

IN THE ENVIRONMENT COURT  
AT WELLINGTON

I TE KŌTI TAIAO O AOTEAROA  
KI TE WHANGANUI-A-TARA

Decision No. [2024] NZEnvC 005

IN THE MATTER of an appeal under cl 14 of Schedule 1 of  
the Resource Management Act 1991

BETWEEN NEW ZEALAND TRANSPORT  
AGENCY – WAKA KOTAHI

(ENV-2022-WLG-000027)

Appellant

AND HOROWHENUA DISTRICT COUNCIL

Respondent

Court: Judge L J Semple sitting alone under s 279 of the Act

Hearing: In chambers at Wellington

Last case event: 19 January 2024

Date of Decision: 30 January 2024  
(On the papers)

Date of Issue: 30 January 2024

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**CONSENT ORDER**

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A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment  
Court, by consent, orders that:

- (1) the appeal is allowed in accordance with Annexure A to this Order;
- (2) the appeal is otherwise dismissed;



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- (3) under s 285 of the Resource Management Act 1991, there is no order as to costs.

## **REASONS**

### **Introduction**

[1] By Notice of Appeal dated 15 August 2022, the New Zealand Transport Agency – Waka Kotahi appealed provisions of Proposed Plan Change 4 – Tara-Ika Growth Area to the Horowhenua District Plan.

[2] The Court has read and considered the memorandum of the parties dated 21 December 2023, which proposes to resolve the appeals.


### **Other relevant matters**

[3] Prouse Trust Partnership & Others and James McDonnell Ltd gave notice of their intention to become parties under s 274 of the Act and have signed the memorandum of the parties dated 21 December 2023.

### **Orders**

[4] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the consent memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

  
L J Semple

Environment Judge



## 6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT

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### 6A. TARA-IKA MULTI ZONE PRECINCT

The following objectives and policies are to be read in conjunction with the objectives and policies contained within Chapters 1-14 of the Horowhenua District Plan. In the event there is conflict between the objectives and policies in this chapter and those contained within the remainder of the District Plan, the objectives and policies contained within this chapter (Chapter 6A –Tara-Ika) shall apply.

Tara-Ika is a large greenfield site located to the east of the existing urban area of Levin/Taitoko, with the Tararua Ranges forming an impressive backdrop to the area.

Muaūpoko have a very strong and enduring relationship with the Tara-Ika area, as it is an area where they have worked, cultivated, hunted and gathered resources for over 1000 years. Tara-Ika sits between areas of high cultural association to Muaūpoko, including Punahau (Lake Horowhenua) and the Tararua Ranges, and is therefore part of important physical, ecological, visual and spiritual pathways.

The Tara-Ika Development Area (Tara-Ika) totals 470ha and has been master planned to provide a range of housing options and other supportive non-residential activities such as commercial and education activities. The area is expected to accommodate approximately 3,500 residential dwellings and will be home to more than 5,000 people. Some of the surrounding environment has already been developed for rural lifestyle purposes.

The land has been identified as a growth area for the Horowhenua District since the Horowhenua Development Plan was prepared in 2008. The land was subsequently rezoned to Greenbelt Residential Deferred with an associated Structure Plan to guide development introduced to the District Plan. Since this time, growth projections for the District have changed significantly with the District's population now expected to grow rapidly. This prompted the decision to consider Tara-Ika for a greater density of development than what could occur under a Greenbelt Residential Zoning.

Tara-Ika was considered suitable for additional residential capacity due to a range of factors including:

- The site is very flat and relatively unconstrained in term of risk from natural hazards;
- The site is close to the existing urban area of Levin/Taitoko;
- The site has already been identified as a growth area and has had a level of rural lifestyle development occur under the existing zoning. As such, additional development in this area does not result in a significant loss of rural production land.

As such, the area has been master planned and the land consequently rezoned to enable a variety of different residential and non-residential activities to establish.

Tara-Ika is made up of the following zones:

- Commercial Zone (*Tara-Ika Precinct*)
- Open Space Zone (*Tara-Ika Precinct*)
- Residential Zone (*Tara-Ika Precinct*)
- Greenbelt Zone (*Tara-Ika Precinct*)

Each zone has individual objectives, policies, and rules to ensure development achieves the desired objectives and principles for the area. There are also objectives and policies that apply to all zones within Tara-Ika. In addition, the relevant objectives, policies and rules from the existing District Plan chapters and zones will apply. In the case where there are duplicate

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provisions, the more specific provision (i.e. Tara-Ika specific provisions) will apply in place of the more general provisions.

### Structure Plan 013

Structure Plan 013 is the primary tool for achieving the spatial layout expected for Tara-Ika and includes Primary and Secondary Structure Plan Features. Primary Features are those most critical to delivering the intended outcomes and have less flexibility in how they are delivered, compared to Secondary Structure Plan Features, which while still important, have more flexibility in how and where they are provided. The different hierarchy between the two is reflected in the policies contained within Chapter 6A and the activity statuses contained within Chapter 15A.

Zones and overlays are also shown on the Structure Plan. These are not Structure Plan features but are shown on the Structure Plan to help demonstrate the spatial logical of the Structure Plan features.

Please note that the Horizons Regional Council One Plan also regulates a number of activities associated with subdivision and land development, including but not limited to, earthworks, vegetation clearance, and activities near streams and areas of indigenous biodiversity. Plan users are advised to refer to the One Plan for further information.

### ISSUE 6A.1 OVERALL PRINCIPLES FOR DEVELOPMENT IN TARA-IKA

*Through the Horowhenua Growth Strategy 2040, Council identified that the existing zoning and structure plan for the area previously known as 'Gladstone Green' was unlikely to accommodate the level of growth anticipated in the District, or deliver the outcomes desired for the area. Furthermore, the resource consent process was considered unlikely to provide sufficient opportunity to deliver an integrated and co-ordinated development at the scale anticipated. As a result, the Tara-Ika Master Plan was prepared in order to guide and enable residential and other development to ensure that this happens in an integrated and co-ordinated way. This master plan is the basis of the Structure Plan 013 and the following objectives and policies.*

### ISSUE DISCUSSION

Tara-Ika is anticipated to become a high amenity residential development. However, there is also a risk development could adversely affect the environmental quality and cultural values of the area due to effects arising from increased built form, traffic, and demand for infrastructure and services and pressure on eco-systems.

State Highway 57 separates Tara-Ika from the rest of the urban area of Levin/Taitoko. The preferred corridor for the Ōtaki to North of Levin/Taitoko highway is also located in Tara-Ika (near to existing State Highway 57), creating a risk of severance between Tara-Ika and the rest of Levin/Taitoko.

Due to the alignment of future and existing state highways, there is a risk that Tara-Ika will develop in way that is disconnected from the urban area of Levin/Taitoko and associated services. Unless addressed, this will have a negative impact on the amenity of the resulting development and the well-being of residents.

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The proposed Ō2NL highway will bring a range of benefits to both Tara-Ika and the wider region. However, there is also the potential for adverse effects, which will need to be avoided, remedied and mitigated. As the Tara-Ika Plan Change and the Ō2NL highway have proceeded on different timeframes and under different regulatory processes, it has been necessary to take a strategic approach to try and anticipate potential effects and how these can be appropriately addressed.

As a large greenfield site, Tara-Ika represents a 'blank' canvas. This presents an opportunity to establish a unique character. However, this also means there is no existing pattern of urban development to follow (for example, lot design and layout, street trees and provision for open space). Without an established urban pattern from adjoining areas to replicate, there is a risk that an incoherent urban form and disconnected structure will follow. This could result in inadequate dwelling interaction with the street, adhoc section sizes that affects character and amenity, or establishment of a commercial area in an inappropriate location. It is also possible that future development will not sufficiently consider or prioritise the amenity or functionality of the public realm, resulting in poor quality urban form, inadequate or inappropriate use of street trees and a lack of quality, functional reserve space. The master plan seeks to respond to these risks.

Master planned greenfield development at Tara-Ika therefore presents an opportunity to achieve the following:

- a connected and integrated future-proof development that represents good urban design and provides a high level of residential amenity;
- encourages a variety in housing choice, including higher density options;
- a development that utilises low impact, sustainable servicing solutions and encourages walking and cycling;
- a development which provides facilities and open space to meet the needs of the community;
- a development that maintains and enhances cultural, heritage, and ecological values of the area.

To achieve the above, it is important that subdivision, development, and land use activities are coordinated to occur in locations and at densities that enable sustainable and efficient use of land and delivery of infrastructure and contribute to a high amenity environment.

It is also important that development at Tara-Ika is resilient to the effects of climate change and natural hazards and minimises effects on the natural environment. Both of these considerations require careful stormwater design.

The following objectives and policies seek to respond to the above issue and opportunity.

### Objectives & Policies

#### Objective 6A.1

To achieve an integrated, efficient, and connected development that reflects cultural values and local identity, represents good urban design, is supported by a well-connected, safe and efficient transport network that supports a range of transport modes and has the facilities, infrastructure, social infrastructure, and amenities necessary to contribute to the health, safety, and wellbeing of residents. This includes:

- Encourage housing at a range of densities;
- Provision for a local-scale commercial centre;

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- Access to quality public open space;
- Safe and efficient walking and cycling options;
- Design that reflects Muaūpoko cultural values and local history and identity;
- Protection of culturally significant sites;
- Environmentally sensitive design;
- Within the Arapaepae Road Special Treatment Overlay, development that is appropriate for the site in terms of scale, access, and compatibility with surrounding land uses
- Within the Arapaepae Road Special Treatment Overlay **and the Ō2NL Noise Management Area**, the health and wellbeing of occupants is appropriately protected.

