profile does not protrude above the natural line of the ridge;
 - minimising building platforms and accessways and earthworks; and
 - avoiding locating buildings and other significant structures in coastal yards and riparian margins, except for fences and structures with operational need for such a location.
246. The plan change site is also within the Rural – Rural Coastal Zone Tāmaki Firth coastal area (which stretches from Maraetai to the Firth of Thames). There are several additional objectives and policies specific to that coastal area, although they are consistent with those that apply to the Rural – Rural Coastal Zone, such as:
- *Enable rural production activities for their economic and social contribution and for their role in retaining the rural and coastal character of this area (Policy H19.5.10.3(1)).*
 - *Avoid locating dwellings and other significant buildings on prominent headlands and ridgelines and the construction of visually prominent accessways up or across visually significant slopes (Policy H19.5.10.3(2)).*
 - *Manage the location, type and scale of non-rural production activities along the Pōhutukawa Coast Highway to ensure that the rural character and scenic values are maintained (Policy H19.5.10.3(3)).*

Rural - Countryside Living Zone

247. The Rural - Countryside Living Zone is described in the AUP (OP) as a zone that provides for rural lifestyle living in identified areas of rural land which are generally closer to urban Auckland or rural and coastal towns. There is a diversity of topography, land quality and landscape character within the zone which results in a diversity of site sizes. The zone incorporates a range of rural lifestyle developments, characterised as low-density residential development on rural land. These rural lifestyle sites include scattered rural residential sites, farmlets and horticultural sites, residential bush sites and papakāinga. Some parts of this zone reflect historic subdivision patterns, while others were established on land that did not have significant rural production values, often associated with steep topography or poor soils.
248. Specific objectives and policies in the Rural - Countryside Living Zone that are relevant to this application include:
- *Land is used for rural lifestyle living as well as small-scale rural production (Objective H19.7.2 (1)).*

- *The rural character, amenity values, water quality, ecological quality, historic heritage values and the efficient provision of infrastructure is maintained and enhanced in subdivision design and development (Objective H19.7.2 (2)).*
- *Development in the zone does not compromise the ability of adjacent zones to be effectively and efficiently used for appropriate activities Objective H19.7.2 (3)).*
- *The type and nature of land-use activities provided for are restricted to those appropriate for the typically smaller site sizes (Objective H19.7.2 (4)).*

249. The policy direction seeks to maintain and enhance rural character and amenity values and avoid an urban form (Policy H19.7.3 (1)) through:

- designing subdivision and development (including accessways, services, utilities and building platforms) to be in keeping with the topography and characteristics of the land;
- minimising earthworks and vegetation clearance for accessways, utilities and building platforms;
- avoiding locating accessways, services, utilities and building platforms where they will result in adverse effects on water quality, wetlands, riparian margins, historic heritage sites or scheduled sites and places of value or significance to Mana Whenua. Where avoidance is not possible, mitigation measures must be proposed so that any adverse effects are minor;
- identifying opportunities for environmental enhancement of existing areas of native vegetation, wetland areas, riparian margins or the coastal edge;
- encouraging landscape planting that reinforces local vegetation patterns; and
- identifying and where appropriate, requiring, the provision of walkway, cycleway and bridle path networks.

250. The policy direction also has an emphasis on:

- *Preventing subdivision from compromising the efficient operation of rural production activities (Policy H19.7.3 (2))*
- *Restricting the type and nature of land-use activities to those appropriate for a countryside living environment (Policy H19.7.3 (4)).*
- *Acknowledging that the rural character and amenity values associated with this zone reflect its predominant use for rural lifestyle living rather than for rural production activities (Policy H19.7.3 (5)).*

Clevedon Precinct C

251. The AUP (OP) applies a precinct to an area between the Wairoa River and Taitaia Stream which comprises some 847 hectares. The purpose is to provide for integrated growth of the Clevedon Village and surrounding rural area in a coordinated manner and sustainably manage the area. There are five sub precincts of which sub precinct C is most relevant. Clevedon sub precinct C is zoned Rural - Countryside Living Zone and is located towards the outer edges of the precinct. It provides for small rural land holdings as a transition between the expanding residential area and the wider rural area surrounding the precinct. It is anticipated that the land holdings will enable lifestyle farming and other rural activities. Cluster housing is encouraged to limit the impact on landscape character.

252. There are rules for the precinct which state that any housing clusters must consist of no more than 5 dwellings (where applicable), site sizes must be 2,500m² – 6,000m² and the minimum site density must not exceed 1 dwelling per 4ha, or 1 dwelling per 2ha on land identified as areas of increased subdivision opportunity.

