

## 5 Living Zones

This Chapter primarily implements Objectives 2.1 Tāngata Whenua, 2.3 Development Management, 2.11 Character and Amenity Values, and 2.12 Housing Choice and Affordability as set out in Chapter 2. The following objectives are also relevant to resource management issues in the *Living Zones*:

- 2.2 Ecology and Biodiversity
- 2.4 Coastal Environment
- 2.8 Strong Communities
- 2.13 Infrastructure
- 2.14 Access and Transport

### Introduction

The *Living Zones* of the Kāpiti Coast are the urban areas where *residential activities* are the primary activity. The *Living 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 *Living Zones*. A high level of residential amenity and a low level of *nuisance effects* are sought within the *Living Zones*. There are some activities (for example, churches, dairies, and community facilities) that are able to co-exist with *residential activities* and that contribute to a valuable 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 *Living Zones*.

This Chapter contains policies, rules and standards relating specifically to the four *Living Zones*.

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 Chapter 2A. Rules and standards relating to *residential activities* in other *zones* are located in the relevant chapters (e.g. Chapter 6 – Working Zones, Chapter 7 - Rural Zones).

Many areas in the *Living Zones* are characterised by special features as shown on the District Plan. Chapters relating to special features (e.g. Chapter 9 - Hazards, Chapter 10 - Historic Heritage and Chapter 3 - Natural Environment) also contain relevant provisions applying to the *Living Zones*.

## 5.1 Living Zone Provisions

The following policies and rules are applicable to the *Living Zones*, i.e. the Residential, Beach Residential, Ngārara and Waikanae North Development Zones.

The Waikanae North Development Zone provisions in this Chapter only apply to Precincts 1, 2, 4 and 5, apart from Policy 5.8 which applies to all precincts within the Zone. Provisions for Precincts 3 and 6 can be found in Chapter 8 - Open Space and Chapter 6 - Working Zones.

### Living Zone Descriptions

The *Living Zones* comprise four *zones* and include a number of spatially defined precincts, which are based upon their individual characteristics and anticipated uses. The following descriptions outline the distinct characteristics and the anticipated development response for each *zone*.

#### **Residential Zone**

The Residential Zone comprises the majority of the *Living Zones*. Apart from areas where higher densities are anticipated (for example, Medium Density Housing and Focused Infill Precinct Areas), the Residential Zone is characterised by low density detached residential development. Within the Residential Zone there are distinctive *subdivision* design and built form elements which are unique to specific neighbourhoods and strongly indicative of the village identities in the District. Within the dominant low density built form there is a capacity for a variety of housing typologies.

Within the Residential Zone there are several distinct precincts, which are defined on the District Plan Maps. These precincts have location-specific issues which need to be managed. The precincts are:

#### **General Precincts**

##### **a) Waikanae Garden Precinct**

This precinct is characterised by low residential density and high amenity values associated with existing established *trees* and remnant *indigenous vegetation*. *Development* should be undertaken in a manner which is sympathetic to preserving the existing high standards of character and *amenity values*.

##### **b) Pekawy Precinct**

This precinct is located in Peka Peka. A *structure plan* (Appendix 5.4) has been developed to manage the location, form and scale of *development* within the precinct.

##### **c) Ferndale Precinct**

This precinct is designed to preserve the existing high standard of character and *amenity values* of Waikanae North. The precinct is subject to a *structure plan* and associated notations (Appendix 5.3).

##### **d) Waikanae Golf Precinct**

This precinct is a small residential area adjacent to the Waikanae Golf Course. Controls specific to the precinct have been established to ensure *development* is sympathetic to its context.

**e) The Drive Extension Precinct**

This precinct is a small residential area on Otaihanga Road that adjoins both Residential and Rural Residential Zone areas. Controls specific to the precinct have been established to ensure *development* is sympathetic to its context.

**Low Density Housing Precincts****f) Panorama Drive Low Density Housing Precinct**

This precinct is a very low density residential area located on the urban edge of Paraparaumu. The density of *development* within this area is limited due to:

- i. the high visibility of the area from beyond the precinct and an associated need to manage potential significant visual *effects* arising from insensitive development; and
- ii. the benefits of providing a low-density transitional area at the urban edge.

**g) Ōtaki Low Density Housing Precinct**

This precinct is a very low density residential area in the vicinity of Lupin Road in northern Ōtaki. The density of *development* is limited because of the location of the area on the urban edge and surface water management constraints.

**h) Paraparaumu Low Density Housing Precinct**

This area around Ventnor Drive, Paraparaumu serves as a transition between the northern edge of the urban area along the *State Highway* at Paraparaumu and the rural area south of the Waikanae River.

**i) Manu Grove Low Density Housing Precinct**

This low density precinct provides a transition to the rural area north of Waikanae township, and includes large existing *lots* characterised by mature vegetation, *ecological sites* and relatively low building intensity.

**j) County Road Ōtaki Low Density Precinct**

This low density precinct provides a transition between the Ōtaki township and the southwestern edge of the Ōtaki Plateau. The density of development within this area is limited, consistent with the surrounding residential area's character that includes large lots and mature vegetation.

**Intensification Precincts****k) Focused Infill Precinct (Paraparaumu, Raumati Beach, Waikanae and Ōtaki)**

This precinct allows for *subdivision* resulting in higher densities than the *general residential area*, but lower than the Medium Density Precinct. The precinct is applied to areas where focused *infill* does not detract from the character of the area and there is good accessibility to *centres*, public *open space* and public transport facilities.

**l) Medium Density Housing Precinct (Paraparaumu, Paraparaumu Beach and Raumati Beach)**

This precinct identifies locations where the development of *medium density housing* is supported, generally in locations where the character of the area is not so sensitive to more intensive development and where higher density land uses will have positive *effects* in regard to community *infrastructure*.

Medium Density Housing Precincts are located within a five-minute walk (approximately 400 metres) of *shops*, services, public transport nodes, parks or other amenities for residents. The Medium Density Housing Design Guide is included in Appendix 5.1.

### **Beach Residential Zone**

The Beach Residential Zone extends across the four coastal settlements of Ōtaki Beach, Waikanae Beach, Raumati and Paekākāriki. These settlements have a linear layout, low key 'beach' character and expressive topography enhanced by prominent mature vegetation. Their memorable natural setting contributes to a strong sense of place. While each of the four settlements has its own ambience and individuality, they share a range of common features derived from similarities in their coastal location, topography and history of land *subdivision*. Common patterns that underpin their 'beach' character include:

- well-defined boundaries and a strong sense of place;
- prominent views to local features, as well as to more distant natural features;
- distinctive landscapes comprised of memorable natural features (beaches and coastlines, dunes, and identifiable clusters of established vegetation);
- landform variation which has influenced the street network and block structure, the *subdivision* and *development* patterns, and a variety of streetscape conditions;
- an intricate relationship between natural and built form with *buildings* that are sympathetic to and fit in well with the landscape setting;
- low density, low scale character, based on one and two storey *buildings* and relatively low *coverage*;
- diverse *building* character, including a mix of old and new houses with wide variations in *building* age, style, materials and form; and
- relatively large *lots* with a potential for redevelopment.

Given the distinctive qualities of these areas, it is important to ensure that new *development* is sensitive to its landscape setting and enhances the collective character, *amenity value* and public significance of each area.

The Beach Residential Zones are subject to specific rules and standards. The Special Character Area Guidelines in Appendix 1.2 set out the manner in which *development* in the Beach Residential Zone should be undertaken.

### **Ngārara Zone**

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 *Zone* by the careful integration of built form with its rural coastal setting.

The goal of the development of the *Zone* 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 *Zone* 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 *Zone* 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 Rural Zone as a precinct within the Eco-Hamlet Area north of the urban edge (refer Chapter 7 - Rural Zones).

The comprehensively designed settlement provides a lifestyle environment with a range of *lot* 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 development areas, called *Neighbourhood Development Areas*, as identified on the Ngārara Zone 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 5.7 outlines the Ngārara Zone Structure Plan map provides details on the *Neighbourhood Development Areas*, including features to be protected, overall principles and outcomes, and anticipated land uses and form. Appendix 5.8 outlines the Ngārara Zone Management Principles which apply across the entire *zone*. *Neighbourhood Development Areas*, corresponding *development* areas and *open space* areas as shown on the Structure Plan map are indicative only.

In terms of the Ngārara Zone 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 *Zone* 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 household units within the Waimeha NDAs proposed to be exceeded.

### **Waikanae North Development Zone**

This *Zone* covers part of a larger area identified for the urban expansion of Waikanae.

The provisions of the *Zone* provide for a mix of density and housing types. Precincts 1 and 2 provide for low density residential *subdivision* and single houses on single *lots*, Precinct 4 provides for houses, terrace houses and *retirement accommodation*, while Precincts 5 and 6 provide for multi-unit accommodation. The Concept Masterplan in Appendix 5.6 is indicative of future *building* locations and forms – final *building* location is dependent upon detailed design.

*Subdivisions* will be assessed for consistency with the Regulatory Plan for the *Zone* in Appendix 5.6, the *Council's* Subdivision Development Principles and Requirements (SDPR), and the *Council's* Subdivision Best Practice Guide, including water-saving initiatives. *Legal road* layout and design will be assessed for consistency with the Design Guidelines for Roads in Appendix 5.6. The *Council* will also have the ability to take into account whether or not public transport services will be available to service any proposed *subdivision* and be able to impose *conditions* requiring the provision of bus stops and passenger shelters. In all precincts where the threshold as determined in Rule 5B.3.1 is

exceeded, the *road network effects* will be assessed as a *restricted discretionary activity* with particular emphasis being placed on the cumulative *effects* on the *road network* of a proposed *subdivision*.

*Building* development will be managed by the *Council* within Precincts 1 and 2 using *permitted activity* standards. Multi-unit *building* development is expected within Precincts 4, 5 and 6 and is a *restricted discretionary activity* to enable the *Council* to manage external *building* design and appearance, the siting of *buildings*, *landscaping*, and the level of amenity of proposed residential units. Within Precinct 6, limited convenience *retail activity* is provided for as a *permitted activity* to provide for the needs of the development, while retaining the dominant role of the Waikanae Town Centre.

The proposed management of *subdivision* and *building* development will ensure that:

- the landform is a primary influence on urban form and density;
- *earthworks* are carefully managed;
- appropriate *legal road* access and linkages are provided for;
- environmental enhancement is integrated with land *development*;
- a mix of housing types and densities is achieved;
- design and appearance of streets and private *development* is appropriately managed by both *Council* and private methods (i.e. design assessment process);
- *building* development is low impact in terms of stormwater and water supply and incorporates energy efficiency initiatives;
- *non-residential activity* is permitted to serve the needs of the development, provide employment opportunity, and avoid unnecessary travel; and
- any adverse *effects* of traffic generated by *development* on the *road network* are appropriately avoided or mitigated.

### 5.1.1 Policies

#### Policy 5.1 – Zoning Framework

*Subdivision, use and development* in the *Living Zones* will be managed through the following zoning framework:

- a) Residential Zone, including the following precincts:
  - i. Medium Density Housing (also located within various *Centres Zones*);
  - ii. Focused Infill;
  - iii. Waikanae Garden;
  - iv. Low Density (at Ōtaki, County Road Otaki, Paraparaumu and Manu Grove);
  - v. Pekawy;
  - vi. Ferndale;
  - vii. Panorama Drive;
  - viii. Waikanae Golf; and
  - ix. The Drive Extension;
- b) Beach Residential Zone;
- c) Ngārara Zone; and
- d) Waikanae North Development Zone.

#### Policy 5.2 – Medium Density Housing

*Medium density housing* will be provided for in precinct areas identified on the District Plan Maps, which are in close proximity (i.e. approximately five minutes walk or 400m) to *centres, open spaces, public transport networks* and where existing *infrastructure* has sufficient capacity.

*Medium density housing* developments will be designed and developed in a manner which:

- a) is of a suitable and compatible location, *height*, density, scale, and bulk relative to the context, adjacent land uses, streets and reserves;
- b) ensures high quality, high-amenity living conditions in comprehensive and coordinated *medium density housing* developments, including appropriate private *outdoor living areas* and *landscaping* which meet the on-site outdoor amenity needs of residents;
- c) is consistent with the principles in the Medium Density Housing Design Guide in Appendix 5.1. The Design Guide will be used as an assessment tool for applications to establish new *medium density housing* or to modify lawfully established *medium density housing*; and
- d) maintains *amenity values* of, and is sympathetic to, adjacent *residential buildings* and areas, and avoids excessive *building* dominance, including through *building height* and mass, materials and finishing.

#### Policy 5.3 – Focused Infill Precincts

Focused *infill* development will be provided for in identified precincts which are close to *centres*, other local services, and public *open spaces* and which have sufficient *infrastructure* capacity. The resulting density will be higher than *general residential areas* but lower than *medium density housing* precinct areas.

### Policy 5.4 – Special Character Areas

***Development, use and subdivision*** in special character areas, identified in the District Plan Maps, will recognise the distinct identity and valued character of the area and will be compatible with the valued character of the area.

The District's special character areas are the:

- a) Beach Residential Zone at:
  - i. Paekākāriki;
  - ii. Raumati;
  - iii. Waikanae Beach;
  - iv. Ōtaki Beach; and
- b) Waikanae Garden Precinct.

**Note:** Special Character Area Guidelines are included in Appendix 5.2, but only apply to the Beach Residential Zone.

### Policy 5.5 – Beach Residential Zone

***Subdivision, use and development*** in the Beach Residential Zone will be undertaken in a manner that protects the valued character and qualities of these areas in accordance with Appendix 5.2 Special Character Areas Design Guidelines.

Where new ***subdivision*** or ***development*** is proposed in the Beach Residential Zone, specific consideration will be given to the extent to which the proposal:

- a) contributes to the collective identity of the local *environment*;
- b) reinforces an attractive, defined and coherent streetscape character and is responsive to specific local conditions;
- c) is sympathetic to and maintains the integrity of the existing landscape, landform and vegetation;
- d) is compatible in scale with its built context;
- e) is coherently designed and of good design quality; and
- f) retains mature vegetation, reinforces existing planting patterns and integrates *buildings* into the existing landscape setting.

