

Annotations used in this mark up

Annotation:	Meaning
<u>Blue strikethrough and underline.</u>	Amendments respond to submissions which generally seek to simplify the PDP, reduce its length and make it easier to understand. See 136-1 & 2 NZ Wind Energy Association, 138-1 B Coe, 446-1 A Darragh, 548-1 M Cox, 581-1 Norm Antcliff, 715-5 Sharif Family Trust.
Black strikethrough and <u>underlining</u>	<p>Amendments made in response to decisions requested in submissions (where specifically identified by a comments box)</p> <p>Or</p> <p>Clause 16(2) of Schedule 1 of the RMA which states: "A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors."</p> <p>And</p> <p>In response to submission 451-5 R Crozier and J Allin, seeking that the PDP is revised so that provisions are drafted using clear and consistent language, appropriate provisions are included, ill-considered provisions are removed, default rules are appropriate, provisions are drafted so that unintended consequences will not occur, and provisions are legally valid and in accordance with the RMA and relevant documents referred to in the RMA, including the NZCPS, the Regional Policy Statement and the Proposed Regional Policy Statement.</p>

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7 Rural Environment Zones

This chapter primarily implements three Objectives. These are Objectives 2.6 Rural Productivity, 2.3 Development Management and 2.11 Character and Amenity (set out in eChapter 2). The following objectives are also relevant to resource management issues in the Rural Environment:

- 2.1 Tāngata whenua
- 2.9 Landscapes
- 2.10 Contaminated Land
- 2.12 Housing Choice and Affordability
- 2.13 Infrastructure and services
- 2.16 Economic Vitality

Comment [SR1]: Clause 16 (2) Schedule 1 RMA

Comment [JK2]: In response to Submission # 92-67 and 219-35

The Rural Environment

The rural environment of the Kāpiti Coast encompasses a wide range of landform types, landscapes, land uses and activities. These range from intensive horticulture on the plains in and around Ōtaki, to pastoral *farming* on the dune country and foothills of the Tararua Ranges. The rural environment is of considerable value to the residents of the District and, in particular, the community. The existing farmers, horticulturists, rural service industries, and businesses and future generations of people who seek employment in rural industries depend on the sustainable management of the resources found in this environment. The visual appearance, landscape character and amenity of the rural environment are also major determinants of the overall visual character of the District.

Comment [JK3]: In response to Submission #219-36

Zone Descriptions

The rural Kāpiti environment comprises five six zones (including the Future Urban Zone), which are based upon their individual characteristics and anticipated uses. The following descriptions outline these distinct characteristics and the anticipated environmental outcomes for each zone. While each Rural Zone

Comment [SR4]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

The general character of all Rural Zones is defined by an overall openness and a relatively low presence of buildings and structures compared to the more urbanised areas of the District, as well as extensive areas of crops, pasture and trees.

Rural Dunes Zone

The Rural Dunes Zone comprises the sand country, including consolidated sand dunes, interdune sandplains and wetlands. It is characterised by undulating topography with slopes of up to 25 degrees and is exposed to salt laden winds. The dune area is generally unsuitable for horticulture and intensive agriculture; however some of the interdune hollows are highly productive areas where wetlands have been drained by farming practices, and have the potential for significantly increased ecological values if wetlands are restored. Land use and development in the Rural Dunes Zone are anticipated to be carried out in a manner that retains the sensitive landscape and ecological character of the area, including its wetlands. It is also anticipated that many coastal wetlands in the zone will be protected. The sandy soils of the dunes filter stormwater and effluent making these areas more suitable to accommodate tighter clustered development in some locations.

Comment [SR5]: Clause 16 (2) Schedule 1 RMA

The natural character of the beach zone can be adversely affected by the presence of highly visible development and changes to dune landforms which cause disturbance to the natural contours and any significant cultural and ecological features of the area. The

Comment [SR6]: Clause 16 (2) Schedule 1 RMA

overall density of *development* should be very low so as to retain the area's sense of openness. However, where multiple *buildings* are proposed for a given location within the *zone*, *clustering* may be an appropriate response to mitigate the built impact.

Rural Plains Zone

The Rural Plains are generally flat, and consist of alluvial plains, terraces and valley floors. The land contains the District's *highly versatile soils* and supports much of the District's horticulture and intensive agriculture activities. *has many of the attributes required for food production and supports a range of horticultural and agricultural activities dependent on these attributes.* Underground water supplies are vulnerable to disposal of effluent *resulting* from intensive *development* and *farming* practices, and the area's open character is vulnerable to pressures for more intensive *subdivision* and *development*. To protect the significant soil resource enable the land and its attributes to be used for agriculture and horticulture, retain the open its rural character and ensure groundwater is not contaminated by ensure sufficient room for on-site sewage systems, it is important to retain large *allotment-lot* sizes and to locate any new *development* in areas which have the least impact on the *productive potential* of land in the plains.

Comment [JK7]: In response to Submission # 219-37 and 219-38

Rural Hills Zone

The Rural Hills comprise the foothills of the Tararua ranges and downlands. The land is generally very steep and experiences heavy rainfall events, *although* it does include some areas of flat to rolling land (e.g. on terraces in parts of the Ngatiawa Valley and Reikorangi Basin). It is also *contains some of the most visible landforms* in the District *and most vulnerable to change.* Parts of the Rural Hills are generally unsuitable for the building of dwellings due to topography and ground conditions. *Subdivision* and *development* in this area are anticipated to retain the natural state of landforms and large *allotment* sizes. Moreover, *development* in the Rural Hills should be undertaken in a manner which is sympathetic to the high landscape character and *visibility visual amenity* of the area.

Comment [JK8]: In response to Submission #443-18 and 443-20

Comment [JK9]: In response to Submissions #92 (no submission point number allocated in relation to this) and 327-62

Rural Residential Zone

The Rural Residential Zone provides for 'lifestyle' *subdivisions* in appropriate areas in the District to enable people to live in a rural *environment*, where this does not compromise the more productive land, but it is not necessarily on a farm. The land which is considered suitable is characterised by having small scale rural activities, such as horse riding, hobby gardening and *farming* in close proximity to urban facilities. *This land will not be zoned residential in future or otherwise used for purely residential uses or be fully serviced.* Land has been included in this zone where it is already closely subdivided and developed, and is close to an urban area but physically separated, *and is not likely to be suitable for future intensive residential development.* The existing character and overall density of *development* is proposed to be retained.

Rural Eco-Hamlet Zone

The Rural Eco-Hamlet Zone comprises the land adjacent to identified urban growth areas at Waikanae North and Ōtaki (which include consolidated sand dunes, interdune sandplains and wetlands) and shares similar physical characteristics with the Rural Dunes Zone. Land use and *development* in the Rural Eco-Hamlet Zone are anticipated to be carried out in a manner that enhances the carrying capacity of the area in terms of productive activities or ecological restoration, and recognises the sensitive landscape and ecological character of the area. The sandy soils of the dunes filter stormwater and effluent easily, making these areas more suitable to accommodate denser *clustered development* in some areas with the interdune hollows and peaty soils retained as *open undeveloped balance lots*. The intention is to provide a buffer or transition between the proposed urban area and the wider rural *environment*.

Comment [SR10]: Clause 16 (2) Schedule 1 RMA

~~New buildings in the Rural Eco-Hamlet Zone will be clustered with existing buildings and should not be visible from the beach or State Highway 1. Development should entail minimal disturbance to the natural contours and any significant cultural and ecological features of the area. While some development is anticipated to be clustered, the overall density of development should be relatively low so as to retain the area's sense of openness.~~

Comment [JK11]: Amendment consequence of recommendations on submissions in relation to rules.

Future Urban development Zone

This zone is land identified for future urban growth south of the urban edges ~~north~~ of Waikanae North and Ōtaki North. In Waikanae North this zone is limited to a small number of existing lots which are adjacent to land in the Ngarara Zone. In Ōtaki the zone ~~extends from~~ lies between the northern boundary of the existing Residential area Zone ~~to and the urban edge, south of the Ōtaki Rural Eco-Hamlet Zone.~~ Subdivision in this zone is non-complying until a structure plan has been ~~completed~~ approved by way of a change to the District Plan, and appended to the District Plan, to enable comprehensive low impact urban development.

Comment [SR12]: Clause 16 (2) Schedule 1 RMA

Focus on Production

Collectively, the District's broad range of rural areas has significant potential for various *primary production activities*. This includes the production of food, fibre, fuel and building materials for local consumption, and for regional, national and global distribution. The continued use of the rural *environment* for these activities is important for the on-going resilience, health, and social and economic well-being of the District's communities.

The Plan provisions for all Rural Zones reflect the predominance of *primary production activities*. However, the provisions also recognise that these activities must be carried out in a manner that maintains the character and amenity of the rural area and adjoining environments. ~~Moreover,~~ The Rural Zone provisions work in tandem with provisions ~~from~~ in other parts of the Plan – for example the Natural Environment, Hazard, and Heritage Chapters – to ensure that new rural *subdivision*, land use and *development* proceeds in accordance with all relevant Plan Objectives.

The Plan also recognises the unique operational characteristics of some *primary production activities* – such as ~~the harvesting of plantation forestry and extractive industries~~ – which are characterised by *nuisance effects*. In managing these types of activities, the aim is to strike a balance between enabling their efficient and ongoing operation, whilst ~~minimising~~ managing the potential for the associated *nuisance effects* (and other environmental effects) to become significant.

Comment [SR13]: Clause 16 (2) Schedule 1 RMA

Comment [SR14]: Clause 16 (2) Schedule 1 RMA

Comment [SR15]: Clause 16 (2) Schedule 1 RMA

Provision is also made for *new buildings* on sites in the Rural Zones, including a *household unit* and other potential *buildings* where they are *ancillary* to either the *residential* or *primary production activities* on the site. However, the scale and location of these buildings and *structures* must be managed to ensure *productive potential of the land* – particularly for the District's *highly versatile soils* – is not compromised.

Comment [JK16]: In response to Submission # 219-18.

Rural character and amenity

The amenity and character of the rural environment ~~is important~~ has value for the whole district. The rural *environment* provides a visual space between urban settlements and supports the part of the District's identity related to the separation of distinct settlements by a more open landscape. The rural environment provides amenity for urban areas and visitors as well as rural residents. The general openness of rural land and ~~the presence of grazing animal and horticulture~~ is *primary production activities* form part of the valued rural character.

Comment [JK17]: In response to Submission # 443-21

Comment [SR18]: Clause 16 (2) Schedule 1 RMA

Travel on rural roads is an important part of the rural experience for residents and visitors, for all travel modes including walking, cycling and horse riding. Existing patterns of vegetation, (such as hedges) and areas of indigenous vegetation in particular areas indigenous vegetation are also important for visual integration and coherence in the rural area. The landscape character areas in Schedule 3.6 identify the key characteristics of distinct parts of the rural environment in the District to assist in identifying elements of amenity and character to be retained when subdivision of intensive development is considered.

Comment [JK19]: Deleted as a consequence of amendments to Chapter 3 in response to submissions.

There is a range of factors that contribute to the rural character. These factors include, but are not limited to:

Comment [JK20]: Submission #92 – accepted in part

- The dominance in the landscape of indigenous vegetation and primary production activities, including pasture, crops and forestry;
- The absence of manmade structures other than those related to primary production activities and network utilities;
- A high ratio of open space relative to the built environment;
- Low population densities relative to urban areas; and
- Noises, smells, dust and effects associated with the use of rural land for a wide range of agricultural, horticultural, forestry and extractive industries.
- Houses of a variety of scales, forms and building materials.

Comment [JK21]: In response to Submission # 327-63

also derives from the built and cultural elements of a place as it does from the natural elements for example the absence of footpaths, kerb and channel on rural roads. If buildings in prominent locations have an overtly urban or suburban (residential or commercial) appearance, or are large and out of scale with rural activities, then the rural character will be lost, regardless of the 'naturalness' of the setting.

Some of the more important features of the character of rural buildings and structures include:

- houses are generally single-storey of a modest scale, of simple form, and are often timber framed and timber clad;
- ancillary structures such as fences and gateways, sheds and barns are typically simple and visually restrained;
- simple post and wire fences are most commonly used; and
- planting is most concentrated around houses.

Reverse sensitivity

The rural environment is a productive environment and therefore many farming and primary production activities which are anticipated in the rural environment are noisy, smelly or dusty at times. The time of day and year that farming primary production activities occur can conflict with the expectations of other rural residents to enjoy 'peace and quiet'. When planning new development the amenity of both existing residents and requirements of primary production activities as well as newcomers must be considered. Privacy, shelter, access to open space, the maintenance of a quiet environment, and security need to be thought about to ensure the quality of lifestyle consistent with a working rural environment is sustained for existing residents while offering the same for newcomers. It is important that residential activities in the rural area do not undermine the efficiency of primary production activities.

Comment [JK22]: In response to Submission #92-68 and 208-37

Comment [SR23]: Clause 16 (2) Schedule 1 RMA

Reverse sensitivity is recognised as an issue under the effects-based planning regime of the RMA and needs to be considered when reviewing District Plan objectives and policies. The rural area is particularly prone to reverse sensitivity effects. Many primary production

activities such as quarrying, horticultural activities (e.g. spraying and bird scaring devices), *state highways* and ~~critical energy networks~~ and other lawfully established activities including regionally significant infrastructure are located in rural areas. Future residents of the rural area who will fill the vacant sections have the potential to create ~~new~~ an increased risk of *reverse sensitivity* problems. *Reverse sensitivity* has the potential to compromise productive land uses, such as *farming* and quarrying that legitimately exist in the rural *environment*.

Comment [SR24]: Clause 16 (2)
Schedule 1 RMA

The District Plan provides policies and rules to address *reverse sensitivity* issues for future *subdivision* and development, and zoning to direct residential areas, away from incompatible activities. The layout, design and density of *subdivision* is restricted to ensure that it is appropriate to the environment where it is located.

7.1 Rural Zones provisions

Introduction

The provisions of this chapter pertain ~~relate~~ to the District's rural *environment*, however the provisions of other chapters in the Plan ~~are equally~~ may also be relevant, particularly Chapter 3: Natural Environment, Chapter 9: Hazards, Chapter 10: Historic Heritage, Chapter 11: Infrastructure, Services and Associated Resource Use and Chapter 12: General District-wide Provisions, and must be considered in tandem with the provisions below where relevant.

~~The Council will take a leadership role in the retention of a productive, attractive and sustainable rural environment. However, other public organisations, private entities, developers and individuals also play important roles in the use, development and maintenance of rural areas. The policies and methods below are the primary means by which all of these stakeholders are to implement these relevant objectives.~~

Comment [SR25]: Clause 16 (2) Schedule 1 RMA

Comment [SR26]: Clause 16(2) of Schedule 1 of the RMA in response to submission 451-5 R Crozier and J Allin, Proposed Regional Policy Statement.

Comment [JK27]: Submission # 92-69

7.1.1 Policies

Policy 7.1 – Primary production

Primary production activities will be provided for as the predominant use in the District's rural areas so long as the activities where they are carried out in a manner which ensures protection of avoids, remedies or mitigates adverse effects on the environment natural systems.