Assessment

253. In essence the key difference between the Rural – Rural Coastal Zone and the Rural – Countryside Living Zone is the former places an emphasis on protecting the amenity and scenic values of the coastal area through restriction of lifestyle subdivision and development, while the latter anticipates that its rural land will be used for both lifestyle subdivision and development and small-scale production. The Rural – Countryside Living Zone is therefore a much more permissive zone for dwellings for lifestyle purposes than the Rural – Rural Coastal Zone.
254. As has been identified in the Landscape Visual Assessment (Technical Report No. 10 attached as **Appendix 13**), the environment within which the plan change site is located displays those characteristics that are expected within the Countryside Living Zone (i.e. dwellings on small lots and small-scale production activities), rather than those characteristics that are expected within the Rural – Rural Coastal Zone (farming and forestry, low density of buildings, natural features such as beaches, ridgelines, estuaries, indigenous vegetation and wetlands and physical link to CMA). Essentially the area surrounding the area proposed to be developed has a rural residential or rural lifestyle character. The only characteristic that ties the plan change site to the Rural – Rural Coastal Zone is the visual links to the Wairoa River and the associated riparian wetlands and the coastal inundation areas, and even then the area to be rezoned to enable countryside living subdivision and development is located some 500 to 600 metres from the Wairoa River, and is predominately located outside of the 1% AEP floodplain and the coastal inundation areas.
255. It is also relevant to note that the direction provided to manage the location and design of buildings within the Rural – Rural Coastal Zone will be achieved as there is no ridgelines located within the plan change site, the extent of building platforms and associated earthworks will be minimised, all future dwellings will be serviced by a single accessway and no buildings will be located within coastal yards or riparian margins.
256. The proposed rezoning will be generally consistent with wider direction provided for the rural zones in the AUP (OP). In this respect,
- There is no elite soil located on the site;
 - The area of prime soil located on the site is too small to be viable for a modern horticultural operation and the low lying nature of the site means the viable rural production opportunities on the other soils are limited to pastoral grazing of relatively light animals (because of the high risk of pugging of the pastures), the making of supplements to be sold off the property (such as hay or silage) and the growing of maize on the few elevated paddocks;
 - The Clevedon sub precinct C provisions provide the mechanisms needed to avoid any significant fragmentation of the properties as a result of the proposed rezoning through the requirements for clustered development, 2,500m² – 6,000m² countryside living lots and retention in perpetuity of a large balance area;
 - In order to avoid the flood risks to future countryside living activities it is not practicable to avoid the relatively small area of land that contains the prime soils as this land is located outside of the 1% AEP floodplain and the coastal inundation areas;
 - The low lying nature of the site means the viable rural production opportunities are significantly limited on the site but the use of part of the site for rural lifestyle living will provide the opportunity to provide for future investment in the substantial area of the site (some 87%) that will be required to be retained in perpetuity for rural production activities;

- The requested rezoning will result in a relatively small extension to the existing Rural – Countryside Living Zone and associated Clevedon sub precinct C over an area of land that is located directly adjacent to this zone and which contains characteristics (flood risks) that means a natural boundary to the zone can be provided;
- The characteristics associated with the plan change request means that there is limited potential for reserve sensitivity effects to constrain rural production activities on adjacent land;
- The character and amenity values associated with the surrounding area is more in line with countryside living than rural coastal and the requested rezoning will maintain these character and amenity values and will provide opportunities to enhance the biodiversity values associated with the margins of the Wairoa River; and
- There are no known cultural values associated with the site.

257. The requested rezoning only provides for the Rural – Countryside Living Zone and Clevedon sub precinct C to be extended over that land that is predominately located outside of the 1% AEP floodplain and coastal inundation areas. The balance of the land (58.14 hectares) located within the properties at 272 and 278 Clevedon-Kawakawa Road will be retained within the Rural – Rural Coastal Zone and the Tamaki – Firth coastal area. This will ensure the distinctive rural and coastal character of the land that transitions into the coastal area characterised by the Wairoa River and the associated riparian wetlands at the northern end of the properties is maintained in accordance with the overall direction of the Rural – Rural coastal Zone and the Tamaki – Firth coastal area. The retention of this zoning on this part of the properties will also ensure that this land is continued to be used for rural production activities while still providing opportunities for the biodiversity values at the northern end of the properties to be enhanced.

258. Overall, the Rural – Countryside Living Zone and the associated Clevedon sub precinct C is considered a more appropriate zoning for the land that is generally located outside of the 1% AEP floodplain and coastal inundation areas on the plan change site than the Rural – Rural Coastal Zone. The nature and character of the land requested to be rezoned and the nature and character of the immediate and wider environment that this land sits within means that this land generally better satisfies the description of the Rural – Countryside Living Zone than the Rural – Rural Coastal Zone.

