

# Proposed Plan Change 2 – Intensification

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## How to read this document

*This section is explanatory only and does not form part of the IPI.*

The Kāpiti Coast District Council (the 'Council') has prepared proposed Plan Change 2 (PC2) to the Operative Kāpiti Coast District Plan (the 'Plan) for notification under the provisions of the Resource Management Act 1991 (the 'RMA').

Parts of this document are an Intensification Planning Instrument ('IPI') under s80E of the RMA. Where this is the case, the section is headed with the following text: "*This section forms part of the IPI*".

Explanatory text, such as this section, do not form part of the IPI. Where this is the case, the section is headed with the following text: "*This section is explanatory only and does not form part of the IPI*".

The following formatting conventions are used to identify proposed changes to the District Plan:

1. Text that is struck through (~~example~~) is to be deleted from the District Plan.
2. Text that is underlined (example) is to be inserted into the District Plan.
3. Text that is shown in red (**example**) is text that is required by s80H of the Act to identify those provisions that incorporate, or is replaced by, the Medium Density Residential Standards. This text does not form part of the IPI, and will be removed when the IPI becomes operative.
4. Proposed new objectives, policies or rules are identified with an 'x' suffix in the provision number (for example, **GRZ-Px** would represent a new policy in a chapter). Where there are multiple new objectives, policies or rules in a chapter, then the 'x' suffix is followed by a number (for example **GRZ-Px1**, **GRZ-Px2**... where there are multiple new policies in a chapter)

## Summary of Draft Plan Change 2

*The Summary section is explanatory only and does not form part of the IPI.*

This section provides a summary of the draft plan change, including:

- The purpose of the plan change;
- The scope of the plan change;
- Discussion of some of the key likely impacts of the plan change.

This section is intended to introduce and explain the draft plan change at a high-level. This summary does not provide a detailed explanation or evaluation of the plan change. Such an evaluation, which is required by s32 of the RMA, will be provided at a future date when the proposed plan change is publicly notified.

### Purpose of the plan change

The purpose of PC2 is to:

1. Incorporate the Medium Density Residential Standards (the 'MDRS') into the District Plan;
2. Give effect to Policy 3 of the National Policy Statement on Urban Development 2020 (the 'NPS-UD');
3. To provide for a range of existing and new qualifying matters in relation to (1) and (2) above;
4. To amend the District Plan to enable papakāinga; and
5. To amend financial contributions provisions.

The Council is a Tier 1 territorial authority. As such, this Plan Change is driven by the statutory requirement that the Council prepare and notify an Intensification Planning Instrument that provides for the matters outlined above<sup>1</sup>. This requirement was recently inserted into the RMA by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, the purpose of which is to “rapidly accelerate the supply of housing where the demand for housing is high” and “address some of the issues with housing choice and affordability that Aotearoa New Zealand currently faces”<sup>2</sup>.

While this Plan Change is driven by statutory requirements, it is important to recognise that housing supply is a key resource management issue for the District. The District's population is projected to grow by at least 30,000 people over the next 30 years<sup>3</sup>. At the same time, the Council's Housing and Business Development Capacity Assessments ('HBA') has identified that there is a short-fall in feasible, realisable, plan-enabled development capacity for housing in the district. This shortfall has increased as demand for housing in the District has grown, and the shortfall is currently estimated to be approximately 8,400 dwellings over 30 years<sup>4</sup>. As part of addressing this, the Council has recently completed the development of *Te tupu pai, Growing well*, a 30-year growth strategy that outlines the ways in which the Council plans to provide for this growth in a coordinated and sustainable manner, including through the intensification of existing urban areas. PC2 is part of the implementation of *Te Tupu Pai*, and will address the existing short-fall in development capacity by enabling an increase in plan-enabled housing supply in existing urban areas across the District, as well as a small number of new residential areas.

Housing supply is also a particular issue for iwi in the District. Iwi and hapū, which include Ngāti Toa Rangatira, Ngāti Raukawa (Ngā Hapū o Ōtaki) and Te Āti Awa ki Whakarongotai, have expressed

<sup>1</sup> The statutory scope of an IPI is outlined in RMA s80E.

<sup>2</sup> Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. Refer Explanatory Note, page 1.

<sup>3</sup> Sense Partners. (2021). *Demographic and dwelling forecasts for Wellington region*.

<sup>4</sup> Based on analysis prepared as part of the Council's work to update the HBA.

aspirations that their members are enabled to live closer to or within their ancestral homes, and that iwi, hapū and whānau are enabled to develop housing that meets their needs, and reflects their own history, identity, culture and connections to the land. To assist iwi, hapū and whānau to meet these aspirations, PC2 proposes to enable papakāinga in a range of zones across the District.

The scope of this plan change is focussed on enabling intensification in existing urban areas, a limited number of new residential areas, and enabling papakāinga. This plan change does not provide for larger greenfield or brownfield areas that may involve a range of land-uses and require more complex design and planning approaches (such as structure planning). The Council plans to undertake a separate future plan change to enable this kind of development in parts of the District where large-scale urban development may be appropriate.

It is also acknowledged that the demands of population growth provided for through this plan change are likely to have an impact on the capacity of existing infrastructure, as well as the demand for new infrastructure, across the District over time. The impact of population growth on the demand for infrastructure is a matter will need to be considered as part of Council's on-going infrastructure planning processes, including the Council's Infrastructure Strategy and Long-Term Plan.

## Operative District Plan

The Kāpiti Coast District Plan became operative on the 30<sup>th</sup> of June 2021. The Operative District Plan gives effect to the National Planning Standards 2019.

## Scope of the proposed plan change

The proposed scope of draft PC2 includes:

- Incorporating the Medium Density Residential Standards into the General Residential Zone (including by re-zoning some areas as General Residential Zone);
- Giving effect to Policy 3 and 4 of the NPS-UD;
- Providing for a range of existing and new qualifying matters;
- Provisions to enable papakāinga development;
- Amendments to financial contributions provisions.

The following sections provide a summary of the changes proposed to the district plan as part of PC2. This summary is intended as guidance only. Refer to the Intensification Planning Instrument for a full description of proposed changes to the district plan.