Comment [SR28]: Submission # 92-70, 212-36, #219-40, #408-15, #492-32, #493-16

Refer Objective 2.6

Explanation

~~Primary production activities (including the soil and water resources required to support them) are essential contributors to the resilience and economic well-being of the District's community. Enabling the production of food, fibre (eg. wool or other materials for cloth or paper making), and building materials (timber and aggregate) in the District provides economic and social benefits to the District and wider region, and increases the likelihood of the community being able to access locally produced food and energy with minimal post-production costs. However, many of these activities are characterised by effects from their day-to-day operation — such as odours, spray drift and equipment noise — which can be offensive or adversely impact general amenity values. Accordingly, the District's Rural Zones provide the most appropriate environment for primary production activities to operate effectively and with minimal impact on the District's more heavily populated areas.~~

~~Notwithstanding this, primary production activities must also be undertaken in a manner that does not adversely affect terrestrial, freshwater and marine ecosystems, and other sensitive natural features. The Plan's Natural Environment Chapter provides additional policy guidance with respect to management of subdivision and land use effects on natural systems.~~

~~The Plan also recognises that some non-primary production related activities, such as rural residential living, home occupations, and ecological restoration, may be appropriately located within the rural environment, however, such activities should not be so extensive that they compromise the factors that maintain productive potential of the rural area.~~

Policy 7.2 – ~~Versatile and specialised soils~~ Productive potential of land

New *subdivision*, land use and *development* will be designed and undertaken in a manner which ~~protects areas of highly versatile soils and specialised soils identified on the District Plan Maps and avoids cumulative effects which reduce or prevent~~ ensures that the productive potential of the land for *primary production activities*, and in particular food production, is sustained occurring in the future. This will include:

- a) the clustering of *buildings* within *sites* and with *buildings* on adjacent adjoining *sites*;
- b) the retention of large ~~allotment lot sizes in areas characterised by highly versatile soils and specialised soils~~;
- c) avoidance of urban and *rural residential development areas* on land with productive potential for primary production activities characterised by highly versatile soils and specialised soils.

Refer...
Comment [SR29]: Submission #219-41

Objectives
2.2, 2.3, 2.6
& 2.11

Comment [JK30]: To be consistent with amendments to Objective 2.6 Rural Productivity

Comment [SR31]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Explanation

~~Sustaining productive potential is heavily dependent upon the protection of highly versatile and specialised soils, and the continued ability to utilise these soils for primary production activities. Subdivision and development which compromises these valuable soil resources, particularly where such adverse effects are permanent or long-term, needs to be avoided.~~

The Plan recognises that rural dwellings and *buildings* associated with rural activities, which are of an appropriate scale, will generally be accommodated on each rural *allotment*. However, the location of these *buildings* and other *structures* should be managed to minimise any loss in *productive potential for highly versatile and specialised soils*. The clustering of *buildings* can mitigate this possible loss in *productive potential*, particularly where *buildings* can be grouped in areas characterised by less productive soils on the same *site*. Where less valuable soils are not present on rural *allotments*, clustering can still contribute positively by retaining larger balance areas to be utilised for primary production, such as grazing. Notwithstanding the positive contribution that clustering can make, this should also be balanced against the potential adverse effects on rural character which can arise from an over-proliferation of *buildings* in any one area.

This policy is linked to Policy 3.1 Ecosystem services

Policy 7.3 – Subdivision and development on ~~highly versatile and specialised soils~~ land with productive potential

When considering applications for ~~subdivision or development in areas on land with productive potential characterised by highly versatile soils and specialised soils~~, in addition to Policy 7.2, specific consideration will be given to:

- ~~the appropriateness of the resulting allotment lot~~ size and shape of any ~~subdivision~~, and the ability for those ~~allotments lots~~ to sustain ~~primary production activities~~ over time;
- whether or not the proposed location of any new ~~building(s)~~ minimises potential effects on ~~productive potential of land highly versatile or specialised soils~~, including the potential to locate the ~~building(s)~~ on ~~land with less valuable soils~~ ~~productive potential~~ on the same site;
- any positive effects on the retention of ~~productive potential~~ which may be achieved through proposed clustering of ~~buildings~~;
- any cumulative effects which may occur due to ~~an over-proliferation the presence of buildings and structures~~ reducing the availability and/or ~~productive potential of land highly versatile or specialised soils~~; and
- the ~~potential ability for buildings and structures to be easily removed or relocated.~~

Explanation

~~Fragmentation of productive soils through subdivision can lead to pressure for more intensive non-productive land use development. This effect must be considered where allotments characterised by highly versatile and specialised soils are proposed to be subdivided, particularly insofar as the subdivision may render the land less capable of sustaining primary production as a viable land use option.~~

Reference
Objective 2.6

Comment [SR32]: Submission #219-42

Objective 2.6

Comment [SR33]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR34]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR35]: Clause 16(2) of Schedule 1 of the RMA Clause 16(2) of Schedule 1 of the RMA

Comment [SR36]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR37]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR38]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR39]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR40]: Clause 16(2) of Schedule 1 of the RMA

Policy 7.4 – Rural character

~~Subdivision and development in the rural environment will be undertaken in a manner that protects maintains or enhances the District's rural character, including the retention of:~~

- the general sense of openness;
- natural landforms;
- the ~~defining~~ landscape characteristics and values ~~(as set out in Natural Environments Schedule 3.6 – Landscape Character Areas)~~ of the ~~applicable~~ rural zone(s) in which the ~~subdivision~~ or development is located;
- the natural darkness of the night sky; and
- overall low density of ~~development~~; and
- the predominance of ~~primary production activities.~~

Explanation

~~Policy 7.3 works in tandem with Policies 7.11, 7.12 and 7.13 regarding the various Rural Zones (Rural Dunes, Plains, and Hills Zones). While these different zones are defined by distinct characteristics, they share certain valued traits which should collectively be protected. The retention of these defining characteristics will ensure the District's rural zones are attractive and spacious places to live, work and play.~~

Objectives 2.6, 2.9 & 2.11

Comment [SR41]: Submission # 92-71, 212-37 and 277-9.

Objectives 2.6, 2.9 & 2.11

Comment [JK42]: Deletion a consequence of recommendations on Landscape Character Areas in Chapter 3.

Policy 7.5 – Plantation forestry

~~Provide for P-plantation forestry will be managed in the rural environment to ensure that all stages of the activity can be carried out safely, prior to commencing planting of new forests, and will not result in avoid significant adverse effects on ecological sites, outstanding natural landscapes, geological sites, historic heritage features, significant indigenous vegetation, significant habitats of indigenous fauna and transmission lines. Plantation forestry will be provided for in areas which are not characterised by:~~

- ~~a) high erosion susceptibility;~~
- ~~b) high susceptibility to natural hazards;~~
- ~~c) identified historic heritage or cultural values;~~
- ~~d) the presence of significant indigenous vegetation or significant habitats of indigenous fauna;~~
- ~~e) identified sensitive natural features;~~
- ~~f) the presence of network utility lines.~~

Explanation

~~Plantation forestry is one of many primary production activities in Kāpiti, and accordingly should be provided for in appropriate areas in the rural environment. Likewise, the activity should be avoided in area which are particularly sensitive to the effects associated with plantation forestry which include visual effects from both planting and harvesting in highly prominent locations such as outstanding landscapes, destruction of indigenous vegetation, or significant archaeology, noise and traffic effects during harvesting and fire risk during forest life. Additional effects can occur following harvesting including increased fire and erosion risks.~~

~~The rules that implement this policy require a forest management plan to be developed and adhered to for all planting and harvesting of large scale plantation forestry, due to the broad range of effects associated with the activity. The criteria listed above are baseline requirements for a management plan only, and additional information may be required or preferred in some instances of discretionary or non-complying activities. Moreover, provisions in other Plan Chapters — for example the Natural Environment or Hazards Chapters — may be relevant to proposed forestry activities, depending on the location of the proposal. These provisions should also be incorporated into management plans, where relevant.~~

Policy 7.6 – Harvesting plantation forestry

~~Harvesting of P-plantation forestry will be carried out using measures, including good management practices at a rate and in a manner that minimises erosion, and adverse effects on natural and heritage features, and rural character amenity, access and traffic. by:~~

- ~~a) Retaining vegetation within 20 metres of a waterbody;~~
- ~~b) Retaining indigenous vegetation in steep gullies;~~
- ~~c) Staging harvesting and using selective methods; and~~
- ~~d) Replanting or retirement and restoration.~~

Explanation

Reference

Object 2.2, 2.6 & 2.11 **Comment [JK43]:** In response to Submission # 39-14 to 39-20, 100-28, 102-28, 188-1 to 188-9, 212-38, 271-32, 271-37, 448-4.

Reference

Object 2.2, 2.6 & 2.11 **Comment [JK44]:** In response to Submission #188-12 to #188-15, 212-39, 246-1, 250-43, 492-32, 493-16 and 556-5.

~~Plantation forestry harvesting has significant potential effects. These effects include erosion during and following harvest activities which can result in sedimentation of waterways as well as land slippage. The method used to harvest and remove logs from the site can mitigate these effects.~~

Policy 7.7 – Extractive Industries

~~Ensure the effects (including reverse sensitivity) of existing or proposed extractive industries on rural zoned land are considered, and protect the amenity of rural environment when considering applications for extractive industries and any other new use, development and subdivision of land near to existing extractive industries. When considering applications for new extractive industries and providing for existing extractive industries particular regard will be had to:~~

- ~~a) the social, economic and environmental benefits from utilising mineral resources within the District;~~
- ~~b) ensuring that extractive industries are established and operated in a manner which remedies or mitigates significant adverse effects; and~~
- ~~c) ensuring that future subdivision, use and development near existing extractive activities do not give rise to significant reverse sensitivity effects.~~

Explanation

~~Extractive industries are important to the local and regional economy, providing employment opportunities and material for roading, construction and other industry. In general, these activities are most appropriately located in the rural environment, away from the District's more populated areas. However, extractive industries are resource intensive and can have significant effects on the environment, and on people and communities. Accordingly, proposals to establish new extractive industries should avoid adverse effects on sensitive aspects of the existing local natural and physical environment.~~

~~Likewise, the ongoing operation of lawfully established extractive industries should be considered and given an appropriate degree of protection where other developments are proposed in the vicinity. Specifically, the potential for reverse sensitivity effects to arise should be avoided where proposed new uses may be particularly susceptible to the nuisance effects often attributed to extractive industries.~~

Policy 7.8 – Intensive farming

~~To control the location of intensive indoor keeping of animals or intensive farming on a large scale will be avoided in locations where there are actual or to avoid, remedy or mitigate potential adverse noise, odour, traffic, visual character, amenity and nuisance effects and avoid adverse effects on water quality in the District's Water Collection Areas:~~

- ~~a) soils and water, due to runoff and soakage of high levels of nutrients or contaminants;~~
- ~~b) historic heritage sites and archaeological sites;~~
- ~~c) highly versatile soils;~~
- ~~d) indigenous biodiversity; and~~
- ~~e) the amenity and visual appreciation of rural landscapes.~~

Reference

Object 2.6 & **Comment [JK45]:** In response to Submission #92-72.

Note: The amendments recognise Policy 31 of the Operative RPS which is "The demand for mineral resources is met from resources in close proximity to the areas of demand". Also, Policy 60 of the RPS is "When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district and regional plan, particular regard shall be given to:

- (a) The social, economic, and environmental benefits from utilising mineral resources within the region; and
- (b) Protecting significant mineral resources from incompatible or inappropriate land uses along side."

Reference

Object 2.2, 2.6, 2.11 **Comment [JK46]:** Submission # 237-6.

Explanation

Intensive agriculture including keeping animals indoors is a farming practice that is likely to result in large buildings on rural land and these activities also tend to be noisy or result in strong odours. The activity, for example indoor poultry or pig farming does not necessarily require productive soils and can operate on any land however due to the intensity of these activities they produce waste materials and runoff which has high levels of potential contaminants. The free draining nature of the sandy soils in large parts of the District, which are not *highly versatile soils*, means that there is a risk of these contaminants leaching into groundwater. In addition the need to create platforms for these buildings can flatten valued landforms or alter sites of historic significance. For all these reasons the rules that implement this policy require careful consideration of all potential effects in relation to intensive farming activities.

Policy 7.9 – Management of conflicting uses

~~Potential adverse effects of new intensive farming activities, shelter belts, plantation forestry, extractive industries, and~~

- a) ~~Ensure that sensitive activities in the rural zones will be are appropriately located, designed or restricted to avoid or mitigate adverse effects on managed where they have the potential to conflict with, or compromise the productivity or overall viability of, lawfully established sensitive activities. New sensitive activities will not be enabled where existing the efficient operation of primary productive production activities; and~~
- b) ~~Ensure that new primary production activities and other activities that may have significant adverse effects are appropriately located or managed to avoid or mitigate are likely to generate adverse effects on lawfully established the proposed sensitive activity activities. Management of effects will include measures such as:~~
- ~~a) locating potentially offensive activities as far as practicable from sensitive activities;~~
 - ~~b) locating sensitive activities as far as practicable from potential nuisance effects generating activities;~~
 - ~~c) the use of vegetated buffers along boundaries with sensitive activities for activities characterised by potential nuisance effects; and~~
 - ~~d) consideration of prevailing winds and their associated ability to intensify nuisance effects.~~

Reference

Object 2.6 & **Comment [JK47]:** In response to Submission # 92-74 and 212-40

Comment [SR48]: Clause 16(2) of Schedule 1 of the RMA

Explanation

Where potentially conflicting uses are located close to a zone edge, or where they are contained within a zone that anticipates a broad scope of land uses, specific management of interface effects is required to protect amenity values and continued land use rights. The rural environment anticipates activities which may be characterised by nuisance effects as a result of day-to-day operation, where the potential for conflict with other uses and zones is relatively high.

This policy works in conjunction with Policy 5.13 in the Living Environment Chapter and Policy 6.5 in the Working Environment Chapter to collectively provide a strategic approach to managing conflicting land uses. Insofar as the rural environment is concerned, the aim

of this policy is twofold: 1) to manage the potential for new rural activities to adversely affect *existing* sensitive activities; and 2) to manage the potential for new sensitive activities to compromise the *productive potential* of the rural environment or generate *reverse sensitivity effects* with *existing* rural activities.

Policy 7.10 – Growth management

The use of land in the Rural Dunes, Rural Plains, Rural Eco-Hamlet and Rural Hills Zones for urban *development* or rural residential development will be avoided where such a proposal would:

- a) ~~prevent the use of highly versatile soils for primary production activities~~ compromise the use and productive potential of primary production land;
- b) compromise the District’s ability to maintain a consolidated urban form in existing urban areas;
- c) compromise the distinctiveness of existing settlements and/or reduce rural character values between and around settlements;
- d) adversely affect the vitality of the District’s Centres Zones;
- e) make inefficient use of the *transport network*;
- f) result in an inefficient end use of energy;
- g) increase pressure for public services and *infrastructure* (including transport and community *infrastructure*) beyond existing capacity; or
- h) ~~result in reduction in availability or productive potential of highly versatile or specialised soils; or~~
- i) give rise to significant adverse reverse sensitivity effects with on rural primary production activities.

Reference

Objectives 2.3, 2.6 & 2.11, 2.13, 2.14, 2.17 & 2.20

Comment [JK49]: In response to Submission #219-44 and 219-56

Comment [SR50]: Cl 16(2), Sched 1, RMA

Comment [JK51]: Note: the definition of “Primary Production Activities” includes plantation forestry and extractive industries.