Section 32 Evaluation

Appropriateness of the Proposal to Achieve the Purpose of the Act

259. Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives of the plan change request are the most appropriate way to achieve the purpose of the Act. In terms of section 32 (6) of the RMA the objective of the plan change request is the purpose of the requested rezoning. The purpose of the requested rezoning is to extend the existing Rural – Countryside Living Zone and the existing Clevedon sub precinct C over part of the land at 272 and 278 Clevedon-Kawakawa Road and over the land at 274 Clevedon-Kawakawa Road (with minor consequential amendments to the rules of Clevedon sub precinct C) to provide for the subdivision and development of eleven countryside living lots on the property at 278 Clevedon-Kawakawa Road.
260. The objectives of the AUP (OP) that relate to the plan change request are those that are set out in the Rural – Countryside Living Zone and Clevedon sub precinct C as detailed above. The objectives as set out in the respective Auckland wide, overlay and control provisions of the AUP (OP) will also apply to the plan change request. In summary, these objectives seek to:
- Within the Rural – Countryside Living zone:

Provide for rural lifestyle living in areas of rural land that are close to rural and coastal towns. Includes a range of rural lifestyle developments, characterised as low-density residential development on rural land, from scattered rural residential sites, farmlets, horticultural sites, residential bush sites and papakainga.
 - Within the Clevedon Sub Precinct C:

Provide for small rural holdings as a transition between the new residential area and the wider rural area beyond, which enable lifestyle farming and other rural activities. Clustered housing is promoted, to deter fragmentation of land, to assist in reducing the visual impact of development, to preserve key views, to maintain wildlife corridors and to enable parcels of land that are only partially impacted by the floodplain to be developed where there is suitable building platforms and wastewater disposal fields outside of the floodplain.
 - Auckland-wide:

Auckland-wide provisions relating to lakes, river, streams and wetland, water quality, coastal, stormwater, and land disturbance seek to avoid adverse effects where possible but recognise the need to use land efficiently. There is a framework set out in the AUP (OP) for managing water quality and stormwater effects.
261. The requested rezoning has been considered further against Part II of the RMA below.

Appropriateness of the Provisions to Achieve the Objectives

262. Section 32(1)(b) of the RMA requires an evaluation to examine whether the provisions in the plan change request are the most appropriate way to achieve its objective by:
- Identifying other reasonably practicable options for achieving the objectives;
 - Assessing the efficiency and effectiveness of the provisions; and
 - Summarising the reasons for deciding on the provisions.

263. In determining the most appropriate method for achieving the objectives of the plan change request, consideration has been given to the following other reasonably practicable options:
- Option 1: Do nothing – retain the Rural – Rural Coastal zone and Tāmaki Firth coastal area.
 - Option 2: Zone the entire site Rural - Countryside Living Zone and include within Clevedon sub precinct C.
 - Option 3: Zone the portion of the site predominately situated outside of the 1% AEP floodplain Rural - Countryside Living and include within Clevedon sub precinct C (preferred option).
264. These three alternative options are discussed below and a summary of the section 32(2) matters for the options are set out in the Summary Table.
265. **Option 1: Status quo** - This option involves retaining the existing Rural - Rural Coastal Zone and Tāmaki Firth coastal area and either, achieve the objective of the plan change request through a non-complying resource consent application process, or continue with the current land use. A subdivision of the plan change site for countryside living purposes would be a non-complying activity under the Rural - Rural Coastal Zone. The proposal would pass the effects 'gate-way' test, as it has minor adverse effects on the environment. However, the proposal could be considered to be contrary with the Rural – Rural Coastal Zone objectives and policies. As such, such an approach would likely face significant consenting challenges. The current farming operation is marginal from a commercial viability perspective, given the relatively small size of the farm, the low-lying nature of most of the farm and the small area of the farm that has prime soils.
266. **Option 2:** Rezone the entire site Rural - Countryside Living zone and include within Clevedon sub precinct C. Under this option, the whole of the plan change site would be rezoned Rural - Countryside Living. The portion of the site primarily covered by the floodplain would be the balance area to achieve the required averaging under the Clevedon sub precinct C subdivision rules.
267. **Option 3 (preferred option):** Rezone only that part of the site that is primarily located outside of the 1% AEP floodplain to Rural - Countryside Living and include within Clevedon sub precinct C. This approach would require consequential minor changes to the rules of Clevedon sub precinct C to ensure that the desired number of lots based on the entire area of the property (1 per 4 hectares) can be achieved. Only rezoning that part of the site suitable for countryside living subdivision and development is the preferred option because the rest of the site is primarily located within the floodplain and therefore rural production is the more appropriate land use. The rezoning of the site allows the policy issues in the Auckland Unitary Plan: Regional Policy Statement to be addressed through the plan change process.
268. The policy rationale for Option 3 and the environmental effects associated with Option 3 are outlined in the preceding sections of this report. This has found that any actual or potential adverse effects on the environment that may be associated with the requested rezoning will be minimal and can be appropriately avoided, remedied or mitigated through the existing provisions of the AUP (OP) and that the requested rezoning will be consistent with and can give effect to the overriding direction of the AUP (OP).
269. M.E. Consulting has completed an economic cost benefit assessment in line with the section 32 requirements to support the analysis summarised below. The Economic Cost Benefit Assessment Report is attached as Technical Report No. 5 in **Appendix 8**. The assessment has shown that while the scale of the plan change request is small, there are a range of costs and benefits that will impact on the various parties.
270. The key anticipated costs of the requested rezoning that have been identified which may have a negative impact are those associated with a reduction in agricultural output from the existing farming unit. The loss of elite and prime soils is a key concern, as once built structures are developed on them, then that resource is lost. However, it is considered in this case the amount of prime soil is small, fragmented and isolated. The assessment agrees that they are not able to be joined into a productive unit, so other than the marginal loss of production on the existing farm unit they are not anticipated to contribute to agricultural production into the future.