## Statutory scope

The scope of the plan change is defined by s80E of the RMA. Under this provision, the plan change must:

- Incorporate the MDRS; and
- Give effect to policies 3 and 4 of the NPS-UD.

In addition to this, the plan change may also include:

- Provisions to enable papakāinga in the district;
- Amendments to financial contributions provisions; and
- Provisions that support or are consequential on incorporating the MDRS or giving effect to policy 3 of the NPS-UD.

Under s80G(1)(b), the plan change cannot be used for any other purpose.

## Urban environments

Both the MDRS and the NPS-UD apply to *urban environments*. Under s77F of the RMA<sup>5</sup>, an *urban environment* is defined as:

*any area of land (regardless of size, and irrespective of territorial authority boundaries) that –*

*(a) is, or is intended by the specified territorial authority to be, predominantly urban in character; and*

*(b) is, or is intended by the specified territorial authority to be, part of a housing and labour market of at least 10,000 people.*

For any area of land to meet the definition of an urban environment, it must meet both of the tests outlined in the definition above. The following sections describe how these tests are met in relation to land within the Kāpiti Coast District.

### Predominantly urban in character

The provisions of the Operative District Plan describe whether an area of land is, or is intended to be, predominantly urban in character. The Operative District Plan defines the following zones as urban areas:

- Residential Zones;
- Metropolitan Centre Zone;
- Town Centre Zone;
- Local Centre Zone;
- Mixed Use Zone;
- General Industrial Zone;
- Airport Zone; and
- Hospital Zone.

The District Plan states that urban development is intended to take place within these areas<sup>6</sup>. Further to this, the provisions for these zones provide for a range of urban activities, such as housing, commercial activities, community services, social, cultural and recreational activities, industrial activities, and associated infrastructure to occur in these areas. The objectives, policies and rules for these zones provide for the development of sites and buildings to enable these activities to occur at urban densities. On this basis of the provisions of the Operative District Plan, it is determined that the parts of the district that are located within these zones are, or are intended to be, predominantly urban in character.

### Part of a housing and labour market of at least 10,000 people

Statistics New Zealand has identified the spatial extent of “functional urban areas” throughout New Zealand. These are described as “socially and economically integrated areas based on the linkages between where people live and where they work, and subsequently learn, trade, and access facilities and services”<sup>7</sup>, and can be used as a proxy for determining the spatial extent of a housing and labour market. Functional urban areas include one or more urban cores, satellite urban areas, and the hinterland that surrounds them.

There are two Functional Urban Areas within the Kāpiti District: the Kāpiti Coast Functional Urban Area and the Ōtaki Functional Urban Area. The following table summarises their spatial extent, as well as their current and future projected populations.

<sup>5</sup> The definition of *urban environment* under clause 1.4(1) of the NPS-UD has a corresponding meaning.

<sup>6</sup> Refer policy UFD-P1 of the Operative District Plan.

<sup>7</sup> Stats NZ (2021). *Functional urban areas – methodology and classification*, p. 11.

Functional Urban Area	Spatial extent (Stats NZ SA2 units) <sup>8</sup>	Population (2018 Census) <sup>9</sup>	Future population (2051) <sup>10</sup>
Kāpiti Coast Functional Urban Area	<ul style="list-style-type: none"> <li>• Te Horo</li> <li>• Ōtaki Forks</li> <li>• Peka Peka</li> <li>• Waikanae Beach</li> <li>• Waikanae Park</li> <li>• Waikanae West</li> <li>• Waikanae East</li> <li>• Paraparaumu Beach North</li> <li>• Paraparaumu Beach West</li> <li>• Paraparaumu Beach East</li> <li>• Otaihanga</li> <li>• Paraparaumu North</li> <li>• Paraparaumu Central</li> <li>• Raumati Beach West</li> <li>• Raumati Beach East</li> <li>• Paraparaumu East</li> <li>• Raumati South</li> <li>• Paekākāriki</li> <li>• Maungakotukutuku</li> </ul>	46,683	75,681
Ōtaki Functional Urban Area	<ul style="list-style-type: none"> <li>• Ōtaki</li> <li>• Ōtaki Beach</li> <li>• Waitohu</li> <li>• Forest Lakes (Kāpiti Coast District)</li> </ul>	6,984	14,388

On this basis, all parts of the district outlined in the table above are, or are intended to be, part of a housing and labour market of at least 10,000 people. It is noted that this applies to all areas in district, with the exception of Kāpiti Island and the Tararua Forest Park.

### Urban environments in the Kāpiti Coast District

The areas of land that meet the definition of an *urban environment* in the Kāpiti Coast District are those areas that meet both of the tests outlined above. Therefore, for the purposes of this plan change, the district's *urban environments* are:

1. the areas of land that are contained within the following zones in the Operative District Plan:
  - a. Residential Zones;
  - b. Metropolitan Centre Zone;
  - c. Town Centre Zone;
  - d. Local Centre Zone;
  - e. Mixed Use Zone;

<sup>8</sup> As determined by an overlay of the "Statistical Area 2 – 2022" layer and the "Functional Urban Areas – 2022" layer on the Stats NZ Geographic Boundary Viewer. Refer

<https://statsnz.maps.arcgis.com/apps/webappviewer/index.html?id=6f49867abe464f86ac7526552fe19787>

<sup>9</sup> Stats NZ (2021). Refer Appendix 2: Functional urban area components and 2018 usually resident population.

<sup>10</sup> Sense Partners (2021). The 2051 projected population is relevant because the test is whether an area "is intended to be" part of a housing and labour market of at least 10,000 people. 2051 is situated within the "long term" as defined by the NPS-UD, which means "between 10 and 30 years".

- f. General Industrial Zone;
  - g. Airport Zone;
  - h. Hospital Zone; and
2. the areas of land proposed to be included in any of these zones as part of this plan change.