### Policy 5.5A – Waikanae Beach

***Subdivision, use and development*** in the Beach Residential Zone at Waikanae Beach will be undertaken in a manner that respects and recognises the cultural context and history of the area, including through:

- a) limiting ***subdivision, use and development*** that affects the dune system in the area;
- b) limiting the density of ***subdivision*** in the area; and
- c) maintaining the ***natural character*** of vegetation in the area.



### Policy 5.6 – Waikanae Garden Precinct

*Subdivision* in the Waikanae Garden Precinct will be managed to retain the valued low density ‘garden’ character of the area. Use and *development* will ensure that mature *trees* and extensive areas of vegetation are retained and where possible enhanced.

### Policy 5.7 – Ngārara Zone

*Subdivision*, use and *development* in the Ngārara Zone 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 Zone Structure Plan in Appendix 5.7 and the Ngārara Zone Management Principles in Appendix 5.8, and in a manner which is consistent with the following principles:

- a) within the *Neighbourhood Development Areas* that adjoin the Kawakahia Wetland (K066 – Te Harakeke Swamp), any *development* will satisfy the following ecological requirements:
  - i. 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;
  - ii. the design of the neighbourhood and associated *infrastructure* to ensure ecological connectivity between *wetland* and dune habitats;
  - iii. no discharge of untreated stormwater to *wetlands*;
  - iv. all *wastewater* must be recycled;
  - v. 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;
  - vi. *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;
  - vii. the positioning, orientation, design, and materials of *buildings* and *structures* must apply low impact principles and minimise potential adverse effects on *wetland* ecology;
  - viii. effective long-term management of conservation *wetland* areas, *wetland* buffers and associated *open space*;
  - ix. locally sourced indigenous species will be used for all planting; and
  - x. appropriate management of human activity to minimise the impact on indigenous flora and fauna;
- b) separation between neighbourhoods and connection between *ecological sites* via bush corridors, rural lands and *wetlands*;
- c) *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;
- d) 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 Zone, as shown in the Ngārara Zone Structure Plan;
- e) 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;

- f) ***retail and commercial activities*** will be limited to only provide small scale convenience shopping for residents' day to day needs rather than having a district-wide catchment;
- g) all ***Neighbourhood Development Areas*** will be investigated for sites of archaeological, historic and cultural significance before substantial changes or physical works take place; and
- h) 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.

### Policy 5.8 – Waikanae North Development Zone

***Subdivision, use and development*** within the Waikanae North Development Zone will be undertaken in accordance with the Waikanae North Design Guide in Appendix 5.6, and in a manner which is consistent with the following principles:

- a) the efficient utilisation of the land for urban purposes will be achieved;
- b) an optimum balance between urban development and environmental protection and enhancement, and provision of water and energy efficiency initiatives will be provided for;
- c) the ***effects*** of multi-unit ***building*** development will be managed;
- d) employment, commercial, mixed use and limited ***retail activities*** will be provided for, while the ***effects*** of ***retailing*** on Waikanae Town Centre will be managed;
- e) adverse traffic ***effects*** on the ***transport network*** will be avoided where practicable;
- f) ***open space*** and recreational needs of the local community will be met through the provision of public and private ***open space*** areas;
- g) opportunities will be taken to use ***legal roads*** strategically through the Zone that connect State Highway 1 to Ngārara Road; and
- h) good connectivity between new ***development*** and existing neighbourhoods will be achieved.

### Policy 5.9 – Development and Landforms

***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:

- a) the visual impact, bulk and scale of ***buildings*** and ***structures*** on identified landscape values, ***ecological sites***, ***geological features*** or ***areas of high natural character***;
- b) the extent of cut and fill;
- c) the need for and the ***height*** of retaining walls; and
- d) 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.

### Policy 5.10 – General Residential Subdivision

*Subdivision*, including for small-scale *infill*, will be provided for in *general residential areas* where it does not compromise local character and amenity.

### Policy 5.11 – Reverse Sensitivity

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* located at the urban-rural interface will be undertaken in a manner which is compatible with the activities undertaken in the Rural Zones.

### Policy 5.12 – Residential Activities

*Residential activities* will be recognised and provided for as the principal use in the *Living Zones*, while ensuring that the *effects of subdivision, use and development* is in accordance with the following principles:

- a) adverse *effects* on natural systems will be avoided, remedied or mitigated;
- b) new built *development* will relate to local built identity, character values and the density of the surrounding residential environment;
- c) transport choice and efficiency will be maximised;
- d) housing types which meet the need of *households* will be provided for;
- e) the number of *household units* per *lot* will be limited; and
- f) a limited number of *accessory buildings* and *buildings* which are *ancillary to residential activities* will be provided for.

### Policy 5.13 – Residential Amenity

*Subdivision, use and development* in the *Living Zones* will be required to achieve a high level of on-site amenity for residents and neighbours in accordance with the following principles:

- a) *building* size and footprint will be proportional to the size of the *lot*;
- b) usable and easily accessible private *outdoor living courts* will be provided;
- c) *buildings* and *structures* will be designed and located to maximise sunlight access, privacy and amenity for the *property* and adjoining *lots*;
- d) *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;
- e) appropriate separation distances will be maintained between *buildings*;
- f) *yards* will be provided to achieve appropriate *building* setbacks from neighbouring areas, the street and the coast;
- g) hard and impermeable surfaces will be offset by permeable areas on individual *lots*;
- h) unreasonable and excessive noise, odour, smoke, dust, light, glare and vibration will be avoided;
- i) *non-residential buildings* will be of a form and scale which is compatible with the surrounding residential environment; and

- j) service areas for *non-residential activities* will be screened, and planting and *landscaping* will be provided.

#### Policy 5.14 – Residential Streetscape

*Development*, use and *subdivision* will enhance the amenity, functionality and safety of the streetscape in the *Living 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*:

- a) on-site vehicle parking will be provided to reduce demand for on-street vehicle parking;
- b) minimum distance will be maintained between *vehicle access* ways, and where practicable, the sharing of *vehicle access* ways will be encouraged;
- c) direct pedestrian access will be provided from the street to the front entrance of the *primary residential building*, where practicable;
- d) where practicable, at least one *habitable room* will be orientated towards the street;
- e) the safety of road users, including pedestrians and cyclists, will not be adversely affected; and
- f) on-site vehicle manoeuvring will be provided for rear *lots*, *lots* with significant sloping driveways and on *strategic arterial routes*.

#### Policy 5.15 – Landscaping

*Landscaping* will be required for *non-residential activities* and intensive residential development in the *Living 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:

- a) the visual impact of large *buildings* will be reduced by appropriate screening and planting;
- b) service areas, loading areas and *outdoor storage* areas will be screened;
- c) on-site outdoor living areas will be defined and enhanced by *landscaping*;
- d) *sunlight access* and passive surveillance to adjoining areas will not be unreasonably restricted;
- e) public *infrastructure* and services will not be damaged or blocked;
- f) planting of locally *indigenous vegetation* will be encouraged; and
- g) permeable surfaces will be provided for the natural infiltration of surface waters.

#### Policy 5.16 – Energy Efficiency

Where practicable, *development* and *subdivision* in the *Living 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:

- a) good *sunlight* access should be prioritised to main living areas, *habitable rooms* and the private *open space* associated with living areas; and

- b) the potential for natural cross-ventilation will be maximised to enable cooling breezes to reduce internal temperatures in the summer months.

#### Policy 5.17 – Minor Flats

A *minor flat* will be provided for where it is *ancillary* to a *household unit* and is undertaken in the following manner:

- a) it will be of a scale suitable to accommodate 1 or 2 persons;
- b) it will not compromise the provision of sufficient *outdoor living court* areas;
- c) adequate on-site car parking (accessed from a common *driveway*) will be provided; and
- d) it will not unreasonably affect the privacy, outlook or *sunlight* access of the *primary residential building* or adjoining *properties* and public spaces.

#### Policy 5.18 – Accessory Buildings

*Accessory buildings* will be provided for where they are *ancillary* to *residential activities* on-site and are undertaken in accordance with the following principles:

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

#### Policy 5.19 – Supported Living and Older Persons Accommodation

The *development of supported living accommodation* will be provided for in a range of forms, including units, *minor flats*, complexes, shared accommodation, rest homes and *retirement accommodation*, where it is located within *Living 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:

- a) on-site pedestrian movement and use of *open space* by residents will not be unduly restricted by the slope of the land;
- b) design and development to promote interaction with surrounding communities, without compromising privacy and safety;
- c) the scale and design of *development* will reflect the residential nature and character of the location, and ensure access through the *site* by the public and residents, including the provision of public *legal roads* and pedestrian accessways consistent with residential scale blocks; and
- d) 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.

### Policy 5.20 – Shared and Group Accommodation

*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:

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

### Policy 5.21 – Home Occupations

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 *Living Zones* and the primacy and vitality of *centres*.

### Policy 5.22 – Non-Residential Activities

- A. *Non-residential activities* other than *community facilities* will be allowed in the *Living 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*.
- B. 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 and car parking 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 *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*.

Superceded

## 5.1.2 Rules and Standards

The following rules and standards apply to the *Living Zones* across the District.

### 5.1.2.1 Residential Zone and Beach Residential Zone

#### Introduction: Applicability of Rules in Tables 5A.1 – 5A.6

The rules in Tables 5A.1 to 5A.6 only apply to land within the Residential Zone and Beach Residential Zone. There may be other rules within the District Plan that also apply to *sites* and activities within these *Zones*. Section 1.1 in Chapter 1 sets out how to use the Plan and identify other rules that may also apply to a *site* or activity.

#### Table 5A.1. Permitted Activities

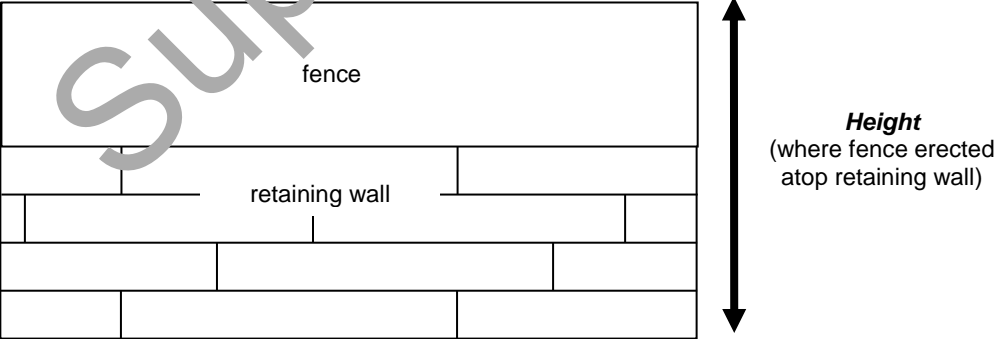
The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified)

Permitted Activities	Standards
1. Any activity that is a <i>permitted activity</i> under the rules in Table 5A.1.	<p><b>General permitted activity standards</b></p> <ol style="list-style-type: none"> <li>1. The activity must not cause offensive or objectionable odour, dust or smoke at or beyond the <i>boundary</i> of the <i>property</i> on which it is occurring.</li> <li>2. Each <i>lot</i> must have a permeable surface area that is not covered by <i>buildings</i>, paving or other impermeable objects of not less than 25% of the total <i>lot</i> area.</li> <li>3. Any lighting must be directed so that the spill of light is contained within the <i>boundaries</i> of the <i>property</i> on which the activity occurs. Light level from the activity must not exceed 10 lux, when measured 1.5 metres inside the <i>boundary</i> of any other <i>property</i> located in the Living or Rural Zone. This standard does not apply to street lighting on <i>legal roads</i>.</li> </ol> <p><b>Note:</b> See Rule 9A.1.2 for separation of <i>buildings</i> and <i>structures</i> from <i>waterbodies</i> standards, Tables 11P.1-11P.4 for Parking, Tables 11B.1 – 11B.5 in relation to water and stormwater and Table 12A.1 in relation to <i>financial contributions</i> rules and standards for all <i>development</i>.</p>



**Table 5A.1. Permitted Activities**

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

Permitted Activities	Standards
<p>2. Any residential activity which is not specified as a <i>permitted, controlled, restricted discretionary, discretionary, non-complying</i> or <i>prohibited activity</i> in the rules in Tables 5A.1-5A.6.</p>	<p>1. The activity complies with all <i>permitted activity</i> standards in Table 5A.1 Permitted Activities.</p>
<p>3. Fences and walls.</p>	<p><b>Height</b></p> <p>1. The maximum <i>height</i> of any fence or wall on a <i>boundary</i> shall be 2 metres, except:</p> <ul style="list-style-type: none"> <li>a) in the <i>front yard</i>, where the maximum <i>height</i> shall be 1.8 metres;</li> <li>b) in the <i>front yard</i> in the Beach Residential Zone at Waikanae Beach where the maximum <i>height</i> shall be 1.8 metres if it is at least 50% visually permeable otherwise the maximum <i>height</i> shall be 1.2 metres;</li> <li>c) along any <i>boundary</i> which adjoins any <i>Open Space Zone, esplanade</i> or any <i>access strip</i>, where the maximum <i>height</i> shall be 1.8 metres.</li> </ul> <p>2. For the purposes of calculating maximum <i>height</i> under standard (1) above where a fence is erected atop a retaining wall, the <i>height</i> shall be the combined distance measured vertically from the base of the retaining wall to the top of the fence.</p> <div style="text-align: center;">  <p>The diagram illustrates a cross-section of a fence and retaining wall. The retaining wall is shown as a series of horizontal blocks. A fence is built on top of the retaining wall. A vertical double-headed arrow on the right side of the diagram indicates the height from the base of the retaining wall to the top of the fence. The arrow is labeled 'Height (where fence erected atop retaining wall)'. The fence is labeled 'fence' and the retaining wall is labeled 'retaining wall'.</p> </div>

