

# DEV1 - Ngārara Development Area

## This chapter is affected by proposed plan changes

Plan Change 1A (Accessible car parking provisions) proposes amendments to the following provisions in this chapter:

- Policy DEV1-P14
- Rule DEV1-R5 (this rule has immediate legal effect from notification on 17 February 2022)

This chapter sets out the area-specific management of the Ngārara Development Area. There is no underlying zone in this area, however, the Ngārara Development Area is considered part of the District's *Residential Zones*.

This chapter works in conjunction with the Ngārara Development Area Structure Plan (Appendix 7) and Management Principles (Appendix 8).

## Introduction

The *Residential Zones* of the Kāpiti Coast are the urban areas where *residential activities* are the primary activity. The *Residential Zones* generally have a low density and detached built form, however there are areas where other built residential forms including higher density and non-traditional (i.e. shared housing) residential developments are provided for.

There is an ongoing need to manage other *land* use activities that produce *effects* which adversely affect the quality of the *Residential Zones*. A high level of residential amenity and a low level of *nuisance effects* are sought within the *Residential Zones*. There are some activities (for example, churches, dairies, and some *community facilities*) that are able to co-exist with *residential activities* and that contribute to a walkable, high-amenity, resilient local community, which need to be enabled in appropriate circumstances.

The following issues are covered in this Chapter:

- housing choice
- residential amenity
- local character
- management of development densities
- *non-residential activities* in the *Residential Zones*.

This Chapter contains policies, rules and standards relating specifically to the Ngārara Development Area.

District-wide policies that set out *Council's* approach to managing urban development and *residential activities* in all areas and *zones* across the District are set out in the Strategic Direction chapters. Rules and standards relating to *residential activities* in other *zones* are located in the relevant area-specific chapters (e.g. Commercial and Mixed Use Zones, Rural Zones).

Many areas in the *Residential Zones* are characterised by special features as shown on the District Plan. Chapters relating to special features (Natural Hazards, Historic Heritage, and Natural Environment Values) also contain relevant provisions applying to the *Residential Zones*.

### **Ngārara Development Area**

Ngārara is a special part of the Kāpiti Coast providing for a variety of residential development clusters, integrated into its rural, coastal, conservation and forest setting. The fundamental design approach underpinning Ngārara has been driven by the objective of retaining the distinctive character of the *Development Area* by the careful integration of built form with its rural coastal setting.

The goal of the development of the *Development Area* is to maintain existing ecologies, limit urban sprawl, and to maintain *open space* between neighbourhoods, while providing for residential and limited mixed use development. The density of development clusters decreases across the *Development Area* from a higher density cluster with mixed use in the south west, to low density development in the north east. An area along the central dune ridges will be retained as a series of forest areas.

A substantial portion of the *Development Area* will also be put aside for conservation and enhancement purposes, including all the areas identified as having significant ecological values. Parts of Ngārara remain in the General Rural Zone as a precinct north of the urban edge (refer to the General Rural Zone chapter).

The comprehensively designed settlement provides a lifestyle *environment* with a range of *allotment* densities and supporting mixed use activities in a landscape which reflects and enhances the existing *environment*. The majority of the settlement will be fully serviced with *water* supply and *wastewater* disposal systems from the reticulated public services, enhanced by on-site management and conservation techniques.

The settlement is based on a *Structure Plan* within which are a series of areas, called *Neighbourhood Development Areas*, as identified on the Ngārara Development Area Structure Plan map. The *Neighbourhood Development Areas* include identified areas for *development* as well as the adjoining *open space* areas. The *development* of each neighbourhood 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.

Appendix 7 outlines the Ngārara Development Area Structure Plan map which provides details on the *Neighbourhood Development Areas*, including features to be protected, overall principles and outcomes, and anticipated land uses and form. Appendix 8 outlines the Ngārara Development Area Management Principles which apply across the entire Development Area. *Neighbourhood Development Areas*, corresponding areas of development and *open space* areas as shown on the Structure Plan map are indicative only.

In terms of the Ngārara Development Area rule framework, *subdivision* and *development* of each *Neighbourhood Development Area* (NDA) is a *discretionary activity* and requires the development of a detailed *Neighbourhood Development Plan* (NDP) for each NDA which addresses matters such as the roading layout, ecological constraints, traffic management, *stormwater*, *water* and *wastewater* management built form, *open space* and conservation elements, vehicle and other linkages and sustainability initiatives. The NDP demonstrates how the principles and outcomes sought for the NDA under the *Structure Plan* would be achieved.

Development of each NDA will need to comply with the District Plan *vehicle access*, *road* location

and design standards, and design guidelines for *roads*. The vision for Ngārara, including the design of *roads*, walkways and other linkages, seeks to minimise the generation of vehicular traffic. To ensure that the *development* of the *Development Area* does not outstrip the capacity of the *road* network, the applicant shall prepare an *transport assessment* as part of the NDP process, once the threshold of 265 *residential units* within the Waimeha NDA is proposed to be exceeded.

## Strategic Context

The Primary Objectives that this chapter implements are:

- DO-01 - Tāngata Whenua;
- DO-02 - Ecology and Biodiversity;
- DO-03 - Development Management;
- DO-05 - Natural Hazards;
- DO-07 - Historic Heritage;
- DO-08 - Strong Communities;
- DO-09 - Landscapes, Features and Landforms;
- DO-011 - Character and Amenity Values;
- DO-012 - Housing Choice and Affordability;
- DO-013 - Infrastructure;
- DO-014 - Access and Transport;
- DO-015 - Economic Vitality; and
- DO-017 - Open Spaces / Active Communities.