### Incorporating the MDRS

Section 77G of the RMA requires that the Council incorporates the MDRS<sup>11</sup> into the District Plan. This means that the District Plan must provide for the construction and use of up to 3, three-storey residential units as a permitted activity within “relevant residential zones”, which for the Kāpiti Coast District Plan means the General Residential Zone<sup>12</sup>. These residential units are to be subject to compliance with a set of density standards that are prescribed in Schedule 3A of the RMA. The RMA also requires that the District Plan include a set of objectives and policies to support this, alongside changes to subdivision rules.

The definition of “relevant residential zone” provides for an exception to the application of the MDRS in the case of:

*an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment*

Because all parts of the General Residential Zone already meet the definition of an urban environment, this exception does not apply.

The following changes are proposed to the District Plan to incorporate the MDRS:

- Amendments to Strategic Direction chapters to ensure that these are not inconsistent with the MDRS. This includes inserting 2 new district objectives for “well-functioning urban environments” and “housing variety and choice” as required by Schedule 3A;
- Amendments to the policies of the General Residential Zone Chapter to ensure that these support the effective implementation of the MDRS. This includes inserting 5 new mandatory policies into the Chapter as required by Schedule 3A;
- Amendments to the rules and standards within the General Residential Zone Chapter to incorporate the MDRS, including by providing for the construction and use of up to 3, three-storey residential units as a permitted activity, subject to the density standards prescribed in Schedule 3A;
- Except where they are located in the Coastal Qualifying Matter Precinct, existing rules for building development in the Beach Residential and Waikanae Garden Precincts are removed from the District Plan. Existing policies for these areas are amended to provide for

<sup>11</sup> Under s2 of the RMA, the MDRS are defined as *the requirements, conditions and permissions set out in Schedule 3A*.

<sup>12</sup> Under s2 of the RMA, a *relevant residential zone* is defined as:

- (a) *all residential zones; but*
- (b) *does not include –*
  - (i) *a large lot residential zone;*
  - (ii) *an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment;*
  - (iii) *an offshore island;*
  - (iv) *to avoid doubt, a settlement zone.*

None of the exceptions in (b) apply within the Kāpiti Coast District.

Under s2 of the RMA, a *residential zone* is defined as:

*all residential zones listed and described in standard 8 (zone framework standard) of the national planning standard or an equivalent zone*

and s2 further defines the term *equivalent zone* as:

*the zone in a district plan that is the nearest equivalent zone to the zone described in standard 8 (zone framework standard) of the national planning standards that would apply if those standards had been implemented*

The Operative District Plan has implemented the National Planning Standards, and the only zone used by the District Plan that is a residential zone listed in standard 8 of the National Planning Standards is the General Residential Zone. On this basis, the zone within the District Plan that meets the definition of a *relevant residential zone* is the General Residential Zone.



consideration of notable characteristics in these areas, but these policies do not prescribe or require low development densities;

- Amendments to rules and standards for subdivision, to remove minimum allotment sizes for areas where the MDRS apply and provide for subdivision as a controlled activity, as required by Schedule 3A;
- Incorporation of a new Residential Design Guide into the District Plan to provide guidance for applicants when preparing resource consents applications for proposals that breach the MDRS. These also function as a matter of discretion for Council decision-makers when considering applications for development that breach the MDRS;
- 13 smaller areas within the district are proposed to be rezoned as General Residential Zone. Appropriate areas have been identified on the basis that;
  - they are located next to an urban area that is connected to services;
  - they have a relatively low degree of constraints (and any existing constraints can be managed through existing district plan rules);
  - they are not sufficiently large or complex enough to require a “structure planned” approach;
  - they would provide a notable contribution to plan-enabled housing supply, or where this is not the case, re-zoning is appropriate to regularise the area into the surrounding zoning pattern.
- Consequential amendments to a range of related provisions as part of incorporating the MDRS.

### Giving effect to Policy 3 of the NPS-UD

Sections 77G and 77N of the RMA requires that the District Plan give effect to Policy 3 of the NPS-UD. This policy requires that the District Plan enables intensification within and around existing centres and existing or planned rapid transit stops. In order to give effect to this policy, there are a range of related objectives and policies contained within the NPS that also need to be provided for within the District Plan. The parts of policy 3 that are relevant to the Kāpiti Coast District are:

**Policy 3:** *In relation to tier 1 urban environments, ... district plans enable:*

- (a) ...
- (b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
- (c) *building heights of at least 6 storeys within a walkable catchment of the following:*
  - (i) *existing and planned rapid transit stops:*
  - (ii) ...
  - (iii) *the edge of metropolitan centre zones; and*
- (d) *within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of commercial activities and community services.*<sup>13</sup>

The approach taken by PC2 to giving effect to Policy 3 of the NPS-UD is based on the existing hierarchy of centres zones contained within the District Plan<sup>14</sup>. The centres zones provide for commercial activities (such as shops, offices and other places of employment) and community services (such as healthcare services, libraries and other community facilities) in areas located throughout the district, and the hierarchy of centres zones recognises that larger centres, such as the

<sup>13</sup> Policy 3(d) was amended by Schedule 3B of the RMA.

<sup>14</sup> The District Plan contains three centres zones: the Metropolitan Centre Zone, the Town Centre Zone and the Local Centre Zone.

Metropolitan and Town Centre Zones, are intended to serve broader parts of the community, whereas the Local Centre Zone is primarily intended to serve local neighbourhoods. The level of intensification proposed by PC2 is based on, and reinforces, the relative position of each centre zone within the centres hierarchy.

The following table summarises the level of intensification proposed by PC2, based on the existing centres hierarchy and rapid transit stops<sup>15</sup> located within the District:

Proposed building height (up to and including)	Area	Location	NPS-UD policy
<b>Centres Zones</b>			
12-storeys	Metropolitan Centre Zone	Paraparaumu	3(b)
6-storeys	Town Centre Zone	Ōtaki Main Street Ōtaki Railway Waikanae <sup>16</sup> Paraparaumu Beach Raumati Beach	3(d)
	Mixed Use Zone (Ihakara Street West, Ihahara Street East and Kāpiti Road precincts) Hospital Zone	Within an 800m walkable catchment of the edge of the Metropolitan Centre Zone at Paraparaumu	3(c)(iii)
	Local Centre Zone (at Paekākāriki)	Within an 800m walkable catchment of Paekākāriki Station	3(c)(i)
4-storeys	Local Centre Zone	Waikanae Beach Kena Kena Mazengarb Road Meadows Raumati South	3(d)
<b>General Residential Zone</b>			
6-storeys	Within an 800m walkable catchment of the edge of the Metropolitan Centre Zone	Paraparaumu	3(c)(iii)
	Within an 800m walkable catchment of a rapid transit stop	Waikanae station Paraparaumu station Paekākāriki station	3(c)(i)
4-storeys	Within a 400m walkable catchment of the Town Centre Zone <sup>17</sup>	Ōtaki Main Street Ōtaki Railway Paraparaumu Beach Raumati Beach	3(d)

<sup>15</sup> The train stations at Paekākāriki, Paraparaumu and Waikanae meet the definition of a “rapid transit stop” under clause 1.4(1) of the NPS-UD.