**Table 5A.1. Permitted Activities**

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

Permitted Activities	Standards
	<p><b>Note:</b> For the avoidance of doubt, the standards for fences and walls do not apply to seawalls that are constructed for <i>natural hazard</i> mitigation purposes. In addition, any wall used as an internal partition or external surface of any <i>building</i> shall be excluded from this rule.</p>
4. <i>Shared and group accommodation and supported living accommodation.</i>	<p><b>Number of residents and household units</b></p> <ol style="list-style-type: none"> <li>1. No more than 6 residents shall be accommodated at any time.</li> <li>2. No more than one <i>household unit</i> shall be provided.</li> </ol> <p><b>Buildings</b></p> <ol style="list-style-type: none"> <li>3. Any <i>building</i> used for the purposes of <i>shared and group accommodation</i> or <i>supported living accommodation</i> must comply with the standards in Rule 5A.1.6 (excluding standard 2 a) i).</li> </ol>
5. <i>Outdoor storage</i> associated with <i>non-residential activities</i> .	<p><b>Location</b></p> <ol style="list-style-type: none"> <li>1. <i>Outdoor storage</i> must not be located in any <i>front yard</i> or any <i>coastal yard</i>.</li> </ol> <p><b>Screening</b></p> <ol style="list-style-type: none"> <li>2. <i>Outdoor storage</i> must be screened from neighbours and any <i>legal road</i> by <i>landscaping</i> or a fence or wall to a maximum <i>height</i> of 2 metres. <i>Outdoor storage</i> must not exceed the <i>height</i> of the screening.</li> </ol> <p><b>Maximum area</b></p> <ol style="list-style-type: none"> <li>3. <i>Outdoor storage</i> (including screening or <i>landscaping</i>) must not exceed a total area of 25m<sup>2</sup>.</li> </ol>
6. New <i>buildings</i> , and any minor works, <i>additions</i> or <i>alterations</i> to any <i>building</i> (excluding any listed <i>historic heritage building</i> ).	<p><b>Maximum number of household units</b></p> <ol style="list-style-type: none"> <li>1. For any <i>lot</i> in a focused infill precinct, no more than one <i>household unit</i> may be erected.</li> <li>2. For any <i>lot</i> in the Residential and Beach Residential Zones which is not in a focused infill precinct, no more than one <i>household unit</i> may be erected, except that:             <ol style="list-style-type: none"> <li>a) up to four <i>household units</i> may be erected on <i>site</i> provided it can be shown that:                 <ol style="list-style-type: none"> <li>i. each <i>household unit</i> is capable of being contained within its own <i>lot</i> which complies with the <i>subdivision</i> standards under Rules 5A.2.3 and 5A.3.3;</li> </ol> </li> </ol> </li> </ol>

**Table 5A.1. Permitted Activities**

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

Permitted Activities	Standards
	<ul style="list-style-type: none"> <li>ii. each <i>household unit</i> must be separated by a distance not less than 4.5 metres, except that this shall not apply to any attached <i>household units</i>;</li> <li>iii. each <i>household unit</i> must comply with the <i>permitted activity</i> standards under Rule 5A.1.6; and</li> <li>iv. each <i>household unit</i> must comply with the payment of <i>financial contributions</i> under Chapter 12.</li> </ul> <p><b>Minor flats</b></p> <ul style="list-style-type: none"> <li>3. A maximum of one <i>minor flat</i> may be erected as <i>ancillary</i> to a <i>household unit</i> on any <i>lot</i> that meets the applicable minimum <i>lot</i> size requirements in Rules 5A.2.3 or 5A.2.3.</li> <li>4. A <i>minor flat</i> must not be sold or otherwise separately disposed of except in conjunction with the <i>household unit</i>. <b>Note:</b> Notwithstanding this standard a <i>minor flat</i> may be removed from the <i>lot</i>.</li> </ul> <p><b>Coverage</b></p> <ul style="list-style-type: none"> <li>5. The maximum <i>coverage</i> of any <i>lot</i> shall be 40% in the Residential Zone, and 35% in the Beach Residential Zone.</li> <li>6. The combined maximum area of all <i>accessory buildings</i> on any <i>lot</i> shall be 60m<sup>2</sup>.</li> </ul> <p><b>Height</b></p> <ul style="list-style-type: none"> <li>7. The maximum <i>height</i> of any <i>building</i> shall be 8 metres except: <ul style="list-style-type: none"> <li>a) any <i>accessory building</i> and any <i>minor flat</i> (excluding a <i>minor flat</i> contained within the <i>primary residential building</i>) shall have a maximum <i>height</i> of 4.5 metres;</li> <li>b) any <i>building</i> in the Waiānake Golf Precinct shall have a maximum <i>height</i> of 4.5 metres above the 1% Annual Exceedance Probability flood event;</li> <li>c) any <i>building</i> in the Beach Residential Zone, except for any <i>accessory building</i> or <i>minor flat</i> (excluding a <i>minor flat</i> contained within the <i>primary residential building</i>), shall have a maximum <i>height</i> of 8 metres and no more than two storeys; and</li> <li>d) any <i>building</i> in The Drive Extension Precinct, as shown on the District Plan Maps, except for any <i>accessory building</i> or a <i>minor flat</i> (excluding a <i>minor flat</i> contained within the <i>primary residential building</i>), shall have a maximum <i>height</i> of 8 metres and no more than two storeys.</li> </ul> </li> </ul>

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

Permitted Activities	Standards
	<p>8. Any <i>building</i> must fit within a <i>height envelope</i> which is made up of recession planes which commence at a point 2.1 metres above the <i>original ground level</i> at the <i>property boundary</i> and inclines inwards at an angle of 45 degrees. Refer to the definition of the <i>height envelope</i> in Chapter 1.</p> <p><b>Floor area ratio – Beach Residential Zone</b></p> <p>9. Any <i>lot</i> in the Beach Residential Zone shall have a maximum <i>floor area ratio</i> of 0.6:1.0, excluding the Beach Residential Zone at Waikanae Beach where it shall be 0.5:1.0.</p> <p><b>Outdoor living areas</b></p> <p>10. The <i>primary residential building</i> must have an <i>outdoor living court</i>. <i>Outdoor living courts</i> must:</p> <ol style="list-style-type: none"> <li>a) have a minimum area of 40m<sup>2</sup> except in any focused infill precinct where the minimum area shall be 30m<sup>2</sup>;</li> <li>b) contain no dimension less than 4 metres, except in any focused infill precinct where: <ol style="list-style-type: none"> <li>i. the minimum dimension shall be 1.5 metres; and</li> <li>ii. the court shall be capable of accommodating a circle of not less than 4 metres in diameter;</li> </ol> </li> <li>c) be located to the north, west or east of any <i>primary residential building</i>;</li> <li>d) be screened by a fence or vegetation to provide privacy from the ground floor windows and the <i>outdoor living courts</i> of other <i>primary residential buildings</i>; and</li> <li>e) have direct access to an internal <i>habitable room</i> in the <i>primary residential building</i>.</li> </ol> <p><b>Yards and building location</b></p> <p>11. Any <i>lot</i> must meet the following minimum <i>yard</i> requirements:</p> <ol style="list-style-type: none"> <li>a) for any front <i>yard</i> in the Residential Zone: <ol style="list-style-type: none"> <li>i. any <i>building</i> or above ground water tank must be set back at least 4.5 metres from any <i>legal road boundary</i>, except that any <i>primary residential building</i> may be located within a distance no closer than 3 metres from any <i>road boundary</i> provided that any part of the <i>primary residential building</i> located within 4.5 metres of the <i>road boundary</i> is not used as a garage, carport or other covered vehicle storage area; and</li> <li>ii. any eave which intrudes into the front <i>yard</i> by no greater than 0.6 metres shall be excluded, except where the eave would overhang any easement;</li> </ol> </li> <li>b) for any front <i>yard</i> in the Beach Residential Zone: <ol style="list-style-type: none"> <li>i. any <i>building</i> or above ground water tank must be set back at least 4.5 metres from any <i>road boundary</i>; and</li> </ol> </li> </ol>

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Permitted Activities	Standards
	<ul style="list-style-type: none"> <li>ii. any eave which intrudes into the front <i>yard</i> by no greater than 0.6 metres shall be excluded, except where the eave would overhang any easement;</li> <li>c) Side and rear <i>yards</i>:               <ul style="list-style-type: none"> <li>i. any <i>residential building</i> and any <i>habitable room</i> within any <i>accessory building</i>, must be setback from side or rear <i>boundaries</i> such that the following minimum dimensions are achieved:                   <ul style="list-style-type: none"> <li>a. if located on front <i>lot</i> - 3 metres rear <i>yard</i> - 3 metres one side <i>yard</i>, and 1.5 metres all other side <i>yards</i>; and</li> <li>b. if located on rear <i>lot</i> - 3 metres all <i>yards</i>;</li> </ul> </li> <li>ii. any <i>accessory building</i>, excluding <i>habitable rooms</i> within the <i>accessory building</i>, must be setback from side or rear <i>boundaries</i> such that rear and side <i>yards</i> have a minimum width of 1 metre;</li> <li>iii. any <i>building</i> used for <i>non-residential activities</i> (excluding <i>home occupations</i>) must be set back from side or rear <i>boundaries</i> by a minimum of 4 metres; and</li> <li>iv. any eave which intrudes into the side or rear <i>yard</i> by no greater than 0.6 metres shall be excluded, except where the eave would overhang any easement;</li> </ul> </li> <li>d) Coastal <i>yards</i>:               <ul style="list-style-type: none"> <li>i. <i>Buildings</i> must not be located within the following coastal <i>yards</i>:                   <ul style="list-style-type: none"> <li>a. in the Residential Zone at Te Horo Beach - 7.5 metres from the seaward title <i>boundary</i> for <i>lots</i> west of Rodney Avenue</li> <li>b. in the Residential Zone at Peka Peka Beach - 70 metres from the seaward edge of the <i>esplanade reserve</i> and</li> <li>c. in the Residential Zone at Waikanae Beach - 7.5 metres of the seaward title <i>boundary</i> for <i>lots</i> west of Olliver Grove, Field Way and Tutere Street.</li> </ul> </li> </ul> </li> <li>e) Separation of <i>buildings</i> from <i>access legs/rights</i> of way:               <ul style="list-style-type: none"> <li>i. any <i>building</i> must be set back a minimum of 1 metre from any <i>boundary</i> adjoining an <i>access leg</i> or right of way.</li> </ul> </li> <li>f) In the Waikanae Golf Precinct, the following additional <i>yard</i> standards shall be met. Where standards i. – iii. below differ from standards a) – d) above, the standards below shall take precedence:               <ul style="list-style-type: none"> <li>i. any <i>yard</i> adjoining <i>property</i> in the Residential Zone must have a minimum width of 4 metres;</li> <li>ii. all <i>buildings</i> must be separated by a distance not less than 6 metres; and</li> <li>iii. the maximum dimension of any <i>building</i> shall be 15 metres.</li> </ul> </li> </ul> <p><b>Buildings in the Pekawy Development Area Precinct</b></p>

**Table 5A.1. Permitted Activities**

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

Permitted Activities	Standards
	<p>12. Any <i>building</i> in Pekawy Development Area Precinct (Lot 8 DP 25867) must comply with the <i>permitted activity</i> standards specified on the <i>structure plan</i> for the Pekawy Development Area (see Appendix 5.4) in addition to any other standards for <i>buildings</i> in the Residential Zone under Rule 5A.1.6.</p> <p><b>Buildings in the Ferndale Area Precinct</b></p> <p>13. Any <i>building</i> in the Ferndale Area Precinct must:</p> <ol style="list-style-type: none"> <li>comply with the relevant <i>permitted activity</i> standards above and the additional <i>permitted activity</i> standards attached to the Ferndale Area Structure Plan (Appendix 5.3). For the avoidance of doubt, where the standards in Appendix 5.3 differ from standards 1-12 above, the standards in Appendix 5.3 shall apply; and</li> <li>be in general accordance with the Ferndale Area Structure Plan (Appendix 5.3).</li> </ol> <p><b>The Drive Extension Precinct - Finishes</b></p> <p>15. Any <i>building</i> (excluding glazing) in The Drive Extension Precinct, as shown on the District Plan Maps, must be finished in <i>recessive</i> colours and materials.</p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>For the avoidance of doubt, where two or more contiguous <i>lots</i> are owned by the same person and there is only one <i>household unit</i>, the relevant <i>coverage</i>, <i>height envelope</i> and <i>yard</i> standards in this Rule shall apply to the outside perimeter of the combined area of the commonly owned <i>lots</i>.</li> <li>Please refer to Chapters 9 and 11 for standards relating to setbacks from <i>waterbodies</i> and water demand management.</li> </ol>
7. <i>Relocation of any building.</i>	<p>1. Any relocated <i>building</i> must be able to comply with the <i>permitted activity</i> standards for <i>buildings</i> set out under Rule 5A.1.6.</p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>Attention is drawn to the provisions of Chapter 10, in which additional controls apply to the <i>relocation</i> of listed <i>historic heritage buildings</i>.</li> <li>Attention is also drawn to the Building Code requirements (under the Building Act 2004) that are relevant to all <i>building works</i>, including the removal and <i>relocation</i> of <i>buildings</i>. These requirements relate to a range of matters including for example: stability (which includes <i>building</i> and land stability, durability of materials and components); fire safety; access; moisture (which includes weather-tightness, surface water and drainage systems); safety of</li> </ol>