### DO-01 Tāngata Whenua

To work in partnership with the *tangata whenua* of the District in order to maintain *kaitiakitanga* of the District's resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

### DO-02 Ecology and Biodiversity

To improve indigenous biological diversity and ecological resilience through:

1. protecting areas of *significant indigenous vegetation* and *significant habitats of indigenous fauna*;
2. encouraging restoration of the ecological integrity of indigenous ecosystems;
3. enhancing the health of terrestrial and aquatic ecosystems; and
4. enhancing the *mauri* of *waterbodies*.

### DO-03 Development Management

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas which can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
4. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
5. management of development in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;

6. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
7. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District; and
8. management of the location and effects of potentially incompatible land uses including any interface between such uses.

#### DO-05 Natural Hazards

To ensure the safety and resilience of people and communities by avoiding exposure to increased levels of risk from natural hazards, while recognising the importance of natural processes and systems.

#### DO-07 Historic Heritage

To protect *historic heritage* in the District for the social, cultural and economic wellbeing of the Kapiti Coast community and future generations, including:

1. supporting the contribution of *historic heritage features* and their values to the identity, character and amenity of places and landscapes;
2. recognising and protecting *tangata whenua historic heritage*, including *waahi tapu and other places and areas significant to Maori*; and
3. providing for appropriate use and *development* of natural and physical resources with *historic heritage* values, while ensuring any adverse environmental *effects* are avoided, remedied or mitigated.

#### DO-08 Strong Communities

To support a cohesive and inclusive community where people:

1. have easy access and connectivity to quality and attractive public places and local social and community services and facilities;
2. have increased access to locally produced food, energy and other products and resources;
3. have improved health outcomes through opportunities for active living or access to health services; and
4. have a strong sense of safety and security in public and private spaces.

#### DO-09 Landscapes, Features and Landforms

To protect the District's identified *outstanding natural features and landscapes* from inappropriate *subdivision*, use and *development*; and

1. maintain or enhance the landscape values of *special amenity landscapes* and identified significant landforms; and
2. avoid, remedy or mitigate adverse *effects* of *earthworks* on natural features and landforms.

#### DO-011 Character and Amenity Values

To maintain and enhance the unique character and amenity values of the District's distinct communities so that residents and visitors enjoy:

1. relaxed, unique and distinct village identities and predominantly low-density residential areas characterised by the presence of mature vegetation, a variety of built forms, the retention of landforms and unique community identities;
2. vibrant, lively *town centres* supported by higher density residential and mixed use areas;
3. neighbourhood *centres*, village communities and employment areas characterised by high

- levels of amenity, accessibility and convenience;
4. productive rural areas, characterised by openness, natural landforms, areas and corridors of *indigenous vegetation*, and *primary production activities*; and
  5. well managed interfaces between different types of land use areas (e.g. between living, working and rural areas and between potentially conflicting land uses, so as to minimise adverse *effects*).

#### DO-O12 Housing Choice and Affordability

To meet diverse community needs by increasing the amount of housing that:

1. is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in suitable urban and rural locations;
2. is affordable and adequate for lower income households; and
3. can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference;

while enhancing the amenity of living environments and contributing to the sustainability of communities and compatibility with the goals of environmental sustainability, in particular resource, water and energy efficiency.

#### DO-O13 Infrastructure

To recognise the importance and national, regional and local benefits of *infrastructure* and ensure the efficient *development*, maintenance and operation of an adequate level of social and physical *infrastructure* and services throughout the District that:

1. meets the needs of the community and the region; and
2. builds stronger community resilience, while avoiding, remedying or mitigating adverse *effects* on the *environment*.

#### DO-O14 Access and Transport

To ensure that the transport system in the District:

1. integrates with land use and urban form and maximises accessibility;
2. improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;
3. contributes to a strong economy;
4. avoids, remedies or mitigates adverse *effects* on land uses;
5. does not have its function and operation unreasonably compromised by other activities;
6. is safe, fit for purpose, cost effective and provides good connectivity for all communities; and
7. provides for the integrated movement of people, goods and services.

#### DO-O15 Economic Vitality

To promote sustainable and on-going economic development of the local economy, including the rural sector, with improved number and quality of jobs and investment through:

1.
  - a. encouraging *business activities* in appropriate locations within the District, principally through differentiating and managing various types of *business activities* both on the basis of the activity, and the potential local and strategic *effects* of their operation;
  - b. reinforcing a compact, well designed and sustainable regional form supported by an integrated *transport network*;
  - c. enabling opportunities to make the economy more resilient and diverse;
  - d. providing opportunities for the growth of a low carbon economy, including clean

- technology;
- e. minimising *reverse sensitivity effects* on *business activities*, including *primary production activities*; and
- f. enhancing the amenity of *Working Zones*;

while:

2.
  - a. ensuring that economic growth and development is able to be efficiently serviced by *infrastructure*;
  - b. encouraging commercial consolidation and the co-location of community services and facilities primarily within the *Paraparaumu Sub-Regional Centre* and *Town Centres*; and
  - c. managing contamination, pollution, odour, noise and glare, associated with *business activities*, including *primary production activities*.

#### DO-O17 Open Spaces / Active Communities

To have a rich and diverse network of *open space* areas that:

1. is developed, used and maintained in a manner that does not give rise to significant adverse *effects* on the natural and physical *environment*;
2. protects the District's cultural, ecological and *amenity values*, while allowing for the enhancement of the quality of *open space* areas;
3. supports the identity, health, cohesion and resilience of the District's communities; and
4. ensures that the present and future recreational and *open space* needs of the District are met.

Provisions in other chapters of the Plan may also be relevant.