### Policy 6A.1.1

Subdivision, infrastructure and land development in Tara-Ika must be consistent with the outcomes sought by Structure Plan 013. Subdivision and land development that does not provide Primary Structure Plan Features in the manner shown on Structure Plan 013 will only be considered where an alternative is proposed that will achieve the following:

- The same or similar level of connectivity within Tara-Ika;
- The same or similar level of connectivity between Tara-Ika and the existing urban area of Levin/Taitoko;
- Protection of opportunities for land adjacent to Tara-Ika to be connected to Tara-Ika in the future;
- Public recreation space of an equivalent functionality as that shown on the Structure Plan and that is within walking distance of a similar number of properties as shown on the Structure Plan;
- A central open space area of the general size and shape indicated on the structure plan, centrally located and adjacent to the commercial area;
- An area of open space adjoining Waiopahu Reserve, containing Maunu Wahine of a size and shape that enables Muaūpoko cultural values to be delivered (as indicated on the Structure Plan and Planning Maps);
- A streetscape that maintains an appropriate expression of street hierarchy and consistency of treatment along any Arterial or Collector Road;

### Policy 6A.1.2

Provide for a well-connected and integrated urban environment by specifying the manner in which Primary Structure Plan Features indicated on Structure Plan 013 need to be provided. The manner in which these features need be provided is set out below:

#### *North/South Arterial Roads*

- Be provided in a location central to the Tara-Ika growth area and be generally straight.
- Be located to provide road frontage to the commercial zone and central open space (including education overlay).
- Be utilised for stormwater management as required.

#### *East/West Arterial Roads*

- Be provided in a location central to the Tara-Ika growth area and generally straight.

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- Be oriented to provide views towards the Tararua Ranges.
- Be located to provide road frontage to the commercial area (on both sides of the road) and to the central open space (including education overlay) and make provision connect directly into Taitoko/Levin.
- Be utilised for stormwater management as required.

### *Collector Roads*

- Be uniformly spaced from the arterial roads.
- East/West collector roads should be oriented to provide views towards the Tararua Ranges.
- North/South collector roads should be located to provide direct connections to the East/West collector roads.
- Be utilised for stormwater management as required.

### *Strategic Cycleways*

- Be located directly alongside arterial or collector roads.
- Be located so that they will (when completed) provide a connection from edge to edge of the Tara-Ika growth area in both a North/South and East/West direction.
- Be located to provide connections to and through the commercial zone.
- Be located to provide connections to the education overlay on two sides.
- The northern East/West cycleway should be located so that (when complete) it will provide a connection from Arapaepae Road to Waiopahu Reserve.

### *Central Open Space*

- The central open space area should be of the general size and shape indicated on the structure plan, located immediately adjacent to the commercial area, and include provision for a primary school.

### *Maunu Wahine*

- Should adjoin Waiopahu Reserve.
- Be of a size and shape that enables Muaūpoko cultural values to be delivered.

### **Policy 6A.1.3**

Subdivision, land development and open space reserves in Tara-Ika will acknowledge, protect, and celebrate Muaūpoko values, history, and local identity in the following ways:

- Use of Muaūpoko names, among others, for streets and reserves;
- Protection of culturally significant sites and their values;
- Prioritise use of locally sourced indigenous plants in street and reserve planting
- Muaūpoko Accidental Discovery and Tikanga Protocol to be observed during site works.

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### **Policy 6A.1.4**

Require development to be designed in a manner that enables passive surveillance of public places (such as parks and roads) from private properties using techniques such as good site layout, restricting fence heights, and landscape treatments that will not obscure key sightlines.

### **Policy 6A.1.5**

Provide for non-residential activities, such as community, recreational, educational and commercial activities, which support the day to day needs of the local community, while avoiding any such non-residential activities of a nature and scale that compete with the Levin/Taitoko Town Centre.

### **Policy 6A.1.6**

Require subdivision layout to ensure street design enables the safe and efficient movement of people, traffic and public transport, provides a high level of safety and amenity for pedestrians and cyclists, and contributes positively to the public realm, including restricting vehicle crossings over Strategic Cycleways.

### **Policy 6A.1.7**

Encourage additional building height where this would contribute to a well-functioning urban environment (for example, increased housing variety), so long as reasonable privacy of neighbouring dwellings is maintained, culturally important views are maintained along Queen Street East and visual dominance and excessive shading beyond the subject site are avoided.

### **Policy 6A.1.8**

Manage land use within the Arapaepae Road Special Treatment Overlay in a manner that provides flexibility to deliver a context specific response, recognising the unique attributes of the site, while managing adverse effects and providing an acceptable level of amenity for the proposed activity, including safe and efficient access and avoiding or minimising reverse sensitivity effects.

### **Policy 6A.1.9**

Require subdivision layout that will enable buildings to utilise energy efficiency and conservation measures.

### **Policy 6A.1.10**

Require ecological areas, transport corridors, stormwater reserves and open space reserves to be designed and managed in a way that protects and enhances habitat for Muaūpoko taonga.

### **Policy 6A.1.11**

**Require new habitable rooms containing noise sensitive activities located within the Ō2NL Noise Management Area to meet acoustic standards that address the health and wellbeing of**



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### occupants.

#### Objective 6A.2

Efficient delivery of infrastructure within Tara-Ika will enable development while protecting environmental and cultural values and achieving a high level of residential amenity.

##### Policy 6A2.1

Make provision within Tara-Ika for housing yield of at least 3,500 houses.

##### Policy 6A2.2

Require subdivision and development to be managed, designed and staged to align with the coordinated provision and upgrading of the infrastructure network (including the transport network and stormwater network), public open space, streetscape and local service facilities within Tara-Ika, as illustrated on Structure Plan 013.

##### Policy 6A2.3

Avoid subdivision and development that compromises the ability to provide efficient and effective infrastructure networks including for the wider Tara-Ika Growth Area

#### Objective 6A.3

Stormwater management in Tara-Ika will be resilient, culturally sensitive, and environmentally sustainable, including:

- Resilient to natural hazards and the likely effects of climate change;
- Incorporating Water Sensitive Design;
- Minimise adverse effects on downstream environments and ecosystems by retaining all stormwater onsite in a 1 in 100 year annual return interval rainfall event (with allowance for climate change);
- Avoiding natural areas and ecosystems that are sensitive to modifications to changes in groundwater and surface water levels and flows

##### Policy 6A.3.1

Require an integrated approach to managing stormwater from Tara-Ika to ensure the quality and quantity of runoff does not have an adverse effect on Punahau (Lake Horowhenua), the Koputaroa Stream, or other downstream environments.

##### Policy 6A.3.2

Require all stormwater to be retained and disposed of within the Tara-Ika Growth Area for up to a 1 in 100 year annual return interval rainfall event (with allowance for climate change and allowance for catchment predevelopment flow continuity), and treated and managed utilising the best practicable option to mitigate the effects of stormwater by including the following:

- (i) limiting the extent of impervious areas;
- (ii) incorporating on-site treatment and disposal of stormwater into subdivision and development design;
- (iii) provision of catchment-wide facilities like wetlands and basins that are efficient and effective from both a construction and maintenance perspective;

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- (iv) maintaining predevelopment flows to the natural downstream ecosystems

### **Policy 6A.3.3**

Recognise and provide for the principles of te mana o te wai and the role of Muaūpoko as kaitiaki of the Tara-Ika environment and its connection to Punahau (Lake Horowhenua) by working with Muaūpoko to protect the mauri of freshwater within Tara-Ika and to manage stormwater quality and quantity.

### **Policy 6A.3.4**

Require rainwater collection tanks to be provided on all new residential allotments to capture and reuse runoff.

### **Explanation and Principal Reasons**

Large scale greenfield development has the potential to lead to adverse environmental outcomes, particularly when the land is owned by multiple different parties. Without a strong framework to guide growth and development in this area, there is potential for individual subdivisions to progress in a fragmented and disconnected manner. Furthermore, there is a risk that no individual application will make provision for facilities such as open space, supportive commercial activities, or educational activities. Further, individual subdivision applications progressing in an adhoc manner are likely to result in inefficient delivery of infrastructure and limit opportunities for connectivity.

The Structure Plan for the Tara-Ika is based on the Tara-Ika Master Plan. It provides a comprehensive framework to manage growth and development in Tara-Ika, including infrastructure, roads and open space. Subdivision and development is required to be undertaken in accordance with the Structure Plan to ensure efficient use of the land and physical resources. It is important the principles of this Structure Plan are adhered to in order to achieve the development outcomes anticipated for this area.

Ensuring subdivision and development is aligned with the Structure Plan will help to deliver a quality living environment that is supported by necessary non-residential activities, amenities, and services.

It is also important to recognise cultural history and identity in this area. One way to achieve this is to ensure that streets and reserve names include Māori names chosen by Tangata Whenua.

### **ISSUE 6A.2 RESIDENTIAL ZONES (TARA-IKA PRECINCT)**

The character of the Residential Zone of Tara-Ika is likely to be different to the wider Levin/Taitoko area due to the era of development, housing density expected, integrated master planning approach to development, and the detail of the design principles identified for this area.