Comment [SR52]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Explanation

~~In order to protect the unique character of the District’s distinct urban and rural communities, to achieve the benefits from a consolidated urban form, and to sustain the productive potential of the rural environment, urban and rural residential development should not encroach into the wider rural environment. Rural development is anticipated but expected to retain average density appropriate to each zone. This Policy draws on the Council’s Development Management Strategy (2007), and works in conjunction with other growth management policies in the Plan to achieve a strategic managing framework across all environments in the District.~~

Policy 7.11 – Adding value to primary production: Ancillary buildings and activities on-site processing and retailing

The ability to add value to *primary production activities* in the rural environment through *ancillary* on-site processing and retailing – including roadside stalls – will be provided for in a manner which minimises adverse effects on the safety and

Refer

Objec 2.6, 2.13 & 2.16

Comment [SR53]: Consider that the title of this policy should be amended to better reflect what it relates to, particularly as a consequence of deleting the explanation to the policy

Comment [SR54]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

efficiency of the ~~existing~~ **transport network** and on **amenity values** of the rural environment.

In determining whether or not the scale of **effects** from the ~~ancillary building or activity on-site processing and retailing activity~~ is appropriate, particular regard shall **must** be given to:

- a) the **effects** generated by the ~~new ancillary building or~~ activity on the safety and efficiency of the ~~local~~ **transport network**;
- b) the **effects** generated by the ~~proposed ancillary building or~~ activity on landscape character and rural values of the surrounding **environment**;
- c) the appropriateness – in the design and total provision – of proposed access and ~~carparking for roadside stalls/retail outlets~~;
- d) the extent to which any proposed screening and **landscaping** successfully mitigates potential visual impacts of the ~~ancillary building or~~ activity; and
- e) ~~whether or not any proposed sign on the site is associated with the ancillary building or activity, is excessively large, or is visually distracting to motorists.~~

Comment [SR55]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK56]: This can be deleted as it is already covered under Clauses a) and b).

Explanation

~~Enabling a limited amount of on-site processing and retailing facilities which are ancillary to primary production activities in the rural environment can have positive effects on social and economic well-being. Not only do such ancillary facilities provide an economic outlet for producers, but they also afford opportunities for important resources to be produced, processed, purchased and consumed locally. These opportunities, in turn, can aide the Community's ability to be resilient to environmental and economic system change.~~

~~Notwithstanding the potential for these positive effects to be realised, ancillary retail and processing activities should be of a scale, and located in such a manner, that does not unduly detract from the character of the rural environment, or the safety and efficiency of the transport network.~~

Policy 7. 12 – Household units and buildings

New household units and other **buildings** in all the Rural Zones will be provided in a manner which minimises environmental **effects** (including cumulative effects) on the **productive potential** and landscape character of the rural area, including:

- a) limiting the number of **household units** and **minor flats** to one of each per **site**, except where Development Incentive Guidelines are complied with;
- b) ~~providing for a limited~~ **limiting the bulk and location and scale of accessory buildings and buildings which are ancillary to primary production activities**; and
- c) clustering **buildings** as much as practicable.

Reference

Objectives
2.3, 2.6 &
2.11

Comment [SR57]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [JK58]: Amended so that it more generally refers to 'building' to better reflect what is in the Proposed Plan rules.

Explanation

~~A major component of the District's rural character is the relatively limited presence of buildings. This is achieved through both relatively large minimum allotment sizes and limits to the number and size of dwellings and other buildings on a given rural allotment.~~

~~While the majority of the rural area should remain un-built upon to retain its general open character, and potential for primary productive uses, there are some benefits to clustering~~

~~buildings (where there are more than one proposed for a given site or area) to minimise cumulative proliferation effects.~~

Policy 7.13 – Rural Residential Zone

Rural residential living will be provided for in identified locations zoned rural residential which :

- a) can be efficiently accessed and are close to urban settlements;
- b) are characterised by land with relatively low productivity productive potential soils;
- c) avoid potential *reverse sensitivity effects* on adjacent *primary production activities* and other lawfully established *rural* uses;
- d) are at a scale and in locations that avoid creating or expanding urban settlements; and
- e) ~~are at a scale consistent with landscape character for the relevant landscape character area as set out in Schedule 3.6~~

Reference

Objectives
2.3, 2.6 &
2.11

Comment [JK59]: Amended to reflect changes to other policies in this chapter in response to submissions.

Comment [SR60]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK61]: Deleted as a consequence of changes in response to submissions on Chapter 3: Natural Environment, which have resulted in the deletion of Landscape Character Areas from the Plan provisions and District Plan Maps.

Explanation

~~The District Plan recognises that the District's residents have varied housing needs and preferences, including some preferences for rural residential living. The Rural Residential Zone provides for this type of living environment in locations and at a scale which allows for the productive functioning of the wider rural environment.~~

~~Rural residential development is enabled where soil productivity and the existing subdivision pattern do not support large scale primary production activities and in areas close to urban settlements.~~

Policy 7.14 – Rural Dunes Zone

Subdivision and Development in the Rural Dunes Zone will be undertaken in a manner which:

- a) supports the *primary production activity* focus of the rural environment ~~while protecting the valued landforms and ecological character~~ of the Rural Dunes ~~Zone~~;
- b) retains an overall low density scale and intensity of development to retain an overall rural character;
- c) avoids ~~non-rural~~ activities, such as *industrial, commercial or retail* activities which are not related to ancillary to primary production activities;
- d) ensures ~~sensitive areas and areas of visually sensitive open space~~ outstanding natural landscapes, ecological sites, significant indigenous vegetation, significant habitats of indigenous fauna, geological sites, areas of outstanding natural character (where located within the coastal environment) or historic heritage features in the Rural Dunes Zone are protected by either retention in large allotments or legally and or physically protected ~~of areas or features~~;
- e) *clusters development* in areas characterised by undulating topography where the *development* can be accommodated in a sensitive manner, with minimal disruption to natural landform;
- f) locates *buildings* and other *structures* in a way which avoids adverse

Reference

Objectives
~~2.2, 2.3,~~
2.5, 2.6,
2.9 & 2.11

Comment [SR62]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR63]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK64]: Amendment required as a consequence of amendments to the Chapter 3 in response to submissions.

Comment [SR65]: Clause 16(2) of Schedule 1 of the RMA

- visual and ~~landform~~ landscape effects on dominant dune ridges;
 g) provides sites which are capable of accommodating a primary residential building which is not at risk from identified natural hazards; and
 h) encourages increases in biodiversity, water quality and energy efficiency.

Comment [SR66]: Clause 16(2) of Schedule 1 of the RMA

Policy 7.15 – Rural Plains Zone

Subdivision and development in the Rural Plains Zone will be undertaken in a manner which:

- supports the *primary production activity* focus of the rural environment while protecting the openness and expansive character values of the Rural Plains Zone;
- avoids loss of the life sustaining and *productive potential* of the soil land resource;
- allows for *clustered development* in appropriate areas; and
- retains an overall low density of development, vegetated character and minimal level of non-rural activity; and
- provides sites which are capable of accommodating a primary residential building which is not at risk from identified natural hazards; and
- provides for buildings ancillary to primary production activities.

Reference

Object **Comment [JK67]:** Submission #219-2.3, 2.47 and 217-58
 2.6, 2.9 &
 2.11

Comment [SR68]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR69]: Clause 16(2) of Schedule 1 of the RMA

Policy 7.16 – Rural Hills Zone

Subdivision and development in the Rural Hills Zone will be undertaken in a manner which:

- supports the *primary production activity* focus of the rural environment while protecting the valued outstanding natural landscapes and ecological sites in character of the Rural Hills Zone;
- minimises the extent of proposed changes to natural landforms, and adverse effects of proposed development on erosion-prone land susceptible to erosion (as identified on the District Plan Maps);
- retains an overall low allotment lot density, and avoids potential adverse effects arising from any proposed subdivision of land into lots of less than 20ha; and
- ensures that any *buildings* or dwellings proposed are designed and located in a manner which minimises visibility from the avoids, remedies or mitigates adverse visual effects on the Rural Dunes Zone, the Rural Plains Zone and State Highway 1; and
- provides sites which are capable of accommodating a primary residential building which is not at risk from identified natural hazards

Reference

Object **Comment [JK70]:** In response to Submission # 212-41, 327-64, 443-19
 2.3, 2.47 &
 2.6, 2.9 &
 2.11

Comment [SR71]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR72]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR73]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR74]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Explanation for Policies 7.14 – 7.16

The District's rural environment is defined by three areas of distinct landscape character: the dunes, the plains and the hills. In order to enable primary production activities to be undertaken in a manner that is sympathetic to the unique context for each of these areas, the District Plan categorises the areas into separate land use zones.

The Rural Dunes Zone is characterised by remnant dunes, inter-dunal plains and wetlands. Development should be sympathetic to this character by protecting dominant dune ridges and other prominent natural landforms. Clustering allotments with buildings and structures can assist in retaining natural character in the dune environment where large balance areas are retained. Retention of this character is also reliant upon minimal earthworks or deformation of natural landforms, and through the design, construction and finishing of buildings and structures in a sympathetic manner.

All development in the Rural Plains zone should be managed to minimise any loss in productive potential for these highly versatile and specialised soils. Retention of large allotment sizes and clustering of buildings can mitigate this possible loss in productive potential, particularly where buildings can be grouped in areas characterised by less productive soils on-site. Clustering can also be a useful tool in the Rural Plains Zone, where the District's most fertile soils are typically found. Where less valuable soils are not present on rural allotments, clustering can still contribute positively by retaining larger balance areas to be utilised for primary production, and maintaining rural character and spaciousness. Notwithstanding the positive contribution that clustering can make, this should also be balanced against the potential adverse effects on rural character which can arise from an over-proliferation of buildings in any one area.

The Rural Hills Zone is defined by steep landscapes, stream and river valleys, and a mixture of vegetated and pastoral areas. Development in this area should be sympathetic to its prominent and unique landscape values by retaining large allotment sizes, minimising landform deformation, and avoiding erosion effects.

Policy 7.17 – Rural Eco-Hamlet Zone

Subdivision and development in the Rural Eco-Hamlet Zone shall must be undertaken in accordance with an approved structure plans approved by way of a changes to the District Plan, and be consistent with the following principles:

- a) ensure that landform dictates the shape and design of ~~roads, lots and location of~~ **eco-hamlets and associated buildings to and minimises landform modification;**
- b) **buildings, roads and structures are located so that they minimise disturbance to sensitive the existing landforms and natural features including general contours and prominent landforms, areas of native bush, wetlands, streams and their margins preventing sedimentation of any waterbodies;**
- c) **use infrastructure and other services efficiently, buildings are designed and oriented to maximise water and energy efficiency and minimise light pollution while ensuring public health is maintained; The incorporate the use of local renewable energy generation systems is encouraged where practicable;**
- d) **building design / built form reflects local character, in buildings, including having cladding and colour schemes that are in harmony with the natural landscape and have having low reflective qualities;**
- e) **open space and rural character are protected and enhanced by retain maintaining an appropriate overall rural-type low density and ratio of development intensity to open space.**
- f) **consideration is given to minimising light pollution;**
- g) **the productive potential of rural and retain larger balance lots to enable land to be utilised for a range of primary production activities is maintained through the retention of larger balance area lots;**

Refer

Object
2.3, 2
2.8, 2
2.11,
& 2.2

Comment [SR75]: In response to Submission #263-21 requesting that Policies 7.17 and 7.18 be amended so they are consistent with those for the Ngarara Precinct in Plan Change 80 subsequently made operative and incorporated into the current District Plan (refer to Policy 6b) and 6c) pages C7-8 and C7-9).

NOTE: Clauses xv), xvi), and xvii) of ODP Policy 6(b) have not been added to Policy 7.17 as it is considered that it is not appropriate to include them (i.e. relating to development minimising its carbon footprint, designing new dwellings to minimise fire risk, providing for management of domestic animals, buildings and accesses designed and built to be free from flooding).

Comment [SR76]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK77]: In response to Submission #164-6

Comment [SR78]: Clause 16(2) of Schedule 1 of the RMA

- h) any development is designed to create a sense of community and to provide a safe and accessible environment for pedestrians and cyclists;
- i) integrate stormwater treatment and management systems are designed to integrate into the landscape to minimise storm-water runoff resulting from development and protect water quality, and any associated native ecosystems or habitats;
- j) any development and subdivision ensures that individual lots are landscaped and planted in a manner that: that reduces the visual bulk of buildings; integrates buildings into the landscape; provides shade and windbreaks; and maintains visual privacy; limits the linear planting, of including hedges and shelter belts, along property boundaries; and will maintain sufficient separation distance between buildings and vegetation and regionally significant infrastructure;
- k) any development maintains or enhances and the ecological health of water bodies, wetlands and aquatic habitats, and prevent the degradation of environmentally sensitive areas, native flora and fauna; retain and enhance blue and green corridors (waterways and native bush areas) as a feature of the zone;
- l) integration e the and protection of areas of historic heritage features, ecological sites, geological sites and outstanding natural landscapes and sensitive natural features; and
- m) development provides an integrated transport network which enables for walkable communities with generous provision for walking, cycling and horse riding trails including non-motorised access along watercourses and open space areas;
- n) buildings and site accesses are designed and built so that they are free from flooding. Design solutions must, where possible, use soft engineering to be consistent with Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012; and
- o) adverse effects on the transmission lines are avoided, remedied or mitigated including through the design and layout of the subdivision and development and the nature and extent of earthworks.

Comment [JK79]: In response to Submission # 165-7.

Explanation

The Rural Eco-Hamlet zones are located adjacent to areas identified for future urban development. The land in the Rural Eco-Hamlet zone is undulating dunes with interdune areas. In Waikanae North the Rural Eco-Hamlet zone has high voltage transmission lines passing through it. There are locally and regionally significant ecological areas, significant amenity landscapes, waahi tapu sites, heritage trees and heritage buildings within the Eco-Hamlet zone which need to be considered as part of the structure plan and subsequent development of these areas.

Note:

The structure plans for Waikanae North and Ōtaki North Eco-Hamlets have been developed and approved as part of this District Plan and is are included in Rural Environment Appendix 7.4 and Appendix 7.5 respectively, which can be found in Volume 2 of this plan. The rules that implement this policy require development to occur in accordance with the areas identified on the structure plans.

The proposed Wellington Northern Corridor Road of National Significance or the designated Western Link Road corridor passes through the Ngarara Precinct which forms part of the Rural Eco-Hamlet zone.

Policy 7.18 – Ngarara Precinct

Ensure that *development* in the Ngarara Precinct enables connections to and integration with other land in the Rural Eco-Hamlet Zone, **and** incorporates the principles outlined in Policy 7.17, **and** is developed in accordance with the Ngarara Precinct Structure Plan (Rural Appendix 7.2) and Ngarara Precinct Management Principles (Rural Appendix 7.3) **and is consistent with the following principles:**

- a) **efficient use is made of infrastructure and other services provided in conjunction with more concentrated rural living environments; and**
- b) **any development is designed to provide for a high degree of social and amenity value in the living environments, both within the site(s) and wider neighbourhood/community. The provision of affordable housing is encouraged.**

Reference

Objectives 2.3, 2.9 & 2.9
Comment [JK80]: In response to Submission #263-21 requesting that Policies 7.17 and 7.18 be amended so they are consistent with those for the Ngarara Precinct in Plan Change 80 subsequently made operative and incorporated into the current District Plan (refer to Policy 6b) and 6c) pages C7-8 and C7-9).