<sup>16</sup> The Town Centre Zone at Waikanae is also covered by policy 3(c)(i) of the NPS-UD.

<sup>17</sup> Intensification adjacent to the Town Centre Zone at Waikanae is excluded from this list, as intensification in this area is already covered by policy 3(c)(i), which applies to intensification within a walkable catchment of Waikanae station.

Proposed building height (up to and including)	Area	Location	NPS-UD policy
	Within a 200m walkable catchment of the Local Centre Zone <sup>18</sup>	Waikanae Beach Kena Kena Mazengarb Road Meadows Raumati South	3(d)
3-storeys	Everywhere else within the General Residential Zone		MDRS <sup>19</sup>

The following changes to the District Plan are proposed to give effect to Policy 3 of the NPS-UD:

- Amendments to Strategic Direction chapters to ensure that these give effect to Policy 3, and provide for the relevant Objectives of the NPS-UD;
- Amendments to the policies of the Centres, Mixed Use and Hospital Zone chapters to ensure that existing policies give effect to Policy 3 and the relevant Objectives of the NPS-UD;
- Amendments to existing rules within the Centres, Mixed Use and Hospital Zone chapters to enable additional building height to give effect to Policy 3;
- Addition of “Residential Intensification Precincts” to the General Residential Zone to identify the spatial application of Policy 3, including the addition of Intensification Precincts to identify the spatial application of the Policy;
- Except where they are located in the Coastal Qualifying Matter Precinct, existing rules for building development in the Beach Residential and Waikanae Garden Precincts are removed from the District Plan. Existing policies for these areas are amended to provide for consideration of notable characteristics in these areas, but these policies do not prescribe or require low development densities;
- Incorporation of new Centres and Residential Design Guides into the District Plan to provide guidance for applicants when preparing resource consents applications for proposals that breach the MDRS. These also function as a matter of discretion for Council decision-makers when considering applications for development that breach the MDRS;
- Consequential amendments to a range of related provisions as part of giving effect to Policy 3.

### Providing for qualifying matters

The RMA provides scope for the requirements of the MDRS or policy 3 of the NPS-UD to be modified to be less enabling of development in order to accommodate a *qualifying matter*<sup>20</sup>. Qualifying matters can be described in terms of being “existing qualifying matters”<sup>21</sup> (matters that are already provided for in the Operative District Plan) and “new qualifying matters” (matters that are not provided for in the

<sup>18</sup> Intensification adjacent to the Local Centre Zone at Paekākāriki is excluded from this list, as intensification in this area is already covered by policy 3(c)(i), which applies to intensification within a walkable catchment of Paekākāriki station.

<sup>19</sup> This is not an NPS-UD policy, however it is showing in this table for comparison purposes.

<sup>20</sup> Under ss77I and 77O of the RMA, *qualifying matters* include:

- matters of national importance under s6 of the RMA;
- matters required in order to give effect to a national policy statement or the New Zealand Coastal Policy Statement;
- matters required for ensuring the safe and efficient operation of nationally significant infrastructure;
- open space provided for public use, but only in relation to land that is open space;
- the need to give effect to a designation;
- matters necessary to implement, or to ensure consistency with, iwi participation legislation;
- the requirement of the NPS-UD to provide sufficient business land suitable for low-density business uses to meet expected demand.

<sup>21</sup> ss77K and 77Q of the RMA describes “existing qualifying matters” in further detail.

Operative District Plan). PC2 recognises a range of “existing qualifying matters”, but also provides for “new qualifying matters”.

### Existing qualifying matters

PC2 proposes to recognise a range of “existing qualifying matters” relevant to the district, including:

- through recognising a range of existing district-wide rules associated with a variety of matters including natural hazards, outstanding natural features and landscapes, indigenous biodiversity, historic heritage, sites and areas of significance to Māori and nationally significant infrastructure as existing qualifying matters. Refer to section 21.0 for notification of operative district-wide rules relevant to existing qualifying matters;
- through maintaining existing development rules and standards within business land suitable for low density uses (the General Industrial Zone and the Mixed Use Precinct of the Airport Zone), where this land would otherwise be subject to Policy 3 of the NPS-UD;
- maintaining existing rules that prevent or do not provide for development within Open Space Zones, where land that is zoned for open space would otherwise be subject to Policy 3 of the NPS-UD.

### New qualifying matters

PC2 proposes to provide for a number of new qualifying matters relevant to the district. These include:

- providing for a “Coastal Qualifying Matter Precinct” in the part of the district that has been identified as potentially susceptible to coastal erosion hazard<sup>22</sup>. The purpose of the precinct is to maintain the level of development currently provided for by the Operative District Plan in these areas, until the management of coastal hazards is addressed through a future coastal environment plan change. While PC2 does not apply the level of development required by the MDRS or the NPS-UD to these areas, PC2 does not propose any new restriction on development in these areas either. In essence, the development provisions of the Operative District Plan remain unchanged in this area;
- providing for wāhi tapu sites that have been identified by iwi, but are currently unrecognised by the District Plan, to be added to the schedule of sites and areas of significance to Māori.

### Enabling papakāinga

Iwi, hapū and whānau have expressed aspirations to develop papakāinga within the District. These aspirations include:

- That more iwi members can live and work closer to or within their ancestral homes, and participate in iwi, hapū and marae life;
- That the district plan provides for papakāinga broadly across the district, including in both urban and rural zones;
- That papakāinga development is not limited to land held under Te Ture Whenua Māori Act 1993.