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Permitted Activities	Standards
	users; services and facilities (which includes airborne and sound impact, ventilation, piped services and plumbing/drainage systems); and energy efficiency. Under Section 17 of the Building Act (2004), all <i>building work</i> must comply with the Building Code to the extent required by the Building Act, whether or not a building consent is required in respect of that <i>building work</i> .
8. Arable <i>farming</i> (including horticulture and market gardening), and the keeping of animals.	<ol style="list-style-type: none"> <li>1. No roosters and no more than 12 <i>poultry</i> (excluding roosters) shall be permitted on any <i>property</i>.</li> <li>2. No <i>intensive farming</i> activity shall be permitted.</li> <li>3. Any bird <i>aviary</i> must: <ol style="list-style-type: none"> <li>a) have a maximum floor area of 15m<sup>2</sup>;</li> <li>b) be sited at least 5 metres from any neighbouring <i>primary residential building</i>; and</li> <li>c) include containers for the storage of seed where an excess of 10kg of seed is stored on-site.</li> </ol> </li> <li>4. Except as provided for in Standard (3) above, the activity must meet the relevant <i>permitted activity</i> standards for <i>buildings</i> and small-scale detached <i>structures</i> in Rule 5A.1.6.</li> </ol> <p><b>Note:</b> for all activities involving the keeping of animals or bees in any Residential or Beach Residential Zone, attention is drawn to the requirements of the <i>Council's Keeping of Animals, Bees and Poultry Bylaw</i> (2010).</p>
9. Development of Lot 2 DP 441854 (Milne Drive, Paraparaumu).	<ol style="list-style-type: none"> <li>1. All proposed <i>buildings</i> and activities, and all changes to <i>buildings</i> and activities must demonstrate that <i>hydraulic neutrality</i> in any equivalent ARI 24-hour storm event up to a 1% <i>Annual Exceedance Probability flood</i> event will be achieved on-site.</li> <li>2. No sealed <i>car park</i> shall be formed and no <i>building</i> or <i>structure</i> shall be erected within the parts of the <i>site</i> identified on the Structure Plan in Appendix 6.4 as 'No Build Areas' other than fences, and <i>structures</i> required in association with on-site stormwater management and disposal.</li> <li>3. Prior to the occupation of any <i>residential building</i>, the 'No-Build Area B' shall be developed to include: <ol style="list-style-type: none"> <li>a) an earth bund of not less than 1.5 metres in <i>height</i>;</li> </ol> </li> </ol>

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Permitted Activities	Standards
	<ul style="list-style-type: none"> <li>b) a 2 metre-high close-boarded timber or other acoustic fence on top of the earth bund (i.e. in combination having a total <i>height</i> of not less than 3.5 metres above <i>original ground level</i>) except as necessary to provide for pedestrian access if required;</li> <li>c) the bund and fence shall be continuous through 'No-Build Area B' except where an opening is necessary to provide a single pedestrian access through it; and</li> <li>d) establishment of vegetation to visually screen the fence, including tree species capable of growing to at least 4.0 metres in <i>height</i>.</li> </ul> <p>4. The entire width of 'No-Build Area C' must be planted and maintained as a vegetated buffer for Andrews Pond.</p> <p>5. Only eco-sourced indigenous plant species from the Foxton Ecological District must be used for planting to create the vegetated buffer in 'No-Build Area C'</p> <p>6. All <i>buildings</i> must comply with the permitted activity standards for <i>buildings</i> set out under Rule 5A.1.6.</p>
10. <i>Home occupations</i>	<p>1. <i>Home occupations</i> must:</p> <ul style="list-style-type: none"> <li>a) be carried out within a lawfully established <i>residential building</i> or an associated <i>accessory building</i> that meets the <i>permitted activity</i> standards in Rule 5A.1.6;</li> <li>b) not involve the use of any source of motive power other than electric motors of not more than 0.56kw;</li> <li>c) be limited to one <i>home occupation</i> per <i>property</i>, excluding <i>home offices</i>;</li> <li>d) not have more than one non-resident person working on the <i>property</i> at any one time; and</li> <li>e) not have any deliveries related to the activity made to or from the <i>property</i> between the hours of 7pm and 7am.</li> </ul> <p>2. The total floor area used for <i>home occupations</i> must not exceed 40m<sup>2</sup>.</p> <p>3. In addition to Standards (1) and (2) above, for any <i>home occupation</i>:</p> <ul style="list-style-type: none"> <li>a) any <i>retailing</i> must be <i>ancillary</i> to the <i>home occupation</i>;</li> <li>b) no goods on display shall be visible from outside the <i>building</i> in which the <i>home occupation</i> is undertaken; and</li> <li>c) the maximum <i>retail floor space</i> or sales area must not exceed 10m<sup>2</sup>.</li> </ul>



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

Permitted Activities	Standards
	<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. For on-site vehicle parking, requirements for non-resident employees, deliveries and customers refer to the rules and standards in Chapter 11 – Infrastructure, Services and Associated Resource Use.</li> <li>2. For requirements in respect of <i>signs</i> and noise, refer to the rules and standards in Chapter 12 – General Provisions.</li> </ol>

Superseded

**Table 5A.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
1. <i>Boundary adjustments</i> or any <i>subdivision</i> of land where no additional <i>lots</i> are created, or <i>subdivision</i> of <i>Medium Density Housing</i> developments if the land use consent establishing the <i>Medium Density Housing</i> development has been given effect to.	<ol style="list-style-type: none"> <li>Each <i>lot</i> must have legal and physical access to a <i>legal road</i>.</li> <li>No further <i>development</i> potential shall be created as a result of the <i>subdivision</i>. (i.e. through the creation of a small <i>lot</i> and a larger <i>lot</i> which can then be further subdivided and would not have met all <i>restricted discretionary activity</i> standards including minimum or average <i>lot</i> sizes prior to this <i>subdivision</i> occurring).</li> <li>Public <i>roads</i>, public water supply systems, sanitary drainage systems and surface water drainage systems must be available to serve the <i>subdivision</i>.</li> <li>The relevant <i>subdivision</i> standards under Rules 5A.2.3, 5A.3.2 and 5A.3.3 must be complied with, including any additional <i>restricted discretionary activity</i> standards for <i>subdivision</i> attached as notations to <i>structure plans</i>. Where the zone standards and standards attached as notations differ, the notations shall take precedence.</li> </ol>	<ol style="list-style-type: none"> <li>Design and layout, including any associated <i>earthworks</i>.</li> <li><i>Vehicle</i> access points onto <i>legal road</i> including the <i>State Highway</i> network, and any transport <i>effects</i>.</li> <li>The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</li> <li>The location of any associated <i>building</i> area relative to any identified <i>natural hazards</i>, <i>historic heritage feature</i>, <i>notable tree</i>, <i>ecological site</i>, <i>key indigenous tree</i>, <i>key indigenous tree species</i>, <i>rare and threatened vegetation species</i>, <i>geological feature</i>, <i>outstanding natural feature</i> and <i>landscape</i> or <i>area of high natural character</i>.</li> <li>The imposition of <i>conditions</i> in accordance with Council's Subdivision and Development Principles and Requirements 2012.</li> <li>The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>The imposition of conditions in accordance with sections 108 and 220 of the Resource Management Act 1991.</li> <li>The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</li> </ol>

**Table 5A.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
2. <i>Visitor accommodation.</i>	<ol style="list-style-type: none"> <li>1. Any <i>building</i> associated with the activity must comply with the <i>permitted activity</i> standards under Rule 5A.1.6.</li> <li>2. The activity must not receive any delivery between the hours of 7pm and 7am.</li> </ol>	<ol style="list-style-type: none"> <li>1. Transport <i>effects</i>.</li> <li>2. <i>Landscaping</i>.</li> <li>3. Noise <i>effects</i>.</li> <li>4. Layout, size, design and location of any proposed <i>buildings</i> associated with the activity.</li> <li>5. The imposition of conditions to manage visual, character and amenity <i>effects</i>.</li> <li>6. Any positive <i>effects</i> to be derived from the activity.</li> <li>7. Cumulative <i>effects</i>.</li> <li>8. The imposition of <i>conditions</i> in accordance with section 108 of the Resource Management Act 1991.</li> <li>9. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>10. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</li> </ol> <p><b>Note:</b> Where consent is required under other Rules in the Plan which are associated with an activity considered under this Rule, additional matters of control may also apply.</p>

**Table 5A.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
3. Except as provided for under Rule 5A.2.1, <i>subdivision</i> of land within the Residential Zone at Raumati, Paraparaumu, Waikanae and Ōtaki (excluding Ōtaki Beach), excluding land within any precinct listed in Policy 5.1.	<ol style="list-style-type: none"> <li>1. Each <i>lot</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>lot</i> must have a flood free <i>building area</i> above the estimated <i>1% Annual Exceedance Probability flood event</i>.</li> </ol> <p><b>Parent lot area</b></p> <ol style="list-style-type: none"> <li>3. The land to be <i>subdivided</i> shall be less than 3,000m<sup>2</sup> in area.</li> </ol> <p><b>Note:</b> <i>Subdivision</i> of land greater than 3,000m<sup>2</sup> is provided for under Rule 5A.3.3.</p> <p><b>Minimum lot size</b></p> <ol style="list-style-type: none"> <li>4. For all areas, excluding the Residential Zone at Ōtaki, the minimum <i>lot area</i> shall be 450m<sup>2</sup> (inclusive of access).</li> <li>5. For the Residential Zone at Ōtaki:             <ol style="list-style-type: none"> <li>a) the minimum <i>lot area</i> for front <i>lots</i> shall be 450m<sup>2</sup> and for rear <i>lots</i> 550m<sup>2</sup> (exclusive of access), and</li> <li>b) the minimum average <i>lot area</i> shall be 700m<sup>2</sup> or greater (exclusive of access).</li> </ol> </li> </ol> <p><b>Shape factor</b></p> <ol style="list-style-type: none"> <li>6. Each <i>lot</i> must be capable of accommodating an 18 metre diameter circle.</li> <li>7. Where a rear <i>lot</i> is created, the shape factor circle for the front <i>lot(s)</i> may extend over the</li> </ol>	<ol style="list-style-type: none"> <li>1. The design and layout of the <i>subdivision</i> and any associated <i>earthworks</i>.</li> <li>2. The imposition of <i>conditions</i> to manage character and amenity effects.</li> <li>3. The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>4. The imposition of <i>conditions</i> in accordance with <i>Council's Subdivision and Development Principles and Requirements 2012</i>.</li> <li>5. The imposition of <i>financial contributions</i> in accordance with Chapter 12. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>6. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network and any transport effects.</li> <li>7. Any legal mechanisms required for legal access.</li> <li>8. The location of any associated <i>building site(s)</i> relative to any identified <i>natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, rare and threatened vegetation species, geological feature, outstanding natural feature and landscape or area of high natural character</i>.</li> <li>9. The imposition of <i>conditions</i> in accordance with sections 108 and 220 of the Resource Management Act 1991.</li> </ol>

**Table 5A.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
	<p><i>access leg</i> for the rear <i>lot</i> by a distance not exceeding 3 metres.</p> <p><b>Infrastructure, access and services</b></p> <p>8. Access, water supply, <i>wastewater</i> and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</p> <p>9. The maximum number of <i>lots</i> gaining legal and physical access by rights of way shall be 6.</p> <p>10. Access to all <i>lots</i> must comply with the standards in Chapter 11 – Infrastructure.</p> <p><b>Esplanades</b></p> <p>11. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8. must be complied with.</p> <p><b>Financial Contributions</b></p> <p>12. Compliance with Table 12A.1 - financial contributions.</p> <p><b>Note:</b> <i>Subdivisions</i> under this rule are also subject to the relevant provisions of Chapters 2A – District-Wide Policies, 3 – Natural Environment, 9 - Hazards, 10 – Historic Heritage, and 12 – General Provisions.</p>	<p><b>Note:</b> Where consent is required under other rules in the Plan which are associated with an activity considered under this rule, additional matters of control may also apply. Other rules in the Plan may also affect the activity status of <i>subdivision</i> under this rule.</p>

Superceded

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p>1. Any activity which is listed as a <i>permitted activity</i> or a <i>controlled activity</i> and does not comply with one of more of the associated standards, unless otherwise specifically stated.</p>		<p>1. Consideration of the <i>effects</i> of the standard not met.</p> <p>2. Measures to avoid, remedy or mitigate adverse <i>effects</i>.</p> <p>3. <i>Cumulative effects</i>.</p>
<p>2. <i>Subdivision</i> of land in the Focused Infill Precinct which is not a <i>controlled activity</i> under Rule 5A.2.1.</p>	<p>1. Each <i>lot</i> must have legal and physical access to a <i>legal road</i>.</p> <p><b>Size and shape</b></p> <p>2. Each <i>lot</i> shall have a minimum area of 300m<sup>2</sup> (exclusive of access).</p> <p>3. Each <i>lot</i> must be capable of accommodating a 12 metre diameter circle.</p> <p><b>Road frontage</b></p> <p>4. Any front <i>lot</i> shall have a minimum <i>road frontage</i> of 6 metres.</p> <p><b>Esplanades</b></p> <p>5. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 must be complied with.</p> <p><b>Financial contributions</b></p> <p>6. Compliance with Table 12A.1 - financial contributions.</p>	<p>1. The design and layout of the <i>subdivision</i> and any associated <i>earthworks</i>.</p> <p>2. The imposition of <i>conditions</i> to manage character and amenity <i>effects</i>.</p> <p>3. The design, size, shape and location of reserves and esplanades.</p> <p>4. The imposition of <i>conditions</i> in accordance with <i>Council's Subdivision and Development Principles and Requirements 2012</i>.</p> <p>5. The imposition of <i>financial contributions</i> in accordance with Chapter 12. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p>6. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any transport <i>effects</i>.</p> <p>7. Any legal mechanisms required for legal access.</p>

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
		<p>8. The location of any associated <i>building site</i>(s) relative to any identified <i>natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, geological feature, outstanding natural feature and landscape or area of high natural character.</i></p> <p>9. <i>Council's Crime Prevention through Environmental Design Guidelines (Appendix 5.5).</i></p> <p>10. Consistency with any relevant <i>structure plan</i> and the notations attached to the <i>structure plan</i>, including any additional matters over which <i>Council</i> reserves discretion.</p> <p><b>Note:</b> Where consent is required under other Rules in the Plan which are associated with an activity considered under this Rule, additional matters of discretion may also apply.</p>
<p>3. Any <i>subdivision</i> of land (excluding land within a Focused Infill Precinct) which is not a <i>controlled activity</i> under Rule 5A.2.1 or 5A.2.3.</p> <p><b>Criteria for notification</b> With respect to <i>subdivisions</i> which do not meet one or more of the standards under Rule 5A.2.1 the written approval of persons will not be required and applications under this rule will</p>	<p>1. Each <i>lot</i> must have legal and physical access to a <i>legal road</i>.</p> <p><b>Minimum and average lot sizes</b></p> <p>2. Each <i>lot</i> must meet the following minimum requirements:</p> <p>a) the minimum <i>lot</i> area shall be 950m<sup>2</sup> for any <i>lot</i> in:</p> <p>i. the Beach Residential Zone or Residential Zone at Paekākāriki;</p> <p>ii. the Residential Zone at Peka Peka; and</p>	<p>1. The design and layout of the <i>subdivision</i> and any associated <i>earthworks</i>.</p> <p>2. The imposition of conditions to manage character and amenity <i>effects</i>.</p> <p>3. The design, size, shape and location of reserves and esplanades.</p> <p>4. The imposition of conditions in accordance with <i>Council's Subdivision and Development Principles and Requirements 2012</i>.</p>