## Policies

### DEV1-P1 Ngārara Development Area

*Subdivision*, use and *development* in the Ngārara Development Area will provide for a mix of *land* uses and densities appropriate to the existing *environment* and will be undertaken in accordance with the *Neighbourhood Development Areas* set out in the Ngārara Development Area Structure Plan in Appendix 7 and the Ngārara Development Area Management Principles in Appendix 8, and in a manner which is consistent with the following principles:

1. within the *Neighbourhood Development Areas* that adjoin the Kawakahia Wetland (K066 – Te Harakeke Swamp), any *development* will satisfy the following ecological requirements:
  - a. the provision of an adequate *open space wetland* buffer to manage activities with the potential to adversely affect ecological health and processes and indigenous flora and fauna;
  - b. the design of the neighbourhood and associated *infrastructure* to ensure ecological connectivity between *wetland* and dune habitats;
  - c. no discharge of untreated *stormwater* to *wetlands*;
  - d. all *wastewater* must be reticulated;
  - e. the alignment, design and construction of roading (including parking and manoeuvring areas), walkways and other accessways must be sensitive to existing dune topography (involving minimal *earthworks*) and the potential adverse *effects* on *wetland* ecology;
  - f. *building* areas will be located outside buffer areas and will be sensitive to existing dune topography (involving minimal *earthworks*) and the potential adverse *effects* on *wetland*

- ecology;
- g. the positioning, orientation, design, and materials of *buildings* and *structures* must apply low impact principles and minimise potential adverse *effects* on *wetland* ecology;
  - h. effective long-term management of conservation *wetland* areas, *wetland* buffers and associated *open space*;
  - i. locally sourced indigenous species will be used for all planting; and
  - j. appropriate management of human activity to minimise the impact on indigenous flora and fauna;

2. separation between neighbourhoods and connection between *ecological sites* via bush corridors, rural lands and *wetlands*;
3. *building* and *site* design that incorporates environmentally sustainable design initiatives. New *residential buildings* will be designed to minimise fire *risks*, for example, by installing domestic sprinklers;
4. appropriate levels of vehicular connectivity between the *Neighbourhood Development Areas* and the *transport network*, based on a future link *road* to connect the neighbourhoods with Te Moana Road and the Waikanae North Development Area, as shown in the Ngārara Development Area Structure Plan;
5. appropriate locations for *non-residential, commercial* and *retail activities*, and specific residential densities, will be identified for specific *Neighbourhood Development Areas* and controls will be applied as necessary;
6. *retail* and *commercial activities* (excluding *industrial activities*) will be limited to only provide small scale convenience shopping for residents' day to day needs rather than having a district-wide catchment;
7. all *Neighbourhood Development Areas* will be investigated for sites of archaeological, historic and cultural significance before substantial changes or physical works take place; and
8. well-designed, appropriately located and sized private *open spaces* will be provided which serve to minimise urban *stormwater* run-off and that link seamlessly into public *open space* networks.

<b>DEV1-P2</b>	<b>Development and Landforms</b>
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*Subdivision*, use and *development* (including associated *driveways*) should be sited, designed and undertaken to integrate with the natural topography and landform of the land and to minimise:

1. the visual impact, bulk and scale of *buildings* and *structures* on identified landscape values, *ecological sites*, *geological features* or *areas of high natural character*;
2. the extent of cut and fill;
3. the need for and the *height* of retaining walls; and
4. the mass of *buildings* on sloping land, by variations in wall and roof lines and by floor plans which complement the contours of the land.

<b>DEV1-P3</b>	<b>Reverse Sensitivity</b>
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New residential *subdivision* and *development* will be located away from lawfully established *industrial* or intensive rural activities, or areas zoned for these activities, to minimise *reverse sensitivity effects*.

*Residential activities* (excluding *visitor accommodation* other than *temporary residential rental accommodation*) located at the urban-rural interface will be undertaken in a manner which is compatible with the activities undertaken in the Rural Zones.

<b>DEV1-P4</b>	<b>Residential Activities (excluding <i>visitor accommodation</i> other than <i>temporary residential rental accommodation</i>).</b>
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*Residential activities* will be recognised and provided for as the principal use in the *Residential Zones*, while ensuring that the *effects* of *subdivision*, use and *development* is in accordance with

the following principles:

1. adverse *effects* on natural systems will be avoided, remedied or mitigated;
2. new built *development* will relate to local built identity, character values and the density of the surrounding residential environment;
3. transport choice and efficiency will be maximised;
4. housing types which meet the need of *households* will be provided for;
5. the number of *residential units* per *allotment* will be limited; and
6. a limited number of *accessory buildings* and *buildings* which are *ancillary* to *residential activities* will be provided for.

<b>DEV1-P5</b>	Residential Amenity
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*Subdivision*, use and *development* in the *Residential Zones* will be required to achieve a high level of on-site amenity for residents and neighbours in accordance with the following principles:

1. *building* size and *footprint* will be proportional to the size of the *allotment*;
2. usable and easily accessible private *outdoor living spaces* will be provided;
3. *buildings* and *structures* will be designed and located to maximise sunlight access, privacy and amenity for the *site* and adjoining *allotments*;
4. *buildings* and *structures* will be designed and located to minimise visual impact and to ensure they are of a scale which is consistent with the area's urban form;
5. appropriate separation distances will be maintained between *buildings*;
6. *yards* will be provided to achieve appropriate *building* setbacks from neighbouring areas, the street and the coast;
7. hard and impermeable surfaces will be offset by permeable areas on individual *allotments*;
8. unreasonable and excessive *noise*, odour, smoke, *dust*, light, glare and vibration will be avoided;
9. *non-residential buildings* will be of a form and scale which is compatible with the surrounding residential *environment*; and
10. service areas for *non-residential activities* will be screened, and planting and *landscaping* will be provided.

<b>DEV1-P6</b>	Residential Streetscape
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*Development*, use and *subdivision* will enhance the amenity, functionality and safety of the streetscape in the *Residential Zones*. To achieve a positive relationship between *development* and the street, *development* will be undertaken in accordance with the *Council's* Streetscape Strategy and Guideline:

1. minimum distance will be maintained between *vehicle* access ways, and where practicable, the sharing of *vehicle* access ways will be encouraged;
2. direct pedestrian access will be provided from the street to the front entrance of the *primary residential building*, where practicable;
3. where practicable, at least one *habitable room* will be orientated towards the street;
4. the safety of *road* users, including pedestrians and cyclists, will not be adversely affected; and
5. on-site vehicle manoeuvring will be provided for rear *allotments*, *allotments* with significant sloping driveways and on *strategic arterial routes*.