It is important Tara-Ika complements and integrates with the existing residential areas of Levin/Taitoko while providing a different offering (for example, more housing variety).

### **ISSUE DISCUSSION**

## **6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT**

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The Tara-Ika residential area needs to develop in a manner that reflects good urban design and form to achieve a high amenity living environment that contributes to the wellbeing of its residents.

At present, there is limited variation in residential housing types available within the District. The predominant housing type available is 'family sized' standalone dwellings on relatively large residential sections, ranging from 400m<sup>2</sup>-800m<sup>2</sup>. However, this uniformity of housing type does not fully satisfy the diverse needs of the Horowhenua community. Tara-Ika offers an opportunity to respond to this by encouraging more variety and improving housing affordability and small lots suitable for smaller dwellings. The following objectives and policies seek to respond to this.

### **Objectives & Policies**

#### **Objective 6A.4**

Achieve a high amenity, walkable residential environment with a range of section sizes and housing types, including affordable housing options, in Tara-Ika.

##### **Policy 6A.4.1**

Optimise walkability and encourage choice and a variety of housing types, by providing for higher density residential development near to commercial and community facilities and lower density residential development at the outer edge of Tara-Ika.

##### **Policy 6A.4.2**

Enable and encourage a range of housing types and section sizes in Tara-Ika to meet the variety of needs and preferences in our community, while ensuring a high level of residential amenity and connectivity.

##### **Policy 6A.4.3**

Use both minimum and maximum density standards to encourage housing variety and to ensure development occurs at a scale and density consistent with the amenity expected for that particular area.

#### **Explanation and Principal Reasons**

Management of the residential environment generally focuses on providing for ongoing use and development in a way that maintains and enhances their character and amenity values. In the case of Tara-Ika, the early stages of development will not have an established residential character or amenity to be informed by. Both the Tara-Ika Master Plan and Structure Plan 013 outline some of the characteristics of urban form and design that will lead to the creation of a residential character and amenity that is considered appropriate within this particular context. The above objectives and policies, supported by District Plan rules, seek to achieve these outcomes to build and establish a high amenity residential character for Tara-Ika.

### **ISSUE 6A.3 COMMERCIAL ZONE (TARA-IKA PRECINCT)**

Given the anticipated population of Tara-Ika and the proximity of Tara-Ika to existing residential areas on the eastern side of Levin/Taitoko, the area will likely be supported by a commercial centre in the future. It is important that this is located in the appropriate location

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to maximise accessibility for the community served, support viability and consequently maximise the benefits this will offer the community. In addition, it is important that the nature and scale of this centre is controlled so as to ensure it offers a high amenity 'focal point' for the community, while not conflicting with the existing Levin/Taitoko town centre.

### **Issue Discussion**

It is important that commercial development in Tara-Ika agglomerates in a highly accessible, central location. If commercial activities and community services establish in an adhoc or sprawling manner, the vibrancy and vitality of the neighbourhood centre will be reduced, limiting the opportunity for it to act as a central point for the community.

The commercial centre will provide an important service to the community, through meeting the daily or weekly needs of the local catchment. This can reduce the need to travel across town and improves the overall experience of living within an area that, due to the distance from the commercial area of Levin/Taitoko and the presence of a State Highway (State Highway 57 in the short term and the Otaki to North of Levin/Taitoko highway in the longer term), would otherwise be underserved by convenience facilities.

The design and layout of commercial development is important to ensuring a vibrant and attractive centre that the community will want to spend time in. Important considerations include the design of building frontages and the location of carparks. An attractive commercial centre that demonstrates good urban design can also support other types of land uses. This is because quality commercial development can act as an 'attractor' for land uses such as medium density development. This is considered an important relationship to acknowledge and enhance in order to encourage housing variety, as well as to achieve an attractive commercial centre.

In addition to the above, it is important that the Tara-Ika commercial centre does not compete with the Levin/Taitoko town centre, particularly given the proximity of the Tara-Ika commercial centre to both existing and proposed State Highways. Therefore, it is important that the nature and scale of this centre is controlled in order to protect the primacy of the Levin/Taitoko town centre.

## **Objectives & Policies**

### **Objective 6A.6**

Encourage development of a sustainable and attractive local commercial centre that accommodates a variety of compatible land use activities, while protecting the vitality of the Levin/Taitoko Town Centre.

#### **Policy 6A.6.1**

Provide for supermarket and/or convenience retail facilities at a scale suitable for the area.

#### **Policy 6A.6.2**

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Provide for service based commercial activities that support the daily or weekly needs of the local community, so long as nature and scale does not compete with the Levin/Taitoko Town Centre.

### **Policy 6A.6.3**

Ensure of the design, nature, and scale of commercial activities contributes positively to the image and overall amenity of the commercial area of Tara-Ika.

### **Policy 6A.6.4**

Ensure the development in the commercial zone contributes positively to the amenity of public places (including footpaths and roads) by:

- (a) avoiding blank walls facing the roads;
- (b) providing level access for pedestrians into shops;
- (c) ensuring fascia boards and associated signage are of a consistent size and height;
- (d) avoiding freestanding signs;
- (e) maximising outlook onto streets and public places;
- (f) providing weather protection for pedestrians along the road frontages;
- (g) providing service access, car parking and staff parking away from the frontages;

### **Policy 6A.6.5**

Avoid establishing commercial activities that are of a nature and scale that would detract from the vibrancy and vitality of the Levin/Taitoko Town Centre. Examples of such activities include but are not limited to entertainment activities, hotel/motel accommodation, large format retail and other activities of a type and scale that will compete with the Levin/Taitoko Town Centre.

### **Explanation and Principal Reasons**

Given the anticipated population of Tara-Ika, it is both likely and desirable for a range of small scale commercial activities to establish.

Commercial centres fulfil both a functional need for residents, thus reducing their need to travel into Levin/Taitoko or other surrounding areas to meet their daily and weekly convenience needs and provide a focal point for the community. This is important as it provides a place for people to meet and interact with both their neighbours and the wider community. This contributes to feelings of safety, social connectedness and wellbeing, which ultimately improves the overall quality and amenity of the surrounding residential environment. However, it is important that the commercial area of Tara-Ika does not compete with the vibrancy and vitality of the Levin/Taitoko Town Centre.

In order to achieve these outcomes, the above objectives and policies (and supporting rules in Chapter 15A of the District Plan) seek to control the design of signs and buildings and the nature and scale of residential activities in ensure a high amenity environment that encourages walking, cycling through quality of experience. Controls on the scale and nature of commercial activities allowed to establish within Tara-Ika will also avoid conflict with adjoining land uses and ensure that Levin/Taitoko's town centre remains the primary commercial centre in the District.

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### **ISSUE 6A.4 OPEN SPACE (TARA-IKA PRECINCT)**

#### **ISSUE DISCUSSION**

Given the size of Tara-Ika and the number of lots it will accommodate, the development will require open space provision. It is important that the reserve space is provided in the appropriate location and that it is of a functional size and shape.

#### **Objectives & Policies**

##### **Objective 6A.7**

To provide high quality public open space that is accessible and can be used for a variety of purposes, including stormwater management.

##### **Policy 6A.7.1**

Ensure open space is distributed through Tara-Ika to be easily accessible to all residential lots by requiring all subdivision and development to be consistent with the Structure Plan 013.

##### **Policy 6A.7.2**

Ensure Reserves are of a size, shape and type that enables a functional, recreational use by requiring all subdivision and development to be consistent with the Structure Plan 013.

##### **Policy 6A.7.3**

Ensure Reserves are of a size, shape and type that enables functional and recreational uses by requiring all subdivision and development to be consistent with the Structure Plan 013.

##### **Policy 6A.7.4**

Require Reserves to recognise and celebrate Muaūpoko history and values through design, wayfinding, storytelling, naming, and use of planting.

##### **Policy 6A.7.5**

Enable education facilities to establish at a scale that supports the needs of the local community.

#### **Explanation and Principal Reasons**

Open space that can be used for a range of recreational purposes is an important asset for both the wider community and the Tara-Ika community. Furthermore, recreation space contributes positively to residential amenity. In addition, recreation space provides opportunity to manage stormwater during heavy rain events and to contribute to the ecology of an area.

It is important that Tara-Ika is serviced by quality reserve space. As a large greenfield site, there is opportunity to secure land for recreation space early in the land development process, to ensure it is functional, accessible, and of high amenity. The above objectives and policies

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(and supporting rules in Chapter 15A of the District Plan) seek to secure this outcome.

### Methods for Issues and Objectives in Tara-Ika

#### District Plan

- A range of zones, supported by a 'Tara-Ika Precinct', will be identified on the planning maps.
- Tara-Ika Precinct-specific rules will be applied, in addition to general zoning rules, to specify how subdivision and development will be managed in order to achieve the above objectives and policies.
- A structure plan will guide subdivision and development within Tara-Ika area in order to achieve the above objectives and policies.
- The resource consent process will provide opportunity for appropriate subdivision and development proposals that are not permitted, either because of non-compliance with environmental standards or because of the nature of the non-residential land uses.
- Conditions on resource consents will control the effects of subdivision and development.