Explanation

The Ngarara Precinct forms part of the Rural Eco-Hamlet Zone in Waikanae North and consists of *clustered development* areas surrounded by a balance of rural and conservation activities. The goal of the precinct is to retain the distinctive character of the *site* by the careful integration of built form with its rural coastal setting.

Development within this precinct is limited to create four distinct hamlets set within farmland and open spaces with the resulting overall density being very low. The comprehensively designed Eco-Hamlets provide a rural living experience in a landscape which reflects and enhances the *existing environment*. The Eco-Hamlets will not normally be serviced with water supply and wastewater disposal systems from the reticulated public services, instead on-site supply, management and conservation techniques are to be used.

The precinct is based on a *Structure Plan* within which are a series of Eco-Hamlets, as identified on the Ngarara Precinct *Structure Plan* map. The *development* of each Eco-Hamlet will be guided by specific management guidelines relating to Environmental Outcomes and anticipated form that dictate the form and nature of *development*, and overarching management principles.

The *Structure Plan* is attached as Rural Environment Appendix 7.2. This includes the Ngarara Precinct *Structure Plan* map, along with 'Ngarara Precinct Eco-Hamlet Areas' called "Smithfield", "Ngapara", "Lamberts", "Kawakahia" and "Kukutauaki" which provide details on the features to be protected, overall principles and outcomes, and anticipated land uses and form for the Ngarara Precinct. The Ngarara Precinct Management Principles (contained within Rural Environment Appendix 7.3) provides principles for consistency that apply across the entire precinct.

Policy 7.19 – Future Urban Structure Plan Areas

In all areas shown as Future Urban Development Zones on the **planning District Plan maps**, *subdivision* will be restricted to *boundary adjustments* to prevent unmanaged *development* occurring before a *structure plan* has been developed and accepted. Subsequent *subdivision* and *development* of these areas will then

Reference

Objectives 2.3, 2.9 & 2.9
Comment [SR81]: Clause 16(2) of Schedule 1 of the RMA

be undertaken in accordance with ~~approved structure plans approved by way of a change to the District Plan.~~

Comment [SR82]: Clause 16(2) of Schedule 1 of the RMA

Explanation

~~The Council has identified a long term growth management strategy which includes land north of Waikanae and Ōtaki considered suitable for future urban use. Much of the area north of Waikanae (e.g. the Ngarara Zone and the Waikanae North Development Zone) has already been zoned for urban development, so these are no longer “Future Urban” although they are not yet fully developed. The urban development of the Future Urban areas north of Ōtaki and the remaining future urban areas north of Waikanae is not desirable in the short-term, but there is a need to ensure that any ad hoc subdivision and development of the area in the interim period does not result in fragmentation that may jeopardise the long-term potential of the area to be urbanised. Once the area is required for urban use, it is important that it be planned in an integrated and comprehensive manner. The requirement to prepare a structure plan and subsequently develop these areas in accordance with approved structure plans will ensure a positive transition from rural to urban use.~~

Policy 7.20 – Maintaining Low Rural Density

~~The subdivision of balance allotments in the Rural Dunes, Rural Plains, and Rural Hills Zones will be avoided to ensure that there is:~~

- ~~a) no increase in the net density of the area;~~
- ~~b) no further compromise of the productive potential of the land; and~~
- ~~c) retention of the open rural character of the area.~~

Objec
2.3 &

Comment [SR83]: Consider that this Policy is inappropriate and should be deleted as a consequence of the deletion of Standard 1(g) in Rule 7A.3.2 (in response to Submission # 372-16 and others).

Explanation

~~The Plan provides for the subdivision of land through the use of minimum and average lot size standards. This enables clustered development with the retention of larger balance areas to be utilised for primary production, and to maintain rural character and spaciousness through ensuring a low density of development. However with the change in ownership and over time, balance lots often come under pressure to be further subdivided. If this were to be allowed, the overall rural density would increase beyond what has been accepted as part of the District Plan review and adoption process. Further intensification not only increases the potential cumulative effects from associated development but can also erode the community's overall confidence in the Plan and Council's ability to manage subdivision and development. To ensure the low density and form of development is maintained, permanent legal restrictions on further subdivision of balance lots will in most cases be applied to rural subdivision creating these lots.~~

Policy 7.21 – Minor subdivision

~~Minor subdivision will be provided for in the Rural Zones where the resulting allotment arrangement does not result in any increase in the net density of the area, including increased residential development potential or, the potential for future additional lots and does not compromise productive potential of the land.~~

Reference

Objectives
2.3 & 2.14

Explanation

~~Minor subdivisions (including boundary adjustments) are provided for where they result in no increase in development potential or allotment density. The Plan recognises that such subdivisions can frequently provide for improved land use and amenity outcomes, with minimal impact on the environment. Accordingly, these proposals are managed differently from more traditional subdivision.~~

Policy 7.22 – Paraparaumu North Rural Precinct

Subdivision and development in the Paraparaumu North Rural Precinct will be undertaken in a manner and at a rate that:

- a) reinforces the area's:
 - i) primary function as a gateway to Paraparaumu with a focus on the protection of ecological sites and the maintenance and enhancement of natural environment features, special amenity landscapes and values; and
 - ii) allows a transitional rural density whereby natural bush and wetlands provide separation;
- b) ~~avoids adverse impacts on~~ maintains:
 - i) the safe, efficient function of the *strategic transport network*;
 - ii) the natural and surrounding rural character and *amenity values* of the area; and
 - iii) the outstanding natural landscapes values which form a backdrop to this precinct.

Refer **Comment [SR84]:** In response to Submission # 372-13

Objectives 2.3 & 2.11

Comment [SR85]: Clause 16(2) of Schedule 1 of the RMA

Explanation

~~The Paraparaumu North Rural precinct allows a greater level of subdivision on land to the north of Paraparaumu along the State Highway 1 corridor to the Otaihanga Road intersection than is permitted in the rural plains, in a localised area which forms the entrance to Paraparaumu from the north. This area is characterised by extensive areas of native vegetation and outstanding natural landscapes.~~

~~In order to recognise the proximity to the urban area and the visual sensitivity of the area, an average density of 2ha will be able to be achieved if additional development is not visible from State Highway 1 or the beach. In addition screening and landscaping associated with new development will need to integrate with and enhance the surrounding indigenous vegetation.~~

Policy 7.23 – Kāpiti and outer Islands

Subdivision and development on Kāpiti Island and the outer islands will be undertaken in a manner and at a rate that:

- a) minimises adverse visual impact, including through:
 - i) use of building materials and colours which are sympathetic to the island's *natural character* and to its high visibility from the coast;
 - ii) the use of screening and *landscaping*;
 - iii) limiting the scale and duration of *earthworks*; and
 - iv) limiting building density;
- b) ensures any new land use activity will be self-sufficient (with respect to necessary servicing) and energy-efficient;

Reference

Objectives 2.1, 2.3 & 2.11

Comment [SR86]: Clause 16(2) of Schedule 1 of the RMA

- c) protects the island's cultural, wildlife, ecological and heritage values; and
d) supports the island's primary role as a nature reserve.

Comment [JK87]: In response to Submission #202-37.

Explanation

~~Kāpiti Island is primarily a nature reserve with a rich cultural and *historic heritage* and it has an important role in the conservation of indigenous biodiversity. It is a key visitor location for the District as well as a nationally recognised bird sanctuary.~~

~~The northern portion of the Island is *zoned* rural along with Motungarara (Fishermans Island), Tohoramaurea (Browns) Island and Tokomapuna (Aeroplane) Island. There are a small number of dwellings and visitor facilities located on Kāpiti and Fishermans Islands which are mostly located either at the northern end of Kāpiti Island or in the centre. *Developments* on the Islands are run self sufficiently in terms of energy, water and waste management.~~

~~The potential adverse *effects* of additional dwellings or visitor accommodation on the Islands could be significant. The risk of the introduction of *animal* and plant pests on the conservation activities on the Islands and the visual *effect* of *buildings* and lighting and the impacts of *wastewater* and waste products on natural systems must be appropriately managed.~~

Policy 7.24 – Peka Peka North Rural-Residential Precinct

***Subdivision and development* in the 'Peka Peka North Rural-Residential Precinct' will be enabled in accordance with the *structure plan* (Rural Environment Appendix 7.1) where adverse *effects of development* can be avoided, remedied or mitigated for that area and can be integrated into the landscape through innovative design.**

Reference

Objectives 2.3 & 2.11

Explanation

~~The Peka Peka North Rural Residential Precinct is an area of approximately 32 hectares which was subject to a *structure plan* to create rural residential *lots* with large areas of riparian and recreation reserves. The *earthworks* associated with the *subdivision* have resulted in a series of ponds which over flow into the Kowhai (Hadfield) stream. The *structure plan* has resulted in small rural residential *lots* being balanced by the large reserve areas to achieve a rural density. The *structure plan* includes ongoing requirements relating to planting, grazing and the location and style of fencing within the precinct.~~

7.1.2 Rules and Standards

The rules and standards for all Rural zones are included in this section.

Summary table

The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements. Pe refers to Permitted Activities, C to Controlled Activities, RD to Restricted Discretionary Activities, D to Discretionary Activities, NC to Non-Complying Activities and Pr to Prohibited Activities.

Uses/Activities	Rule	Pe	C	RD	D	NC	Pr
Rural zones							
Agricultural and horticultural activities (which are not <i>intensive farming</i>) which meets standards	7A.1.2	●					
1 household unit and 1 minor flat per lot which meets standards	7A.1.4	●					
1 household unit and one minor flat 1 standard not met	7A.3.4			●			
More than 1 household unit and one minor flat and other activities where two or more permitted activity standards are not met	7A.5.1					●	
Farm tracks (not in outstanding landscapes or other sensitive natural features or areas) which meet standards	7A.1.5	●					
Planting and harvesting of <i>Plantation Forestry</i> and <i>shelterbelts</i> which is not on high or very high erosion-prone land (mapped) which meets standards	7A.1.3	●					
Planting and harvesting of <i>Plantation Forestry</i> and <i>shelterbelts</i> which is on high or very high erosion-prone land (mapped) or which has high wilding potential which meets standards	7A.3.			●			
Planting of <i>Plantation Forestry</i> and <i>shelterbelts</i> does not meet standards	7A.5.					●	
<i>Intensive farming</i> which meets standards	7A.3.3.			●			
<i>Intensive farming</i> which does not meet standards	7A.5.5					●	
<i>Extractive industries</i> which meet standards	7A.3.4		●				
<i>Extractive industries</i> which do not meet standards	7A.5.4					●	
<i>Boundary adjustments</i> and <i>subdivision</i> in all rural zones where no additional lots are created	7A.2.3		●				
<i>Subdivision</i> in Rural Dunes Zone which meets standards	7A.3.2			●			
<i>Subdivision</i> in Rural Plains Zone which meets standards	7A.3.2			●			
<i>Subdivision</i> in Rural Hill Zone which meets standards	7A.3.2			●			
<i>Subdivision</i> in Rural Residential Zone which meets standards	7A.3.2			●			
<i>Subdivision</i> in all Rural Zones which does not meet standards	7A.5.4					●	
<i>Subdivision</i> in Future Urban Development Zone	7A.5.3					●	
<i>Industrial and commercial activities</i> which are not <i>home occupations</i> in all Rural Zones	7A.5.8					●	
<i>Intensive farming</i> in Water Collection Areas	7A.5.5					●	

Uses/Activities	Rule	Po	C	RD	D	NC	Pr
Commercial helicopter operations in all rural zones.	7A.5.6					●	
Coastal Environment							
Buildings in the Rural No-build Coastal Hazard Management Area	4A.6	●		●			●
Subdivision or development in areas of high natural character	4A.3 and 4A.5			●		●	
Landscape							
Earthworks	3A.1-5	●		●		●	
Ecology							
Vegetation modification	3A.1-5	●		●	●	●	

Rule 7.0. Applicability of Rules 7A.1 – 7A.6

Rules 7A.1 – 7A.6 shall apply only to land within the Rural Zones. For the avoidance of doubt, where a *site* comprises more than one zoning, the provisions of each zone shall ~~must~~ be considered for those parts of the *site* within each zone. Unless otherwise specified, all rules, standards and matters of control/discretion shall apply to all Rural Zones. Where there is a conflict between any rule or standard in this chapter and any other chapter, the more stringent rule or standard shall ~~must~~ apply.

Comment [SR88]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

- Notes:** [1] Notwithstanding the activity category defined by Rules 7.1 to 7.5 for any activity in the Rural Zones, attention is also drawn to the rules:
- [a] in Chapters 3, 9, 11 and 12 which apply to matters which apply across all zones in the District – for example, transport, financial contributions; and
 - [b] in Chapters 3, 4, 9, 10 and 11 that apply to special features identified on the Planning District Plan Maps – for example listed Historic Heritage items.

The rules in these chapters may identify the activity as (or result in the activity being) a different activity category than expressed below. Additional clarity on activity category determination is provided in Chapter 1 (Section 1.1).

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
1. Any activities on land in any Rural Zone which are not otherwise specified as Permitted, Controlled, Restricted Discretionary, Discretionary, Non-Complying or Prohibited activities <u>and comply with all permitted activity</u>	1. Activities shall must not generate <i>contaminants</i> which create a <i>nuisance effect</i> at or beyond the <i>boundary</i> of the <i>site</i> on which the activity is occurring	Policies 7.1, 7.4, 7.9 & 7.12

Comment [SR89]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	<p>b) be undertaken within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the forestry plantation.</p> <p>2. A fire plan in accordance with the New Zealand Environmental Code of Practice for Plantation Forestry shall be completed for all plantation forestry areas prior to harvesting by the forest owner or harvesting company and certified by the Rural Fire Officer prior to commencing any commercial forest harvesting. This shall include an assessment of access and transportation arrangements.</p>	
<p>4. Buildings and structures in all rural zones except in the Paraparaumu North Rural Precinct, including:</p> <p>a) including habitable buildings and accessory buildings on any lot; and</p> <p>b) the relocation of buildings that:</p> <p>i. are up to and including 15 years old or less; or</p> <p>ii. have a gross floor area up to and including of 30m² or less.</p>	<p>1. The maximum number of residential buildings on any site shall be one household unit and one minor flat (except on Kāpiti Island and the outer islands which have specific requirements). The maximum size gross floor area of a minor flat shall be 54m².</p> <p>2. and 3. The maximum floor gross floor area for a sleep out shall be 30m².</p> <p>23 All habitable buildings shall have a formed vehicle access designed and built for the entry and exit of fire fighting vehicles and shall meet the following minimum requirements:</p> <p>a) 2.5 3 metres in width; and</p> <p>b) 2.8 metres in unobstructed height (i.e. clear from vegetation, buildings and structures).</p> <p>34 The maximum height from original ground level of any:</p> <p>a) accessory farm building shall be 10 metres;</p> <p>b) habitable building shall be 8 metres;</p> <p>c) building on Kāpiti Island where the maximum height shall be 8 metres; and</p> <p>d) building within the 'Peka Peka North Rural-Residential Precinct' where the maximum height shall be 4.5 metres except for Lots 3, 4 and 8 where the maximum height is 5.5 metres.</p>	
	<p>45 Buildings shall not be sited on top of dominant ridgelines or dominant sand dunes, or in such proximity to the ridgeline/dune ridge that more than 4 3 metres of the height of the building protrudes above the ridgeline, if silhouetted onto the skyline, when viewed from any public place</p>	

Comment [JK96]: As rural fire plans are certified by the Wellington Rural Fire Authority, and not KCDC, it is considered that this standard is invalid and should be deleted.