The Operative District Plan contains some papakāinga provisions, however these are typically limited to land held under Te Ture Whenua Māori Act 1993 in rural zones. Iwi have indicated that these existing provisions do not sufficiently provide for their aspirations.

Papakāinga can be defined as:

<sup>22</sup> The draft spatial extent of the Coastal Qualifying Matter Precinct is based on the “2120 1.65m RSLR P10” projected future shoreline position described in: Jacobs. (2022). *Kāpiti Coast Coastal Hazard Susceptibility and Vulnerability Assessment Volume 2: Results*.

*housing and ancillary activities (including social, cultural, educational, recreational, and commercial activities) for tangata whenua on their ancestral land*<sup>23</sup>

The following changes to the District Plan are proposed to enable papakāinga<sup>24</sup>:

- A new district-wide Papakāinga chapter that provides objectives and policies for enabling the use and development papakāinga by and for tangata whenua within the district;
- New or amended rules within the General Residential, Town Centre, General Rural, Rural Production, Rural Lifestyle and Future Urban Zones that enable papakāinga on land held under Te Ture Whenua Māori Act 1993, or on general title land where it can be demonstrated that there is an ancestral connection to the land;
- Consequential amendments to related provisions as part of enabling papakāinga.

### Financial contributions

The Operative District Plan provides for financial contributions to be taken for:

- reserves; and
- infrastructure that is not otherwise covered by the Development Contributions Policy.

Separately, the Council has a Development Contributions Policy (DCP) that provides for development contributions to be taken for:

- roading;
- stormwater;
- water;
- wastewater; and
- community facilities.

Outside of PC2, the Council is looking at options to amend the DCP to provide for the taking of development contributions for reserves and open spaces. Draft PC2 includes an option to signal Council's intent to move reserves into the Development Contributions Policy at a future date yet to be determined.

Draft PC2 also includes amendments to the financial contributions provisions that provide for the taking of financial contributions for upgrades or new infrastructure that is not covered in the Development Contributions Policy (DCP). The changes would provide more direction on how and when these contributions might be taken and also include a new policy for offsetting and compensation conditions that involve works or services or land.

### Potential opportunity to update references to the SDPR

Separately to PC2, the Council is reviewing its "Subdivision and Development Principles and Requirements" (SDPR) document<sup>25</sup>. If the timing of this review aligns with the preparation of PC2, there may be an opportunity to incorporate updated references to the SDPR as part of the final version of proposed PC2.

<sup>23</sup> This is the draft definition proposed by draft PC2.

<sup>24</sup> Note that under s80E of the RMA, amendments to enable papakāinga are not limited to the urban environment.

<sup>25</sup> The SDPR is the Council's set of standards for infrastructure development, and is a document incorporated by reference into the District Plan.

## Potential Impacts of Plan Change 2

PC2 is likely to have a range of potential impacts. This section discusses, at a high level, some of the key impacts that the plan change may have on the following matters:

- Plan-enabled housing development capacity;
- Character of the urban environment;
- Infrastructure.

### Plan-enabled housing development capacity

The potential impact of PC2 on plan-enabled housing development capacity within existing urban areas is likely to be significant.

Analysis undertaken as part of the Council's current work to update its HBA has identified a demand for approximately 16,200 additional dwellings by 2051.<sup>26</sup> Initial high-level estimates undertaken by the Council<sup>27</sup> suggest that under PC2, the District Plan would enable:

- Approximately 177,400 dwellings under a "redevelopment" scenario (that is, if every site were redeveloped to its maximum capacity under the proposed plan provisions); or
- Approximately 51,600 dwellings under an "infill development" scenario (that is, where existing dwellings are retained, and the remainder of the site is redeveloped to a its maximum capacity under the proposed plan provisions).

Based on this high-level assessment of the level of development enabled by PC2, only a minor proportion of "redevelopment" or "infill" capacity would need to be feasible and realisable in order to meet the District's long-term demand for dwellings.<sup>28</sup> On this basis, it is likely that PC2 would contribute significantly to enabling the District's demand for dwellings to be met out to 2051.

### Character of the urban environment

The level of development enabled by PC2 is likely to lead to a change in character in the district's urban environments over time. Change in character is likely to be driven by the changes in built form that will occur over time as areas increase in density. Specifically:

- The General Residential Zone, which has a built character predominantly defined by single or 2 storey detached dwellings could see change in character through the development of terraced or multi-unit dwellings up to 3-storeys;
- Parts of the General Residential Zone near to centres and rapid transit stops could see a change in character through the development of terraced and multi-unit developments (which would typically not be more than 3-storeys) and apartment developments up to 6-storeys;
- The Town and Local Centres Zones, which have a built character predominantly defined by single, 2- and 3-storey development, could see a change in character through the development of commercial or mixed use (commercial and residential) buildings up to 4-storeys in the Local Centre Zone and 6-storeys in the Town Centre Zone;
- The Metropolitan Centre Zone at Paraparaumu, which has a built character predominantly defined by commercial buildings up to 3-storeys, could see a change in character through the development of buildings taller than 6-storeys. The change in character in this zone could

<sup>26</sup> Based on analysis prepared as part of the Council's work to update the HBA. This figure includes the competitiveness margins required by the NPS-UD.

<sup>27</sup> The Council has run the parameters of the proposed PC2 through its HBA model to generate these estimates. Note that these are high-level estimates of theoretical capacity only, and in particular do not account for other matters that might limit the development of an area, including maintaining existing development capacity in the Coastal Qualifying Matter Precinct (although the impact of the precinct is likely to be limited as it comprises only 6.7% of the General Residential Zone).

<sup>28</sup> As a reference, recent work analysis prepared as part of updating on the Council's HBA has identified that approximately 44% of existing plan-enabled development capacity is feasible and realisable.

also be influenced through mixed use (commercial and residential) development that enables more people to live within the Metropolitan Centre Zone.

