

Memo

Date 03 December 2020

To: Phill Reid - Manager Planning Auckland-wide

From: Sophia Coulter – Planning Technician



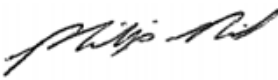
Subject: **Plan Modification: Clause 20A Amendment to Chapter D, E, H and I of the Auckland Unitary Plan (AUP) Operative in part (15 November 2016).**

Delegated authority to Tier Four manager through Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register (Updated May 2017).

This plan modification requires decision-making pursuant to clause 20A of the First Schedule to the Resource Management Act 1991, as corrections are required to the Auckland Unitary Plan (Operative in Part).

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| <p>Rule or Section of Unitary Plan</p> | <ul style="list-style-type: none"> • Chapter D: Overlays • Chapter E: Auckland-wide • Chapter H: Zones • Chapter I: Precincts <ul style="list-style-type: none"> ○ D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay ○ D11 Outstanding Natural Character and High Natural Character Overlay ○ E3 Lakes, rivers, streams and wetlands ○ E4 Other discharges of contaminants ○ E7 Taking, using, damming and diversion of water and drilling ○ E11 Land disturbance - Regional ○ E12 Land disturbance - District ○ E14 Air quality ○ E15 Vegetation management and biodiversity ○ E25 Noise and vibration ○ E31 Hazardous substances ○ E35 Rural production discharges ○ E36 Natural hazards and flooding ○ H18 Future Urban Zone ○ H19 Rural zones ○ H20 Rural - Waitākere Foothills Zone ○ H21 Rural - Waitākere Ranges Zone ○ I601 Bethells Precinct ○ I608 Ōrātia Village Precinct ○ I612 Te Henga Precinct ○ I614 Wainamu Precinct ○ I441 Whitford Precinct ○ I423 Māngere Puhinui Precinct ○ I433 Pukekohe Hill Precinct ○ I547 Wēiti Precinct |
| <p>Nature of change</p> | <p><i>Legislation:</i></p> <p><i>Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</i></p> <p>The Auckland Unitary Plan was updated on 11 May 2018 to advise plan users that the above legislation was now in place (the regulations came into force on 1 May 2018).</p> |

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| | <p>This Clause 20A aims to add a heading to each text annotation which was added on 11 May 2018 to highlight which National Environment Standard it is referring to.</p> <p>In E11, a similar heading is also added for the existing note regarding the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.</p> <p>Various other amendments are being made to the AUP for the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 and the Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020. The consistent use of headings will clarify which standard the relevant note relates to.</p> |
| Effect of change | <p>This change is minor in nature. The amendment does not change the application or intent of the provisions.</p> <p>There is no effect nor impact upon either the environment or persons.</p> |
| Changes required to be made | <p>Text to be added: <i>“Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017”</i></p> <p>See Attachment A.</p> |
| Attachments | Attachment A – Changes to text to add headings for existing notes. |

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| <p>Prepared by: Sophia Coulter Planning Technician</p> | <p>Text Entered by: Sophia Coulter Planning Technician</p> |
| <p>Signature:</p>  | <p>Signature:</p>  |
| <p>Signed off by: Phill Reid Manager Planning – Auckland-wide</p> | |
| <p>Signature:</p>  | |

Attachment A

Changes to text (shown in underline)

1. D10 Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay

D10.4. Activity table

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Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) D10.4.2 to D10.6.2 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPf”) then the NESPf applies and prevails.

However, the NESPf allows the plan to include more restrictive rules in relation to the Outstanding Natural Features Overlay (“ONF”).

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2. D11 Outstanding Natural Character and High Natural Character Overlay

D11.4. Activity table

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Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) D11.4.1 to D11.6.2 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPf”) then the NESPf applies and prevails.

However, the NESPf allows the plan to include more restrictive rules in relation to one or more of the following:

- Outstanding Natural Character Overlay;
- High Natural Character Overlay; or
- Outstanding Natural Landscapes Overlay.

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3. E11 Land disturbance - Regional

E11.4. Activity table

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Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

Activities regulated by the 'Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009' are not affected by the provisions below.

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) E11.4.1 to E11.6.4 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 ("NESPF") then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Area Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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4. E3 Lakes, rivers, streams and wetlands
5. E4 Other discharges of contaminants
6. E7 Taking, using, damming and diversion of water and drilling
7. E12 Land disturbance – District
8. E14 Air quality
9. E15 Vegetation management and biodiversity
10. E25 Noise and vibration
11. E31 Hazardous substances
12. E35 Rural production discharges
13. E36 Natural hazards and flooding
14. H18 Future Urban Zone
15. H19 Rural zones
16. H20 Rural - Waitākere Foothills Zone
17. H21 Rural - Waitākere Ranges Zone
18. I423 Māngere Puhinui Precinct
19. I433 Pukekohe Hill Precinct
20. I441 Whitford Precinct
21. I547 Wēiti Precinct
22. I601 Bethells Precinct
23. I608 Ōrātia Village Precinct
24. I612 Te Henga Precinct
25. I614 Wainamu Precinct

XX.4. Activity table

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Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) XX.4.1 to XX.6.X is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Area Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

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