*Standards expressed as District Plan rules are considered to be the most appropriate and effective method of maintaining minimum standards for the matters over which the Council has jurisdiction. Rules provide certainty for resource users and for neighbours which is important for community understanding of what environmental quality is expected. The use of a Design Guide is effective in providing guidance on the matters and outcomes for achieving quality medium density developments.*

#### Tara-Ika Master Plan

The Tara-Ika Master Plan formed the basis of the above objectives and policies and Structure Plan. The Master Plan provides further detail, assessment, and information that justify the outcomes sought for Tara-Ika.

#### Long Term Plan/Annual Plan

- Council will undertake amenity improvement work including street planting and traffic management schemes within residential areas. Council will co-ordinate the provision of appropriate infrastructure to support residential development.
- Council will continue to maintain the landscape of streets (berms and sealed surfaces) and areas of public open space throughout the settlements.
- Council will require developers to contribute to the costs of new infrastructure and upgrading, reserves provision, community and recreational facilities and amenity improvements in residential areas.
- Council will require developers to contribute to the costs of new infrastructure and upgrading, reserves provision, community and recreational facilities and amenity improvements through its Development Contributions Policy.

There are a range of non-District Plan methods available to promote a good standard of residential design and development, particularly through the use of Codes and Guidelines, and through Council funded initiatives for community and residential amenities. Development Contributions from residential development will be used in the upgrading and

## **6A OBJECTIVES/POLICIES: TARA-IKA MULTI-ZONE PRECINCT**

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expansion of the District's roads, reserves and other civic amenities and facilities.

### **Other**

- Council will work with iwi, particularly in regard to stormwater design, reserve design, planting, and street and reserve naming.
- Contractors will be briefed on the tikanga requirements.



# 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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## 15A. TARA-IKA MULTI-ZONE PRECINCT

*A 'multi-zone precinct' is a tool set out in the National Planning Standards. The National Planning Standards define a 'precinct' as follows:*

*A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).*

*Tara-Ika contains a number of different zones, including Residential, Greenbelt Residential, Open Space, and Commercial. The majority of the current rules and standards contained within these existing zone will apply within Tara-Ika. However, there are some instances where different rules and standards will be required within Tara-Ika. Therefore, the respective zone chapter provisions will apply within Tara-Ika, except as modified by the provisions contained within Chapter 15A. If there is conflict between chapters, the provisions of Chapter 15A will override.*

### Structure Plan 013

*Structure Plan 013 is the primary tool for achieving the spatial layout expected for Tara-Ika and includes Primary and Secondary Structure Plan Features. Primary Features are those most critical to delivering the intended outcomes and have less flexibility in how they are delivered, compared to Secondary Features, which while still important, have more flexibility in how and where they are provided. The different hierarchy between the two is reflected in the policies contained within Chapter 6A and the activity statuses contained within Chapter 15A.*

*Zones and overlays are also shown on the Structure Plan. These are not Structure Plan features but are shown on the Structure Plan to help demonstrate the spatial logic of the Structure Plan features.*

### Arapaepae Road Special Treatment Overlay

*The Arapaepae Road Special Treatment Overlay is designed to manage the piece of land between Arapaepae Road (currently State Highway 57) and the Ō2NL highway. The shape of this piece of land, its location between two busy roads, and that it is currently taking access of State Highway 57 (which is a limited access highway) will all impact on the way in which it is ultimately developed. As such, the Arapaepae Road Special Treatment Overlay, while having an underlying Residential Zone, provides a high degree of flexibility in the nature and type of activity that can establish, providing that identified effects are appropriately managed.*

## 15A.1 PERMITTED ACTIVITIES

The following activities are permitted activities provided activities comply with all relevant conditions in Rule 15A.6 and Chapters 21, 22, 23 and 24.

# 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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*Note: The permitted activity conditions within the relevant zone chapter for the relevant activity type also apply. Where there is conflict between provisions, the more specific provision (i.e. the provisions of this chapter) apply.*

## 15A.1.1 All Zones

### 15A.1.1.1 Activities permitted by the underlying zone chapters

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a permitted activity in Chapter 15 are a permitted activity, provided activities comply with all relevant conditions contained within Chapter 15.
- (b) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a permitted activity in Chapter 18 are a permitted activity, provided activities comply with all relevant conditions contained within Chapter 18.
- (c) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a permitted activity in Chapter 20 are a permitted activity, provided activities comply with all relevant conditions contained within Chapter 20.

### 15A.1.2 Commercial Zone

In the Commercial Zone, the only permitted activities are:

- (a) Commercial (excluding entertainment activities) occupying up to 250m<sup>2</sup>
- (b) Retail occupying a floor area of up to 250m<sup>2</sup>
- (c) Community activities
- (d) Recreation facilities
- (e) Public conveniences
- (f) Open space
- (g) Residential activities above ground floor (i.e. 1st floor or above), or at ground level only where the residential activity does not directly front onto the road boundary (i.e. they are located to the rear of a commercial activity).
- (h) The following types of signs
  - (i) Advertising signs, including public facility or information signs identifying a building, property or business.
  - (ii) Official signs.
  - (iii) Temporary signs.
  - (iv) Signs advertising sale or auction of land or premises.
  - (v) Health and safety signs.

## 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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- (i) The following network utilities and energy activities:
  - (i) The construction, operation, maintenance and upgrading of network utilities.
  - (ii) Domestic scale renewable energy devices.
- (j) Temporary activities

### 15A.2 CONTROLLED ACTIVITIES

The following activities are controlled activities provided activities comply with all relevant conditions in Rules 15A.6 and Chapters 21, 22, 23 and 24. In addition, refer to the relevant zone chapters for matters of control and conditions for controlled activities:

*Note: The matters of control contained within the relevant zone chapter for the relevant activity type also apply.*

#### 15A.2.1 All Zones

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 15 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 15.
- (b) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 17 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 17.
- (c) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 18 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 18.
- (d) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a controlled activity in Chapter 20 are a controlled activity, provided activities comply with all relevant conditions contained within Chapter 20.

### 15A.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities provided activities comply with all relevant conditions in Rule 15A.8 and Chapters 21, 22, 23 and 24.

*Note: The matters of discretion and conditions for restricted discretionary activities contained within the relevant zone chapter for the relevant activity type also apply.*

*Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.*

# 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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## 15A.3.1 All Zones

- (a) The subdivision of land that provides Primary Structure Plan Features in the manner shown on Structure Plan 013 (for the avoidance of doubt, including subdivision where there are no such Features depicted on the Structure Plan for the relevant land).
- (b) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 15 are a restricted discretionary activity, provided activities comply with all relevant conditions contained within Chapter 15.
- (c) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 17 are a restricted discretionary activity, provided activities comply with all relevant conditions contained within Chapter 17.
- (d) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 18 are a restricted discretionary, provided activities comply with all relevant conditions contained within Chapter 18.
- (e) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a restricted discretionary activity in Chapter 20 are a restricted discretionary, provided activities comply with all relevant conditions contained within Chapter 20.
- (f) Any Permitted or Controlled activity that does not comply with Permitted or Controlled Activity conditions.

## 15A.3.2 Residential Zone

- (a) Any development within the Arapaepae Road Special Treatment Overlay noted on Structure Plan 013.
- (b) Any activity that does not comply with Rule 15A.6.2.7 – Noise Sensitive Activities in the Ō2NL Noise Management Area.

## 15A.3.3 Commercial Zone

- (a) Development of new buildings and additions or external alterations to building frontages. (Refer Rule 15A.8.3.1).
- (b) Supermarkets (Refer Rule 15A.8.3.2).
- (c) Drive-through restaurants. (Refer Rule 15A.8.3.3).

## 15A.4 DISCRETIONARY ACTIVITIES

The following activities are discretionary activities.

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

# 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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## 15A.4.1 All Zones

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 15 are a discretionary activity.
- (b) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 17 are a discretionary activity.
- (c) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 18 are a discretionary activity.
- (d) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a discretionary activity in Chapter 20 are a discretionary activity.
- (e) Subdivision or land use activities that do not provide Primary Features in the manner shown on Structure Plan 013\*.
- (f) Subdivisions that do not comply with Rule 15A.8.2.3(b)(ii), 15A.8.3.4(b)(ii), 15A.8.4.1(b)(ii), or 15A.8.5.1(b)(ii).
- (g) Any development that does not comply with Rule 15A.8.2.2(b) - Development within the Arapaepae Road Special Treatment Overlay (Refer to Rule 15A.3.2(a)).
- (h) Any activity not otherwise specified.
- (i) Any Restricted Discretionary Activity that does not comply with Restricted Discretionary Activity Conditions.
- (j) Any activity that does not comply with 15A.8.1.1(b).

*\*Advice note: Zones are not Primary Structure Plan Features. In the event 'out of zone' activities are proposed, the activity status will be determined based on the zone rules unless the activity does not provide a Primary Structure Plan Feature (e.g. arterial) road, in which case it is captured by Rule 15A.4.1(e).*

## 15A.4.2 Commercial Zone

- (a) Commercial activities that do not comply with maximum floor area limits.
- (b) Development of a new building, or additions and/or alterations to existing building frontages that do not comply with the conditions for Restricted Discretionary Activities in Rule 15A.8.3.1.

## 15A.5 NON-COMPLYING ACTIVITIES

The following activities are non-complying activities.