Some parts of the district are recognised as having “special character” in the Operative District Plan. These areas include:

- The Beach Residential Precinct at Paekākāriki, Raumati, Waikanae Beach and Ōtaki Beach. These areas are identified in the Operative District Plan as having a “low-key beach character and expressive topography enhanced by mature vegetation”.<sup>29</sup>
- The Waikanae Garden Precinct (located to the west of the Waikanae Town Centre Zone). This area is identified in the Operative District Plan as having “low residential density and high amenity values associated with existing established trees and remnant indigenous vegetation”.<sup>30</sup>

In order to give effect to Objectives 3 and 4 of the NPS-UD (and because “special character” is not a prescribed qualifying matter) draft PC2 proposes to remove the existing rules that restrict development density in special character areas from the District Plan<sup>31</sup>. This means that, to the extent that development occurs, the character of these areas is likely to change over time. Recognising the particular impact that intensification might have on these areas, PC2 proposes to amend the existing policies associated with these areas to require that, where development in these areas requires a resource consent, consideration is given to the notable characteristics of these areas.

### Infrastructure

PC2 is in part a response to the demand for housing as a result of projected population growth. The demands of population growth are likely to have an impact on the capacity of existing infrastructure, as well as the demand for new infrastructure, across the District over time. The impact of population growth on the demand for infrastructure is a matter that will need to be quantified as part of the next review of the Council’s HBA, and these impacts would likely need to be addressed through Council’s on-going infrastructure planning processes, including the Council’s Infrastructure Strategy and Long-term Plan.

Notwithstanding this, under the District Plan all permitted development must comply with the Council’s Subdivision and Development Principles and Requirements (SDPR) document, and new development will continue to be subject to the Council’s Development Contributions Policy.

Some parts of the General Residential Zone that are the subject to the MDRS and Policy 3 of the NPS-UD are not connected to Council wastewater infrastructure. This occurs in the General Residential Zone at:

- Paekākāriki;
- Peka Peka; and
- Te Horo Beach.

In general, wastewater treatment and disposal in these areas is managed through septic tanks or similar systems on individual properties.

The absence of infrastructure is not a prescribed qualifying matter. Until such time as these areas are connected to reticulated infrastructure, it is likely that other rules in both the District Plan and the Regional Plan will place practical constraints on the level of development that would be realisable in these areas. Regional Council rules that regulate the design and provision of on-site wastewater treatment and disposal systems are an example of this.

<sup>29</sup> Refer to the Zone Introduction of the General Residential Zone in the Operative District Plan.

<sup>30</sup> Refer to the Zone Introduction of the General Residential Zone in the Operative District Plan.

<sup>31</sup> Except where these areas are located within the Coastal Qualifying Matter Precinct.

## 1.0 Proposed amendments to the District Objectives Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the District Objectives Chapter are proposed to achieve the following purposes:

1. To incorporate the MDRS (including by providing for the mandatory MDRS objectives);
2. To give effect to Policy 3 of the NPS-UD (including by providing for related Objectives and Policies of the NPS-UD); and
3. To include new Objectives to enable papakāinga in the District.

The following is a summary of proposed amendments to the Chapter to achieve these purposes:

Provision reference	Summary of amendments
Chapter Introduction	Minor amendment to update the reference to the number of Objectives contained within the chapter.
DO-O3	Amendments to the “Development Management” Objective as part of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD, including: <ul style="list-style-type: none"> <li>• Amendments to the headline text to provide scope for the development of new urban environments. This amendment is required to provide for the new residential zones that are incorporated within this IPI;</li> <li>• Inserting a new sub-objective (3) that provides for Policy 3 of the NPS-UD;</li> <li>• Amendment to the existing sub-objective (5) so that it provides for Objective 4 of the NPS-UD;</li> <li>• Inserting a new sub-objective (10) that provides for Objective 8 of the NPS-UD; and</li> <li>• Amendments to the “Local Issues” section of the explanatory text below the Objective so that it is consistent with the amendments to the District Objective.</li> </ul>
<u>DO-Ox1</u> , <u>DO-Ox2</u>	New mandatory objectives required by clause 6(1) of Schedule 3A of the Act.
<u>DO-Ox3</u>	This is a new objective that gives effect to Policy 3 of the NPS-UD within Residential Intensification Precincts.
DO-O11	Amendments to the “Character and Amenity Values” Objective as part of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD, including: <ul style="list-style-type: none"> <li>• Amendment to the headline text so that it provides for Objective 4 of the NPS-UD;</li> <li>• Amendment to sub-objective (1) so that it provides for a range of densities within residential areas, consistent with the MDRS and Policy 3 of the NPS-UD;</li> <li>• Various amendments to the explanatory text below the Objective to ensure that it is consistent with Objectives 3 and 4 of the NPS-UD.</li> </ul>
DO-O16	Amendments to the “Centres” Objective as part of giving effect to Policy 3 of the NPS-UD, including:



	<ul style="list-style-type: none"> <li>• Amendment to sub-objective (4) to provide for higher density residential living within Centres;</li> <li>• Adding a new sub-objective (5) that provides for higher-density urban built character within each of the Centres Zones and part of the Mixed Use Zone, in accordance with Policy 3 of the NPS-UD;</li> <li>• Minor amendment to the explanatory text below the policy to provide context for the new sub-objective (5).</li> </ul>
<p><u>DO-Ox4,</u> <u>DO-Ox5,</u> <u>DO-Ox6,</u> <u>DO-Ox7,</u> <u>DO-Ox8,</u> <u>DO-Ox9,</u> <u>DO-Ox10</u></p>	<p>New objectives associated with papakāinga. Refer to the proposed new Papakāinga chapter for further information.</p>

## Proposed amendments to the District Plan

*This section forms part of the IPI.*

### 1.1 Amend the chapter introduction as follows:

The following ~~eighteen~~ objectives in this Chapter set out the direction the Council intends to take in relation to Resource Management issues on the Kāpiti Coast.