Comment [JK97]: In response to Submission # 188-22

Comment [JK100]: As per the definition of 'minor flat' which refers to a gross floor area of 54m².

Comment [SR98]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK101]: Have separated out this from Clause (1) above, because under the definitions of the PDP a 'sleep out' is an accessory building, not a 'residential building'.

Comment [JK102]: Submission # 440-53

Comment [JK103]: Submission # 440-53

Comment [SR99]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK104]: In response to Submission # 327-66 et.al

Comment [JK105]: In response to Submission #165-10

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	<p>(i.e. beach, reserve or road).</p> <p>56. No <i>buildings</i> within 500 metres of the inland edge of a <i>beach</i> shall be visible from <i>the beach</i> when measured from 1.5 metres vertically above ground level at a point 20 metres seaward from the seaward toe of the foredune.</p> <p>67. No habitable building <i>sensitive activities</i> shall be located within 50 metres of a <u>building or enclosure containing a lawfully established intensive farming activity</u> on an adjacent site.</p> <p>78. The minimum yard requirements for any <i>site</i> shall be:</p> <ul style="list-style-type: none"> a) front <i>yard</i> <ul style="list-style-type: none"> i. All buildings shall be set back at least 10 metres from a road boundary. ii. Intrusions of eaves up to 0.6 metres are excluded. b) side and rear <i>yards</i> <ul style="list-style-type: none"> i. All <i>buildings</i> (other than <i>intensive farming buildings</i>) shall be set back at least 5 metres from a side or rear <i>yard boundary</i>. ii. Intrusions of eaves up to 0.6 metres are excluded. <p>Note: For intensive <i>farming</i> standards refer to the <i>Restricted Discretionary Activity</i> Standards.</p> <p>89. All parts of <i>buildings</i> must fit within a <i>height envelope</i> (refer to definition and diagrams in chapter 1) which:</p> <ul style="list-style-type: none"> a) commences at a point 2.1 metres above the property <i>boundary</i>; and b) inclines inwards at right angles to the <i>boundary</i> and at a vertical angle of 45 degrees. c) Where there is a right-of-way or an <i>access strip/leg</i> immediately adjacent to adjoining, and on the other side of, the property <i>boundary</i>, the <i>height envelope</i> shall be measured from a point 2.1 metres above a point midway across the right-of-way or <i>access strip/leg</i>. <p>The exception to this is that garages located in the side or rear <i>yard</i> up to 7 metres in length and not more than 2.4 metres in <i>height</i> may infringe the <i>height envelope</i>.</p> <p>910. Any new residential building shall comply with all permitted activity standards under Rule</p>	

Comment [JK106]: In response to Submission #277-13

Comment [SR107]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	9A.1.1, 11A.1.12 or 11A.1.13.	
5. Farm tracks on private land for permitted <i>farming</i> activities on land in all rural zones which is not within outstanding natural or significant amenity landscapes shown on the District Wide Zone District Plan Maps.	<ol style="list-style-type: none"> Farm tracks shall <u>must</u> not exceed 4 metres in width and shall be <i>ancillary</i> to agricultural or horticultural permitted <i>farming</i> activities on the <i>site</i>. <i>Earthworks</i> cut or fill shall not exceed 4 <u>2</u> metres of vertical distance. 	Policies 3.2, 3.22, 3.23, 7.1, 7.4, 7.6, 9.10 & 9.21
<p>Note: See Chapter 3 Natural Environment standards for further rules and standards for earthworks in ecological sites, outstanding natural landscapes, geological sites or historic heritage features. See Chapter 4 Coastal Environment for further rules and standards relating to earthworks on land having outstanding natural character or high natural character. See Chapter 9 Natural Hazards for further rules and standards for earthworks in flood hazard areas. See</p>		

- Comment [JK110]:** Amended to be consistent with the definition of 'farm tracks' in Chapter 1.
- Comment [SR111]:** Clause 16(2) of Schedule 1 of the RMA
- Comment [JK112]:** In response to Submission #100-33, #165-11 et.al.
- Comment [JK108]:** In response to Submission # 320-36

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
<u>Chapter 10 Historic Heritage for further rules relating to earthworks on land with historic heritage features.</u>		
6. <i>Home occupations</i> in all rural zones.	<ol style="list-style-type: none"> All permitted standards for <i>buildings</i>, traffic generation and environmental <i>nuisances</i> are complied with. The <u>gross</u> floor area used (whether temporary or permanent) shall not exceed 40m². No more than one non-resident person <u>who does not reside on the site</u> shall be employed. On-site vehicle parking for non-resident employees, deliveries and customers shall all be provided in accordance with the design requirements set out in Chapter 11 – <i>Infrastructure</i>. No deliveries shall be made to <u>or from</u> the <i>site</i> between the hours of 7pm and 7am. Retail activities: <ol style="list-style-type: none"> shall only be <i>ancillary</i> to the primary <i>home occupation</i> activity; no goods on display shall be visible from outside the <i>buildings</i>; and <u>the</u> total floor area used for retail (whether temporary or permanent) shall not exceed 10m² (this is to be included within the maximum floor area used set out in (2)). 	Policies 7.1, 7.4, 7.11, 6.17 & 6.24
7. Activities on Kāpiti Island and off shore islands.	<ol style="list-style-type: none"> Rubbish Disposal: Apart from matter that is biodegradable, all other waste material shall be removed from the island. Fire Safety: A fire-fighting water supply method designed to protect human life and property on the island from fire is required. An operational high-delivery pump and hose (capable of reaching all 	Policies 3.1, 3.3., 3.8, 3.15, 4.2, 4.4, 4.7, 7.9, 7.14, 9.21, 11.11, 11.20 & 11.28

Comment [SR109]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR113]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR114]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR115]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	<p>dwellings) shall be able to be connected either to seawater or to a fire water storage tank of minimum 4,500 litres capacity.</p> <p>3. Rodents/Mustelids/Animals: Adequate provision shall be made to ensure rodents <u>and mustelids</u> are not able to gain access to the island. No <i>animals</i> are permitted except for <i>animals</i> used for wildlife management purposes, or authorised for release on the island by the Department of Conservation.</p> <p>4. Household units: A maximum of 16 <i>household units</i> is permitted to be located on Kāpiti Island and off-shore islands (including Department of Conservation <i>buildings</i>). They shall be designed to not be visible from the <i>beach</i> and shall be of <i>recessive</i> colours or materials. The <i>household units</i> shall comply with all <i>permitted activity</i> standards for permitted buildings in Rule 7A.1.4 <u>7A.1.3.2 To 7A.1.3.7</u> above.</p>	
8. Removal of vegetation for fire breaks in all Rural Zones	<p>1. Vegetation removal shall be carried out by persons authorised by a warranted rural fire officer.</p> <p>2. Removal of vegetation for firebreaks shall be limited to a maximum width of 10 metres.</p> <p>Note: Modification or removal of indigenous vegetation is also subject to rules in Chapter 3 Natural Environment.</p>	Policies 3.3 & 9.24
9. <i>Buildings in the Rural Dunes Zone.</i>	<p>1. <i>Habitable buildings</i> on <i>lots</i> smaller than 5 hectares shall be located within 100 metres of any <i>building</i> on an adjacent <u>adjoining</u> property. <i>Buildings</i> on the same <i>site</i> shall be located so that they are all located no further than 100 metres apart when measured at the closest points of each <i>building</i>. Buildings for intensive <i>farming</i> are excluded from this standard.</p> <p>2. Buildings shall not be located in sensitive natural areas <u>outstanding natural landscapes, ecological sites or geological sites</u> or up to higher than 1 metre below or above dominant ridgelines.</p>	Policies 7.1, 7.2, 7.4, 7.9, 7.12 & 7.14

Comment [JK116]: In response to Submission # 202-42

Comment [SR117]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK118]: In response to Submission # 250-50.

Comment [JK119]: In response to Submission # 129-6

Comment [SR120]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK121]: Note that there are no submissions seeking an amendment to this height limit.

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	3. All buildings shall comply with setbacks in rule 9A.1.1.	
10. <i>Buildings and development in the Rural Eco Hamlet zone including the Ngarara Precinct.</i>	<p>1. <i>Development</i> is consistent with the <i>Structure Plan</i> for the Waikanae North Eco-Hamlet zone (Rural Appendix 7.4) or Ōtaki North Eco-Hamlet Zone (Rural Appendix 7.5) or Ngarara Precinct (Rural Appendices 7.2 and 7.3). <i>Development</i> shall be located within the areas shown as suitable on the (Waikanae North (Appendix 7.4) and Ōtaki North (Appendix 7.5) <i>Structure Plans</i> and the defined areas in the Ngarara Precinct <i>Structure plan</i> (Appendix 7.2).</p> <p>2. Roading <i>infrastructure</i> and new and relocatable <i>structures</i> are located:</p> <p>a) Outside buffer areas adjacent to <u>adjoining</u> ecological sites, streams, expressway and transmission lines as identified on the structure plan, except for structures associated with passive recreation and conservation activities; and</p> <p>b) <u>Outside the visually sensitive areas and visually sensitive ridgelines as identified on the structure plans (Appendices 7.2-7.5).</u></p> <p>3. Individual <i>lots</i> shall be landscaped and planted to:</p> <p>a) vvisually reduce the bulk of buildings; z</p> <p>b) Integrate the building form into the landscape; z</p> <p>c) Provide shade and windbreaks; z</p> <p>d) Protect or maximise visual privacy; z</p> <p>e) Limit linear planting including hedges and shelter belts; z and</p> <p>f) Maintain sufficient separation distance between vegetation and transmission lines.</p> <p>g) Additional requirements for the Ngarara Precinct:</p> <p>i. Planting shall provide filtered views of <i>buildings</i> so that no more than 50% of building to be visible 5 years after building completion when viewed from streets and public areas; and</p> <p>ii. No Hedges, shelterbelts and other linear planting with a length exceeding 10 metres shall be included in <i>landscaping on lots</i>.</p> <p>4. h) Each site/lot shall provide for a renewable electricity alternative to mains power such as solar hot water heating/heating, photovoltaic cells or wind turbines that meet the height and noise standards and provide at least 10% of the energy required for the residential activities on</p>	<p>Policies 3.3, 3.4, 3.8, 3.21, 4.2, 4.4, 4.7, 7.4, 7.9, 7.10, 7.12, 7.17, 7.18, 7.20 & 9.2</p>

Comment [JK122]: 8-2 (2.) Delete standard 7A.1.10.2(b) "Outside the visually sensitive areas and visually sensitive ridgelines as identified on the structure plans (Appendices 7.2-7.5)." In respect of 304 Ngarara Road. Page 7-28
165-12 Oppose Rule 7A.1.10.2.b as the extent of visually sensitive ridge lines in Appendix 7.4 is unclear

A LANDSCAPE ASSESSMENT OF THIS AREA WILL BE UNDERTAKEN AFTER 30 JUNE 2015. HOWEVER, THE OUTCOME OF THAT LANDSCAPE ASSESSMENT COULD ONLY RESULT IN A CHANGE TO THE STRUCTURE PLAN MAP IN APPENDIX 7.4. AS SUCH, THERE WOULD BE NO NEED TO CHANGE THE STANDARD.

Comment [SR123]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [JK124]: In response to Submission # 165-13 and 466-1.

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	<p>the site.</p> <p>5. h) Buildings within individual <i>lots</i> shall be located so that:</p> <p>a) All buildings within individual <i>sites</i> are <i>clustered so that</i>;</p> <p>b) Ancillary buildings are located within 30 metres of the residential unit on the same site.</p> <p>c) Residential dwellings are orientated the north with a minimum of 50% of the northerly facing wall being glazed (ie windows or glazed doors) to maximise energy efficiency and sun access.</p> <p>d) Buildings (other than <i>intensive farming</i> buildings for which greater setbacks are required) are sited at least:</p> <p>i. 20 10 metres from the <i>road boundary</i> and 40 5 metres from external boundaries;</p> <p>ii. 10 metres from streams/<i>water bodies</i> and <i>ecological sites</i> identified on the <i>Structure Plans</i> in Appendices (7.2-7.5);</p> <p>iii. 5 metres from all other streams/drains; and</p> <p>iv. 35 12 metres from the High Voltage transmission lines, support structures and poles.</p> <p>6. e) A site layout plan will need to <u>shall</u> be provided with the Building Consent application which shows the following:</p> <p>i. The location of all dwellings and accessory buildings on-site;</p> <p>ii. Proposed <i>driveway</i>;</p> <p>iii. <i>Earthworks</i>; and</p> <p>iv. Any proposed planting.</p> <p>7. j) Buildings shall be designed and constructed to:</p> <p>a) Use as exterior materials:</p> <p>i. Natural stone; or</p> <p>ii. Natural timber provided any stains and protectants used do not contain colorants to change the natural colour of the timber (for example, to green or red); or</p> <p>iii. Material painted or finished in recessive colours and non-reflective materials</p>	

Comment [JK125]: In response to Submission # 165-14.

Comment [JK126]: In response to Submission # 165-15.

Comment [JK127]: In response to Submission # 466-1

Comment [JK128]: In response to Submission #208-41

Comment [SR129]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR130]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR131]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.1 Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted standards and all relevant permitted activity standards in other chapters (unless otherwise specified).