<b>DEV1-P7</b>	Landscaping
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*Landscaping* will be required for *non-residential activities* and intensive residential development in the *Residential Zones* to enhance residential amenity, while promoting *water* conservation and biodiversity and allowing for the natural infiltration of surface *waters* through permeable treatments. *Landscaping* will be located and designed in accordance with the following principles:

1. the visual impact of large *buildings* will be reduced by appropriate screening and planting;

2. service areas, loading areas and *outdoor storage* areas will be screened;
3. on-site *outdoor living spaces* will be defined and enhanced by *landscaping*;
4. *sunlight* access and passive surveillance to adjoining areas will not be unreasonably restricted;
5. public *infrastructure* and services will not be damaged or blocked;
6. planting of locally *indigenous vegetation* will be encouraged; and
7. permeable surfaces will be provided for the natural infiltration of surface *waters*.

<b>DEV1-P8</b>	<b>Energy Efficiency</b>
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Where practicable, *development* and *subdivision* in the *Residential Zones* will be designed to minimise energy consumption by maximising *sunlight* access, and incorporating passive ventilation. Specifically, *development* will be undertaken in accordance with the following principles:

1. good *sunlight* access should be prioritised to main living areas, *habitable rooms* (including used for hospital recovery) and the private *open space* associated with living areas; and
2. the potential for natural cross-ventilation will be maximised to enable cooling breezes to reduce internal temperatures in the summer months.

<b>DEV1-P9</b>	<b>Minor Residential Units</b>
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A *minor residential unit* will be provided for where it is *ancillary* to a *residential unit* and is undertaken in the following manner:

1. it will be of a scale suitable to accommodate 1 or 2 persons;
2. it will not compromise the provision of sufficient *outdoor living space* areas; and
3. it will not unreasonably affect the privacy, outlook or *sunlight* access of the *primary residential building* or adjoining *properties* and public spaces.

<b>DEV1-P10</b>	<b>Accessory Buildings</b>
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*Accessory buildings* will be provided for where they are *ancillary* to *residential activities* on-site (excluding *visitor accommodation* which is not a *temporary residential rental accommodation*) and are undertaken in accordance with the following principles:

1. they will not unreasonably affect the privacy, amenity, outlook or *sunlight* access of other *residential buildings* or adjacent properties and public spaces;
2. their size, cumulative area, location and visual appearance will not dominate other *residential buildings* or streetscape; and
3. they will not compromise the provision of sufficient *outdoor living spaces*.

<b>DEV1-P11</b>	<b>Supported Living and Older Persons Accommodation</b>
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The *development of supported living accommodation* will be provided for in a range of forms, including units, *minor residential units*, complexes, shared accommodation, rest homes and *retirement accommodation*, where it is located within *Residential Zones* and integrated with the surrounding environment. *Supported living accommodation* includes accommodation specifically designed for older persons.

*Supported living accommodation* will be undertaken in accordance with the following principles:

1. on-site pedestrian movement and use of *open space* by residents will not be unduly restricted by the slope of the *land*;
2. design and development to promote interaction with surrounding communities, without compromising privacy and safety;
3. the scale and design of *development* will reflect the residential nature and character of the location, and ensure access through the *subject site* by the public and residents, including the

- provision of public *legal roads* and pedestrian accessways consistent with residential scale blocks; and
4. where practicable, the *development* will be located within walking distance of essential facilities such as local *shops*, health and community services and public transport networks.

<b>DEV1-P12</b>	Shared and Group Accommodation
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*Shared and group accommodation* may be provided for where facilities are shared by residents on-site at an intensity and scale compatible with other residential development within the locality.

*Shared and group accommodation* will be undertaken in accordance with the following principles. The *development* should be:

1. located within walking distance of essential facilities such as local *shops*, health and community services and public *transport networks*;
2. located where on-site pedestrian movement of residents is not unduly restricted by the slope of the *land*;
3. located and designed to promote interaction with other sections of the community, without compromising privacy and safety;
4. of a scale and appearance that reflects the residential nature and character of the surrounding neighbourhood; and
5. of a scale and design which ensures access through the *subject site* by the public and residents, including the provision of public *legal road* and pedestrian accessways consistent with residential-scale blocks.

<b>DEV1-P13</b>	Home Businesses
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The opportunity to undertake home-based employment will be provided for in a manner which avoids, remedies or mitigates adverse *effects* on the *amenity values* of the *Residential Zones* and the primacy and vitality of *centres*.

<b>DEV1-P14</b>	Non-Residential Activities
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Plan Change 1A (Accessible car parking provisions) proposes amendments to this policy.

1. *Non-residential activities* other than activities managed under the Community Facilities chapter will be allowed in the *Residential Zones* only if the activities are compatible with *residential activities* and the *amenity values* of residential areas, and if they provide a function which:
  - a. minimises the need to travel for daily goods and services;
  - b. supports the resilience of the local neighbourhood;
  - c. provides a service or function to the local neighbourhood; and
  - d. does not detract from the vitality of *centres* and other *Working Zones*.
2. In determining whether or not the scale of *effects* of *non-residential activities* is appropriate, particular regard shall be given to:
  - a. the appropriateness of the scale, size and intensity of the proposed *buildings* and activities and visual or landscape mitigation proposed;
  - b. the *effects* generated by the *buildings* and activities on the safety and efficiency of the local *transport network*, including the extent to which the activities make efficient use of the *transport network* by minimising the need to travel;
  - c. the appropriateness – in the design and amount – of proposed access for staff, customers, visitors and service/delivery vehicles;
  - d. the hours of operation, including the timing and frequency of delivery/service vehicles;

- e. the *effects* on residential character and *amenity values* of the surrounding *environment* generated by the proposed *building* or activity;
- f. *nuisance effects* (including *noise*, odour, light, glare, smoke and *dust*) produced on-site;
- g. whether or not any proposed signage on the *subject site* is associated with the activity, visually distracting to motorists or dominating or detracting from the amenity of the surrounding *environment*;
- h. whether the activities adversely affect the vitality of *centres*;
- i. whether the activity provides goods and services to meet the daily needs of the local neighbourhood; and
- j. any cumulative *effects*.