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

# 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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## 15A.5.1 All Zones

- (a) Within the Residential Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 15 are a non-complying activity.
- (b) Within the Commercial Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 17 are a non-complying activity.
- (c) Within the Greenbelt Residential Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 18 are a non-complying activity.
- (d) Within the Open Space Zone of the Tara-Ika Precinct, activities listed as a non-complying activity in Chapter 20 are a non-complying activity.
- (e) Any activity that does not comply with Rule 15A.6.1.1 – Vehicle Access into Strategic Cycleways.
- (f) Industrial Activities (for the avoidance of doubt, this includes activities in the Arapaepae Road Special Treatment Overlay)
- (g) Large Format Retailing (for the avoidance of doubt, this includes activities in the Arapaepae Road Special Treatment Overlay).

## 15A.6 CONDITIONS FOR PERMITTED ACTIVITIES

*Note: The permitted activity conditions within the relevant zone chapter for the relevant activity type also apply. Where there is conflict between provisions, the more specific provision (i.e. the provisions of this chapter) apply.*

The following conditions shall apply to all permitted activities:

### 15A.6.1 All Zones

#### 15A.6.1.1 Vehicle Access into Strategic Cycleways

- (a) No vehicle crossings shall cross a strategic cycleway shown on Structure Plan 013 will be permitted. In such cases, vehicle access to the site shall be via side or rear access lanes shown on Structure Plan 013

### 15A.6.2 Residential Zones

#### 15A.6.2.1 Rainwater Tanks

- (a) All dwellings shall have a rainwater collection tank permanently connected to internal and external non-potable reuse including toilet flushing, laundry, and outdoor taps. Rainwater tanks must be designed and installed as follows:
  - (i) Size of tank:
    - Roof area of 75m<sup>2</sup> or less – minimum 2,000 litre capacity
    - Roof area of 75m<sup>2</sup> to 200m<sup>2</sup> – minimum 3,000 litre capacity

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- Roof area of more than 200m<sup>2</sup> – minimum 5,000 litre capacity
- (ii) The roof area to be connected will be the total footprint of the building (excluding freestanding accessory buildings) and 90% of this must be able to freely drain to the tank without need for pumping. Only runoff from roof surfaces is to be collected into the rainwater tanks.
- (iii) The rainwater tank, plumbing and pump system must be maintained in working condition over the life of the dwelling.
- (iv) The public potable water supply shall be adequately protected by installation of a non-return valve.
- (v) Rainwater tanks are to overflow when full into an on-lot soakage device for stormwater disposal.

*Note: Multi-unit dwellings may share an appropriate sized communal tank to be determined at land use or subdivision consent stage.*

### 15A.6.2.2 Maximum Building Height

- (a) In the Medium Density Area the maximum height shall be 10 metres.

### 15A.6.2.3 Integral Garages

- (a) Integral garages shall account for no more than 50% of the front façade of the dwelling unless the garage component is recessed back from the main pedestrian entrance to the dwelling by at least 1 metre

### 15A.6.2.4 Building Setback from Boundaries

#### *Front/Road Boundary*

- (a) No building shall be located closer than 2 metres from any road boundary, except that a 5 metre long vehicle standing space shall be provided between the road boundary and any structure housing a vehicle where the vehicle takes direct access to the structure from the road.

### 15A.6.2.5 Daylight Access

- (a) Where two dwellings are joined, there shall be no daylight access standard along the shared boundary.

### 15A.6.2.6 Fencing

- (a) Front Road Boundary

- (i) Local Roads

- The maximum height of a fence or wall sited on the boundary or within 2 metres of the boundary shall be no greater than 1.2 metre high.

- (ii) Collector and Arterial Roads

- The maximum height of a fence or wall sited on the boundary or within 2 metres from the boundary is 1.5m high

## 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

- (b) Boundaries adjoining a public reserve or cycle way
- The maximum height of a closed style fence or wall sited on the boundary or within 1.2 metre from the boundary is 1m high
- Or
- The maximum height of an open pool style or trellis fence or wall sited on the boundary or within 1 metre from the boundary is 1.8m high
- (c) Other Boundaries
- The maximum height of a fence or wall sited on the boundary or within 1 metre from the boundary shall not exceed 2 metres.
  - Fences perpendicular to the road shall taper downwards towards the road boundary. The taper should commence at least 1.5m from the road boundary and the maximum height of the fence where it meets the road boundary shall be 1m high if the road is a local road, or 1.5m high if it is an arterial or collector road.

### 15A.6.2.7 Noise Sensitive Activities in the Ō2NL Noise Management Area

- (a) Any new building, or alteration to an existing building, that contains a noise sensitive activity and is located within the 'Ō2NL Noise Management Area' shown on Figure 15A-1 below must be designed and constructed to achieve the indoor design noise levels from road traffic set out in Table 15A-1 below (excluding areas not deemed to be habitable spaces as defined in Schedule 1 of the Building Regulations 1992). For the purposes of Table 15A-1 noise levels from road traffic means noise levels from road traffic on the Ō2NL highway (once operational) combined with traffic on Arapaepae Road (if applicable). This shall be determined using the noise contours shown on Figure 15A-1 below until such time as more up to date contours or better information is available (for example, predicted noise contours provided as part of any outline plan of works for Ō2NL).

Table 15A-1: Indoor Design Limits

Building Type	Occupancy/Activity	Maximum Indoor Design Noise Level LAeq(24h)
Residential	Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)	40dB
Education	Assembly Halls	35dB
	Conference rooms, drama studios	40dB



## 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

	Lecture rooms and theatres, music studios	35dB
	Libraries	45dB
	Sleeping areas in educational facilities	40dB
	Teaching areas	40dB
Health	Overnight medical care, wards	40dB
	Clinics, consulting rooms, theatres, nurses' stations	45dB
Cultural Buildings	Places of worship, marae	35dB

Note: This table is informed by Waka Kotahi guidance material on managing State Highway noise. The purpose of this table is to specify the noise level standards for different types of activities. It should not be taken as an indication of what types of activities will be considered acceptable in this location.

- (b) If windows must be closed to achieve the design noise levels in (a), the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:
- (i) Ventilation must be provided to meet clause G4 of the New Zealand Building Code. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
  - (ii) The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
  - (iii) The system must provide cooling controllable by the occupant that can maintain the temperature at no greater than 25°C. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.

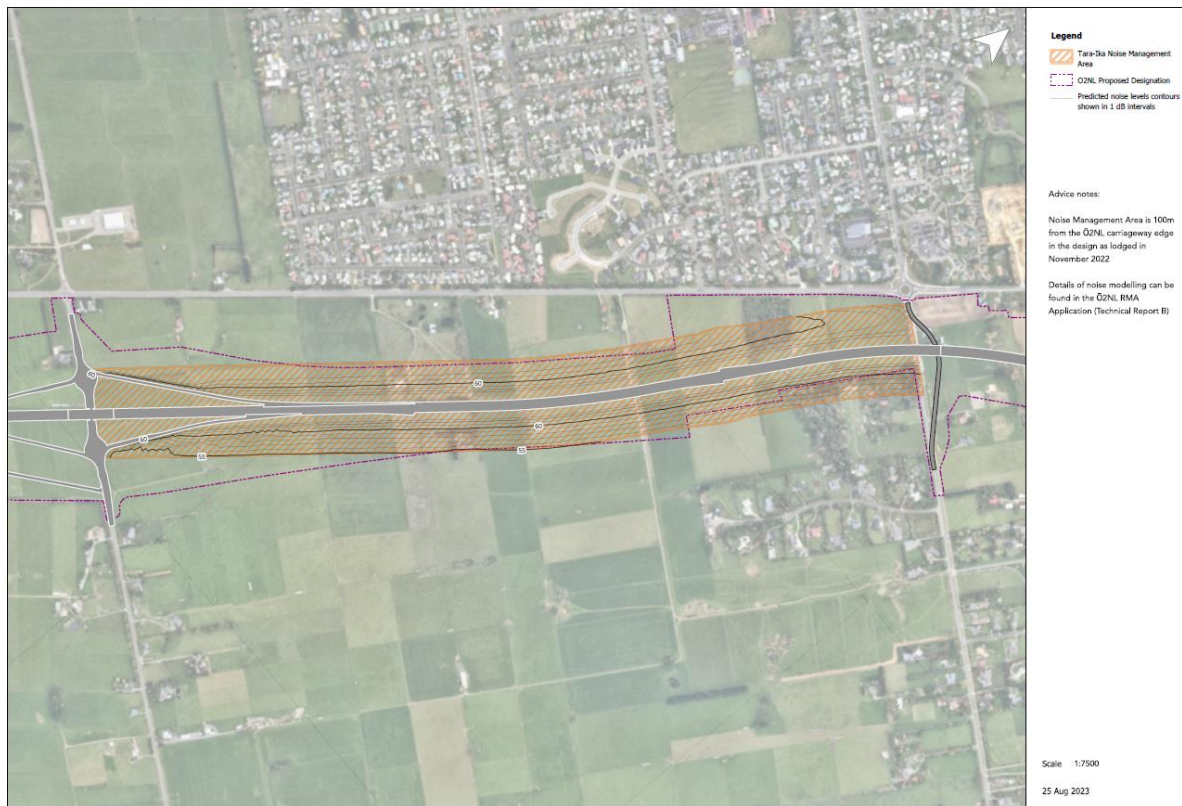
Note: The provisions of Condition 15A.6.2.7 apply irrespective of whether the Ōtaki to north of Levin highway has been constructed or is operational.