Permitted Activities	Standards	Reference
	<p>(excluding glazing), and</p> <p>b) Any building or fence constructed or clad in metal, or material with reflective surfaces, is painted with a non-reflective finish and be at least 50% visually permeable. For the avoidance of doubt glazing is excluded from this standard.</p> <p>8. 8. Ancillary buildings and structures to have a combined gross floor area of no greater than 150m² per lot.</p> <p>9. 9. The keeping of a domestic cat(s) within 500 metres of protected ecological sites is not permitted unless the cat(s) are kept within a cat run.</p>	
11. Papakāinga housing in all Rural Zones.	<p>1. On multiple owned Māori land as defined by the Te Ture Whenua Māori Act 1993 which Māori land is subdivided/partitioned/leased before November 2012:</p> <p>a) A maximum of 10 papakāinga units are permitted on any site</p> <p>b) A minimum land area of 2,000m² shall be provided for each papakāinga unit</p> <p>c) Each papakāinga unit to have an outdoor living space for its own individual use. The living space must adjoin the living room and be located to either the North, East or West of the papakāinga unit it serves and shall be a minimum of 40m², with a maximum width of 5.5 metres for the exclusive use of each papakāinga unit.</p> <p>d) A maximum of one communal habitable building with a maximum gross floor area not exceeding 200m² for group activities which do not include retail, commercial, industrial or service activities may be erected on each site.</p>	<p>Policies 3-15, 5-8 7.4 & 7.10</p>

Comment [SR132]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR133]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR134]: Clause 16(2) of Schedule 1 of the RMA a

Comment [JK135]: In response to Submission # 440-52, 150-9, 163-2 & 232-19

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference
1. Relocation of buildings over 30m² in total floor area which are more than 15 years old in all Rural Zones which comply with the permitted activity standards for buildings in rule 7A.1.3. and all infrastructure permitted activity standards.	1. Any damaged exterior cladding or finishes including damage resulting from relocation shall be repaired or replaced. 2. A performance bond (bank guaranteed) or cash deposit to the value of 150% of the upgrading works to be carried out on the building, shall be paid (to Council) at least 48 hours prior to the building being relocated onto the site. The bond shall be released when the upgrading works have been completed. 3. Any relocated <i>residential building</i> shall comply with all permitted activity standards under Rule 11A.1.12.	1. Upgrading and/or repairing the appearance of the building (being the nature and condition of the roofing, cladding, paint or other coatings, joinery, and enclosure of the subfloor), and adequacy of drainage. 2. The imposition of a performance bond <u>(bank guaranteed) or cash deposit to the value of 150% of the upgrading works to be carried out on the building, shall be paid (to Council) at least 48 hours prior to the building being relocated onto the site. The bond shall be released when the upgrading works have been completed.</u>	Policies 7.4, 7.9, 7.12, 11.19, 11.20 & 11.24
2. Planting and harvesting of plantation forestry larger than 10 hectares in any one calendar year 12 month period on land in all rural zones except in areas identified in District Plan maps as being: a) high and very high erosion susceptibility; b) high natural hazard	1. Compliance with the permitted activity standards for plantation forestry 2. A forestry management plan, including the provision of a fire plan which identifies methods to reduce and respond to the hazard, shall be provided prior to planting and harvesting. 3. Prior to harvesting a Forest Harvesting Notice must be prepared and submitted to Council. The forestry management plan and forest harvesting	1. The operational techniques used to log the timber to avoid, remedy or mitigate adverse effects on the <i>environment</i> . 2. Measures contained in a forestry management plan <u>with regard to the New Zealand Environmental Code of Practice for Plantation Forestry, including a description and identification of:</u>	Policy 3.3, 3.4, 7.4, 7.5, 7.6, 9.21 & 11.29

Comment [JK137]: Consequential amendment associated with deleting Standard 2 of this rule.

Comment [SR136]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK138]: In response to Submission #188-16, 188-23, 320-32, 320-38, 495-23

Comment [JK139]: Amended to be consistent with the wording in Rule 7A.1.3.

Comment [JK140]: Consider that this clause should be deleted, as it is a matter dealt with under GWRC's Draft Natural Resources Plan rules for plantation forestry on erosion prone land (Rule LW.R102 and LW.R103).

Comment [SR142]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK141]: The District Plan Maps only identify natural hazards and do not indicate whether the hazards are 'high' risk or otherwise. Unsure why harvesting would be excluded from these areas – with reference to Policy 7.5 it appears that the risk is related to fire. Natural fire risk is not identified on the District Plan Maps. It is therefore considered that clause b) should be deleted. Submission 188-23 has requested that the rule be deleted in its entirety, therefore it is considered that there is scope to delete this clause.

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference
risk; e) Historic heritage or cultural values; d) Outstanding natural landscapes and significant amenity landscapes and ecological sites.	notice shall have regard to the New Zealand Environmental Code of Practice for Plantation Forestry and shall describe and identify: a) Any important environmental and heritage features (including waterways and areas of native vegetation) or values within the area to be harvested. b) Operational techniques to be used for harvesting and associated activities. c) Property boundaries. d) The access points and roads to be used by logging vehicles. e) Hours of operation. f) Potential adverse environmental effects and proposed mitigation measures. 4. Prior to harvesting an environmental impact assessment (EIA) of the proposed techniques to be used in accordance with the 4th Schedule of the Act shall be carried out and provided to Council.	a) <u>Any important environmental and heritage features (including waterways and areas of native vegetation) or values within the area to be harvested.</u> b) <u>Operational techniques to be used for harvesting and associated activities.</u> c) <u>Property boundaries.</u> d) <u>The access points and roads to be used by logging vehicles.</u> e) <u>Hours of operation.</u> f) <u>Potential adverse environmental effects and proposed mitigation measures.</u> 3. Management of fire <u>hazard</u> risk. 4. Access and transport <u>effects</u> . 5. The imposition of <u>financial contributions</u> in accordance with Chapter 12 of this plan. 6. Sediment and erosion control. 7. <u>Effects on sensitive natural areas ecological sites, geological sites, historic heritage features and significant indigenous vegetation and</u>	

Comment [JK143]: Submission # 320-5, #487-2, #492-7 and #500-10.

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference
		<u>significant habitats of indigenous fauna.</u>	
3. <i>Boundary adjustments and subdivisions</i> where no additional allotments-lots (other than reserves or <i>legal road</i> to be vested in Council) are created in all rural zones except the Future Urban Development Zone.	<ol style="list-style-type: none"> Each allotment lot must have <u>inalienable</u> legal and physical access to a <i>legal road</i>. The subdivision must not create further development potential as a result of the subdivision (i.e. create a small lot and a larger lot which can then be further subdivided and would not have met discretionary activity standards including minimum or average lot sizes prior to this subdivision occurring); and No resulting <i>lot</i> shall have an area less than <u>6000m²</u> the minimum individual lot area for the relevant zone specified in 7A.3.2. 	<ol style="list-style-type: none"> Design and layout of the <i>subdivision</i> and <i>earthworks</i>. The degree of compliance with the Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012. <i>Natural hazard</i> management. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> Network. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>. Imposition of conditions under sections 108 and 220 of the RMA. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this plan. 	<p><u>Policies 7.1, 7.3, 7.4, 7.9, 7.12, 7.20 & 7.24</u></p>
4. Paraparaumu North Rural	1. All <i>buildings</i> in the Paraparaumu North Rural	1. Design and location of buildings.	<u>Policies 7.4 & 7.22</u>

Comment [JK144]: Not considered necessary, as it is already captured by the definition of a boundary adjustment and the description of the Rule.

Comment [JK145]: In response to Submission # 550-40.

Comment [SR146]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference
Precinct <i>buildings</i> and development security fencing.	<p>Precinct shall:</p> <p>a) Have a maximum <i>height</i> of 10 metres for accessory farm-buildings and 8 metres for <i>habitable buildings</i>;</p> <p>b) Have a maximum <i>site coverage</i> of 30%;</p> <p>c) Shall be screened from <i>State Highway One</i> and <i>Otaihanga Road</i> by evergreen planting capable of growing to a <i>height</i> of 3 metres and not exceeding a <i>height</i> of 10 metres at maturity; and</p> <p>d) A maximum of one household unit and one minor flat shall be erected on any site</p> <p>e) Be located a minimum of 15 metres from <i>State Highway One</i> and a minimum of 5 metres from the precinct area <i>boundary</i>;</p> <p>2. <u>A maximum of one household unit and one minor flat must be erected on any site.</u></p> <p>3. f) Security fencing shall be visually permeable (i.e.: at least 50% see-through e.g. chain-link).</p>	<p>2. Visibility of buildings.</p> <p>3. Adequacy of screening.</p> <p>4. Permeability of fencing.</p> <p>5. Traffic safety and access.</p> <p>6. Visual and amenity effects.</p>	
5. New <i>extractive industry</i> activities on: a) <u>Lot 1 DP 26401 Block 10 Kaitawa Survey District at 15 Reikorangi Road, Waikanae; and</u> b) <u>Lot 2 and Pt Lot 3 DP 669 being the existing</u>	<p>1. <u>The <i>extractive industry</i> activities shall be undertaken in accordance with a Quarry Management Plan (QMP) that provides details of the proposed quarry operation and how compliance with the standards below will be achieved and monitored. The QMP shall describe and identify:</u></p> <p>a) Existing topography, drainage.</p>	<p>1. <u>The imposition of conditions requiring <i>extraction industry</i> activities to be carried out in compliance with the Quarry Management Plan and standards set out under this rule.</u></p>	

Comment [JK147]: Amended in response to submission 372-15.

Comment [JK148]: Amended to be consistent with definitions in Chapter 1.

Comment [SR149]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR150]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR151]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK152]: In response to Submission #92-60 and 92-62

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference
<u>quarry at 58 Ruahine Street, Paraparaumu.</u>	<p><u>watercourses, vegetation cover and any significant landform or features;</u></p> <p>b) <u>Site development plans and location and design of buildings;</u></p> <p>c) <u>Areas of extraction, storage, stockpiling, processing and distribution;</u></p> <p>d) <u>Current and future operations, including vegetation removal, site preparation, extraction and processing.</u></p> <p>e) <u>Estimated volumes to be extracted and timeframes;</u></p> <p>f) <u>Proposed rehabilitation programme;</u></p> <p>g) <u>Methodology for certifying imported cleanfill;</u></p> <p>h) <u>Methods of site access, freight routes, vehicle circulation and on-site parking;</u></p> <p>i) <u>Methods to achieve standards relating to dust, noise, glare and vibration;</u></p> <p>j) <u>Methods to avoid, remedy or mitigate effects of vehicle movements;</u></p> <p>k) <u>Protection of any ecological areas, outstanding landform features, archaeological sites, geologically significant sites; and</u></p> <p>l) <u>Monitoring and reporting on the above matters.</u></p> <p>2. a) <u>The extractive industries shall not exceed the following sound levels at a notional boundary of 20 metres from any occupied household unit located outside the extractive</u></p>		

Comment [JK153]: Note: The noise and vibration provisions are subject to further investigation. Furthermore, these noise and vibration standards will need to be included in Chapter 12: General District-wide Provisions, but have been retained here in the meantime for the benefit of submitters.

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference												
	<p><u>industry site that existed at 1 January 1999:</u></p> <table border="1"> <thead> <tr> <th></th> <th>L_{Aeq} (15 mins)</th> <th>L_{Amax}</th> </tr> </thead> <tbody> <tr> <td><u>0700 - 2000, Monday - Saturday</u></td> <td><u>55</u> dBA</td> <td><u>No</u> limit</td> </tr> <tr> <td><u>0630 – 0700, Monday - Saturday</u></td> <td><u>50</u> dBA</td> <td><u>No</u> Limit</td> </tr> <tr> <td><u>All other times and on public holidays</u></td> <td><u>45</u> dBA</td> <td><u>75</u> dBA</td> </tr> </tbody> </table> <p>b) <u>Noise created from the use of explosives shall not exceed a peak overall sound pressure of 128dB linear peak.</u></p> <p>3. a) <u>The measurement of blast noise (air blast) and ground vibration for blasting shall be:</u></p> <p>i) <u>Measured at a notional boundary of 20 metres from a dwelling that existed at 1 January 1999.</u></p> <p>ii) <u>Carried out in accordance with Appendix J of Part 2 of the Australian Standard AS2187.82-1993.</u></p> <p>b) <u>All blasting shall be restricted to:</u></p> <p>i) <u>0900 and 1700 hours, Monday – Saturday.</u></p> <p>ii) <u>Two occasions per day except where necessary because of safety reasons.</u></p> <p>c) <u>When blasting, the limit of particle velocity (peak particle velocity) measured on any</u></p>		L_{Aeq} (15 mins)	L_{Amax}	<u>0700 - 2000, Monday - Saturday</u>	<u>55</u> dBA	<u>No</u> limit	<u>0630 – 0700, Monday - Saturday</u>	<u>50</u> dBA	<u>No</u> Limit	<u>All other times and on public holidays</u>	<u>45</u> dBA	<u>75</u> dBA		
	L_{Aeq} (15 mins)	L_{Amax}													
<u>0700 - 2000, Monday - Saturday</u>	<u>55</u> dBA	<u>No</u> limit													
<u>0630 – 0700, Monday - Saturday</u>	<u>50</u> dBA	<u>No</u> Limit													
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Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference		
	<p><u>foundation of an adjacent occupied building not connected with the site, or suitable location adjacent to the building, shall not exceed 25mm/second for commercial buildings or 10mm/second for dwellings and buildings of similar design.</u></p> <p>4. <u>Artificial light shall not result in added illuminance in excess of 10 lux measured at the window of a dwelling located outside of the extractive industry site.</u></p> <p>5. <u>Land which is excavated or is disturbed by deposition of overburden shall be rehabilitated as soon as practicable.</u></p> <p>6. <u>Site coverage by buildings shall not exceed 20%.</u></p> <p>7. <u>Maximum building height of 24 metres (measured from original ground level).</u></p> <p>8. <u>No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary.</u></p> <p>9. <u>Buildings shall be set back:</u></p> <table border="1" data-bbox="577 1233 1066 1262"> <tr> <td data-bbox="577 1233 819 1262">Front yard set back</td> <td data-bbox="819 1233 1066 1262">Minimum 12metres</td> </tr> </table>	Front yard set back	Minimum 12metres		
Front yard set back	Minimum 12metres				

Rule 7A.2 Controlled Activities

The following activities are **controlled** activities, provided that they comply with all corresponding controlled standards (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	Reference								
	<table border="1" data-bbox="580 453 1064 863"> <tr> <td data-bbox="580 453 817 639"></td> <td data-bbox="817 453 1064 639"> <u>(administration building or weigh bridge)</u> <u>Minimum 30 metres (all other buildings)</u> </td> </tr> <tr> <td data-bbox="580 639 817 695"><u>Rear yard set back</u></td> <td data-bbox="817 639 1064 695"><u>Minimum 15 metres</u></td> </tr> <tr> <td data-bbox="580 695 817 751"><u>Side yard set back</u></td> <td data-bbox="817 695 1064 751"><u>Minimum 15 metres</u></td> </tr> <tr> <td data-bbox="580 751 817 863"><u>River yard set back</u></td> <td data-bbox="817 751 1064 863"><u>Minimum 10 metres from the edge of the river.</u></td> </tr> </table> <p data-bbox="580 890 1064 999"><u>The site shall be landscaped with the planting of vegetation with a minimum depth of 10 metres on the boundary (excluding vehicle access).</u></p>		<u>(administration building or weigh bridge)</u> <u>Minimum 30 metres (all other buildings)</u>	<u>Rear yard set back</u>	<u>Minimum 15 metres</u>	<u>Side yard set back</u>	<u>Minimum 15 metres</u>	<u>River yard set back</u>	<u>Minimum 10 metres from the edge of the river.</u>		
	<u>(administration building or weigh bridge)</u> <u>Minimum 30 metres (all other buildings)</u>										
<u>Rear yard set back</u>	<u>Minimum 15 metres</u>										
<u>Side yard set back</u>	<u>Minimum 15 metres</u>										
<u>River yard set back</u>	<u>Minimum 10 metres from the edge of the river.</u>										

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
1. All activities which are not listed as discretionary or non-complying and do not comply with no more than one permitted or controlled activity standard in all rural zones		<ol style="list-style-type: none"> 1. Consideration of the standard not met. 2. Visual and <i>amenity</i> effects. 3. Traffic effects. 4. The consistency with the relevant objectives and policies. 5. Public safety. 6. Whether any <i>nuisance effects</i> are created. 7. Cumulative effects. 8. <u>Reverse sensitivity effects.</u> 	
2. <i>Subdivision</i> in all rural zones except the Future Urban Development Zone and subdivisions which are controlled activities under Rule 7A.2.3. Note: <u>See Chapter 3 Natural Environment for further rules and standards for subdivision of land which contains an</u>	<ol style="list-style-type: none"> 1. General standards: <ol style="list-style-type: none"> a) All <i>lots</i> shall meet <i>natural hazard subdivision</i> standards in chapter 4 <u>chapter 9</u> and the relevant natural environment standards in chapter 3. b) All <i>lots</i> shall meet access and transport and <i>infrastructure</i> standards for <i>subdivisions</i> in chapter 11. e) Dominant ridgelines, sensitive and prominent land features, including sensitive natural features, will be identified on subdivision plans and no 	<ol style="list-style-type: none"> 1. The design and layout of the <i>subdivision</i> including <i>earthworks</i>, the clustering of nominated <i>building areas</i> and the suitability for <i>primary productive activities</i>. 2. The degree of compliance with the Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012. 3. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this plan. 	<p>Policy 3.1, 3.2, 3.3, 7.3, 7.4, 7.13, 7.14, 7.15, 7.16, 7.17 & 9.24</p>

Comment [JK154]: In response to Submission # 277-21

Comment [JK156]: Chapter 9 is relevant re. subdivision in hazard prone areas.