The Waimeha *Neighbourhood Development Area* of the Ngārara Development Area provides for a local centre. The following policy is relevant to *Local Centres*.

<b>DEV2-P15</b>	Local Centres
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*Local centres* are managed to enable a mix of limited local *retail activities*, other *business activities*, facilities and services which serve the daily convenience needs of local communities, generally within a walkable distance. *Local centres* may also contain residential and community and civic activities.

*Local centres* are located within the *Local Centre Zone* at Paekākāriki, Raumati South, Kena Kena, Meadows, Te Moana Road and Mazengarb Road. *Local centres* are also provided for in the Waikanae North Development Area Precinct 6 (Mixed Use) and the Ngārara Development Area - Waimeha *Neighbourhood Development Area*.

In the following *local centres*, *subdivision*, use and *development* will be undertaken in a manner that is consistent with the specified design objectives and principles:

1. Paekākāriki Village: the Paekākāriki Village Centre Design Guide in Appendix 15;
2. Meadows Precinct: the Meadows Precinct Design Guidelines in Appendix 16, and the Meadows Structure Plan in Appendix 17; *Neighbourhood Development Area*, Ngārara Development Area: the Waimeha Neighbourhood development guidelines under the Ngārara Structure Plan in Appendix 7; Precinct 6 - Waikanae North Development Area: Waikanae North Design Guide in Appendix 9.

## Rules

<b>DEV1-R1</b>	Any activity which is not specified as a <i>permitted controlled, restricted discretionary, discretionary, non-complying or prohibited activity</i> in this chapter.
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The activity complies with all <i>permitted activity</i> standards in this chapter.</li> </ol>
<b>DEV1-R2</b>	Unless otherwise specified as a <i>controlled, restricted discretionary, discretionary, non-complying or prohibited activity</i> in this chapter, any activity within an identified <i>Neighbourhood Development Area</i> in Appendix 7.
Permitted Activity	<p><i>Qualifying criteria</i>, and <i>measurement criteria</i> apply to activities under this rule.</p> <p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Any activity must comply with the <i>permitted activity</i> standards for the General Residential Zone except Standards 2 and 3 of GRZ-R6.</li> <li>2. No more than one <i>residential unit</i> and one <i>minor residential unit</i> shall be erected</li> </ol>

	<p>on any <i>allotment</i>.</p> <p><b>Qualifying criteria:</b> In order to be self-contained a <i>minor residential unit</i> must contain a <i>kitchen</i> and <i>bathroom</i>. A <i>minor residential unit</i> has a gross floor area which is no greater than 54m<sup>2</sup> in the <i>Residential Zones</i> (excluding decks and <i>covered outdoor living areas</i>).</p> <p><b>Measurement Criteria:</b> The number of <i>residential units</i> must be determined using the <i>residential unit measurement criteria</i>.</p> <p>When measuring gross floor area for the purposes of a <i>minor residential unit</i>, include:</p> <ol style="list-style-type: none"> <li>a. covered yards and areas covered by a roof but not enclosed by walls</li> </ol> <p>Exclude:</p> <ol style="list-style-type: none"> <li>a. uncovered stairways;</li> <li>b. floor space in terraces (open or roofed), external balconies, breezeways or porches;</li> <li>c. roof carparking, lift towers and machinery rooms on the roof having a floor area of not more than 200m<sup>2</sup>;</li> <li>d. <i>car parking</i> areas; and</li> <li>e. floor space of interior balconies and mezzanines not used by the public.</li> </ol> <p>3. All <i>buildings</i> must be located a minimum of 50m from any <i>wetland</i> or <i>ecological site</i> identified in Schedule 1.</p>
<b>DEV1-R3</b>	Pastoral and arable <i>farming, plantation forestry</i> (except the harvesting of <i>plantation forestry</i> blocks larger than 10 hectares in any 12 month period), <i>outdoor (extensive) pig farming</i> , horticulture, viticulture and orchards.
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The activity must comply with all <i>permitted activity</i> standards in the rules in this chapter.</li> </ol> <p><b>Note:</b> for the purposes of clarity, <i>intensive farming</i> is not a <i>permitted activity</i>.</p>
<b>DEV1-R4</b>	<p>New <i>residential buildings</i>, and <i>additions</i> or <i>alterations</i> to any existing lawfully established <i>building</i> (excluding <i>minor buildings</i> and any listed <i>historic heritage building</i>) within the Waimeha North Neighbourhood Development Area as identified in the Ngārara Development Area Structure Plan in Appendix 7.</p> <p><i>Measurement criteria</i>, and <i>height measurement criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Only one <i>residential unit</i> per <i>allotment</i> is permitted except in Residential A and Mixed Use B areas where multi-unit <i>developments</i> comply with standards 2 - 9 and 22 – 25 respectively below.</li> </ol> <p><b>Measurement Criteria</b> for all standards: The number of <i>residential units</i> must be determined using the <i>residential unit measurement criteria</i>.</p>

When measuring *building coverage*, include:

- a. any part of the *site* subject to a designation that may be taken or acquired under the Public Works Act 1981.