**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
not be served on any person or notified.	<ul style="list-style-type: none"> <li>iii. the Residential Zone at Te Horo Beach;</li> <li>b) for any <i>lot</i> in the Waikanae Garden Precinct the minimum <i>lot</i> area shall be 700m<sup>2</sup> (inclusive of access);</li> <li>c) for any <i>lot</i> in the Manu Grove low density Precinct the minimum <i>lot</i> area shall be 1,200m<sup>2</sup> (inclusive of access) and the minimum average <i>lot</i> area for the <i>subdivision</i> shall be 6,000m<sup>2</sup>;</li> <li>d) for land in the Panorama Drive Precinct               <ul style="list-style-type: none"> <li>i. the minimum <i>lot</i> area shall be 2,500m<sup>2</sup> (inclusive of access);</li> <li>ii. the minimum average <i>lot</i> area for the precinct shall be 5,000m<sup>2</sup>; and</li> <li>iii. a notional house site with a minimum dimension of 12 metres and which is located outside of any area identified as an <i>ecological site</i> on the District Maps shall be indicated on the <i>subdivision plan</i>;</li> </ul> <p><b>Note:</b> Land within the Panorama Drive Precinct is located within a <i>special amenity landscape</i>. Refer to Chapter 3 – Natural Environment for policies on <i>special amenity landscapes</i>.</p> </li> <li>e) for land in the Ōtaki Low Density Precinct and Paraparaumu Low Density Precinct:               <ul style="list-style-type: none"> <li>i. the minimum <i>lot</i> area shall be 800m<sup>2</sup> (inclusive of access); and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>5. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>6. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State highway</i> network and any transport effects.</li> <li>7. Any legal mechanisms required for legal access.</li> <li>8. The location of any associated <i>building site(s)</i> relative to any identified <i>natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, geological feature, outstanding natural landscape</i> and <i>area of high natural character</i>.</li> <li>9. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</li> </ul> <p><b>Note:</b> Where consent is required under other Rules in the Plan which are associated with an activity considered under this Rule, additional matters of discretion may also apply.</p>

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<ul style="list-style-type: none"> <li>ii. the minimum average <i>lot</i> area for the precinct shall be 950m<sup>2</sup>;</li> <li>f) for land in the Ferndale Area Precinct, the minimum <i>lot</i> area shall be as set out in Appendix 5.3 (Ferndale Area Structure Plan);</li> <li>g) for land in the Pekawy Developments Area Precinct, any <i>subdivision</i> shall:               <ul style="list-style-type: none"> <li>i. conform to the layout of <i>boundaries</i>, <i>vehicle access</i>, <i>open space</i> and planting proposals shown on the Structure Plan in Appendix 5.4; and</li> <li>ii. be subject to the “subdivision controls” as set out in the Structure Plan in Appendix 5.4;</li> </ul> </li> <li>h) for land in the County Road Otaki Low Density Precinct:               <ul style="list-style-type: none"> <li>i. the minimum average lot area for the subdivision shall be 700m<sup>2</sup>;</li> <li>ii. the number of residential lots created by subdivision of the land contained in Lot 37 DP1429 shall not exceed 20 (including any balance of Lot 37 DP1429);</li> <li>iii. the protection of <i>ecological site</i> (K212) shall be secured via an encumbrance on the new lots within which K212 is located; and</li> <li>iv. an integrated traffic assessment must be undertaken for all subdivisions creating more than six</li> </ul> </li> </ul>	

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>lots with vehicle access only onto County Road.</p> <ul style="list-style-type: none"> <li>i) for land in the Beach Residential Zone at Waikanae Beach, the minimum lot area shall be 550m<sup>2</sup> (exclusive of access);</li> <li>j) for all other land in the Residential Zone or Beach Residential Zone where the land to be subdivided is less than 3,000m<sup>2</sup> in area: <ul style="list-style-type: none"> <li>i. the minimum <i>lot</i> area shall be 450m<sup>2</sup> (exclusive of access); and</li> <li>ii. the minimum average <i>lot</i> area for the entire <i>subdivision</i> shall be 600m<sup>2</sup> (exclusive of access);</li> </ul> </li> <li>k) for all other land in the Residential Zone or Beach Residential Zone where the land to be subdivided is greater than 3,000m<sup>2</sup> in size: <ul style="list-style-type: none"> <li>i. at least 50% of all front <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 550m<sup>2</sup> and at least 25% of all front <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 700m<sup>2</sup>; and</li> <li>ii. at least 50% of all rear <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 650m<sup>2</sup> (exclusive of access) and at least 25% of all rear <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 800m<sup>2</sup> (exclusive of access);</li> </ul> </li> <li>l) in addition to the minimum <i>lot</i> area requirements in standards (j) and (k)</li> </ul>	

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>above, the following overall average <i>lot</i> sizes (exclusive of access) shall be achieved:</p> <ul style="list-style-type: none"> <li>i. 600m<sup>2</sup> or greater in the Beach Residential Zone and Residential Zone at Ōtaki Beach; and</li> <li>ii. 700m<sup>2</sup> or greater in the Beach Residential Zone at Raumati.</li> </ul> <p><b>Shape factor</b></p> <ul style="list-style-type: none"> <li>3. Each <i>lot</i> must be capable of accommodating an 18 metre diameter circle.</li> <li>4. Where a rear <i>lot</i> is created, the shape factor circle for the front <i>lot</i>(s) may extend over the <i>access leg</i> for the rear <i>lot</i> by a distance not exceeding 3 metres.</li> </ul> <p><b>Wastewater disposal – non-served lots</b></p> <ul style="list-style-type: none"> <li>5. Any <i>subdivision</i> occurring on land that is not serviced by an existing community sewerage scheme must provide evidence from a suitable qualified and experienced person that on-site domestic <i>wastewater</i> disposal is suitable for each <i>lot</i> in accordance with AS/NZS 1547:2012 “On-site Domestic Wastewater Management.”</li> </ul> <p><b>Block length</b></p> <ul style="list-style-type: none"> <li>6. The maximum <i>block length</i> for any <i>subdivision</i> subject to standard 5A.3.3.2(k)</li> </ul>	

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>shall be 100 metres.</p> <p><b>Esplanades</b> 7. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 must be complied with.</p> <p><b>Financial contributions</b> 8. Compliance with Table 12A.1- financial contributions.</p>	
4. <i>Medium density housing.</i>	<p><b>General requirements</b></p> <p>1. <i>Medium density housing</i> must :</p> <ol style="list-style-type: none"> <li>be located in areas identified on the District Plan Maps as a Medium Density Housing Precinct;</li> <li>have a minimum proposed development site area of 1,500m<sup>2</sup>;</li> <li>comprise at least four <i>household units</i>;</li> <li>have a minimum development area of 200m<sup>2</sup> per <i>household unit</i> and a minimum average area of 250m<sup>2</sup> per <i>household unit</i> across the development; and</li> <li>include an assessment of the <i>development</i> against the Crime Prevention Through Environmental Design Guidelines (Appendix 5.5) and the Medium Density Housing Design Guide (Appendix 5.1).</li> </ol>	<ol style="list-style-type: none"> <li>The imposition of <i>conditions</i> in accordance with <i>Council's</i> Best Practice Medium Density Housing Design Guide, Crime Prevention through Environmental Design Guidelines and Subdivision and Development Principles and Requirements 2012.</li> <li>Design and layout.</li> <li>The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>Compatibility with adjacent <i>development</i>.</li> <li><i>Landscaping</i>.</li> <li>The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</li> <li>Materials and finishing of any <i>buildings</i>.</li> </ol>

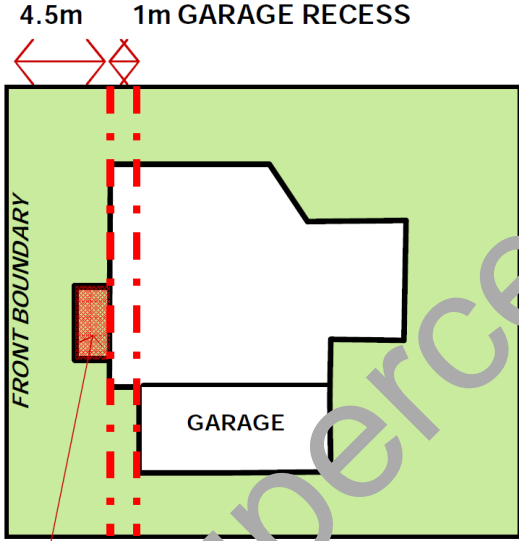
	<p><b>Site development</b></p> <p>2. A detailed <i>site</i> analysis plan must be provided with any application. The <i>site</i> analysis plan must:</p> <ol style="list-style-type: none"> <li>include consideration of the local environment within a 200 metre radius of the proposed development <i>site</i>; and</li> <li>include details of all amenities, public transport stops with details of services (existing and proposed if possible) for the purposes of understanding the connections and networks around a proposed development <i>site</i> for <i>medium density housing</i>.</li> </ol> <p>3. A <i>site</i> development plan must be provided with any application including details of proposed:</p> <ol style="list-style-type: none"> <li>access;</li> <li>detailed <i>landscaping</i> (including a maintenance schedule); and</li> <li>waste collection and service points as well as details of screening of waste collection areas.</li> </ol> <p>4. Each <i>household unit</i> development area must be capable of containing an 8 metre diameter circle.</p> <p>5. Where existing <i>lots</i> are to be amalgamated to achieve the requisite 1,500m<sup>2</sup> minimum proposed development <i>site</i> area, amalgamation of full existing <i>lots</i> only shall be permitted. No land use consent shall be issued for a <i>medium density housing</i> development until any 'base' <i>lots</i> required to form the 1,500m<sup>2</sup> minimum 'parent' <i>lot</i> have been formally amalgamated.</p>	<p>8. Adequacy of proposed <i>site</i> analysis plan and <i>site</i> development plan.</p> <p>9. Energy efficiency and water conservation.</p> <p>10. Screening of rubbish storage areas.</p> <p>11. Solid waste management and collection.</p> <p>12. The imposition of <i>financial contributions</i> in accordance with Chapter 1. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p>13. Transport effects.</p> <p>14. Any positive <i>effects</i> to be derived from the activity.</p> <p>15. Cumulative <i>effects</i>.</p> <p><b>Note:</b> Where consent is required under other Rules in the Plan which are associated with an activity considered under this Rule, additional matters of discretion may also apply.</p>
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**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>6. Each <i>household unit</i> must have a <i>building</i> area above the estimated <i>1% Annual Exceedence Probability</i> flood event.</p> <p><b>Note:</b> Refer to Chapter 9 rules and standards regarding earthworks within flood hazards. Consent applicants are also advised to discuss access plans with the Council's building consents department if there is a flood hazard in order to ensure there are no issues for building consents under the Building Act.</p> <p><b>Buildings</b></p> <p>7. The maximum <i>height</i> of any <i>building</i> or <i>structure</i> shall be 10 metres except for residential land fronting Marine Parade, Paraparaumu as shown on the District Plan Maps where the <i>height</i> shall be 8 metres.</p> <p>8. A minimum front <i>yard</i> of 4.5 metres shall apply allowing an intrusion no greater than 1.5 metres into the <i>yard</i> for the purposes of a feature entry or bay window provided a total (combined) width of such is no greater than 3 metres. A ground floor <i>habitable room</i> must face the street in any <i>residential building</i> that fronts a street.</p>	

**Table 5A.3. Restricted Discretionary Activities**  
 The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	 <p>4.5m 1m GARAGE RECESS</p> <p>FRONT BOUNDARY</p> <p>GARAGE</p> <p>1.5m x 3m FEATURE ALLOWANCE</p> <p>9. <i>Primary residential buildings</i> that front a street must have a main pedestrian ‘front door’ accessed from the street.</p> <p>10. Garages, irrespective of access, must be recessed a minimum 1.0 metre behind the front façade of a <i>primary residential building</i> (irrespective of whether the front façade fronts a street, a common lane, a rear <i>boundary</i>,</p>	



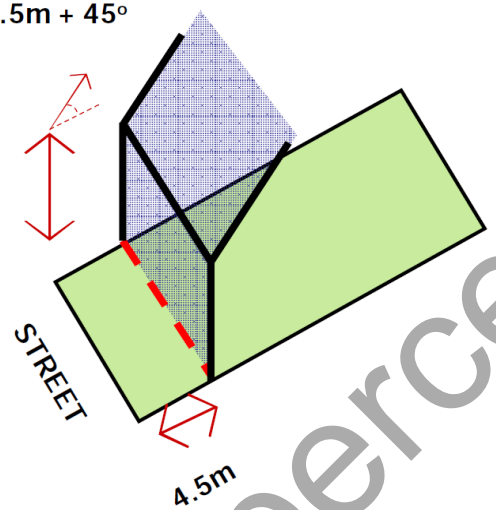
**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>etc.), and otherwise must be set back a minimum 5.5 metres from any front <i>boundary</i>.</p> <p>11. A <i>height envelope</i> control of 2.1 metres + 45° shall apply from all <i>boundaries</i> facing the southern half of a compass including north-south faces, and one of 3 metres + 45° shall apply to all <i>boundaries</i> facing the northern half. This standard shall not apply from the <i>road frontage boundary</i>.</p>	