Comment [JK157]: In response to Submissions #44-6, 271-37, 319-21, 372-16, 327-70, 369-14 (and 12 others)

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<p><u>ecological site, significant indigenous vegetation, significant habitat of indigenous fauna, geological site, historic heritage feature or outstanding natural landscape. See Chapter 4 Coastal Environment for further rules and standards relating to subdivision on land having outstanding natural character or high natural character. See Chapter 9 Natural Hazards for further rules and standards for subdivision in flood hazard areas.</u></p>	<p>building or earthworks will be permitted in these areas.</p> <p>d) Site boundaries and roading infrastructure will shall follow the contours, natural geographic features and dune topography.</p> <p>e) Pedestrian and cycle routes will shall be provided within all legal road with a minimum width of 2.5 metres. Pedestrian, cycle and bridle routes shall be provided within ecological corridors with a minimum width of 3.5 metres.</p> <p>f) Each lot will shall have a notional building area (capable of containing at least a 20-metre diameter circle) and access identified on the site plan.</p> <p>g) Each new lot, including balance lots, shall carry an encumbrance on the title prohibiting further subdivision, specifying the building area and access limiting buildings to a clustered location.</p> <p>h) A fire fighting water supply shall be provided which complies with the New Zealand Fire Service Fire-Fighting Water Supplies Code of Practice SNZ-PAS 4500:2008, including one of the following:</p> <p>i) A static water supply of at least 45,000 litres which is dedicated for fire fighting purposes and located within 90 metres of the fire risk; or</p>	<p>4. The imposition of conditions in accordance with sections 108 and 220 of the Resource Management Act.</p> <p>5. Vehicle access points onto legal road including the State Highway Network and any effects on the transport network.</p> <p>6. The location of any building area relative to the natural hazards, heritage features and sensitive natural features <u>ecological sites, outstanding natural landscapes, geological sites and dominant ridgelines.</u></p> <p>7. The provision of walking, cycle pathways and bridleways.</p> <p>8. Consistency with relevant appendices and schedules to all chapters of this plan.</p> <p>9. Provision of an adequate water supply for fire fighting purposes.</p> <p>10. The location of house sites to avoid, remedy or mitigate potential adverse reverse sensitivity effects on existing primary production activities and intensive farming activities on adjoining properties.</p>	

Comment [SR182]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK158]: In response to Submission #273-16

Comment [SR183]: Amendment required as a consequence of amendments to the Chapter 3 in response to submissions.

Comment [JK159]: In response to Submissions #320-34 372-16, 319-22, 320-41, 327-70, 369-14, 550-41 (and 12 others)

Comment [SR155]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK160]: In response to Submissions #369-14, 320-43, 372-16, 380-26, 403-10, 408-18, 411-36 (and 8 others)

Comment [JK184]: While consider it appropriate to delete Clauses h) to k) in response to submissions (as it is not appropriate to require compliance with standards outside the District Plan) consider it appropriate to include assessment criteria relating to the provision of an adequate water supply for fire fighting purposes.

Comment [JK185]: In response to submission #219-51 and #277-14

Comment [JK161]: In response to Submissions #369-14, 320-44, 372-16, 380-26, 403-10, 408-18, 411-36 (and 8 others)

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	j) A fixed static pick up suction source located within 90 metres of the fire risk in accordance with Appendix B of SNZ PAS 4509:2008; or		
	k) At the time of construction, a minimum storage of 7,000 litres of water for fire fighting purposes should be provided to each habitable building connected to a domestic sprinkler installed in compliance with SNL PAS 4509:2008.		
	2. Additional standards for the Rural Residential Zone:		
	a) Subdivisions shall create lots with a minimum average area of 1 hectare across the subdivision and a minimum individual lot area of 4,000m².		
	3. Additional standards for the Rural Dunes Zone:		
	a) The subdivision of lots shall be developed into clusters of 12 or less with a maximum size of 1 hectare and a minimum of 6000 4,000m² per lot. The balance of the land shall be held in a single lot; and		
	b) A minimum average lot size of 4 hectares across the whole subdivision of shall be maintained; and		
	c) The clustered lots shall be located on the		

Comment [JK162]: In response to Submissions # 165-18, 369-14, 372-16, 380-26, 403-10, 408-18, 411-36 (and 8 others)

Comment [JK163]: In response to Submissions # 165-19, 369-14, 372-16, 380-26, 403-10, 408-18, 411-36 (and 8 others)

Comment [JK164]: In response to Submission # 129-2, 129-3 and 129-4

Comment [SR165]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR166]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR167]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>least suitable land for primary <i>productive activities</i> on the parent title; and</p> <p>d) All buildings, including habitable buildings in a cluster as a result of subdivision shall be located within 300 metres of each other when measured at the closest points of each building. If more than one cluster is proposed in one <i>subdivision</i> the clusters shall be clearly separate.</p>		
	<p>4. Additional standards for the Rural Hills Zone</p> <p>a) Subdivisions shall create lots with a minimum average area of 20 hectares per lot across the subdivision and a minimum individual lot area of 1 hectare.</p>		
	<p><u>Except that standard a) shall not apply to any proposed lots located wholly or partly within the Paraparaumu North Rural Precinct. For the avoidance of doubt this standard does not apply to subdivision in terms of Rule 7A.3.2.7(b).</u></p>		
	<p>5. Additional standards for the Rural Plains Zone</p> <p>a) Subdivisions shall create lots with a minimum average area of 6 hectares across the subdivision and a minimum individual lot area of 1 hectare.</p>		

Comment [SR168]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR169]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK170]: In response to Submission #372-17

Comment [SR171]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR172]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>6. Additional standards for the Rural Eco-Hamlet zone</p> <p>a) The minimum lot area shall be 4,000m².</p> <p>b) The minimum average lot size shall be 2ha:</p> <p style="padding-left: 20px;">(i) 1 hectare for lots whose parent lot must have legal access from Greenhill Road or any private vehicle access ways fronting this road.</p> <p style="padding-left: 20px;">(ii) 1.5 hectares for all other land.</p> <p>c) The maximum size of lots, excluding the balance lots, shall be 1ha.</p> <p>d) A minimum of 60% of the total area of the hamlet shall be used for grazing, primary production activities or ecological purposes.</p> <p>ec) A minimum 10 metre no build setback is incorporated each side of streams in the precinct (the extent of this is shown on the Structure Plan) and around ecological sites.</p> <p>f) The location of the building area on each lot and access shall ensure that buildings will not be visible when viewed from neighbouring lots (neighbours to the parent lot) of public roads (which are not created by the subdivision).</p> <p>gd) Each new lot, including balance lots, shall carry an encumbrance on the title</p>		

Comment [JK173]: In response to Submission #165-20, 8-3, 8-4, 8-9, 8-10 and 8-11

Comment [JK174]: The Structure Plan in Appendix 7.4 is still subject to review.

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>prohibiting further <i>subdivision</i>; specifying the location of the building area and access, and limiting buildings to a clustered location <i>the building area</i>.</p> <p>he) Two <i>site</i> plans shall be submitted to <i>Council</i> for approval;:</p> <p>(i) one detailing the existing situation; and</p> <p>(ii) the other one detailing the proposed <i>subdivision development</i>. The proposed <i>subdivision development plan</i> will shall show the no-build areas consistent with the <i>Structure Plans</i> in Appendices 7.1 to 7.5.</p> <p>i) The parent lot shall have legal access from Ngarara Road, Smithfield Road, End Farm Road or any private vehicle accessways fronting these roads.</p> <p>j) Land which is only accessed via Greenhill Road or State Highway 1/Main Road North Waikanae, can be subdivided as a restricted discretionary activity once the new expressway is constructed and operational and the status of "state highway" has been revoked from State Highway 1 and handed back to Kāpiti Coast District Council as road controlling authority to manage as local road.</p>		

Comment [SR175]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR176]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR177]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR178]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.3 Restricted Discretionary Activities
 The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>Note: Given the safety issues with access onto SH1 from Greenhill Road and properties fronting the highway subdivision will be a non-complying activity until the proposed expressway is constructed and operational and State highway 1 becomes a local road.</p> <p>7. In the Paraparaumu North Rural Precinct each <i>lot</i> shall:</p> <ol style="list-style-type: none"> Have a minimum area of 1 hectare. The subdivision shall have <u>an minimum</u> average lot size greater than 2 hectares, calculated on the basis of the total area of the parent title <i>lot</i> of the <i>subdivision</i>. All <u>lots adjacent to adjoining State Highway One</u> shall have a 5 metre planted buffer along the <i>State Highway One</i> frontage. Each <i>lot</i> must have <u>inalienable</u> access to a <i>legal road</i>. <p>Note: Further relevant standards relating to special features on the land can be found in chapters 3, 4 and 9.</p>		
3. Intensive farming, including intensive poultry, and intensive pig farming in all rural zones except in the Water Collection Areas	<p>1. Activities shall be located at least:</p> <ol style="list-style-type: none"> 50 300 metres from the <u>nearest habitable building on any adjacent lot site boundary</u>; and 20 metres from any road boundary. 	<p>1. The imposition of conditions in accordance with section 108 of the RMA.</p> <p>2. Effects on ecology and biodiversity .</p>	<p>Policies 7.1, 7.2, 7.3, 7.4, 7.8 & 7.11</p>

Comment [SR179]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR180]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR181]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK186]: In response to Submission # 277-16, 277-17, 277-18

Comment [SR192]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK187]: Added to provide clarification

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
Identified on the District Plan Maps.	2. No spray residue, odour or dust associated with the intensive activities shall be measurable offensive or objectionable at the boundary with any adjacent adjoining properties.	3. Noise effects.	
	3. Buildings and structures shall be designed and located to screen the facility from public roads and dwellings on adjacent sites.	4. Transport effects.	
	4. Sites shall have adequate effluent disposal systems to dispose of animal wastes from intensive farming.	5. Nuisance effects.	
	Note: Any discharge to land, air or water bodies may require a resource consent from the Greater Wellington Regional Council. Applicants should contact the Regional Council to confirm whether or not a consent is required.	6. Building bulk and location.	7. Cumulative effects.
4. Extractive activities including the removal of more than 100m ³ of topsoil and landfills in all Rural Zones	1. The quarry face shall not be within view of the residential zone or State Highway 1. 2. The site shall be landscaped with the planting of vegetation with a minimum depth of 10 metres on the boundary which is sufficient to screen the quarry from neighbouring properties.	8. Visual, character and amenity effects.	
		1. Visual effects.	Policies 3-3, 3.17, 3.24, 7.1, 7.2, 7.4, 7.7, 11.18 & 11.29
		2. Traffic effects.	
		3. Nuisance effects.	
		4. Extent of earthworks.	
		5. Cumulative effects.	

Comment [SR188]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR189]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR190]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR191]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK193]: In response to Submission # 92-64 (as a consequence of inserting new Rule 7A.2.5).

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>3. A management and restoration plan for the site shall be submitted to the Council prior to commencing extraction. The plan shall include methods to avoid, remedy or mitigate visual, dust, noise and traffic effects and a plan to rehabilitate and revegetate the site on completion of the extraction.</p> <p>4. Activities shall comply with relevant standards in Chapter 3.</p>	<p>6. Ecological effects.</p>	
5. <i>Papakainga housing</i> on Kāpiti Island.	<p>1. Minimum site area per residential unit - 250m².</p> <p>2. Minimum distance between dwellings shall be not less than 6 metres. This dimension may be reduced to not less than 3 metres if the design and layout of the <i>building</i> preserves the privacy of individual residential units.</p> <p>3. Each residential unit shall have an outdoor space of not less than 40m² for its own individual use.</p> <p>4. Compliance with the “Kāpiti Island Permitted Activity Standards”.</p>	<p>1. Design, location and layout of <i>buildings</i>.</p> <p>2. Number of <i>household units</i>.</p> <p>3. Visual, character and amenity effects.</p> <p>4. Effects on ecology and biodiversity.</p>	<p>Policies 3.3, 3.15, 3.26, 5.8, 7.4, 7.10 & 7.23</p>
6. All <i>buildings</i> and activities in the Kukutauaki and Kawakahia Eco-Hamlets	<p>1. All dwellings and <i>structures</i> in the Kukutauaki Eco-Hamlet Zone shall be setback from the <i>boundary</i> of the adjoining <i>lots</i> in Rutherford</p>	<p>1. <i>Effects</i> on <i>wetland</i> habitat.</p> <p>2. <i>Building</i> design and location.</p>	<p>Policies 3.1, 3.3, 3.6, 3.17, 3.18, 5.10, 7.17 & 7.18</p>

Comment [SR196]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR194]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
<p><u>Zones</u> of the Ngarara Precinct where all <u>restricted discretionary activity standards</u> for the Ngarara Precinct are complied with.</p>	<p>Drive by at least 10 metres and not exceed 8 metres in <i>height</i>.</p> <p>2. <i>Resource consent</i> applications for <i>development</i> in the Kuketauaki Eco-Hamlet <u>Zone</u> shall demonstrate that:</p> <p>a) A minimum 50 metre Open Space Wetland Buffer zone is incorporated around ecologically sensitive Kawakahia wetlands (extent of this is shown on the Structure Plan);</p> <p>b) Adverse <i>effects</i> on indigenous flora and flora values and the ecological health of the <i>ecological sites</i> are avoided or minimised mitigated;</p> <p>c) Ownership and management structures for the Eco-Hamlet <u>Zone</u> are defined and include all <i>open space</i>;</p> <p>d) An Environmental Management Plan is prepared that complies with <u>Appendix 7.42</u> and <u>Appendix 7.23</u>;</p> <p>e) The location and extent of Individual building platforms and associated services are identified within each <i>lot</i>;</p> <p>f) Roading <i>infrastructure</i> and <i>development</i> of house <i>lots</i> are located outside buffer areas sensitive to existing dune topography and involves minimal <i>earthworks</i>;</p>	<p>3. Adequacy of <i>wetland</i> buffers.</p> <p>4. <i>Effects</i> on indigenous flora and fauna.</p> <p>5. Location and design of services.</p> <p>6. Extent of <i>earthworks</i>.</p> <p>7. result of gGeotechnical information requirements.</p> <p>8. Proposed mitigation, remediation or ongoing management measures.</p> <p>9. The imposition of conditions in accordance with section 108 of RMA.</p>	

Comment [SR195]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR204]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR197]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR205]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR206]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR198]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK199]: In response to Submission # 263-22.