Exclude:

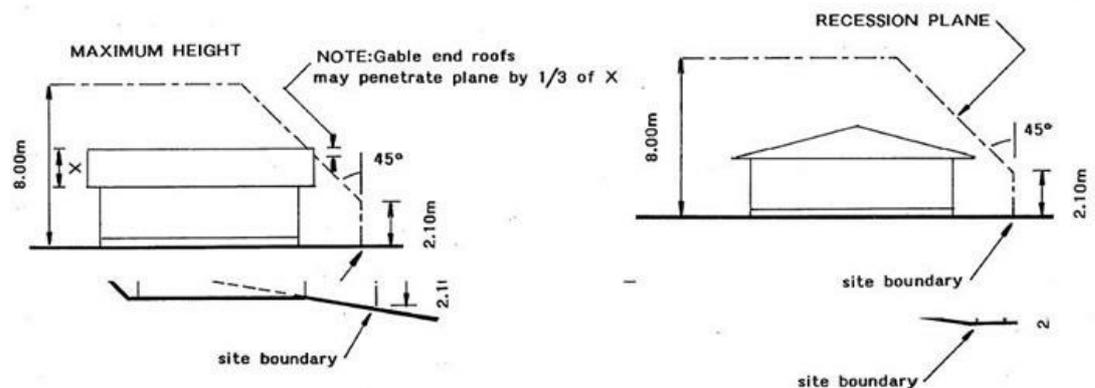
- a. any section of any buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.
- b. The footprint of any *minor building*

The specified reference point for measuring *height* must be determined using the *height measurement criteria*.

The *height in relation to boundary envelope* must be measured from a point above the *original ground level* at the boundary (including restrictive covenant areas of cross lease properties).

Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the *height in relation to boundary envelope*.

Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the *height in relation to boundary envelope* shall be measured from a point 2.1 metres above a point midway across the right-of-way or access strip/leg



#### Residential A areas (*allotments less than or equal to 350m<sup>2</sup>*):

2. The maximum *building coverage* of any *allotment* shall be 50%.
3. The maximum *height* of any *building* (excluding *accessory buildings*) shall be 10m (2-3 storeys).
4. The maximum *height* of any *accessory building* shall be 3m and the maximum length along the side *boundary* shall be 8.9m.
5. No *height in relation to boundary* requirements apply to these *allotments*.
6. The following setbacks apply:
  - a. For any front *yard*, any *building* (excluding *accessory buildings*) shall be set back a minimum of 1m and a maximum of 3m, except for Lots 11-14 DP 51388, which have a maximum setback of 5m.
  - b. *Accessory buildings* shall be set back a minimum of 3m from any front *yard*.

c. No side or rear setbacks are required except where adjacent to the street then any *building* shall be setback a minimum of 1m.

7. No fences are permitted in the front *yard* of the dwelling (this excludes hedges).

8. No minimum permeable surface area applies.

**Residential B areas (allotments from 350m<sup>2</sup> – 500m<sup>2</sup> inclusive):**

10. The maximum *building coverage* of any *allotment* shall be 35%.

11. The combined maximum area of all *accessory buildings* on any *allotment* shall be 60m<sup>2</sup>.

12. The maximum *height* of any *building* shall be 8m (1-2 storeys), except any *accessory building* shall have a maximum *height* of 4.5m.

13. No *height in relation to boundary* requirements apply to these *allotments*.

14. The following setbacks apply:

a. For any front *yard*, any *building* shall be setback a minimum of 2m, except for garages that require a minimum setback of 5m, unless a window is placed in the garage wall facing the street.

b. For any side *yard*, any *building* shall be setback a minimum of 1m.

c. For any rear *yard*, any *building* shall be setback a minimum of 6m, except for *accessory buildings* that are less than 3m high and 3m long along the rear elevation only require a minimum rear setback of 1m.

15. Each *subject site* shall have a minimum permeable surface area of 50m<sup>2</sup>.

**Residential C areas (allotments from 500m<sup>2</sup>):**

16. The maximum *building coverage* of any *allotment* shall be 35%.

17. The combined maximum area of all *accessory buildings* on any *allotment* shall be 60m<sup>2</sup>.

18. The maximum *height* of any *building* shall be 8m (1-2 storeys), except any *accessory building* shall have a maximum *height* of 4.5m.

19. Any *building* must fit within a *height in relation to boundary* envelope which is made up of recession planes which commence at a point 2.5 metres above the *original ground level* at the *site boundary* and inclines inwards at an angle of 45 degrees.

20. The following setbacks apply:

a. For any front *yard*, any *building* shall be setback a minimum of 3m.

b. For any side *yard*, any *building* shall be setback a minimum of 2m.

c. For any rear *yard*, any *building* shall be setback a minimum of 6m, except for *accessory buildings* that are less than 3m high and 3m long along the rear elevation only require a minimum rear setback of 1m.

d. Where there are two or more street frontages, the site must have one front setback a minimum of 3m and one other setback a minimum of 6m, all other sides shall be setback a minimum of 2m.

21. Each *subject site* shall have a minimum permeable surface area of 100m<sup>2</sup>.

**Mixed Use B areas**

22. The maximum *building coverage* shall be 60%.

23. The minimum *height* of any *building* shall be 7m (2 storeys) and the maximum *height* shall be 12m (3-4 storeys).

24. The floor to floor *heights* between each storey shall be a minimum of 3m for all

	<p>floors except loft spaces and alcoves no larger than 7.5m<sup>2</sup>.</p> <p>25. The following setbacks apply:</p> <ol style="list-style-type: none"> <li>For the front <i>yard</i>, any <i>building</i> shall be set back a minimum of 2m.</li> <li>From any <i>residential site</i>, any <i>building</i> shall be setback a minimum of 5m.</li> <li>No side and rear setbacks apply except where adjoining an <i>access leg</i> or right of way where the setback shall be 1.0 metre.</li> </ol>
<b>DEV1-R5</b>	<p><i>Home businesses and home craft occupations</i></p> <p><i>Qualifying criteria apply to activities under this rule.</i></p>

Plan Change 1A (Accessible car parking provisions) proposes amendments to this rule, which have immediate legal effect from notification on 17 February 2022.