- (c) This rule (15A.6.2.7) does not apply to the historic dwelling known as 'Ashleigh' located at 1024 Queen Street East (CFR WN52C/745)
- (d) If construction of the Ō2NL highway does not commence by 31 December 2035 rule 15A.6.2.7 shall no longer apply.

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Figure 15A-1 'Ö2NL Noise Management Area' and Predicted Noise Contour Information for Rule 15A.6.2.7

(Note that a higher resolution version is available from the Council.)



# 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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## 15A.6.3 Commercial

### 15A.6.3.1 Signs

- (a) A maximum of 2 signs will be permitted per frontage in any 2 of the following preferred locations:
- Building façade;
  - Verandah fascia;
  - Under verandah;
  - Side wall;
  - Inside the display window.
- (b) Signs in the Commercial Zone shall be limited to the following sizes:

**Table 15A-2: Sign Dimensions**

Sign Type	Maximum Dimensions
Building Façade	Maximum area 1.2m <sup>2</sup> .
Verandah Fascia	Must not extend beyond the fascia.
Under Veranda	Must have a least 2.5m clearance above the ground.
Side Wall	Maximum 8m <sup>2</sup> and set back at least 0.5m from corner.

- (c) There shall be no remote signage

## 15A.6.4 Greenbelt Residential Zone

### 15A.6.4.1 Rainwater Tanks

- (a) All dwellings shall have a rainwater collection tank permanently connected for internal and external non-potable reuse including toilet flushing, laundry, and outdoor taps. Rainwater tanks must be designed and installed as follows:
- (i) Size of tank:
- Roof area of 75m<sup>2</sup> or less - minimum 2,000 litre capacity
  - Roof area of 75m<sup>2</sup> to 200m<sup>2</sup> - minimum 3,000 litre capacity
  - Roof area of more than 200m<sup>2</sup> - minimum 5,000 litre capacity

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- (ii) The roof area to be connected will be the total footprint of the building (excluding freestanding accessory buildings) and 90% of this must be able to freely drain to the tank without need for pumping. Only runoff from roof surfaces is to be collected into the rainwater tanks.
- (iii) The rainwater tank, plumbing and pump system must be maintained in working condition over the life of the dwelling.
- (iv) The public potable water supply shall be adequately protected by installation of a non-return valve.
- (v) Rainwater tanks are to overflow when full into an on-lot soakage device for stormwater disposal.

*Note: Multi-unit dwellings may share an appropriate sized communal tank to be determined at land use or subdivision consent stage.*

### 15A.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

*There are no Tara-Ika Precinct specific Matters of Control. The matters of control and conditions for controlled activities contained within the relevant zone chapter for the relevant activity type apply.*

### 15A.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

*Note: The matters of discretion and conditions for restricted discretionary activities contained within the relevant zone chapter for the relevant activity type also apply.*

The matters over which Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

#### 15A.8.1 All Zones

##### 15A.8.1.1 Stormwater Management Requirements for Restricted Discretionary Activities

- (a) Matters of Discretion
  - (i) The effects on adjacent properties and downstream environments
  - (ii) The matters set out in Policy 6A.3.1, Policy 6A.3.2, and Policy 6A.3.3.
- (b) Conditions
  - (i) Stormwater must be retained onsite and discharged to ground within the Tara-Ika Growth area for up to a 1 in 100 year average recurrence interval (ARI) rainfall event (including modelled increased volumes expected for such events due to climate change).

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- (ii) A stormwater management plan must be submitted with all resource consent applications for restricted discretionary activities, demonstrating how the activity will achieve 15A.8.1.1(b)(i). Stormwater management plans must address the matters set out in 15A.8.1.1(c) below.
  - (iii) All stormwater management plans shall be consistent with the Horowhenua District Plan Subdivision and Development Principles and Requirements 2014 and NZS4404:2010 (Land development and subdivision infrastructure), whichever is more stringent.
  - (iv) The 200th additional allotment/housing unit (or any subsequent allotment/housing unit) shall also include an integrated stormwater management plan for the whole Tara-Ika Growth area that achieves the outcomes in Rule 15A.8.1.1(b) and 15A.8.1.1(c). The 200<sup>th</sup> additional allotment/housing unit (and any subsequent allotments/housing units) is calculated based on land use or subdivision consents or building consents issued after 14 June 2022 for the area covered by the Tara-Ika structure plan. This integrated stormwater management plan will need to be adopted via Council resolution. All subsequent stormwater management plans submitted as required by 15A.8.1.1(b)(ii) shall be consistent with this site wide plan.
- (c) Information Requirements for Stormwater Management Plans
- (i) Stormwater Management Plans must address the following:
    - Stormwater management both on-site (on-site soakage pits) and via centralised treatment and soakage facilities (i.e communal treatment wetlands and soakage basins)
  - (ii) Compliance with the Horowhenua District Plan Subdivision and Development Principles and Requirements 2014 and NZS4404:2010 (Land development and subdivision infrastructure)
    - Detailed design of stormwater management devices (size, location and maintenance requirements), including assets to be vested with Council
    - Pre-soakage treatment for runoff from impervious surfaces (excluding roofs and other on-lot impervious areas such as patios and sheds)
    - The location of overland flow paths for the greater than 100-year ARI rainfall event (with allowance for climate change) and proposed mechanisms for managing these events.
    - Consideration of future development in the upstream catchment from the proposal
  - (iii) Stormwater management plans shall include the following methods:
    - Pre-soakage treatment by centralised end-of-pipe stormwater wetlands that are sized and located to efficiently service the Tara-Ika Growth Area in an integrated manner. Wetlands shall include a high flow bypass into an adjoining/downstream soakage basin for disposal, sized to bypass flows greater than the Water Quality Flow.
    - The stormwater treatment devices (wetlands) shall be sized to accommodate the Water Quality Flow and Water Quality Volume of the contributing catchment, excluding the roof and on-lot impervious areas that are connected to appropriately sized on-lot soakage devices. The

## 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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contributing catchment includes adjoining development blocks within Tara-Ika and must consider the future developed upstream catchment.

- Any wetlands shall be sized to accommodate the Water Quality Flow and Water Quality Volume of the contributing catchment, including adjoining development within Tara-Ika.
- (iv) Calculations used in the preparation of stormwater management plans should demonstrate the following:
- Application of the 12-hour nested design storm specified by Wellington Water in “Reference Guide for Design Storm Hydrology” (2019)
  - Evidence of the use of HIRDS v4 rainfall data (or later version if available) in conjunction with the RCP 8.5 (2081-2100) climate change scenario.
  - Evidence of site-specific soakage testing and the soakage rate for the sizing of on-site soakage pits, using testing methods in accordance with the Horowhenua District Plan Subdivision and Design Requirements and Principles, with a safety factor of 1.5 applied to the testing results (i.e., divide soakage rate result by 1.5).
  - The process of monitoring, reporting and design revision to either confirm compliance with 15A.8.1.1(b) or otherwise alter the design and management of stormwater to achieve compliance.

*Advice Note: The reduction of runoff volume and flow from on-lot soakage disposal cannot be considered in the sizing calculations for the 100-year ARI overland flow path, in order to ensure sufficient capacity is available during extreme events when soakage pits may be full.*

*In the absence of soakage testing or for the purposes of initial design a soakage rate of 100mm per hour will be applied. Rainwater tank volume shall not be considered in the sizing of on-lot soakage due to uncertainty about that rainwater tank volume that may be available at any given time*

*Acceptable design standards for treatment and soakage devices include Wellington Water’s “Water Sensitive Design for Stormwater: Treatment Device Design Guideline” (2019), or Auckland Council’s “Stormwater Management Devices in the Auckland Region” (2017).*

*The Water Quality Volume (WQV) and the Water Quality Flow (WQF) used to size treatment devices shall be calculated using the method specified in Wellington Water’s “Water Sensitive Design for Stormwater: Treatment Device Design Guideline” (2019).*

*Advice Note: Pre-application meetings with Council are strongly encouraged*

*Advice Note: For the avoidance of doubt, If any part of rule 15A.8.1.1(b)(i) to 15A.8.1.1(b)(iii) is not complied with, resource consent will be required as a Discretionary Activity.*

### 15A.8.2 Residential Zones

#### **15A.8.2.1 Noise Sensitive Activities in the Ō2NL Noise Management Area (Refer to 15A.3.2(b))**

##### **(a) Matters of Discretion**

## 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

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- (i) The likely sensitivity of the activity to noise effects from Ō2NL and the effectiveness of any mitigation proposed.
- (ii) The effects of the non-compliance
- (iii) The effects on the operation of existing and proposed state highways
- (b) Non-Notification
  - (i) Under Section 77D of the RMA, an activity requiring resource consent under 15A.3.2(b) shall not be publicly notified or limited notified, except:
    - Waka Kotahi NZ Transport Agency may be an affected party for the purposes of limited notification; or
    - where the Council decides special circumstances exist (pursuant to Section 95A(9); or
    - where the applicant requests public notification (pursuant to Section 95A(3)(a)).