Comment [SR200]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR201]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>g) <i>Waste control structures</i> are fully contained to ensure no leakage or groundwater infiltration; and</p> <p>h) All stormwater discharges are appropriately treated prior to discharge to ground on-site;</p> <p>i) <i>Development</i> within Kawakahia Eco-Hamlet <u>Zone</u> that adjoins the Kawakahia <i>Wetland</i> (K066) shall meet the following:</p> <p>j(i) An <i>Open Space Wetland Buffer</i> no less than 20 metres in width shall be established around <i>wetlands</i> and streams, a 50-metre minimum buffer is required for those areas shown as “<i>Open Space Wetland Buffer</i> (50m buffer)” on the Ngarara Precinct <i>Structure Plan</i> (Part D:10 Appendix 7.2) subject to an ecological assessment determining whether a wider buffer is required;</p> <p>k(ii) For <i>wetland</i> buffers less than 50 metres in width, a 10-metre building setback from the inland <i>boundary</i> of the buffer is required: for <i>wetland</i> buffers 50 metres or greater in width, no building setback is required;</p> <p>l(iii) No <i>structures</i> within <i>Open Space Wetland Buffers</i> except for <i>structures</i> associated with passive recreation and conservation activities;</p>		

Comment [SR202]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR203]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>Ⓜj) An Environmental Management Plan is prepared that complies with Appendix 7.2 and 7.3 and sets out the management <i>structure</i> for <i>open space</i> areas;</p> <p>Ⓜk) All <i>wastewater</i> shall be reticulated and all <i>waste control structures</i> shall be fully contained to ensure no leakage or groundwater infiltration;</p> <p>Ⓜl) No untreated stormwater shall be discharged to natural <i>wetlands</i></p> <p>Ⓜm) All stormwater discharges are appropriately treated prior to discharge to ground on-site;</p> <p>Ⓜn) Individual building platforms within each <i>lot</i> and associated services are defined; and</p> <p>Ⓜo) Locally sourced indigenous species will <u>shall</u> be used for all planting.</p>		
<p>7. Subdivision in the Ngarara Precinct of the Rural Eco-Hamlet Zone (as shown in Appendix 7.2 and 7.3)</p>	<p>1. <i>Development</i> shall be carried out in accordance with the Structure Plan and Management Principles for the Ngarara Precinct (Rural Environment Appendix 7.2 and 7.3), provided the subdivision complies with the standards specified below:</p> <p>2. A maximum of 144 <i>lots</i> in the Precinct comprising of a maximum of 4 <i>lots</i> in the Kukutauaki Eco-Hamlet, 40 <i>lots</i> in the Ngapara Eco-Hamlet, 40 <i>lots</i> in the Lamberts Eco-Hamlet and 40 <i>lots</i> in the Smithfield Eco-</p>	<p>1. The design and layout of the subdivision and earthworks.</p> <p>2. <u>Kapiti Coast District Council's</u> Subdivision and Development Principles and Requirements 2012.</p> <p>3. The imposition of <i>financial contributions</i> in accordance with chapter 12 of this plan.</p> <p>4. The imposition of conditions (in</p>	<p>Policies 3.1, 3.3, 3.6, 3.17, 3.18, 5.19, 7.10 7.17 & 7.18</p>

Comment [SR208]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>Hamlet and 20 <i>lots</i> or accommodation units in the Kawakahia Retreat.</p> <p>3. Compliance with General Standards for <i>subdivision</i> in 40 <u>7A.3.2.1</u> above.</p> <p>4. Each new <i>lot</i>, including balance <i>lots</i>, shall carry an encumbrance on the title prohibiting further <i>subdivision</i> beyond the maximum number specified for the Eco <i>Hamlet</i>, and specifying a <i>building</i> area (capable of containing a 20-metre diameter circle) and access limiting <i>buildings</i> to a <i>clustered</i> location.</p> <p>5. It shall be demonstrated in terms of AS/NZS 1547:2000 that on-site domestic effluent disposal is suitable for each proposed lot or multiple lots.</p> <p>6. Subdivision of the Kukutauaki, and Kawakahia Eco Hamlets shall be accompanied by an assessment of the ecological health of the Kawakahia Wetland by a suitably qualified person and shall demonstrate that there will be no adverse impacts on this regionally significant wetland.</p> <p>7. Implementation of the integrated transport assessment results including the provision of</p>	<p>accordance with sections 108 and 220 of the Resource Management Act.</p> <p>5. Vehicle access points onto legal road including the State Highway Network and any effects on the transport network.</p> <p>6. The location of any associated building site(s) relative to the natural hazards, <i>historic heritage features</i>, and sensitive natural features <u>outstanding natural landscapes, ecological sites, geological sites, special amenity landscapes and dominant ridgelines and dominant dunes.</u></p> <p>7. Any easement or other legal mechanism required for legal access.</p> <p>8. Design, size, shape and location of reserves and esplanades.</p> <p>9. Visual, character and amenity effects.</p> <p>10. Design, size, shape and location of reserves and esplanades.</p> <p>11. <u>Provision of on-site domestic effluent disposal for each proposed lot or multiple lots.</u></p>	

Comment [SR209]: Amendment required as a consequence of amendments to the Chapter 3 in response to submissions.

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	foot and cycle pathways and the provision of access for public transport to the satisfaction of the Council and New Zealand Transport Agency.	12. <u>Effects on the ecological health of the Kawakahia Wetland.</u> 13. <u>Provision of foot and cycle pathways and the provision of access for public transport.</u>	
87. Development including subdivision which is undertaken in accordance with the Development Incentives Guidelines set out in Natural Environment Appendix 3.1	1. The amount of development proposed shall not exceed ₁ or proceed earlier than ₁ the stipulations in the guideline.	1. The scale of biodiversity <u>and energy or water quality</u> benefits created by the proposal. 2. Layout, size, design and location of proposed building and structures. 3. Visual, character and amenity effects. 4. Ecological or biodiversity <i>effects</i> . 5. Traffic effects. 6. Proposed mitigation, remediation or ongoing management measures. 7. Effect on natural character values. 8. Cumulative effects. 9. <u>The design and layout of the subdivision including earthworks, the clustering of nominated building area and the suitability</u>	Policies 3.1, 3.3, 3.4, 3.6, 3.9, 3.13, 7.1, 7.2, 7.3 & 7.10

Comment [SR210]: Clause 16(2) of Schedule 1 of the RMA and in response to submission 451-5 R Crozier and J Allin.

Comment [SR207]: Clause 16(2) of Schedule 1 of the RMA

Comment [SR211]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK212]: This provision is linked to Appendix 3.1: Development Incentive Guidelines which (along with this provision) is subject to further review in response to Submission # 250-67 Federated Farmers.

Comment [JK213]: In response to Submission # 440-54

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
		<p><u>of primary productive activities.</u></p> <p>10. <u>The degree of compliance with the Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012.</u></p> <p>11. <u>The imposition of financial contributions in accordance with Chapter 12 of this plan.</u></p> <p>12. <u>Vehicle access points onto legal roads including the State Highway Network and any effects on the transport network.</u></p> <p>13. <u>The location of any building area relative to natural hazards, historic heritage features, outstanding natural landscapes, ecological sites, geological sites, special amenity landscapes and dominant ridgelines and dominant dunes.</u></p> <p>14. <u>The provision of walking, cycle pathways and bridleways.</u></p>	
8. Development within the Visually Sensitive Areas of the Waikanae North and Ōtaki North Eco-Hamlet Zone.	1. Compliance with the Permitted Activity Standards for <i>development</i> in the rural zones and the Waikanae North and Ōtaki North Eco- Hamlet Zones.	<p>1. Ecological or biodiversity effects</p> <p>2. Layout, size, design and location of proposed building and structures.</p> <p>3. Visual, character and amenity effects.</p>	Policies 3.8, 3.20, 3.24, 3.25, 7.4, 7.9, & 7.17

Rule 7A.3 Restricted Discretionary Activities

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary standards (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	Reference
	<p>2. a) All <i>buildings</i> to use as exterior materials:</p> <ul style="list-style-type: none"> a) Natural stone; or b) Natural timber provided any stains and protectants used do not contain colorants to change the natural colour of the timber (for example, to green or red); or c) Another material painted or finished in visually muted, <i>recessive</i> colours, from British Standard 5252 A01 to C40 inclusive, with a reflective value of 60% or less. <p>3. Any <i>building</i> or fence constructed or clad in metal, or material with reflective surfaces, is painted or otherwise coated with a non-reflective finish and be at least 50% visually permeable. For the avoidance of doubt glazing is excluded from this standard.</p> <p>4. <i>Buildings</i> shall be no more than 6 metres in height.</p>	<p>4. Adequacy of site investigations.</p> <p>5. Suitability of the site for the proposed activity.</p> <p>6. Proposed mitigation, remediation or ongoing management measures.</p> <p>7. Effect on natural character values.</p> <p>8. Cumulative effects.</p>	

Rule 7A.4 Discretionary Activities

The following activities are **discretionary** activities.

Discretionary Activities

1. All activities which are not permitted, controlled or non-complying or which do not comply with two or more permitted or controlled activity standards or one or more restricted discretionary activity standards in all Rural Zones.
2. Planting and harvesting of plantation forestry not complying with one or more permitted activity or controlled activity standards.
3. New *Extractive industries* not complying with one or more controlled activity standards.
4. Industrial or commercial activities which are not home occupations or ancillary to primary production activities in all Rural Zones.

Comment [JK214]: In response to Submission # 44-7

Comment [JK215]: In response to Submission # 369-16, 372-20, 188-25, 411-38 and other similar submissions.

Comment [JK216]: In response to Submission # 492-37.

Rule 7A.5 Non Complying Activities

The following activities are **non complying** activities.

Non Complying Activities

- | Non Complying Activities | Reference |
|--|--|
| 1. All activities which are not permitted, controlled discretionary or which does not comply with two or more permitted or controlled activity or one or more restricted discretionary activity standards in all Rural Zones. | All policies in this chapter |
| 2. Further New roadside stalls/ <i>retail outlets</i> fronting State Highway 1 or roads where traffic volumes exceed 10,000 vpd. | Policies 7.1, 7.9, 7.11, 11.7, 11.29 & 11.34 |
| 3. Subdivision of land (except boundary adjustments) in the a Future Urban Development Zone for which there is no <i>Structure Plan</i> shown on District Planning Maps a structure plan for the zone has been developed and included as an appendix appended to this pPlan. | Policies 7.10, 7.19, 11.11 & 11.29 |
| 4. Subdivision in any rural zone which does not comply with one or more of the restricted discretionary activity subdivision standards. | Policies 7.1, 7.2, 7.3, 7.4, 7.9, 7.10, 7.12, 7.13, 7.14, 7.15, 7.16, 7.17, 7.18, 7.19, 7.20, 7.21, 7.22, 7.23, 7.24 & 11.29 |

Reference

[All policies in this chapter](#)

[Policies 7.1, 7.9, 7.11, 11.7, 11.29 & 11.34](#)

[Policies 7.10, 7.19, 11.11 & 11.29](#)

[Policies 7.1, 7.2, 7.3, 7.4, 7.9, 7.10, 7.12, 7.13, 7.14, 7.15, 7.16, 7.17, 7.18, 7.19, 7.20, 7.21, 7.22, 7.23, 7.24 & 11.29](#)

Comment [JK217]: In response to Submission # 44-7

Comment [SR218]: Clause 16(2) of Schedule 1 of the RMA

Comment [JK219]: In response to Submission # 440-51

Comment [JK220]: Added to reflect what is stated in Policy 7.19.

Comment [SR221]: Clause 16(2) of Schedule 1 of the RMA

Rule 7A.5 Non Complying ActivitiesThe following activities are **non complying** activities.

Non Complying Activities	Reference
5. Intensive farming, including intensive pigs and poultry, in the Water Collection Areas – (Waitohu, Waikanae and Smith's Creek), as shown on the District Planning Maps.	Policies 7.1, 7.2, 7.3, 7.4, 7.9, 7.10, 7.16, 7.20, 11.20 & 11.22
6. Commercial helicopter operations in all Rural Zones.	Policies 7.4 & 7.9
7. Second or subsequent <i>household units</i> on any <i>lot</i> in all Rural Zones.	Policies 7.1, 7.2, 7.3, 7.4, 7.9 & 7.10
8. Industrial or commercial activities which are not home occupations or ancillary to primary production activities in all Rural Zones.	Policies 6.24, 7.1, 7.2, 7.3, 7.4 & 7.9
9. Planting and harvesting of forestry not complying with one or more permitted activity or controlled activity standards.	Policies 3.3, 3.8, 3.12, 3.21, 7.1, 7.2 & 7.9
10. New <i>roads</i> including associated <i>infrastructure</i> and new and relocatable structures within the visually sensitive areas of the Waikanae North Eco-Hamlet Precinct that does not comply with the Restricted Discretionary Activity Standards.	Policies 3.21 & 7.4
11. <u>New <i>roads</i> including associated <i>infrastructure</i> and new and relocatable structures which are located up to 3 metres below or are above the Visually Dominant Ridgelines (as identified on the <i>structure plan</i> for Waikanae North (and Ōtaki North) Eco-Hamlet Zone in Rural Environment Appendix 7.4 and 7.5).</u>	
12. Any subdivision of land within the Eco Hamlet Zone which will have access off Greenhill Road or Stage Highway 1 until the proposed expressway is constructed and operational and the status of "state highway" has been revoked from State Highway 1 and handed back to Kāpiti Coast District Council as road controlling authority to manage as local road.	Policies 7.10, 11.26 & 11.33
13. <u><i>Subdivision</i> which creates new rural residential <i>lots</i> in the Peka Peka North Rural Residential Precinct on sites where average lot sizes have been applied and an encumbrance has been placed on the title to prevent further subdivision.</u>	Policies 7.10 & 7.24

Comment [SR222]: Clause 16(2) of Schedule 1 of the RMA**Comment [JK223]:** In response to Submission # 492-37.**Comment [JK224]:** In response to Submission # 372-20, 188-25, 411-38 and other similar submissions.**Comment [JK225]:** In response to Submission #8-6.**Comment [JK226]:** In relation to Submission #466-1**Comment [JK227]:** In response to Submission # 65-5 and 550-42.

Rule 7A.6 Prohibited Activities

The following activities are **prohibited** activities.

Prohibited Activities	Reference
1. New roads including associated infrastructure and new and relocatable structures which are located up to 3 metres below or are above the Visually Dominant Ridgelines (as identified on the structure plan for Waikanae North (and Otaki North) Eco-Hamlet Zone in Rural Environment Appendix 7.4 and 7.5).	Policies 3.21 & 7.4
2. Subdivision which creates new rural residential lots in the Peka Peka North Rural Residential Precinct and on sites where average lot sizes have been applied and an encumbrance has been placed on the title to prevent further subdivision.	Policies 7.10 & 7.24

Comment [JK228]: In relation to Submission #8-6

Comment [JK229]: In response to Submission # 65-5 and 550-42.

Rural Environment Appendices (in Volume 2)

The following Rural Environment appendices can be found in Volume 2 of this plan.

1. **Appendix 7.1** - Peka Peka North Rural-Residential Development Area
2. **Appendix 7.2** - Ngarara Precinct Structure Plan
3. **Appendix 7.3** - Ngarara Precinct Management Principles
4. **Appendix 7.4** - Waikanae North Eco-Hamlet Zone Structure Plan
5. **Appendix 7.5** - Ōtaki North Eco-Hamlet Zone Structure Plan