Superseded

**Table 5A.3. Restricted Discretionary Activities**  
 The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

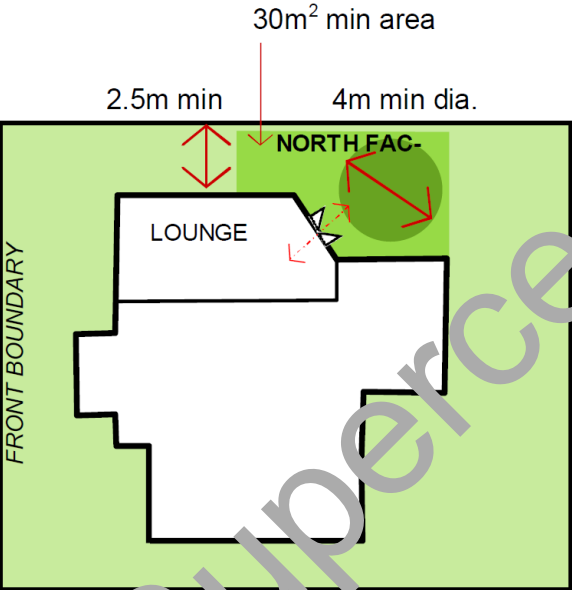
Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	 <p>6.5m + 45°</p> <p>STREET</p> <p>4.5m</p> <p>12. A <i>building mass plane</i> of 6.5 metres + 45° shall apply inwards from the 4.5 metre front yard line.</p> <p>13. Maximum <i>building</i> length is 12 metres before a recess with a minimum dimension of 3 metres x 3 metres is required. This recess shall also have a maximum <i>height</i> of no less than 1 metre lower than the adjoining <i>building</i> mass. In addition, no more than 2 units may be terraced unless the connection is via a single storey garage, in which case an</p>	

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>unlimited number may terrace to avoid long repetitive rows of units.</p> <p>14. The maximum <i>height</i> of a front <i>boundary</i> fence, or any fence within the front <i>yard</i>, shall be 800 millimetres. For any other fence, the maximum <i>height</i> shall be in accordance with Rule 5A.1.3.</p> <p>15. Each unit must provide a private outdoor living space of at least 30m<sup>2</sup>, with a minimum dimension of 2.5 metres and the ability to accommodate a circle with a 4 metre diameter. This space must be directly accessible from a <i>habitable room</i>, however it must not be located between a <i>primary residential building's</i> front and a street. The space must also allow <i>sunlight</i> access to an area of the space with a minimum radius of 2 metres that is capable of receiving no less than 1 hour of continuous <i>sunlight</i> between the hours of 11:00am and 2:00pm on June 21 (mid-winter solstice).</p>	

**Table 5A.3. Restricted Discretionary Activities**  
 The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	 <p><b>Note:</b> Depending on orientation and topography, an additional balcony may be required to provide minimum <i>sunlight</i> access to residents.</p> <p>16. Where <i>sunlight</i> access cannot be achieved at ground level in accordance with standard 15 above, a balcony with a minimum area of 6m<sup>2</sup> and a minimum dimension of 1.5 metres shall</p>	

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>be provided elsewhere around the unit directly accessible from a <i>habitable room</i>. The area of the balcony may be subtracted from the total area of outdoor living space, the balance of which must comprise at least a complying 4.0 metre diameter circle accessible from a living area.</p> <p>17. <i>Coverage</i> shall not exceed 50%.</p> <p>18. An average of 1.5 parking spaces per unit must be provided: A minimum of 1 space per unit is required and in calculating the average no more than 2 spaces per unit may be counted.</p> <p>19. <i>Habitable rooms</i> within <i>residential buildings</i> on lots adjacent to any <i>Strategic Arterial Route</i> (including any <i>State Highway</i>) must be acoustically designed to achieve an internal L10 (18 hr) level of 45 dBA with all opening windows closed and provide an acoustic design certificate from a suitably qualified person confirming this has been achieved.</p> <p><b>Esplanades</b></p> <p>20. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 must be complied with.</p> <p><b>Financial Contributions</b></p>	

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	12. Compliance with Table 12A.1 - financial contributions.	
5. Any <i>local convenience retail outlet</i> .	<ol style="list-style-type: none"> <li>1. The maximum <i>retail floor space</i> (whether temporary or permanent) shall be 40m<sup>2</sup>.</li> <li>2. Hours of operation shall not exceed the period from 7:00am to 11:00pm for any given day.</li> <li>3. Any <i>building</i> in which the activity is undertaken must comply with Rules 5A.1.5 and 5A.1.6, except that <i>permitted activity</i> standards 5A.1.6.12(a) and 5A.1.6.12(b) shall not apply.</li> <li>4. Where any <i>building</i> in which the activity is undertaken adjoins or is within 2 metres of any <i>road boundary</i>, at least 75% of the ground floor elevation(s) of the <i>building</i> that front onto the <i>road boundary</i> must be <i>active retail frontage</i> including pedestrian entrances and clear glass for the display of goods.</li> <li>5. The activity must have <i>road frontage</i> to a <i>Strategic Arterial Route</i> (excluding any <i>State Highway</i>), a <i>Major Community Connector Route</i>, or <i>Local Community Connector Route</i> (as identified in District Plan Maps and Schedule 11.2 Transport Network Hierarchy).</li> <li>6. The activity must not be located within 500 metres of (or within):</li> </ol>	<ol style="list-style-type: none"> <li>1. Layout, size, design and location of any <i>building</i> associated with the activity.</li> <li>2. Suitability of the <i>site</i> for the proposed activity.</li> <li>3. Proximity to and potential adverse <i>effects</i> on the vibrancy and vitality of any <i>Centre</i> or lawfully established <i>local convenience retail outlet</i>.</li> <li>4. The imposition of <i>conditions</i> to manage character and amenity <i>effects</i>.</li> <li>5. Context and surroundings.</li> <li>6. Transport <i>effects</i>.</li> <li>7. Any positive <i>effects</i> to be derived from the activity.</li> <li>8. Cumulative <i>effects</i>.</li> <li>9. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>10. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</li> </ol>

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	a) any District Centre, Local Centre, Outer Business Centre or Town Centre <i>Zone</i> ; or b) any lawfully established <i>local convenience retail outlet</i> in the Residential Zone or Beach Residential Zone.	
6. <i>Development</i> , including <i>subdivision</i> , which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 3.1.	1. The amount of <i>development</i> proposed must not exceed or proceed earlier than the stipulations in the guideline. 2. <i>Subdivision</i> under this rule must comply with all other relevant <i>subdivision</i> standards unless otherwise specified in Appendix 3.1.	1. The scale of biodiversity, energy or water quality benefits created by the proposal. 2. Layout, size, design and location of proposed <i>buildings</i> . 3. The design, size, shape and location of reserves and <i>esplanade reserves</i> . 4. Covenants, easements and other legal mechanisms required. 5. The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i> . 6. Ecological or biodiversity <i>effects</i> , and <i>effects</i> on natural character values. 7. Transport <i>effects</i> . 8. Proposed mitigation, remediation or ongoing management measures. 9. Cumulative <i>effects</i> . 10. The matters of discretion set out under Rule 5A.3.2 or 5A.3.3 (whichever is applicable).

**Table 5A.3. Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p>7. Any <i>building</i>, and any <i>additions</i> or <i>alterations</i> to any <i>building</i> (excluding any listed <i>historic heritage building</i>) in the Beach Residential Zone that does not comply with the <i>permitted activity</i> standards for <i>yard setbacks</i>.</p>		<ol style="list-style-type: none"> <li>1. The consideration of effects with regard to <i>Council's</i> Subdivision and Development Principles and Requirements 2012 and Streetscape Strategy and Guideline.</li> <li>2. Compatibility with adjacent <i>development</i>.</li> <li>3. The imposition of <i>conditions</i> to manage visual, character, amenity and cumulative <i>effects</i>.</li> <li>4. <i>Landscaping</i>.</li> <li>5. The imposition of <i>financial contributions</i> in accordance with Chapter 12.  <b>Note:</b> other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>6. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</li> </ol>



**Table 5A.4 Discretionary Activities**

The following activities are **discretionary** activities.

**Discretionary Activities**

1. Any activity which is listed as a *restricted discretionary activity* and does not comply with one or more of the associated standards, unless otherwise specifically stated.
2. Any *building*, and any *additions* or *alterations* to any *building*, which does not comply with one or more of the *permitted activity* standards under Rule 5A.1.6 and is not provided for as a restricted discretionary activity under Rule 5A.3.7.
3. *Shared or group accommodation* or *supported living accommodation* which does not comply with one or more *permitted activity* standards under Rule 5A.1.4.
4. *Visitor accommodation* which does not comply with one or more of the *controlled activity* standards under Rule 5A.2.2.
5. Any *subdivision* of land in the Residential Zone at Raumati, Paraparaumu, Waikanae and Otaki (excluding land within any precinct identified in Policy 5.1) where the land to be subdivided is less than 3,000m<sup>2</sup> in area and it:
  - a) is not a *controlled activity* under Rule 5A.2.1 or 5A.2.3;
  - b) meets all standards under Rule 5A.3.3 except standard (3);
  - c) has a minimum *lot* area of 450m<sup>2</sup>; and
  - d) each *lot* can accommodate a 15m diameter circle.
6. Any *home occupation* that complies with Standard 3 of Rule 5A.1.10 but does not comply with one or more of the other *permitted activity* standards under Rule 5A.1.10.
7. Any *subdivision* of land in the Focused Infill Precinct which is not a *restricted discretionary activity* under Rule 5A.3.2.

**Table 5A.5 Non-Complying Activities**

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

**Non-Complying Activities**

1. *Medium Density Housing* that is located outside of the Medium Density Housing Precinct identified in the District Plan Maps or which does not comply with one or more of the *restricted discretionary activity* standards under Rule 5A.3.4.
2. Any *subdivision* of land which is not a *controlled activity* under Rules 5A.2.1 or 5A.2.3, a *restricted discretionary activity* under Rule 5A.3.3, or a *discretionary activity* under Rule 5A.4.5.
3. Any *local retail convenience outlet* that does not comply with one or more of the *restricted discretionary standards* under Rule 5A.3.5.
4. Any *home occupation* which is not a *permitted activity* under Rule 5A.1.10 or a *discretionary activity* under Rule 5A.4.6.
5. Any *commercial, industrial or retail activity* that is not listed as a *permitted, controlled, restricted discretionary or discretionary activity*.
6. The sale or otherwise disposal of a *minor flat* which is not in conjunction with its associated *household unit*.
7. *Offensive trades*.
8. Boarding or housing of animals for commercial gain.
9. The keeping of goats, pigs, deer, roosters, or more than 12 pigeons or doves.
10. Car wrecking indoors and outdoors and the storage of wrecked or unroadworthy vehicles not within an enclosed *building*.
11. The parking or placing of any motor vehicle, boat, caravan or material for the purposes of sale or lease within *road* or *Council* reserve other than specified areas by resolution of *Council*.

**Table 5A.6 Prohibited Activities**  
The following activities are **prohibited** activities.

**Prohibited Activities**

1. Commercial panelbeating and spraypainting.

Superceded

## 5.1.2.2 Waikanae North Development Zone

### Introduction: Applicability of Rules in Tables 5B.1 – 5B.6

The rules in Tables 5B.1 to 5B.6 only apply to land within the Waikanae North Development Zone. There may be other rules within the District Plan that also apply to *sites* and activities within these *Zones*. Section 1.1 in Chapter 1 sets out how to use the Plan and identify other rules that may also apply to a *site* or activity.

#### Table 5B.1. Permitted Activities

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

Permitted Activities	Standards
1. Any activity which is not specified as a <i>permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity</i> in the rules in Tables 5B.1-5B.6.	<p>1. The activity complies with all <i>permitted activity</i> standards in Table 5B.1 Permitted Activities.</p> <p><b>Notes:</b></p> <p>1. See Rule 9A.1.2 for separation of <i>buildings and structures</i> from <i>waterbodies</i> standards, Tables 11P 1-11P.4 for Parking, Tables 11B.1 – 11B.5 in relation to water and stormwater and Table 12A.1 in relation to <i>financial contributions</i> rules and standards for all <i>development</i>.</p> <p>2. For <i>subdivision, use and development</i> of land in Precinct 6, refer to Chapter 6.</p> <p>3. In Precinct 3, the rules and standards of the Open Space (Local Parks) Zone shall apply. Refer to Chapter 8.</p>
2. In Precinct 1, any activity that is identified as a <i>permitted activity</i> under the rules in Table 5A.1 shall be a <i>Permitted activity</i> , unless otherwise specified under the rules in Tables 5B.2-5B.6.	<p>1. Any activity must comply with the <i>permitted activity</i> standards for the Residential Zone under the rules in Table 5A.1, except that:</p> <ol style="list-style-type: none"> <li>no more than one <i>household unit</i> shall be erected on any <i>lot</i>; and</li> <li>maximum <i>coverage</i> shall be 25%.</li> </ol> <p>2. The Standards in Rule 5B.1.5 below shall also apply.</p>

**Table 5B.1. Permitted Activities**

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

Permitted Activities	Standards
3. In Precinct 2, any activity that is identified as a <i>permitted activity</i> under the rules in Table 5A.1 shall be a <i>Permitted activity</i> , unless otherwise specified under the rules in Tables 5B.2-5B.6.	<ol style="list-style-type: none"> <li>1. Any activity must comply with the <i>permitted activity</i> standards for the Residential Zone under the rules in Table 5A.1, except that:               <ol style="list-style-type: none"> <li>a) all <i>buildings</i> shall be set back a minimum of 15 metres from the <i>boundary</i> of any <i>property</i> within the Residential Zone, and 6 metres from any <i>road boundary</i>; and</li> <li>b) maximum coverage shall be 40%.</li> </ol> </li> <li>2. The Standards in Rule 5B.1.5 below shall also apply.</li> </ol>
4. In Precincts 4 and 5, any activity that is identified as a <i>Permitted activity</i> under the rules in Table 5A.1 shall be a <i>Permitted activity</i> , unless otherwise specified under the rules in Tables 5B.2-5B.6.	<ol style="list-style-type: none"> <li>1. Any activity must comply with the <i>permitted activity</i> standards for the Residential Zone under the rules in Table 5A.1.</li> <li>2. The Standards in Rule 5B.1.5 below shall also apply.</li> </ol>
5. <i>Buildings</i> .	<ol style="list-style-type: none"> <li>1. In addition to complying with the relevant <i>permitted activity</i> standards in Rules 5B.1.2-5B.1.4 above, <i>buildings</i> must also comply with the following:               <ol style="list-style-type: none"> <li>a) at least one of the following must be fitted to any <i>household unit</i>:                   <ol style="list-style-type: none"> <li>i. solar hot water heating with a minimum of 2m<sup>2</sup> of solar panel per <i>household unit</i>; or</li> <li>ii. photovoltaic panels/cells with a minimum peak power rating of 1kWp per <i>household unit</i>; and</li> </ol> </li> <li>b) <i>habitable rooms</i> must be insulated to comply with the following minimums: Walls R 2.6, Roof R 4.6, and Floors R 2.0; and</li> <li>c) a design certificate signed by a registered architect, member of Architectural Designers of NZ, registered engineer or suitably qualified building inspector stating that the plans will achieve compliance with standards 1. a) and b) above.</li> </ol> </li> </ol>

**Notes:**

1. For *subdivision*, use and *development* of land in Precinct 6, refer to Chapter 6.
2. In Precinct 3, the rules and standards of the Open Space (Local Parks) Zone shall apply. Refer to Chapter 8.