### 15A.8.2.2 Development within the Arapaepae Road Special Treatment Overlay (Refer to Rule 15A.3.2(a))

- (a) Matters of Discretion
  - (i) Reverse sensitivity effects, including:
    - Noise
    - Vibration
    - Visual
    - Traffic
  - (ii) Compatibility with surrounding and anticipated land uses, including the roading network.
  - (iii) The ability to achieve safe and efficient access.
  - (iv) The measures proposed to achieve an acceptable level of amenity for the proposed activity.
- (b) Conditions
  - (i) New buildings or alterations to existing buildings containing noise sensitive activities must be designed, constructed and maintained to achieve the indoor design noise levels from Arapaepae Road/State Highway 57 traffic set out in Table 15A-3 below (excludes area not deemed to be habitable spaces as defined by Schedule 1 of the Building Regulations 1992:

**Table 15A-3 Indoor Design Limits**

Building Type	Occupancy/Activity	Maximum Indoor Design Noise Level $L_{Aeq}(24h)$
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Residential	Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)	40dB
Education	Assembly halls	35dB
	Conference rooms, drama studios	40dB
	Lecture rooms and theatres, music studios	35dB
	Libraries	45dB
	Sleeping areas in educational facilities	40dB
	Teaching areas	40dB
Health	Overnight medical care, wards	40dB
	Clinics, consulting rooms, theatres, nurses' stations	45dB
Cultural Buildings	Places of worship, marae	35dB

*Note: This table is informed by Waka Kotahi New Zealand Transport Agency guidance material on managing State Highway noise. The purpose of this table is simply to specify the noise level standards for different types of activities. It should not be taken as an indication of what types of activities will more broadly be considered acceptable in this location.*

- (ii) If windows must be closed to achieve the design noise levels in (i), the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:
- Ventilation must be provided to meet clause G4 of the New Zealand Building Code. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
  - The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
  - The system must provide cooling controllable by the occupant that can maintain the temperature at no greater than 25°C. Noise from the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.



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- (iii) A design report prepared by a suitably qualified and experienced acoustics specialist must be submitted with the building consent application for construction or alteration of any building containing a noise sensitive activity in or partly in the Arapaepae Road Special Treatment Overlay.
- (c) Non-Notification
  - (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.2.1 shall not be publicly notified or limited notified (except Waka Kotahi New Zealand Transport Agency).

### 15A.8.2.3 Subdivision (Refer to Rule 15A.3.1(a))

- (a) Matters of Discretion
  - (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
  - (ii) For subdivisions within the Medium Density Area, consistency with the Medium Density Residential Development Design Guide to the extent the content of the guide relates to subdivision.
  - (iii) The design, layout and variety of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, connectivity and linkages (both within and beyond the subdivision), energy efficiency and conservation, and access to solar energy.
  - (iv) Provision of land for publicly accessible open space and recreation that is appropriately located and of a practicable size and shape for recreation and to support management of stormwater during heavy rain events, in general accordance with Structure Plan 013.
  - (v) Whether the proposal includes provision of practicable street plantings.
  - (vi) The provision of access, any new roads, cycleways, footpaths, and provision of linkages to existing roads.
  - (vii) The management of traffic generated and potential adverse effects on the safety and efficiency of the transport network and the State Highway network (including temporary safety impacts that may arise where development of the Tara-Ika Growth Area occurs prior to the Ōtaki to north of Levin highway being constructed and operational.
  - (viii) Minimise use of cul-de-sacs, particularly cul-de-sacs that are long or have poor visibility to or from the street they connect to.
  - (ix) Consideration of Crime Prevention through Environmental Design Principles.

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- (x) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, telecommunications, gas and electricity.
- (xi) Effects on significant sites and features, including natural/cultural, archaeological and historical sites.
- (xii) Effects on habitats of culturally significant species identified on Structure Plan 013 and the proposed methods to avoid\*, remedy or mitigate these effects.

\*Advice note: Avoidance, remediation, or mitigation can include relocation of species to protect the survival of the population.

- (xiii) Avoidance or mitigation of natural hazards.
- (xiv) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
- (xv) Whether tikanga and cultural protocols will be followed during the construction phase, particularly when undertaking earthworks.
- (xvi) The staging of development and timing of works.
- (xvii) Compliance with the Council's Subdivision and Development Principles and Requirements (Version: July 2014).
- (xviii) The potential effects of the development on the safe and efficient operation, upgrading, maintenance and replacement of existing lawfully established network utilities.
- (xix) The matters described in Sections 108 and 220 of the RMA.

### (b) Conditions

- (i) Minimum Allotment Area and Shape

Each allotment shall comply with the following site area and shape factor standards for each settlement set out in Table 15A-4 below.

**Table 15A-4: Standards Applying to Subdivision and Residential Dwelling Units**

Residential Zone	Minimum Net Site Area	Maximum Net Site Area/Maximum Density	Minimum Shape Factor	Other Requirements

## 15A RULES: TARA-IKA MULTI-ZONE PRECINCT

Medium Density Area	Attached Units: 150m <sup>2</sup> *	450m <sup>2</sup> *	7m	Maximum street block length: 200m Must include building siting plan.*
	Detached Units: 225m <sup>2</sup> *	450m <sup>2</sup> *	10m	Maximum block length: 200m Must include building siting plan.*
Standard Residential	330m <sup>2</sup>	-	13m	Maximum block length: 200m
Low Density Residential	1000m <sup>2</sup>	-	18m	N/A

\*The siting plan shall show the location, pedestrian entrances, and outdoor living areas for all future dwellings. Although the dwellings do not need to be built prior to s224 being issued, a condition will be imposed on the subdivision requiring the siting plan to be complied with at the time the site is developed unless resource consents is granted for an alternative development. This outcome will be secured by consent notice.

### (ii) Structure Plan

- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains a roading asset as indicated by Structure Plan 013 requiring the roading asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
- A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.

### (iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

### (iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

### (v) Network Utilities

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There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification

- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.2.3 shall not be publicly notified or limited notified, except where:
  - For consent applications involving activities close to State Highways, Waka Kotahi New Zealand Transport Agency may be an affected party for the purposes of limited notification.

**15A.8.2.3 Non-Compliance with requirements for Rainwater Tank (Refer Rule 15A.6.2.1)**

(a) Matters of Discretion

- (i) The potential for increased volume stormwater discharge from the site.
- (ii) The proposed methods for managing increased demand for water.

**15A.8.2.4 Non-Compliance with Integral Garages (Refer Rule 15A.6.2.3)**

(a) Matters of Discretion

- (i) The extent to which the integral garage obscures the dwelling from view and/or detracts from the dwelling as the primary feature of the site.
- (ii) The extent to which the integral garage reduces the opportunity for passive surveillance between the dwelling and the streetscape.
- (iii) The effect of the integral garage's position on streetscape character and residential amenity.

**15A.8.2.5 Non-Compliance with Fencing (Refer to Rule 15A.6.2.6)**

(a) Matters of Discretion

- (i) The extent to which the fence reduces the opportunity for passive surveillance and social interaction between public and private space.

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## 15A.8.3 Commercial Zone

### 15A.8.3.1 New Buildings and Additions/Alterations to Building Frontage (Refer Rule 15A.3.3(a))

#### (a) Matters of Discretion

- (i) Building design and façade treatment should create a high amenity commercial environment that contributes positively to the public realm and enhances pedestrian experience by providing opportunity for interaction between shops front and the street. This includes but is not limited to:
  - Locating main building façades to address the primary street frontage.
  - Providing an interesting and varied building frontage that is not dominated by either featureless facades or glazing.
  - Including horizontal and/or vertical articulation design elements to add visual interest.
  - Designing building frontages that complement any existing adjoining buildings.
  - Locating doorways and entrances to buildings so they are easily identifiable.
- (ii) The building and site design and layout should prioritise pedestrians over vehicles. This includes but is not limited to:
  - Pedestrian entrances to shops are built right up to the footpath.
  - Any onsite carparking, services areas, and storage areas should be located the rear of the building. They should not be located between the street and the pedestrian entrance to the building.
  - If carparks, services areas, and storage areas are visible from the street, they should be well screened from the street by landscaping or similar.
- (iii) The provision of verandahs that:
  - Provide weather protection to pedestrians
  - Contribute to the overall appearance and pleasantness of the street
- (iv) The application of Crime Prevention through Environmental Design (CPTED) Principles, including:
  - Building design and layout.
  - Use of appropriate planting and landscaping.

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- (v) Proposed methods of managing the quality and quantity of stormwater.
- (b) Conditions
  - (i) All buildings in the Commercial Zone (Tara-Ika Precinct) must comply with the following:
    - No part of any building shall exceed a height of 15 metres.
    - All buildings shall be built to the front road boundary of the site.
    - All building shall be built up to the side boundaries (the boundary which is perpendicular to the primary road frontage).
    - All buildings shall have display windows along the ground floor road frontage. At least 50% of ground floor facade surface shall be display space or transparent window or doors. The minimum window area shall be kept clear and not be boarded up, painted or covered by signage.
    - No building shall have a continuous featureless façade/blank wall on the ground floor road frontage wider than 4 metres. A featureless façade or blank wall is a flat or curved wall surface without any openings, glazing or columns, recesses, niches or other architectural detailing
    - All buildings shall have a maximum ground floor road frontage width for individual tenancies of 15 metres.
    - All building frontages shall have a minimum height of 6 metres.
    - The above standards do not apply to service lane frontages.
  - (ii) All buildings in the Commercial Zone (Tara-Ika Precinct) must include a verandah which must comply with the following:
    - A minimum clearance of 2.5 metres directly above the footpath or formed ground surface.
    - A maximum clearance of 4 metres (measured at the base of the verandah fascia) directly above the footpath or from ground surface.
    - Extend for the full length of the building.
    - Extend outwards from the front of the building to the far side of the kerbing less than 450mm, or the verandah extends out 3 metres whichever is the lesser.
    - Provide continuous shelter with any adjoining verandah or pedestrian shelter.