271. Overall, the economic cost benefit assessment has shown that the requested rezoning is likely to have more positive economic impacts than negative economic impacts.

Summary of Options Analysis

Benefits	Costs	Efficiency and Effectiveness
Option 1: Status quo – Retain the Rural - Rural Coastal Zone and Tāmaki Firth Coastal Area		
<p><u>Economic</u></p> <p>Only one RMA process will be required (non-complying resource consent application) if countryside living development is pursued.</p> <p>Possible retention of a small-scale farming operation with limited employment opportunities.</p> <p>No change for those currently employed by the farm operation or who gain business through the farm operation.</p> <p><u>Social</u></p> <p>A level of certainty is provided for those in the surrounding area who prefer no change.</p> <p><u>Environmental</u></p> <p>Retention of prime soils for future rural production purposes.</p> <p><u>Cultural</u></p> <p>None identified.</p>	<p><u>Economic</u></p> <p>Any future resource consent application would rely solely on an effects-based approach (as it would likely be contrary to the objectives and policies) which would pose significant consenting challenges and uncertainty as to outcome.</p> <p>The current farm operation is marginally commercially viable at best and there may be a need to increase the stocking rate or change the farming methods to achieve sustainable financial returns.</p> <p>Lost income from inability to development part of the land for countryside living purposes which would decrease the viability of the farming operation.</p> <p><u>Social</u></p> <p>None identified.</p> <p><u>Environmental</u></p> <p>A more intensive farming operation to achieve greater returns could potentially result in environmental degradation, such as damaging the soil structure, erosion and the grazing of wetland and riparian margin areas that would be better suited for retirement from farming.</p> <p>Limited enticement for ecological enhancement through the</p>	<p>Having only one RMA process is in theory efficient. However, without the site being rezoned, the consenting process would be lengthy and therefore not an effective process.</p> <p>Potentially the resource consent will be declined, which is not efficient given the costs associated with a resource consent process of this scale and nature. There would be a resulting lack of economic growth, with less housing opportunities being available on the periphery of the rural village of Clevedon.</p> <p>There is potential the countryside living subdivision and development would be pursued because of the level of consenting uncertainty. This would result in lack of economic growth with less availability and choice for housing in the Clevedon area.</p> <p>Increasing the economic returns from the farming operation is efficient, but this will not be effective if the methods to use to achieve increased returns results in environmental damage or degradation.</p> <p>The 6.03ha of prime soil situated within the site is relatively small and isolated and cannot be efficiently or effectively used to support a modern vegetable growing operation.</p>

Benefits	Costs	Efficiency and Effectiveness
	<p>planting of wetland and riparian areas and other methods.</p> <p>Continued potential for run-off from rural production activities and pollution of waterways, especially during flood events.</p>	
Option 2: Rezone the entire site to Rural - Countryside Living Zone and include in Clevedon sub precinct C		
<p><u>Economic</u></p> <p>The long-term viability of the commercial farming operation can be secured by utilising a small proportion of the site for countryside living activities.</p> <p>The provision of additional (albeit small) provision for countryside living in proximity to the Clevedon village will result in an additional demand for goods and services locally which may help the village to provide for more choice and scale of activity.</p> <p>The provision of some 6 months of countryside living housing supply within the Clevedon area.</p> <p>The whole of the site will be held in one zone rather than a split zone which will provide for ease of statutory processes.</p> <p>The infrastructure costs can be internalised to the development using on-site wastewater systems and water supply.</p> <p><u>Social</u></p> <p>Increased opportunities for rural living are provide.</p> <p><u>Environmental</u></p> <p>Can provide for positive ecological and stormwater management</p>	<p><u>Economic</u></p> <p>The land use on the 1% AEP floodplain and the coastal inundation areas will continue to be small-scale rural production activities which is more akin to the Rural Coastal Zone direction than the Rural Countryside Living Zone direction.</p> <p>Including the 1% AEP floodplain and coastal inundation areas in the Rural – Countryside Living Zone may be incorrectly interpreted or viewed as providing for countryside living development opportunities within these flood risk areas with the potential to create uncertainty as to process.</p> <p>The loss of the prime soils will be permanent for the lifecycle of the houses and will contribute to a net reduction in the total regional productive capacity.</p> <p>The additional provision (albeit small) to be provided for countryside living activities may attract development away from other areas already zoned for such activities under the AUP (OP), although this is unlikely given the relatively limited provision made for such activities within Clevedon sub precinct C.</p>	<p>This option is considered efficient as the plan change process will address objectives and policies matters, but not necessarily effective, as the flood risk areas of the site that would be zoned for countryside living activities cannot be used for this purpose.</p> <p>Provides for effective and efficient growth as house sites would become available in reasonable proximity to Clevedon, resulting in additional households using the local shops, schools and services.</p> <p>Positive employment outcomes would result as the rural productive use of the balance area would continue.</p> <p>The 6.03ha of prime soil situated within the site is relatively small and isolated and cannot be efficiently or effectively used to support a modern vegetable growing operation.</p>