**Table 5B.2 Controlled Activities**

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

Controlled Activities	Standards	Matters over which Council reserves control
1. In Precincts 1, 2, 4 and 5, any <i>boundary adjustment</i> or <i>subdivision</i> of land where no additional <i>lots</i> are created, or any <i>subdivision</i> that is a <i>controlled activity</i> under Rule 11A.2.1.	1. Any <i>subdivision</i> must comply with the <i>controlled activity</i> standards for the Residential Zone under Rule 5A.2.1.	1. The matters listed under Rule 5A.2.1.

Superseded

**Table 5B.3 Restricted Discretionary Activities**

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

Restricted Discretionary Activity	Standards	Matters over which Council will restrict its discretion
<p>1. Any <i>development</i> within the Zone in excess of a threshold totalling 300 <i>household units</i> and 100 <i>household units</i> for <i>Retirement accommodation</i>. For the purposes of this rule, the 400 <i>household units</i> referred to shall include any households that have been constructed as a <i>permitted activity</i> and any to which <i>resource consent</i> has been obtained.</p>		<ol style="list-style-type: none"> <li>1. Transport <i>effects</i>, including (but not limited to) the <i>effects</i> of traffic generation on the local <i>road</i> network and State Highway 1.</li> <li>2. If the <i>development</i> is a <i>building</i> in Precinct 4 or 5, the other matters listed under Rule 5B.3.2.</li> <li>3. If the <i>development</i> is a <i>subdivision</i>, the other matters listed in the <i>restricted discretionary activity subdivision</i> rule for the relevant precinct.</li> </ol>
<p>2. Any <i>building</i> activity in Precinct 4 and 5.</p> <p><b>Criteria for notification</b> The written approval of persons will not be required and applications under this Rule will not be served on any person or notified.</p>	<ol style="list-style-type: none"> <li>1. Any activity must comply with the <i>permitted activity</i> standards for the Residential Zone under the rules in Tables A.1 and Rule 5B.1.5, except that:             <ol style="list-style-type: none"> <li>a) all access for vehicles and associated on-site parking and garaging must be accessed solely from the rear access lanes as indicated on the Regulatory Plan for the Precinct in Appendix 5.6;</li> <li>b) <i>coverage</i> must not exceed 50%;</li> <li>c) no <i>building</i> shall exceed 8 metres in <i>height</i> except for any <i>building</i> in Precinct 5 within 12 metres of a <i>road</i> corner which shall have a maximum <i>height</i> of 10 metres;</li> <li>d) <i>yard</i> requirements must be as follows:</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Consistency with the relevant parts of the Waikanae North Design Guide in Appendix 5.6.</li> <li>2. External design, appearance and siting.</li> <li>3. The imposition of <i>conditions</i> to manage character and amenity <i>effects</i>.</li> <li>4. The imposition of <i>conditions</i> in accordance with <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</li> <li>5. <i>Council's</i> Crime Prevention through Environmental Guidelines in Appendix 5.5.</li> <li>6. Transport <i>effects</i>.</li> </ol>

**Table 5B.3 Restricted Discretionary Activities**

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

Restricted Discretionary Activity	Standards	Matters over which Council will restrict its discretion
	<ul style="list-style-type: none"> <li>i. there shall be no minimum front <i>yard</i> setback;</li> <li>ii. for any rear <i>yard</i> to lane, the minimum setback shall be 10 metres, except that this shall not apply to any <i>accessory building</i>;</li> <li>iii. for any side <i>yard</i>, the minimum setback shall be 2 metres, or nil if party walls are proposed (i.e. townhouse development) and both <i>lots</i> are owned by the same party at the time resource or building consent is granted; and</li> <li>e) <i>permitted activity</i> standard for <i>height envelope</i> shall not apply to <i>road</i> or lane frontages or to <i>boundary</i> of party walls are proposed (i.e. townhouse development). Where the standard does apply, the vertical measurement shall be 5.7 metres with the recession plane being 45 degrees.</li> </ul> <p>2. Compliance with Table 12A.1 - financial contributions.</p>	<p>7. <i>Site landscaping</i>.</p> <p>8. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p>9. <i>Cumulative effects</i>.</p>
<p>3. Any <i>subdivision</i> of land in Precinct 1.</p> <p><b>Criteria for notification</b> The written approval of persons will not be required and applications under this Rule will</p>	<p>1. The minimum <i>lot</i> area shall be 500m<sup>2</sup>, the minimum average <i>lot</i> area shall be 1,000m<sup>2</sup> and maximum <i>lot</i> area shall be 2,500m<sup>2</sup>.</p> <p>2. All services must be underground.</p>	<p>1. The design and layout of the <i>subdivision</i> and any associated <i>earthworks</i>.</p> <p>2. The imposition of <i>conditions</i> to manage character and amenity <i>effects</i>.</p> <p>3. <i>Landscaping</i></p>



**Table 5B.3 Restricted Discretionary Activities**

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

Restricted Discretionary Activity	Standards	Matters over which Council will restrict its discretion
not be served on any person or notified.	<ol style="list-style-type: none"> <li>3. Vehicle access must be to David Street and Parata Street.</li> <li>4. The total number of <i>lots</i> for <i>residential activity</i> must not exceed 152.</li> <li>5. Any application for <i>subdivision</i> must provide information outlining the extent of <i>earthworks</i> required for both the <i>subdivision</i> and creation of proposed or potential <i>building platform</i> (s), vehicle access, areas of permeable and impermeable surfaces, areas for landscaping, reticulated services, stormwater retention tank(s) and any <i>greywater</i> subsoil disposal areas.</li> <li>6. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 must be complied with.</li> <li>7. Compliance with Table 12A.1 - financial contribution.</li> </ol>	<ol style="list-style-type: none"> <li>4. The design, size, shape and location of reserves and <i>esplanade</i> reserves.</li> <li>5. The imposition of c <b>Waikanae North Development Zone</b> Subdivision and Development Principles and Requirements 2012.</li> <li>6. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>7. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network and any transport <i>effects</i>.</li> <li>8. Any legal mechanisms required for legal access.</li> <li>9. The location of any associated <i>building</i> areas relative to any identified <i>natural hazards historic heritage feature, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species, geological feature, outstanding natural feature and landscape</i> and <i>area of high natural character</i>.</li> <li>10. Stormwater management.</li> <li>11. Water management and water saving initiatives.</li> <li>12. Pest weed and animal control including prohibition of domestic cats.</li> </ol>

**Table 5B.3 Restricted Discretionary Activities**

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

Restricted Discretionary Activity	Standards	Matters over which Council will restrict its discretion
		13. Consistency with the relevant parts of the Waikanae North Design Guide in Appendix 5.6.  14. The application shall assess how the <i>subdivision</i> will contribute to achieving the <b>Waikanae North Development Zone</b> environmental enhancements and water management required to implement the Concept Masterplan and for the area of the <i>subdivision</i> , how environmental enhancements and water management will be implemented and maintained.
4. Any <i>subdivision</i> of land within Precinct 2.  <b>Criteria for notification</b> The written approval of persons will not be required and applications under this Rule will not be served on any person or notified.	1. The minimum <i>lot</i> area shall be 1,000m <sup>2</sup> . 2. All services must be underground. 3. <i>Vehicle access</i> must be to Parata Street and David Street. 4. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 2.1 must be complied with. 5. Compliance with Table 12A.1 - financial contributions.	1. The matters listed under Rule 5B.3.3.
5. Any <i>subdivision</i> within Precinct 4.  <b>Criteria for notification</b> The written approval of persons will not be required and applications under this Rule will	1. The minimum <i>lot</i> area shall be 400m <sup>2</sup> for land fronting the Perimeter Road and 224m <sup>2</sup> elsewhere. 2. All services must be underground. 3. <i>Vehicle access</i> must be to Parata Street and David Street.	1. The matters listed under Rule 5B.3.3.

**Table 5B.3 Restricted Discretionary Activities**

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

Restricted Discretionary Activity	Standards	Matters over which Council will restrict its discretion
not be served on any person or notified.	<ol style="list-style-type: none"> <li>4. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 must be complied with.</li> <li>5. Compliance with Table 12A.1 - financial contributions.</li> </ol>	<b>Waikanae North Development Zone</b>
<p>6. Any <i>subdivision</i> within Precinct 5.</p> <p><b>Criteria for notification</b> The written approval of persons will not be required and applications under this Rule will not be served on any person or notified.</p>	<ol style="list-style-type: none"> <li>1. There shall be no minimum <i>lot</i> size.</li> <li>2. All services must be underground.</li> <li>3. Vehicle access must be to Parata Street and David Street.</li> <li>4. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 must be complied with.</li> <li>5. Compliance with Table 12A.1 - financial contributions.</li> </ol>	1. The matters listed under Rule 5B.3.3.

**Table 5B.4 Discretionary Activities**  
The following activities are **discretionary** activities

**Discretionary Activities**

There are no *discretionary activities*.

Superceded

**Table 5B.5 Non-Complying Activities**

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

**Non-Complying Activities**

1. Any activity not identified as a *permitted, controlled, restricted discretionary* or *prohibited activity* and any activity which does not comply with any one or more of the *permitted, controlled* or *restricted discretionary activity* standards under the rules in Tables 5B.1 – 5B.3.
2. Any *subdivision* within Precincts 1, 2, 4, or 5 which does not comply with one or more of the *restricted discretionary activity* standards under Rules 5B.3.3 – 5B.3.6.
3. Any *subdivision* that does not have access to Parata Street and David Street.

Superceded

**Table 5B.6 Prohibited Activities**

The following activities are **prohibited** activities.

**Prohibited Activities**

1. *Vehicle access to Awanui Drive (from the Waikanae North Development Zone) is a prohibited activity.*
2. Commercial panelbeating and spraypainting in all precincts.

Superceded

### 5.1.2.3 Ngārara Zone

#### Introduction: Applicability of Rules in Tables 5C.1 – 5C.6

The rules in Tables 5C.1 to 5C.6 apply only to land use, *subdivision* and activities within the Ngārara Zone. These rules are supplemented by the Ngārara Zone Structure Plan (Appendix 5.7) and the Ngārara Zone Management Principles (Appendix 5.8). It is anticipated that activities will be undertaken in general accordance with the Structure Plan and Management Principles. Consent can still be sought for activities that are not in general accordance with the Structure Plan and Management Principles.

There are other rules within the District Plan that also apply to *sites* and activities within the Ngārara Zone. Section 1.1 in Chapter 1 sets out how to use the Plan and identify other rules that may also apply to a *site* or activity, including Rules in Chapter 3, Chapter 9 (for sites within a hazard overlay), Chapter 10 (for sites within a wāhi tapu overlay), Chapter 11 and Chapter 12. Users are also referred to the information requirements in Chapter 1.2, particularly in relation to *subdivision* and development *resource consent* applications.

#### Table 5C.1. Permitted Activities

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

Permitted Activities	Standards
1. Any activity which is not specified as a <i>permitted controlled, restricted discretionary, discretionary, non-complying or prohibited activity</i> in the rules in Tables 5C.1- 5C.6.	<p>1. The activity complies with all <i>permitted activity</i> standards in Table 5A.1 Permitted Activities.</p> <p><b>Note:</b> See Rule 9A.1.2 for separation of <i>buildings</i> and <i>structures</i> from <i>waterbodies</i> standards, Tables 11P 1-11P.4 for Parking, Tables 11B.1 – 11B.5 in relation to water and stormwater and Table 12A.1 in relation to <i>financial contributions</i> rules and standards for a <i>development</i>.</p>
2. Unless otherwise specified under the rules in Tables 5C.2-5C.5, any activity within an identified <i>Neighbourhood Development Area</i> in Appendix 5.7.	<p>1. Any activity must comply with the <i>permitted activity</i> standards for the Residential Zone under the rules in Table 5A.1 except Standards 2 and 3 of Rule 5A.1.6.</p> <p>2. No more than one <i>household unit</i> and one <i>minor flat</i> shall be erected on any <i>lot</i>.</p> <p>3. All <i>buildings</i> must be located a minimum of 50m from any <i>wetland</i> or <i>site</i> identified in Schedule 3.1.</p>

**Table 5C.1. Permitted Activities**

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

Permitted Activities	Standards
3. 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.	<p>1. The activity must comply with all <i>permitted activity</i> standards in the rules in Table 5C.1.</p> <p><b>Note:</b> for the purposes of clarity, <i>intensive farming</i> is not a <i>permitted activity</i>.</p>
4. New <i>residential buildings</i> , and <i>additions or alterations</i> to any existing lawfully established <i>building</i> (excluding any listed <i>historic heritage building</i> ) within the Waimeha North Neighbourhood Development Area as identified in the Ngārara Zone Structure Plan in Appendix 5.7.	<p>1. Only one <i>household unit</i> per <i>lot</i> is permitted except in Residential A and Mixed Use B areas where multi-unit <i>developments</i> comply with standards 2 - 21 and 22 – 25 respectively below.</p> <p><b>Residential A areas (lots less than or equal to 350m<sup>2</sup>):</b></p> <p>2. The maximum <i>coverage</i> of any <i>lot</i> shall be 50%.</p> <p>3. The maximum <i>height</i> of any <i>building</i> (excluding <i>accessory buildings</i>) shall be 10m (2-3 storeys).</p> <p>4. The maximum <i>height</i> of any <i>accessory building</i> shall be 3m and the maximum length along the side <i>boundary</i> shall be 8.9m.</p> <p>5. No recession planes apply to these <i>lots</i>.</p> <p>6. The following setbacks apply:</p> <p>a. For any front <i>yard</i>, any <i>building</i> (excluding <i>accessory buildings</i>) 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.</p> <p>b. <i>Accessory buildings</i> shall be set back a minimum of 3m from any front <i>yard</i>.</p> <p>c. No side or rear setbacks are required except where adjacent to the street then any <i>building</i> shall be setback a minimum of 1m.</p> <p>7. No fences are permitted in the front <i>yard</i> of the dwelling (this excludes hedges).</p> <p>8. No minimum permeable surface area applies.</p> <p>9. A minimum of one <i>carpark</i> is required per <i>lot</i>.</p> <p><b>Residential B areas (lots from 350m<sup>2</sup> – 500m<sup>2</sup> inclusive):</b></p> <p>10. The maximum <i>coverage</i> of any <i>lot</i> shall be 35%.</p>