Permitted Activity	Standards
	<ol style="list-style-type: none"> <li><i>Home businesses and home craft occupations</i> must: <ol style="list-style-type: none"> <li>be carried out within a lawfully established <i>residential building</i> or an associated <i>accessory building</i> (excluding <i>minor buildings</i>) that meets the <i>permitted activity</i> standards in DEV1-R4;</li> <li>not involve the use of any source of motive power other than electric motors of not more than 0.56kw;</li> <li>be limited to one <i>home business</i> and <i>home craft occupations</i> per <i>site</i>, excluding <i>home offices</i>;</li> <li>not have more than one non-resident person working on the <i>site</i> at any one time; and</li> <li>not have any deliveries related to the activity made to or from the <i>site</i> between the hours of 7pm and 7am.</li> </ol> </li> <li>The total floor area used for <i>home businesses</i> and <i>home craft occupations</i> must not exceed 40m<sup>2</sup>.</li> <li>In addition to Standards (1) and (2) above, for any <i>home business</i>: <ol style="list-style-type: none"> <li>any <i>retailing</i> must be an <i>ancillary activity</i> to the <i>home business</i>;</li> <li>no goods on display shall be visible from outside the <i>building</i> in which the <i>home business</i> is undertaken; and</li> <li>the maximum <i>retail floor space</i> or sales area must not exceed 10m<sup>2</sup>.</li> </ol> </li> </ol> <p><b>Qualifying Criteria:</b>  <i>Home businesses</i> and <i>home craft occupations</i> are performed entirely within a <i>residential building</i> or <i>accessory building</i>. <i>Home businesses</i> and <i>home craft occupations</i> shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre glassing, <i>heavy trade vehicles</i>, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitably screened area), wrought iron work or manufacture, motor body building, fish processing, breeding or boarding of dogs or cats, <i>visitor accommodation</i> or any process which involves repetitive use of power tools, drills or hammering or any <i>business activity</i>, trade, craft or profession which creates a <i>nuisance effect</i> at or beyond the <i>boundary</i> of the <i>property</i> on which the activity is occurring, and does not include <i>temporary residential rental accommodation</i></p>

	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>• For requirements for deliveries refer to the rules and standards in the Transport chapter.</li> <li>• For requirements in respect of <i>signs</i> and <i>noise</i>, refer to the rules and standards in the Signs and Noise chapters</li> </ul>	
<p><b>DEV1-R6</b></p>	<p><i>Non-residential activities, retail and commercial activities</i> (not specified as <i>permitted activities</i> in this chapter), including <i>structures</i> and <i>buildings</i>, within the Waimeha North Neighbourhood Development Area Mixed Use Areas identified in the Structure Plan in Appendix 7.</p> <p><i>Measurement criteria</i>, and <i>height measurement criteria</i> apply to activities under this rule.</p>	
<p>Controlled Activity</p>	<p><b>Standards</b></p> <p><i>Measurement Criteria</i> for all standards:</p> <p>When measuring <i>building coverage</i>, include:</p> <ul style="list-style-type: none"> <li>a. any part of the <i>site</i> subject to a designation that may be taken or acquired under the Public Works Act 1981.</li> </ul> <p>Exclude:</p> <ul style="list-style-type: none"> <li>a. any section of any buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.</li> <li>b. The footprint of any <i>minor building</i></li> </ul> <p>The specified reference point for measuring <i>height</i> must be determined using the <i>height measurement criteria</i>.</p> <p><b>Mixed Use A areas:</b></p> <ol style="list-style-type: none"> <li>1. The maximum <i>building coverage</i> shall be 50%.</li> <li>2. The maximum <i>height</i> of any <i>building</i> or <i>structure</i> (excluding <i>minor buildings</i>) shall be 12m (3-4 storeys).</li> <li>3. The floor to floor <i>heights</i> between each storey shall be: <ul style="list-style-type: none"> <li>a. A minimum of 3.5m on the ground floor.</li> <li>b. A minimum of 3m on all other floors.</li> </ul> </li> <li>4. The following setbacks apply: <ul style="list-style-type: none"> <li>a. For the front <i>yard</i>, any <i>building</i> or <i>structure</i> (excluding <i>minor</i></li> </ul> </li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. The extent of consistency with the Structure Plan for the Waimeha North Neighbourhood Development Area in Appendix 7.</li> <li>2. Design and layout, including any associated <i>earthworks</i>.</li> </ol> <p><b>Note:</b> <i>Earthworks</i> associated with <i>extractive industries</i>, the removal or replacement of underground fuel storage tanks, and "earthworks" as defined in and regulated by the <i>NESPF</i> are not managed by this rule.</p> <ol style="list-style-type: none"> <li>3. <i>Vehicle access</i> points onto <i>legal road</i> and any transport <i>effects</i>.</li> <li>4. The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</li> </ol>

*buildings*) shall be set back a minimum of 0m and a maximum of 3m.

- b. From any residential *site*, any *building* or *structure* (excluding *minor buildings*) shall be setback a minimum of 5m.
  - c. No side and rear setbacks apply.
  - d. Where there is a leg-in or right-of-way access directly adjoining the *subject site*, the setback shall either be 3m from the far side of the access way (opposite the mixed use site) or 1m, whichever is greater.
5. The maximum floor area for any commercial premise shall be 200m<sup>2</sup> with the exception of one premise at the Gateway Village as identified in the Structure Plan in Appendix 7 which has a maximum floor area of 700m<sup>2</sup>.