Benefits	Costs	Efficiency and Effectiveness
<p>outcomes for the site resulting in the enhancement of the biodiversity and water quality of the surrounding and receiving environments.</p> <p>Reduction in potential for degradation of the land and water resources arising from the agricultural use such as reduced fertiliser use and animal effluent.</p> <p><u>Cultural</u></p> <p>None identified.</p>	<p><u>Social</u></p> <p>None identified.</p> <p><u>Environmental</u></p> <p>A precedent may be set resulting in a possible ‘creep’ of Countryside Living rezoning to the east over the rural productive land.</p> <p>The 1% AEP floodplain cannot be used as a demarcation for the provision of countryside living activities out to the coast to the north-east of the Clevedon village.</p> <p>The provision of a greater number of residential type buildings and structures within the landscape between the road and the Wairoa River.</p> <p>Increased provision for dispersed countryside living activities which will result in an increase (albeit a small increase) in greenhouse gas emissions.</p> <p><u>Cultural</u></p> <p>None identified.</p>	
Option 3: Rezone part of the site to Rural - Countryside Living Zone and include in Clevedon sub precinct C		
<p><u>Economic</u></p> <p>The long-term viability of the commercial farming operation can be secured by utilising a small proportion of the site for countryside living activities.</p> <p>The provision of additional (albeit small) provision for countryside living in proximity to the Clevedon village will result in an additional demand for goods and services locally which may help the village</p>	<p><u>Economic</u></p> <p>The site will have a split zoning and that part of the site that is required for the balance farm area will be in a different zone which could result in increased statutory process costs.</p> <p>The loss of the prime soils will be permanent for the lifecycle of the houses and will contribute to a net</p>	<p>This option is considered efficient as that part of the site not subject to flood risks, which is the only the part of the site that is appropriate to be used for countryside living activities, will be rezoned for these purposes.</p> <p>Provides for effective and efficient growth as house sites would become available in reasonable proximity to Clevedon, resulting in</p>

Benefits	Costs	Efficiency and Effectiveness
<p>to provide for more choice and scale of activity.</p> <p>The provision of some 6 months of countryside living housing supply within the Clevedon area.</p> <p>The infrastructure costs can be internalised to the development using on-site wastewater systems and water supply.</p> <p><u>Social</u></p> <p>Increased opportunities for rural living are provide.</p> <p>Positive perception by most of the neighbouring properties and the public that only the portion of the site that is appropriate for countryside living use will be developed for that purpose.</p> <p><u>Environmental</u></p> <p>The 1% AEP floodplain can be used as a demarcation for the provision of countryside living activities out to the coast to the north-east of the Clevedon village.</p> <p>Only those areas that area not at risk from flooding and are therefore suitable for countryside living activities will be rezoned for this purpose.</p> <p>Most of the 1% AEP floodplain and coastal inundation areas, which realistically can only be used for small-scale rural production, will be retained within the Rural – Rural Coastal Zone.</p> <p>The possible ‘creep’ of the Countryside Living Zone further to the east will not occur as the eastern boundary of the zone will be marked by the 1% AEP floodplain which will provide a</p>	<p>reduction in the total regional productive capacity.</p> <p>The additional provision (albeit small) to be provided for countryside living activities may attract development away from other areas already zoned for such activities under the AUP (OP), although this is unlikely given the relatively limited provision made for such activities within Clevedon sub precinct C.</p> <p><u>Social</u></p> <p>None identified.</p> <p><u>Environmental</u></p> <p>The provision of a greater number of residential type buildings and structures within the landscape between the road and the Wairoa River.</p> <p>Increased provision for dispersed countryside living activities which will result in an increase (albeit a small increase) in greenhouse gas emissions.</p> <p><u>Cultural</u></p> <p>None identified.</p>	<p>additional households using the local shops, schools and services.</p> <p>Positive employment outcomes would result as the rural productive use of the balance area would continue.</p> <p>The 6.03ha of prime soil situated within the site is relatively small and isolated and cannot be efficiently or effectively used to support a modern vegetable growing operation.</p>

Benefits	Costs	Efficiency and Effectiveness
<p>clear demarcation for growth of such activities.</p> <p>The dwellings and associated on-site wastewater disposal fields enabled by the requested rezoning will be confined to the areas located outside of the 1% AEP floodplain and coastal inundation area.</p> <p>The split zoning across the site is in keeping with the character and amenity values associated with the surrounding area and provides for a direct link to the existing countryside living development to the west.</p> <p>Can provide for positive ecological and stormwater management outcomes for the site resulting in the enhancement of the biodiversity and water quality of the surrounding and receiving environments.</p> <p>Reduction in potential for degradation of the land and water resources arising from the agricultural use such as reduced fertiliser use and animal effluent</p> <p>Positive perception by most of the neighbouring properties and the public that only the portion of the site that is appropriate for countryside living use will be developed for that purpose.</p> <p><u>Cultural</u></p> <p>None identified.</p>		

272. Regarding the **risk of acting or not acting**, in this case, it is considered that there is enough information about the requested rezoning to determine the range and nature of the economic, social, environmental and cultural costs and benefits of the options set out in the table above. For this reason, an assessment of the risk of acting or not acting is not considered to be required.