**Table 5C.1. Permitted Activities**

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

Permitted Activities	Standards
	<p>11. The combined maximum area of all <i>accessory buildings</i> on any <i>lot</i> shall be 60m<sup>2</sup>.</p> <p>12. The maximum <i>height</i> of any <i>building</i> shall be 8m (1-2 storeys), except any <i>accessory building</i> shall have a maximum <i>height</i> of 4.5m.</p> <p>13. No recession planes apply to these <i>lots</i>.</p> <p>14. The following setbacks apply:</p> <ol style="list-style-type: none"> <li>For any <i>front yard</i>, any <i>building</i> 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.</li> <li>For any <i>side yard</i>, any <i>building</i> shall be setback a minimum of 1m.</li> <li>For any <i>rear yard</i>, any <i>building</i> shall be setback a minimum of 6m, except for <i>accessory buildings</i> that are less than 3m high and 3m long along the rear elevation only require a minimum rear setback of 1m.</li> </ol> <p>15. Each <i>site</i> shall have a minimum permeable surface area of 50m<sup>2</sup>.</p> <p><b>Residential C areas (lots from 500 m<sup>2</sup>):</b></p> <p>16. The maximum <i>site coverage</i> of any <i>lot</i> shall be 35%.</p> <p>17. The combined maximum area of all <i>accessory buildings</i> on any <i>lot</i> shall be 60m<sup>2</sup>.</p> <p>18. The maximum <i>height</i> of any <i>building</i> shall be 8m (1-2 storeys), except any <i>accessory building</i> shall have a maximum <i>height</i> of 4.5m.</p> <p>19. Any <i>building</i> must fit within a <i>height envelope</i> which is made up of recession planes which commence at a point 2.5 metres above the <i>original ground level</i> at the <i>property boundary</i> and inclines inwards at an angle of 45 degrees. Refer to the definition of <i>height envelope</i> in Chapter 1.</p> <p>20. The following setbacks apply:</p> <ol style="list-style-type: none"> <li>For any <i>front yard</i>, any <i>building</i> shall be setback a minimum of 3m.</li> <li>For any <i>side yard</i>, any <i>building</i> shall be setback a minimum of 2m.</li> <li>For any <i>rear yard</i>, any <i>building</i> shall be setback a minimum of 6m, except for <i>accessory buildings</i> that are less than 3m high and 3m long along the rear elevation only require a minimum rear setback of 1m.</li> <li>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.</li> </ol> <p>21. Each <i>site</i> shall have a minimum permeable surface area of 100m<sup>2</sup>.</p>

**Table 5C.1. Permitted Activities**

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

Permitted Activities	Standards
	<p><b>Mixed Use B areas</b></p> <p>22. The maximum <i>site coverage</i> shall be 60%.</p> <p>23. The minimum <i>height</i> of any <i>building</i> shall be 7m (2 storeys) and the maximum <i>height</i> shall be 12m (3-4 storeys).</p> <p>24. The floor to floor <i>heights</i> 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>.</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 setback a minimum of 2m.</li> <li>From any <i>residential property</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>
5. <i>Home occupations</i>	<ol style="list-style-type: none"> <li><i>Home 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> that meets the <i>permitted activity standards</i> in Rule 5C.1.4;</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 occupation</i> per <i>property</i>, excluding <i>home offices</i>;</li> <li>not have more than one non-resident person working on the <i>property</i> at any one time; and</li> <li>not have any deliveries related to the activity made to or from the <i>property</i> between the hours of 7pm and 7am.</li> </ol> </li> <li>The total floor area used for <i>home occupations</i> must not exceed 40m<sup>2</sup>.</li> <li>In addition to Standards (1) and (2) above, for any <i>home occupation</i>: <ol style="list-style-type: none"> <li>any <i>retailing</i> must be <i>ancillary</i> to the <i>home occupation</i>;</li> <li>no goods on display shall be visible from outside the <i>building</i> in which the <i>home occupation</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>Notes:</b></p> <ul style="list-style-type: none"> <li>For on-site vehicle parking, requirements for non-resident employees, deliveries and customers refer to the rules and standards in Chapter 11 – Infrastructure, Services and Associated Resource Use.</li> </ul>

**Table 5C.1. Permitted Activities**

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

Permitted Activities	Standards
	<ul style="list-style-type: none"> <li>For requirements in respect of <i>signs</i> and noise, refer to the rules and standards in Chapter 12 – General Provisions.</li> </ul>

**Table 5C.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
1. <i>Boundary adjustments</i> or any <i>subdivision</i> of land where no additional <i>lots</i> are created.	<ol style="list-style-type: none"> <li>Each <i>lot</i> must have legal and physical access to a <i>legal road</i>.</li> <li>No further <i>development</i> potential shall be created as a result of the <i>subdivision</i>, (i.e. through the creation of a small <i>lot</i> and a larger <i>lot</i> which can then be further subdivided and would not have met all <i>restricted discretionary activity</i> standards including minimum or average <i>lot</i> sizes prior to this <i>subdivision</i> occurring).</li> <li>Public roads, public water supply systems, sanitary drainage systems and surface water drainage systems must be available to serve the <i>subdivision</i>.</li> <li>The relevant <i>subdivision</i> standards under Rule 5A.3.3 must be complied with.</li> </ol>	<ol style="list-style-type: none"> <li>Design and layout, including any associated <i>earthworks</i>.</li> <li><i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network, and any transport effects.</li> <li>The imposition of <i>conditions</i> to manage visual, character and amenity effects.</li> <li>The location of any associated <i>building</i> area relative to any identified <i>natural hazards</i>, <i>historic heritage features</i>, <i>notable tree</i>, <i>ecological site</i>, <i>key indigenous tree</i>, <i>rare and threatened vegetation species</i>, <i>geological feature</i>, <i>outstanding natural feature</i> and <i>landscape</i> or <i>area of high natural character</i>.</li> <li>The imposition of <i>conditions</i> in accordance with <i>Council's Subdivision and Development Principles and Requirements 2012</i>.</li> <li>The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> </ol>

**Table 5C.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
		7. The imposition of <i>conditions</i> in accordance with Sections 108 and 200 of the Resource Management Act 1991.  8. The design, size, shape and location of reserves and <i>special reserves</i> .
2. <i>Non-residential activities, retail and commercial activities, land use activities (not specified as permitted activities under Table 5C.1), including structures and buildings, within the Waimeha North Neighbourhood Development Area Mixed Use Areas identified in the Structure Plan in Appendix 5.7.</i>	<b>Mixed Use A areas:</b> 1. The maximum <i>site coverage</i> shall be 50%.  2. The maximum <i>height</i> of any <i>building</i> shall be 12m (3-4 storeys).  3. The floor to floor <i>heights</i> between each storey shall be: a. A minimum of 3.5m on the ground floor. b. A minimum of 3m on all other floors.  4. The following setbacks apply: a. For the <i>front yard</i> , any <i>building</i> shall be setback a minimum of 0m and a maximum of 3m. b. From any residential property, any <i>building</i> 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 <i>site</i> , the setback shall either be 3m from the far	1. The extent of consistency with the Structure Plan for the Waimeha North Neighbourhood Development Area in Appendix 5.7.  2. Design and layout, including any associated <i>earthworks</i> .  3. <i>Vehicle access</i> points onto <i>legal road</i> and any transport effects.  4. The imposition of <i>conditions</i> to manage visual, character and amenity effects.

**Table 5C.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
	<p>side of the access way (opposite the mixed use site) or 1m, whichever is greater.</p> <p>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 5.7 which has a maximum floor area of 700m<sup>2</sup>.</p> <p><b>Mixed Use B areas:</b></p> <p>6. The maximum <i>site coverage</i> shall be 30%.</p> <p>7. The minimum <i>height</i> of any <i>building</i> shall be 7m (2 storeys) and the maximum <i>height</i> shall be 12m (3-4 storeys).</p> <p>8. The floor to floor <i>heights</i> 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>.</p> <p>9. 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 residential property, any <i>building</i> shall be setback a minimum of 5m</li> <li>No side and rear setbacks apply.</li> </ol>	

**Table 5C.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control
	10. The maximum floor area for any non-residential premises shall be 150m <sup>2</sup> .  11. Hours of operation for <i>business activities</i> shall be between 7:30am and 6:30pm.	<b>Ngārara Zone</b>

Superseded

**Table 5C.3 Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p>1. 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.</p>		<ol style="list-style-type: none"> <li>1. The extent of consistency with the Structure Plan for the Ngārara Zone including the Ngārara Zone Neighbourhood Development Areas contained within Appendix 5.7 and Appendix 5.8.</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>
<p>2. <i>Development</i>, except for one <i>household unit per lot</i> which complies with all the standards in Rule 5C.1.2, 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 5.7 on a <i>lot</i> that includes any part of the Kawakahia Wetland (K066 - Harakeke Wetland)</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></li> </ol>	<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</i> risk management.</li> <li>4. The extent of consistency with the <i>Structure Plan</i> for the <i>Zone</i> including the Ngārara Zone <i>Neighbourhood Development Areas</i> contained within Appendix 5.7 and Appendix 5.8.</li> </ol>

**Table 5C.3 Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>associated with passive recreation and conservation activities.</p> <p>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.</p> <p>5. No untreated stormwater shall be discharged to natural <i>wetlands</i>.</p> <p>6. All stormwater discharges shall be treated prior to discharge to ground on-site in accordance with approved stormwater management processes.</p> <p>7. Individual <i>building</i> platforms within each <i>lot</i> and associated services shall be defined.</p> <p>8. Locally sourced indigenous species will be used for all planting.</p> <p>9. Compliance with Table 12A.1 - <i>financial contributions</i>.</p>	



**Table 5C.3 Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
<p>3. <i>Subdivision or development</i> within the Waimeha North Neighbourhood Development Area, as identified in the Ngārara Zone Structure Plan in Appendix 5.7.</p>	<p>1. The <i>subdivision or development</i> shall be in general accordance with the Ngārara Zone Structure Plan and be for activities that are identified as anticipated activities in the Structure Plan for the Waimeha North Neighbourhood Development Area.</p> <p><b>Access</b></p> <p>2. Each <i>lot</i> must have legal and physical access to a <i>legal road</i>.</p> <p><b>Size and frontage</b></p> <p>3. Each <i>lot</i> shall have an average area (exclusive of access) of:</p> <ol style="list-style-type: none"> <li>200m<sup>2</sup> for sites identified as Mixed Use,</li> <li>300m<sup>2</sup> for sites identified as Apartment or Residential A (excluding the multi-unit <i>lots</i> next to Pocket Park that have a lower average <i>lot</i> size),</li> <li>400m<sup>2</sup> for sites identified as Residential B,</li> <li>600m<sup>2</sup> for sites identified as Residential C (excluding the <i>lots</i> adjoining the golf course that have a larger average <i>lot</i> size).</li> </ol>	<p>1. The extent of consistency with the Structure Plan for the Waimeha North Neighbourhood Development Area in Appendix 5.7 and 5.8.</p> <p>2. <i>Amenity effects</i>.</p> <p>3. Council's Subdivision and Development Principles and Requirements, 2012.</p> <p>4. The imposition of <i>financial contributions</i> in accordance with Chapter 12. Note: Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p>5. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any transport effects.</p> <p>6. Any legal mechanisms required for legal access.</p> <p>7. Council's Crime Prevention through Environmental Design Guidelines (Appendix 5.5).</p> <p style="text-align: right;"><b>Ngārara Zone</b></p>

**Table 5C.3 Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion
	<p>4. Any front <i>lot</i> shall have a minimum <i>road</i> frontage of 6 metres.</p> <p><b>Esplanades</b></p> <p>5. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of Schedule 8.1 shall be complied with.</p> <p><b>Financial contributions</b></p> <p>5. Compliance with Table 12.A.1 – <i>financial contributions</i>.</p>	

**Table 5C.4 Discretionary Activities**

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

Discretionary Activities	Standards
1. Any activity in the Ngārara Zone 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.	
2. <i>Subdivision or development of a Neighbourhood Development Area</i> , as identified in the <i>Structure Plan</i> included in Appendix 5.7, except as specifically provided for in Tables 5C.1-5C.5	

Superceded

**Table 5C.5 Non-Complying Activities**

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

**Non-Complying Activities**

1. *Offensive trades.*
2. Boarding or housing of *animals* for commercial gain.
3. Car wrecking within enclosed *buildings*.
4. The keeping of pigeons, doves, goats, pigs and deer.

Superceded

**Table 5C.6 Prohibited Activities**

The following activities are **prohibited** activities.

**Prohibited Activities**

1. Commercial panelbeating and spraypainting

Superceded

## Living Zones Appendices (in Volume 2)

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The following *Living Zones* appendices can be found in Volume 2 of this Plan.

1. **Appendix 5.1** - Medium Density Housing Design Guide
2. **Appendix 5.2** - Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines
3. **Appendix 5.3** - Ferndale Area Structure Plan and Notations
4. **Appendix 5.4** - Pekawy Developments Area Structure Plan and Notations
5. **Appendix 5.5** - Crime Prevention through Environmental Design Guidelines
6. **Appendix 5.6** - Waikanae North Design Guide
7. **Appendix 5.7** - Ngārara Zone Structure Plan
8. **Appendix 5.8** - Ngārara Zone Management Principles

Superceded