### 1.2 Amend objective DO-O3 as follows:

DO-O3	Development Management
<p>To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, <del>which</del> <u>and to provide for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:</u></p> <ol style="list-style-type: none"> <li>1. urban areas which maximise the efficient end use of energy and integration with infrastructure;</li> <li>2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;</li> <li>3. <u>an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:</u> <ol style="list-style-type: none"> <li>a. <u>that are in or near a <i>Centre Zone</i> or other area with many employment opportunities; or</u></li> <li>b. <u>that are well serviced by existing or planned public transport; or</u></li> <li>c. <u>where there is high demand for housing or for business land relative to other areas within the urban environment;</u></li> </ol> </li> <li>4. <del>3-</del>resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;</li> <li>5. <del>4-</del>higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;</li> <li>6. <del>5-</del>management of development in areas of special character or amenity <del>so as to maintain, and where practicable, enhance in a manner that has regard to</del> those special values;</li> <li>7. <del>6-</del>sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;</li> </ol>	

- ~~8. 7—an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District; and~~
- ~~9. 8—management of the location and effects of potentially incompatible land uses including any interface between such uses; and~~
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

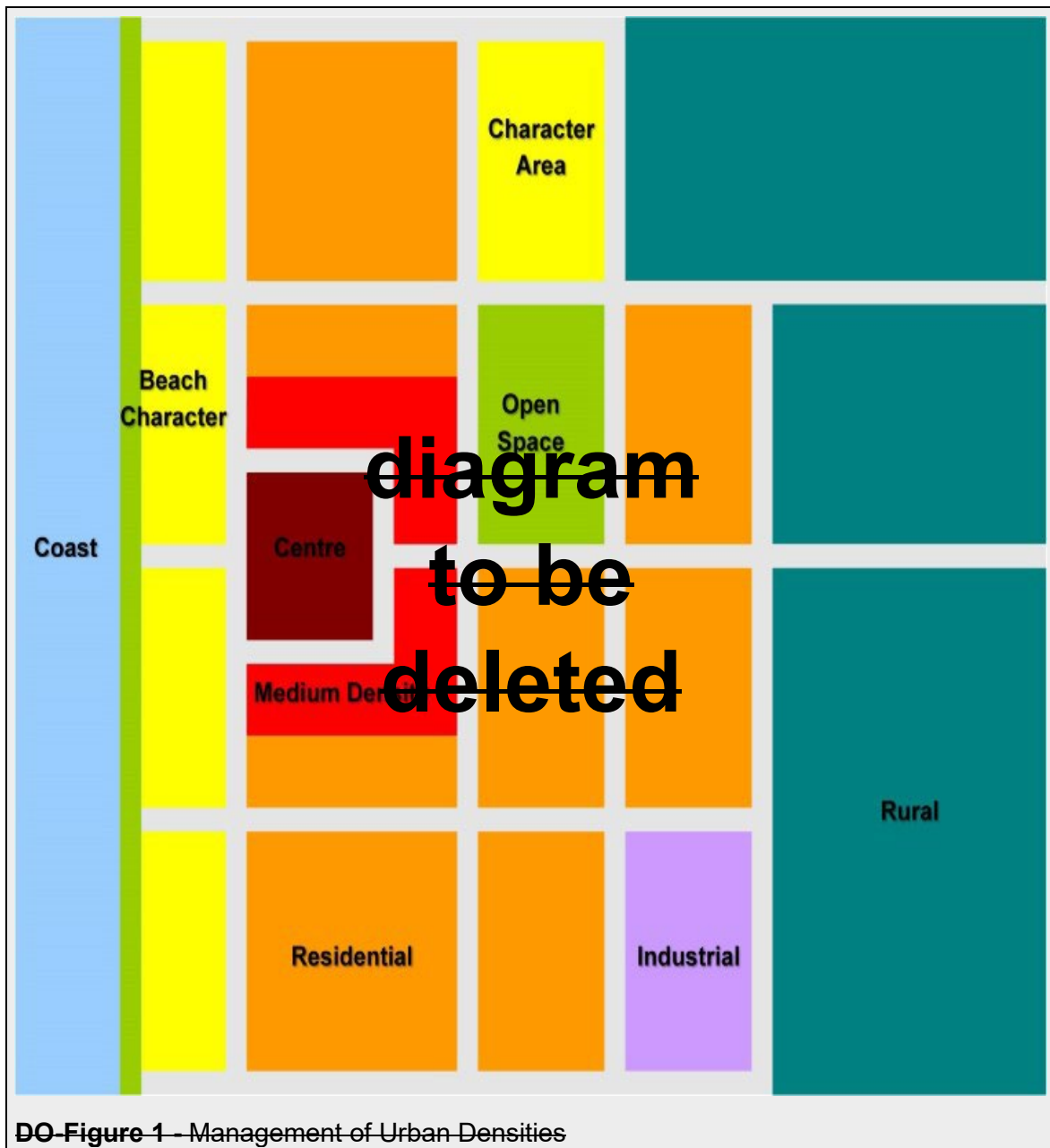
**1.3 Amend the “Local Issues” section of the explanatory text to objective DO-O3 as follows:**

**Local Issues**

In addition to these global and regional issues, Kāpiti faces local resource management challenges with respect to managing and accommodating growth and development. This begins with a need to recognise the significant resources that have been invested into existing settlements and the *infrastructure* supporting those settlements. New growth and *development* must make efficient use of this significant investment, rather than undermining it. This includes the potential undermining of the social capital that has been invested in existing Kāpiti communities, along with the physical and economic investment.

Achieving an urban form that balances the need to meet the many housing needs of the District's residents with the ~~preservation~~ recognition of valued character and the achievement of *infrastructure* integration efficiencies is an additional, complex challenge. For example, providing for smaller *allotment* sizes and more dense living environments can affect an area's underlying character; however, when these more intense *environments* are appropriately located within the wider urban context, they can increase efficiency outcomes of public and private investment in public *transport networks*, commercial areas, *open spaces* and other community facilities. The approach to managing these challenges is to:

- ~~maintain the predominant low density character that defines the District's many communities, while targeting specific areas for either increased character protection, and (conversely) increased residential intensity (indicatively represented in DO Figure 1);~~
- enable more people to live within Kāpiti's existing urban environments, particularly where these are well connected to transport, infrastructure, commercial activities and community services;
- recognise that some parts of the urban environment contain aspects of valued character that may be sensitive to change, and where appropriate include provisions that seek to help manage this change; and
- provide for selected greenfields development areas in a way that also reinforces overall compact urban form.