Summary of Reasons for Deciding on the Provisions

273. Overall, based on the above analysis, it is considered that Option 3 (rezone part of the site to Rural - Countryside Living Zone and include in Clevedon sub precinct C) is the most efficient and effective method to achieve the objective of the plan change request. In particular, this rezoning approach has recognised the costs in terms of the prime soil located on the site, but also recognises and responds to the characteristics of the site, including the wetland and riparian areas adjacent to the Wairoa River that will benefit from revegetation, restoration and rehabilitation, addresses the flood risks and provides the opportunity for the future viable use of most of the site for productive purposes.

Part 2 of the Resource Management Act 1991

274. The purpose of the RMA is to promote the sustainable management of natural and physical resources. As stated in section 5 of the Act, this means:

In the Act, sustainable management means the managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*
275. The requested private plan change achieves the purpose of Section 5 of the Act as it provides for the use and development of land in an efficient manner, with the countryside living development clustered in the south-western part of the site, and the balance of the land retained for rural productive purposes, with the countryside living activities located outside of the flood risks areas to ensure the health and safety of future residents. Most of the site will remain in rural production use to sustain the physical rural land resource for the needs of future generations. The subdivision and development to be enabled by the requested rezoning will result in minimal adverse effects on the environment, with any potential for adverse effects able to be appropriately avoided, remedied or mitigated by the existing provisions of the AUP (OP). There are appropriate options available at the time of development for the on-site management of wastewater and stormwater, and it is anticipated that any future development will include restoration and enhancement of the wetlands and margins of the Wairoa River, meaning the requested rezoning can safeguard the life-supporting capacity of the water, soil and ecosystems within the surrounding area.
276. Section 6 sets out matters of national importance being the natural character of the coastal environment, lakes and rivers, protection of outstanding natural features, protection of areas of significant indigenous vegetation and habitats of indigenous fauna, maintenance and enhancement of public access along coastal marine areas, lakes and rivers, and the relationship of Maori and their culture and traditions, protection of historic heritage, protection of customary rights and management of significant risks from natural hazards. The plan change request will not compromise the preservation of the natural character of the adjacent coastal environment, particularly as the area to be enabled for future countryside living subdivision and development is located some 500 – 600 metres from the Wairoa River. There are no outstanding natural features or landscapes located on the plan change site and there are no known historic heritage values associated with the site. The significant natural areas identified in the AUP (OP) are located outside of the site within the margins of the Wairoa River and the requested rezoning provides for the protection of these areas to be better achieved through opportunities for restoration and enhancement planting. The existing provision made for public access to and along the Wairoa River will not be compromised by the requested rezoning and will provide for access to the Wairoa River for residents of the Countryside Living development. Consultation has been completed with Ngai Tai Ki Tamaki who have provided support to the plan change request and confirmed that no Cultural Impact Assessment is required.
277. Section 7 requires particular regard to be had to ‘other matters.’ Of relevance are:
- (b) the efficient use and development of natural and physical resources;*
 - (c) the maintenance and enhancement of amenity values; and*
 - (f) maintenance and enhancement of the quality of the environment.*

278. The requested rezoning provides for the efficient use and development of the existing physical land resource through utilisation of the areas outside of the floodplain and coastal inundation areas for countryside living purposes and utilisation of those areas within the floodplain and coastal inundation areas for rural productive purposes. The proposed subdivision and subsequent development that will be enabled by the plan change request will not compromise the positive contribution that the site makes to the amenity values associated with the area, will maintain the quality of the surrounding environment and will maintain and to a degree enhance the level of amenity that is associated with the surrounding Clevedon rural area through the integrated design approach that is promoted by the Clevedon sub precinct C provisions, which includes provisions that promote a substantial amount of landscape and riparian planting.
279. Section 8 requires the principles of the Treaty of Waitangi be taken in account. The proposal is not considered to be contrary to the principles of the Treaty. The applicant has consulted with Ngai Tai Ki Tamaki who have advised that they support the plan change request and there is no requirement to obtain a cultural impact assessment.
280. Overall, the assessment set out in this report has shown that the requested rezoning will have more beneficial outcomes than negative outcomes. As the requested rezoning will not result in any changes that may result in any potential for adverse effects on the surrounding environment, it is considered that the proposal will be consistent with the requirements of Part 2 of the RMA.

Consultation

281. The applicant has carried out consultation with the following persons about the plan change request:
- Auckland Council.
 - Ngai Tai Ki Tamaki.
 - Adjacent property owners.
282. This consultation has generally found that the plan change request is supported by those persons who may be affected by the subsequent subdivision and development that will be enabled by the requested rezoning. The exception to this are the owners (Raphael Song and Solina Theron) of the adjacent lifestyle property at 274 Clevedon-Kawakawa Road.