**Mixed Use B areas:**

6. The maximum *building coverage* shall be 60%.
7. The minimum *height* of any *building* or *structure* (excluding *minor buildings*) shall be 7m (2 storeys) and the maximum *height* shall be 12m (3-4 storeys).
8. The floor to floor *heights* between each storey shall be a minimum of 3m for all floors except loft spaces and alcoves no larger than 7.5m<sup>2</sup>.
9. The following setbacks apply:
  - a. For the front *yard*, any *building* or *structure* (excluding *minor buildings*) shall be set back a minimum of 2m
  - b. From any residential *site*, any *building* or *structure* (excluding *minor buildings*) shall be setback a minimum of 5m
  - c. No side and rear setbacks apply.
10. The maximum floor area for any

	<p>non-residential premises shall be 150m<sup>2</sup>.</p> <p>11. Hours of operation for <i>business activities</i> shall be between 7:30am and 6:30pm.</p>	
<b>DEV1-R7</b>	Any activity that is listed as a <i>permitted activity</i> or a <i>controlled activity</i> and does not comply with one or more of the associated standards, unless otherwise specified.	
Restricted Discretionary Activity	<p><b>Standards</b></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The extent of consistency with the Structure Plan for the Ngārara Development Area including the Ngārara Development Area Neighbourhood Development Areas contained within Appendix 7 and Appendix 8.</li> <li>2. Consideration of the <i>effects</i> of the standard not being met.</li> <li>3. Measures to avoid, remedy or mitigate adverse <i>effects</i>.</li> <li>4. Cumulative <i>effects</i>.</li> </ol>
<b>DEV1-R8</b>	<p><i>Development</i>, except for one <i>residential unit</i> per <i>allotment</i> which complies with all the standards in DEV1-R2, for activities identified as an anticipated activity in the corresponding <i>Neighbourhood Development Area</i> within Totara Dunes <i>Neighbourhood Development Areas</i> and those parts of Ti Kouka, and Homestead <i>Neighbourhood Development Areas</i> identified in Appendix 7 on an <i>allotment</i> that includes any part of the Kawakahia Wetland (K066 - Harakeke Wetland)</p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. An <i>open space wetland</i> buffer of no less than 20 metres in width shall be established around <i>wetlands</i> and streams, except that a buffer of no less than 50 metres in width shall be required for those areas shown as “Open Space Wetland Buffer (50m Buffer)” on the Ngārara Structure Plan.</li> <li>2. For <i>wetland</i> buffers: <ol style="list-style-type: none"> <li>a. less than 50 metres in width, a 10 metre setback from the inland boundary of the buffer is required; and</li> <li>b. 50 metres in width or greater, no <i>building</i> setback is required.</li> </ol> </li> <li>3. No <i>structures</i> shall be located within <i>open space wetland</i> buffers except for <i>structures</i> associated with passive recreation and conservation activities.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The imposition of <i>conditions</i> in accordance with <i>Council’s</i> Subdivision and Development Principles and Requirements 2012.</li> <li>2. Ecology and biodiversity.</li> <li>3. <i>Natural hazard risk</i> management.</li> <li>4. The extent of consistency with the Ngarara Development Area <i>Structure Plan</i> for the Development Area including the Ngārara Development Area <i>Neighbourhood Development Areas</i> contained within Appendix 7 and Appendix 8.</li> </ol>

	<ol style="list-style-type: none"> <li>4. All <i>wastewater</i> shall be reticulated and all <i>waste control structures</i> shall be fully contained to ensure no leakage or groundwater filtration.</li> <li>5. No untreated <i>stormwater</i> shall be discharged to natural <i>wetlands</i>.</li> <li>6. All <i>stormwater</i> discharges shall be treated prior to discharge to ground on-site in accordance with approved <i>stormwater</i> management processes.</li> <li>7. Individual <i>building</i> platforms within each <i>allotment</i> and associated services shall be defined.</li> <li>8. Locally sourced indigenous species will be used for all planting.</li> <li>9. Compliance with FC-Table 1.</li> </ol>	
<b>DEV1-R9</b>	<i>Development</i> within the Waimeha North Neighbourhood Development Area, as identified in the Ngārara Development Area Structure Plan in Appendix 7.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The <i>development</i> shall be in general accordance with the Ngārara Development Area Structure Plan and be for activities that are identified as anticipated activities in the Structure Plan for the Waimeha North Neighbourhood Development Area.</li> <li>2. Compliance with FC-Table 1.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The extent of consistency with the Structure Plan for the Waimeha North Neighbourhood Development Area in Appendix 7 and Appendix 8.</li> <li>2. <i>Amenity effects</i>.</li> <li>3. Council's Subdivision and Development Principles and Requirements, 2012.</li> <li>4. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> <li>5. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> Network and any transport effects.</li> <li>6. Any legal mechanisms required for legal access.</li> <li>7. Council's Crime Prevention through Environmental Design Guidelines (Appendix 6).</li> </ol>
<b>DEV1-R10</b>	Any activity in the Ngārara Development Area which is not listed as a <i>non-complying</i> or <i>prohibited activity</i> and does not comply with one or more of the <i>permitted, controlled, or restricted discretionary activity</i> standards, unless otherwise specifically stated.	
Discretionary Activity		

<b>DEV1-R11</b>	<i>Development of a Neighbourhood Development Area, as identified in the Ngarara Development Area Structure Plan included in Appendix 7, except as specifically provided for in this chapter.</i>
Discretionary Activity	
<b>DEV1-R12</b>	<i>Offensive trades.</i>
Non-Complying Activity	
<b>DEV1-R13</b>	Boarding or housing of <i>animals</i> for commercial gain.
Non-Complying Activity	
<b>DEV1-R14</b>	Car wrecking within enclosed <i>buildings</i> .
Non-Complying Activity	
<b>DEV1-R15</b>	The keeping of pigeons, doves, goats, pigs and deer.
Non-Complying Activity	
<b>DEV1-R16</b>	Commercial panelbeating and spraypainting
Prohibited Activity	