

AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Updated Interim Guidance Text for RPS Topic 011

PAUP Section B8.3 - Rural Subdivision

10th June 2015

Having read the submissions relating to this topic and having heard evidence and legal submissions from submitters (including the Auckland Council), and having received correspondence from EDS (dated 8 May 2015 – attached to this guidance) the Panel issues this updated guidance in relation to Regional Policy Statement (RPS) level provisions to assist submitters and the Council in preparing for mediation and subsequent hearings on regional and district plan provisions.

The correspondence from EDS raised matters that the Panel determined it needed to respond to and provide clearer guidance in relation to rural subdivision and areas of identified significant ecological, landscape and natural character values.

This interim guidance is not a recommendation within the meaning of section 144 of the Local Government (Auckland Transitional Provisions) Act 2010. It is not binding on submitters (including the Council) or on the Panel.

The Panel may revise its interim guidance after considering evidence presented on the regional and district plan provisions.

The Panel does not invite any further evidence in relation to this topic and will not enter into correspondence on this interim guidance.

Interim Guidance - Rural Subdivision-PAUP SectionB8.3

1. Subdivision in rural zones should be provided for to a greater extent. It may be discouraged or constrained but should not be effectively prevented. There should be no requirement to use existing rural sites rather than create new ones.
2. The productive potential of elite land should not be undermined.
3. Subdivision should provide resilience to effects of natural hazards.
4. Provision for rural subdivision should enable protection, rehabilitation or enhancement of significant indigenous biodiversity through subdivision in appropriate locations, subject to evidence that it will produce significant environmental benefits, and with cost-effective monitoring.
5. Provision for subdivision for rural lifestyle purposes should be enabled subject to constraints on location, scale and density which:
 - a. avoid areas that would undermine the integrity of the RUB or compromise the expansion of identified towns and villages;

- b. protect areas of identified significant biodiversity ecological, landscape and natural character values;
- c. avoid elite land;
- d. avoid areas that would constrain the operation of existing mineral extraction activities or areas containing mineral resources identified in the plan for future extraction;
- e. maintain or enhance landscape, rural character and amenity values;
- f. 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
- g. safeguard the operation, maintenance, upgrading or development of existing or planned infrastructure.

The Panel notes that the parameters of (a) to (g) have not been fully determined.

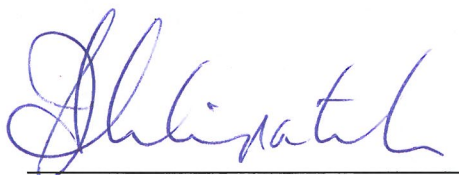
This interim guidance should also be read in conjunction with the interim guidance on RPS Topic 013 – Urban growth.

Topics 056/057 - mediation guidance

The Panel notes that subdivision rules are allocated in Topic 057 whereas rural subdivision policy is allocated in Topic 064. Topic 057 is to be mediated in April and May 2015 whereas Topic 064 is to be mediated in August 2015. This schedule will result in submissions on rural subdivision rules being mediated and heard before the mediation and hearing of submissions on rural subdivision policy contained in Chapter C.6 Subdivision.

Therefore the Panel has decided that the parties who submitted on rural subdivision in Topic 064 Subdivision can attend the mediation on Topic 056 Rural objectives and policies and Topic 057 Rural activities and controls, to mediate their submission points on rural subdivision policy. This is limited to only those parties and the points they submitted in Topic 064 relating to rural subdivision objectives and policies. The relevant submitters will be advised of mediation.

Parties can then choose to address this matter as part of their hearing evidence for topic 056/057 or as part of their hearing evidence for Topic 064, noting that the matter can only be raised at one topic hearing, not at both topic hearings.



David Kirkpatrick
Chairperson, Hearings Panel for
Proposed Auckland Unitary Plan

8 May 2015

Independent Hearings Panel
Auckland Council
Level 16, 205 Queen Street
Auckland

By Email

Dear Judge Kirkpatrick and Commissioners

INTERIM GUIDANCE ON THE REGIONAL POLICY STATEMENT

1. I am writing to express EDS's concern with RPS interim guidance. Of particular focus is the interim guidance on Section B8.3 – Rural Subdivision.
2. As we raised at the peer review meeting on 11 March 2015, EDS has a concern about the influence of the interim guidance and the fact that the picture is not yet a complete one. The Panel needs to be aware of the substantial weight being given to what is said in its interim guidance at mediation.
3. The interim guidance sets a clear direction that subdivision and development should be enabled in rural areas. We understand from your comments at the review meeting that guidance regarding the overlays that might limit that enablement is yet to come.
4. We contend that the Panel should release its interim guidance on ecological areas, landscape, natural character and any other overlay matters. In the absence of this guidance it is not possible to understand the subdivision regime or to fairly participate in mediation or other processes relating to rural development.
5. We respectfully request that the Panel release the balance of interim guidance on the RPS provisions relating to rural land at an early date.

Kind regards



Gary Taylor
Executive Director
Environmental Defence Society