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### 15A.8.3.2 Supermarkets (Refer to Rule 15A.3.3(b))

#### (a) Matters of Discretion

- (i) Whether parking areas, vehicle access and servicing arrangements are designed and located in a manner that protects the visual amenity of the streetscape and pedestrian safety, including the use of landscaping, planting and lighting.
- (ii) Whether the design and layout of the site and buildings protects the visual amenity of the streetscape and pedestrian safety. For example:
  - The extent of featureless facades.
  - The extent of glazing.
  - The extent of signage.
  - The extent of window displays that prevent visibility into the store from the street.
- (iii) Whether effects arising from operation (for example, hours, location of service areas, waste disposal) will be compatible with any nearby residential zones.

#### (b) Conditions

- (i) Car parking (if chosen to be provided) must be provided to the rear of the building.
- (ii) The main pedestrian entrance to the supermarket must front the street.

### 15A.8.3.3 Drive-Through Restaurants (Refer to Rule 15A.3.3(c))

#### (a) Matters of Discretion

- (i) Whether the design and layout of the site and buildings protects the visual amenity of the streetscape and pedestrian safety. For example:
  - The extent of featureless facades.
  - The extent of glazing.
  - The extent of signage.
  - The extent of window displays that prevent visibility into the store from the street.
  - Screening and/or landscaping of equipment, parking and service areas.
  - Whether the location of the drive-through detracts from pedestrian experience by creating a barrier between the building and the footpath.
- (ii) Whether operating effects are compatible with surrounding land uses (particular residential areas). For example:

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- Whether the activity, including parking areas and storage and servicing facilities, is adequately screened to protect the visual amenity of surrounding land uses.
  - Whether the activity, including parking areas and storage and servicing facilities, are located, designed and managed to avoid nuisance effects such as noise and odour on surrounding land uses.
  - The impact of adverse effects arising from the numbers of people and/or vehicles using the site.
  - The effects of the activity's operation on the existing and expected future amenity values of the surrounding area and any mitigation measures proposed.
- (iii) Whether the site is located, designed and laid out in a manner that avoids adverse effects on the safe and effective operation of the roading network, including pedestrians. For example:
- Whether the nature and scale of vehicle movements associated with the activity will have an adverse effect on road users.
  - Whether the drive through is positioned to provide sufficient off-road queuing space during peak times.
  - Whether the site is designed to allow a free flow of traffic from the road into the parking area.
  - Whether the activity is designed in such a manner that vehicles can manoeuvre on-site in a safe and efficient manner.
  - Whether sufficient vehicle (including service vehicles) and pedestrian access is provided to the site to minimise conflict between pedestrians and vehicles.
- (b) Conditions
- (i) The main pedestrian entrance to the restaurant must front the street.
  - (ii) Car parking (if chosen to be provided) must be provided to the rear of the building.

### 15A.8.3.4 Subdivision (Refer to Rule 15A.3.1(a))

- (a) Matters of Discretion
- (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
  - (ii) The design and layout of the subdivision, including the size, shape and position of any lot, including the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.



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- (iii) The amalgamation of any proposed allotments or balance areas to existing titles of land.
  - (iv) The provision of access, any new roads, cycleways, footpaths, provision of linkages to existing roads and provision for bus stop and turning areas.
  - (v) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity and, where applicable gas.
  - (vi) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
  - (vii) Effects on significant sites and features, including natural, ecological, cultural, archaeological and historical sites.
  - (viii) Site contamination remediation measures and works.
  - (ix) Avoidance or mitigation of natural hazards.
  - (x) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
  - (xi) Whether tikanga and cultural protocols will be followed during the construction phase, particularly when undertaking earthworks.
  - (xii) Staging of the subdivision.
  - (xiii) Compliance with the Councils Subdivision and Development Principles and Requirements (Version: July 2014).
  - (xiv) Those matters described in Sections 108 and 220 of the RMA.
- (b) Conditions
- (i) All lots shall demonstrate compliance with the relevant permitted activity conditions, except no minimum lot area requirement applies.
  - (ii) Structure Plan
    - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains a roading asset as indicated by Structure Plan 013 requiring the roading asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
    - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of

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the site containing the reserve to be vested within Council or as otherwise approved by resource consent.

(iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.3.4 shall not be publicly notified or limited notified.

### 15A.8.4 Open Space Zone

#### 15A.8.4.1 Subdivision (Refer to Rule 15A.3.1(a))

(a) Matters of Discretion

- (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
- (ii) The design and layout of the subdivision, including the size, shape and position of any lot, including the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.
- (iii) The amalgamation of any proposed allotments or balance areas to existing titles of land.
- (iv) The provision of access, any new roads, cycleways, footpaths, provision of linkages to existing roads.
- (v) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, street lighting, telecommunications and electricity and, where applicable gas.
- (vi) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
- (vii) Effects on significant sites and features, including natural, ecological, cultural, archaeological and historical sites.

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- (viii) Site contamination remediation measures and works.
  - (ix) Avoidance or mitigation of natural hazards.
  - (x) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
  - (xi) Whether tikanga and cultural protocols will be followed during the construction phase, particularly when undertaking earthworks.
  - (xii) Staging of the subdivision.
  - (xiii) Compliance with the Councils Subdivision and Development Principles and Requirements (Version: July 2014).
  - (xiv) Those matters described in Sections 108 and 220 of the RMA.
- (b) Conditions
- (i) All lots shall demonstrate compliance with the relevant permitted activity conditions, except no minimum lot area requirement applies.
  - (ii) Structure Plan
    - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains an infrastructure asset as indicated by Structure Plan 013 requiring the infrastructure asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
    - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.
  - (iii) Water Supply, Wastewater and Other Services

All subdivisions shall comply with the requirements as specified set out in Chapter 24.
  - (iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.
  - (v) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

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(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.4.1 shall not be publicly notified or limited notified.

### **15A.8.5 Greenbelt Residential**

#### **15A.8.5.1 Subdivision (Refer to Rule 15A.3.1(a))**

(a) Matters of Discretion

- (i) Whether the proposal will deliver the outcomes sought by Structure Plan 013, particularly in respect of Secondary Structure Plan Features (local roads/laneways and secondary reserves).
- (ii) The design and layout of the subdivision, including the size, shape and position of any lot, as well as the future land use and development of each lot. In addition, connectivity and linkages (both within and beyond the subdivision), energy efficiency and conservation, and access to solar energy.
- (iii) Provision of land for publicly accessibly open space and recreation that is appropriately located and of a practicable size and shape to support management of stormwater during heavy rain events, in general accordance with Structure Plan 013.
- (iv) Whether the proposal includes the provision of practicable street plantings.
- (v) The provision of access, any new roads, cycleways, footpaths, provision of linkages to existing roads.
- (vi) The management of traffic generated and potential adverse effects on the safety and efficiency of the transport network (including existing and proposed state highways).
- (vii) Minimise use of cul-de-sacs, particularly cul-de-sacs that are long or have poor visibility.
- (viii) Consideration of Crime Prevention through Environmental Design Principles.
- (ix) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, telecommunications, gas and electricity.
- (x) Effects on significant sites and features, including natural/ecological, cultural, archaeological and historical sites.
- (xi) The protection and enhancement of any natural habitat of indigenous species within the subdivision
- (xii) Avoidance or mitigation of natural hazards.

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- (xiii) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control. This may require cut and fill plans and erosion and sediment control plans to be submitted with applications for subdivision.
  - (xiv) Whether tikanga and cultural protocols will be following during the construction phase, particularly when undertaking earthworks.
  - (xv) The staging of development and timing of works
  - (xvi) Compliance with the Council's Subdivision and Development Principles and Requirements (Version: July 2014).
  - (xvii) The potential effects of the development on the safe and efficient operation, upgrading, maintenance and replacement of existing lawfully established network utilities.
  - (xviii) Those matters described in Sections 108 and 220 of the RMA.
- (b) Conditions
- (i) Minimum Allotment Area and Shape
    - Each allotment shall comply with the following site area and shape factor standards in Table 15A-5

**Table 15A-5: Standards Applying to Subdivision and Residential Dwelling Units**

Type of Allotment, or Subdivision	Minimum Area Per Allotment/Site	Minimum Shape Factor
Greenbelt Residential General Serviced	2000 square metres	20 metres diameter
Greenbelt Residential General Unserviced	5000 square metres	20 metres diameter

- (ii) Structure Plan
  - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site that contains a roading asset as indicated by Structure Plan 013 requiring the roading asset to be constructed and vested with Council as indicated on the Structure Plan or as otherwise approved by resource consent.
  - A condition will be imposed on the resource consent of any subdivision that creates additional allotments and involves a site/part of a site containing a park or reserve as shown on Structure Plan 013, requiring the site/part of the site containing the reserve to be vested within Council or as otherwise approved by resource consent.
- (iii) Water Supply, Wastewater and Other Services

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All subdivisions shall comply with the requirements as specified set out in Chapter 24.

(iv) Roads and Access

All subdivisions shall comply with the requirements as specified in Chapter 21.

(v) Network Utilities

There shall be no minimum site area requirements for lots for network utility purposes.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15A.8.5.1 shall not be publicly notified or limited notified.