Auckland Council

283. A Pre-application Meeting was held with Auckland Council on 19th July 2018 on the property at 278 Clevedon-Kawakawa Road to discuss the proposed subdivision and development of the site for countryside living purposes. A copy of the minutes from this meeting are attached as **Appendix 14**. The meeting was focused on determining the most appropriate way to approach the consenting of the proposed subdivision and development given the current zoning of the property. The Council generally had no significant concerns with the extent and nature of the subdivision and development proposed for the site and agreed that most effects matters should be able to be addressed and managed. However, the Council indicated the policy direction of the Rural – Rural Coastal Zone was a significant hurdle to the consenting of the proposal and advised that it may be beneficial to consider a private plan change request to rezone the land to Rural - Countryside Living.
284. A meeting was held with the Auckland Council Central South Plans and Places Team and the Auckland Council Healthy Waters Team on 15th August 2019. This meeting was primarily to discuss the merits or otherwise of the intended rezoning of the properties at 272, 274, 278, 294 and 300 Clevedon-Kawakawa Road to Rural – Countryside Living and inclusion of this land in Clevedon sub precinct C. The feedback from this meeting is attached as **Appendix 14**. The applicant obtained a general indication as to how the requested rezoning may be viewed by the Council at the meeting. In general:
- The merits of the proposal to the viability of the properties for primary production was acknowledged.
 - The key planning issues were acknowledged to be the existence of the prime soils and the flood risks.
 - The other planning issues raised included the integrity of the Rural Coastal Zone, rural subdivision and the extent and purpose of the Clevedon precinct.
 - The benefits in terms of the addition of alternative housing opportunities to the market were acknowledged but the issue as to the growth targets for countryside living already having been set by the AUP (OP) were raised.
 - The flood risks were acknowledged to be generally addressed if the land to be made available for future development was located outside of the 1% AEP floodplain and coastal inundation areas.
 - The proposed approach to raise the access road across the floodplain was not indicated to be a significant constraint to the process.
 - The possibility of a tsunami risk was raised as a natural hazard issue that should be considered.

285. The meeting with the Auckland Council Central South Plans and Places Team and the Auckland Council Healthy Waters Team did not indicate that there were significant risks to a plan change request not being accepted for processing by the Council.

Ngai Tai Ki Tamaki

286. A meeting was held with Ngai Tai Ki Tamaki on 21 May 2019 on the property at 278 Clevedon-Kawakawa Road. A copy of the letter received from Ngai Tai Ki Tamaki in respect to this meeting is attached as **Appendix 14**. Ngai Tai Ki Tamaki has supported the intentions to use swales and treatment ponds or wetlands to treat stormwater but have indicated a preference for use of wetlands. Ngai Tai Ki Tamaki has also supported the intention to provide for restoration and enhancement plantings within the wetland and riparian areas along the Wairoa River and requested further details of this planting at the time of development. Ngai Tai Ki Tamaki has indicated a strong preference for use of native species for any restoration or enhancement planting.
287. Ngai Tai Ki Tamaki has advised they have no issue supporting the application and have confirmed that there is no requirement to obtain a Cultural Impact Assessment.

Adjacent Properties

288. The applicant has consulted with the following neighbouring property owners:

- Lot 3 DP 146882 274 Clevedon-Kawakawa Road Raphael Song and Solina Theron
- Lot 4 DP 146882 294 Clevedon-Kawakawa Road Cassandra Lindberg and Johnathon Martin
- Lot 1 DP 188559 252 Clevedon-Kawakawa Road Netherlea Holdings Ltd
- Lot 1 DP 186285 262 Clevedon-Kawakawa Road De Monchy Trustee Services Ltd
- Lot 1 DP 154144 271 Clevedon-Kawakawa Road Colin, Dereck and Lynn Collecutt
- Lot 1 DP 506445 285 Clevedon-Kawakawa Road Liston Trustee Services Limited and Geoffrey Michael Neike

289. All these property owners, except for the property owners at 274 Clevedon-Kawakawa Road, have provided their written approval in support of the subsequent subdivision and development that will be enabled by the plan change request. A copy of these written approvals is attached as **Appendix 14**.

290. The applicant did not consult directly with the owners of the properties at 300 Clevedon-Kawakawa Road (James, Kim, Margaret and Robert Power) and 340 Clevedon-Kawakawa Road (Dianne and Trevor Giles). It was considered that as the area to be enabled for subdivision and development by the requested rezoning was located some distance from these properties and the dwellings located on these properties did not have any views to this area that these adjacent properties would not be affected by the requested rezoning in a minor or more than minor way. The applicant will be happy to consult directly with these property owners once the plan change request is accepted for processing if considered necessary.

274 Clevedon-Kawakawa

291. The applicant has meet with the owners of the property at 274 Clevedon-Kawakawa Road, Raphael Song and Solina Theron, on several occasions to discuss the rezoning proposal and the subdivision and development that will be enabled adjacent to their property as a result of the requested rezoning. These property owners have indicated concern with the rezoning of the land and the subdivision and development that would subsequently

occur as a result of the rezoning. The key concerns raised are in respect to retention of their rural outlook over the property at 278 Clevedon-Kawakawa Road, the impact on their privacy and the rural 'feel' of the area with the number of additional dwellings that would be located near their property and the likely reduction in property values.

292. The applicant has discussed the likely position of future dwellings in respect to their dwelling and mitigation measures that could be used at the time of development to alleviate their concerns. In this respect, the landscape planting plan that has been lodged as part of the subsequent resource consent application has been revised to provide for extensive screen plantings along both sides of the northern and western common boundaries between the properties to ensure the future dwellings that would be located nearest to these boundaries could not be viewed from their dwelling. The specified building areas on the property at 278 Clevedon-Kawakawa Road have also be repositioned to ensure that a rural outlook can be retained from the property at 274 Clevedon-Kawakawa Road.
293. The owners of the property at 274 Clevedon-Kawakawa Road have indicated that the mitigation offered is the least that would be expected. However, the owners have not informed the applicant to date of what other mitigation should be provided. The applicant has advised the owners they intend to proceed with the private plan change request process and that they would be happy to discuss this further with them at any time.

Conclusion

294. The assessments and evaluations outlined in this report have demonstrated that the plan change request is founded on sound resource management principles and satisfies all of the requirements for changes to District Plans as set out in the RMA. In this respect,

- The requested rezoning has been designed to accord with and to assist the Council to carry out its functions so as to achieve the purpose of the RMA;
- The plan change site is an appropriate location for the rezoning of land to provide for additional countryside living subdivision and development near the Clevedon Village and thereby achieve the sustainable management purpose of the RMA;
- When having regard to efficiency and effectiveness the requested rezoning is the most appropriate way to achieve the countryside living subdivision and development desired on the plan change site;
- The countryside living subdivision and development that will be enabled by the requested rezoning will have minimal adverse effects on the environment and the existing provisions of the AUP (OP) will ensure that any potential for adverse effects at the time of subdivision and development will be appropriately avoided, remedied or mitigated;
- The requested rezoning will give effect to the New Zealand Coastal Policy Statement;
- The requested rezoning will be consistent with the relevant provisions of the Auckland Unitary Plan: Regional Policy Statement and will continue to implement the overall strategic direction identified for the rural areas of the region.
- The plan change request has been developed in accordance with the provisions of Part II of the RMA and will promote the sustainable management of natural and physical resources.

Overall, it is concluded that notification and eventual approval of the plan change request will represent sound resource management practice in relation to providing for the continued sustainable management of the Clevedon rural area.

Appendix 1

Certificates of Title

Appendix 2

Requested Plan Change Map and Requested Changes to Auckland Unitary Plan

Undertake the following consequential changes to I408 Clevedon Precinct of the Auckland Unitary Plan (Operative in Part):

1408.6.4

(2) The following standards apply in respect of subdivision in sub-precinct C: ...

(d) Where an application for subdivision consent is for an existing lot that contains land both inside and outside of the Clevedon Precinct, the area of land contained within the Clevedon precinct will be considered the “existing lot” or “parent allotment”. The land outside of the Clevedon precinct must not be used in the calculation of the average lot size for subdivision, **except where that land is contained within Lot 1 DP 146882.**

1408.6.5 Minimum Site Size

(1) The minimum net site area in Table H1.6.5.1 must be met.

Table I408.6.5.1 Minimum site size

Sub-precinct C	<ul style="list-style-type: none"> • not exceeding 1 dwelling per 4ha; or • not exceeding 1 dwelling per 2 ha on land identified as areas of increased subdivision opportunity on I408.10.2 Clevedon Precinct plan 2: Development restriction area and road network, • not exceeding 1 dwelling per 3.5ha on Lot 100 DP509670 (NA778231), or • not exceeding 1 dwelling per 10ha on Part Allot 2 and Part Allot 21 Parish of Wairoa (NA48C/657) for part of the landholding subject to a development restriction area as identified on I408.10.2 Clevedon Precinct plan 2: Development restriction area and road network, <u>or</u> • <u>not exceeding 12 dwellings on Lot 1 DP 146882.</u>
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Appendix 3

Subdivision Scheme Plan and Landscape Planting Plan

Appendix 4

**Technical Report No. 1 - Geotechnical Investigation
Report**

Appendix 5

**Technical Report No. 2 - Engineering and Infrastructure
Assessment Report**

Appendix 6

**Technical Report No. 3 - On-Site Wastewater Treatment
and Disposal Report**

Appendix 7

Technical Report No. 4 - Transport Assessment

Appendix 8

**Technical Report No. 5 - Economic Cost Benefit
Assessment Report**

Appendix 9

Technical Report No. 6 - Soil Assessment Report

Appendix 10

Technical Report No. 7 - Preliminary Site Investigation

Appendix 11

Technical Report No. 8 - Land Use Capability Report

Appendix 12

Technical Report No. 9 – Ecological Report

Appendix 13

**Technical Report No. 10 - Landscape and Visual
Assessment**

Appendix 14

Consultation Documentation