**1.4 Amend objective DO-O3 where it appears in the following District Plan chapters:**

- ENGY – Energy
- INF – Infrastructure
- TR – Transport
- CL – Contaminated Land
- NH – Natural Hazards
- HH – Historic Heritage
- TREE – Notable Trees
- SASM – Sites and Areas of Significance to Māori
- ECO – Ecosystems and Indigenous Biodiversity
- NFL – Natural Features and Landscapes
- SUB-DW – District Wide Subdivision Matters
- SUB-RES – Subdivision in Residential Zones

- SUB-WORK – Subdivision in Working Zones
- SUB-RUR – Subdivision in Rural Zones
- SUB-OS – Subdivision in Open Space Zones
- SUB-DEV1 – Subdivision in the Ngārara Development Area
- SUB-DEV2 – Subdivision in the Waikanae North Development Area
- CE – Coastal Environment
- CF – Community Facilities
- AR – Domestic Satellite Dishes and Amateur Radio Configurations
- EW – Earthworks
- FC – Financial Contributions
- NOISE – Noise
- SIGN – Signs
- TEMP – Temporary Events
- GRZ – General Residential Zone
- GRUZ – General Rural Zone
- RPROZ – Rural Production Zone
- RLZ – Rural Lifestyle Zone
- LCZ – Local Centre Zone
- MUZ – Mixed Use Zone
- TCZ – Town Centre Zone
- MCZ – Metropolitan Centre Zone
- GIZ – General Industrial Zone
- NOSZ – Natural Open Space Zone
- OSZ – Open Space Zone
- AIRPZ – Airport
- FUZ – Future Urban Zone
- HOSZ – Hospital
- PREC16 – Ōtaki South Precinct
- DEV1 – Ngārara Development Area
- DEV2 – Waikanae North Development Area

**1.5 Add a new objective DO-Ox1 as follows:**

<b>DO-Ox1</b>	<b>Well-functioning Urban Environments</b>
<p><u>A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u></p> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the objectives in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	
<b><u>Explanation</u></b>	
<p><u>This is a mandatory objective required by Schedule 3A of the RMA.</u></p>	

**1.6 Add new objective DO-Ox1 (excluding the explanatory text) to the following District Plan chapters:**

- SUB-DW – District Wide Subdivision Matters
- SUB-RES – Subdivision in Residential Zones
- SUB-WORK – Subdivision in Working Zones

- GRZ – General Residential Zone
- LCZ – Local Centre Zone
- MUZ – Mixed Use Zone
- TCZ – Town Centre Zone
- MCZ – Metropolitan Centre Zone
- GIZ – General Industrial Zone
- AIRPZ – Airport
- HOSZ – Hospital

**1.7 Add a new objective DO-Ox2 as follows:**

<b>DO-Ox2</b>	<u>Housing Variety and Choice</u>
<p><u>Relevant residential zones provide for a variety of housing types and sizes that respond to:</u></p> <ol style="list-style-type: none"> <li>1. <u>Housing needs and demand; and</u></li> <li>2. <u>The neighbourhood’s planned urban built character, including 3-storey buildings.</u></li> </ol> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the objectives in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	
<p><b><u>Explanation</u></b></p> <p><u>This is a mandatory objective required by Schedule 3A of the RMA.</u></p>	

**1.8 Add new objective DO-Ox2 (excluding the explanatory text) to the following District Plan chapters:**

- SUB-RES – Subdivision in Residential Zones
- GRZ – General Residential Zone

**1.9 Add a new objective DO-Ox3 as follows:**

<b>DO-Ox3</b>	<u>Residential Intensification Precincts</u>
<p><u>Residential Intensification Precincts provide for higher density housing types and sizes that respond to:</u></p> <ol style="list-style-type: none"> <li>1. <u>Housing needs and demand;</u></li> <li>2. <u>The proximity of the area to the Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone;</u></li> <li>3. <u>Accessibility to and from the area by active or public transport; and</u></li> <li>4. <u>The neighbourhood’s planned urban built character, including:</u> <ol style="list-style-type: none"> <li>a. <u>6-storey buildings within Residential Intensification Precinct A; and</u></li> <li>b. <u>4-storey buildings within Residential Intensification Precinct B.</u></li> </ol> </li> </ol>	
<p><b><u>Explanation</u></b></p> <p><u>This objective gives effect to policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD). Policy 3 of the NPS-UD requires that district plans enable increased building heights and density of urban form within:</u></p> <ul style="list-style-type: none"> <li>• <u>The Metropolitan Centre Zone;</u></li> <li>• <u>Within a walkable catchment of the Metropolitan Centre Zone;</u></li> <li>• <u>Within a walkable catchment of rapid transit stops (which in the Kāpiti context means the train stations as Paekākāriki, Paraparaumu and Waikanae); and</u></li> </ul>	

- Within and adjacent to the *Town Centre Zone* and *Local Centre Zone*.

Residential Intensification Precincts provide for increased *building height* and density within the parts of the General Residential Zone that are located within the areas to which policy 3 of the NPS-UD applies.

**1.10 Add new objective DO-Ox3 (excluding the explanatory text) to the following District Plan chapters:**

- SUB-RES – Subdivision in Residential Zones
- GRZ – General Residential Zone

**1.11 Amend objective DO-O11 as follows:**

DO-O11	Character and Amenity Values
<p>To <del>maintain and enhance</del> <u>recognise</u> the unique character and <i>amenity values</i> of the District's distinct communities, <u>while providing for character and <i>amenity values</i> to develop and change over time in response to the diverse and changing needs of people, communities and future generations,</u> so that residents and visitors enjoy:</p> <ol style="list-style-type: none"> <li>1. <del>relaxed, unique and distinct village identities and predominantly low density residential areas characterised by the presence of mature vegetation, a variety of built forms and <i>building densities</i>, the retention of landforms, and the recognition of unique community identities;</del></li> <li>2. vibrant, lively <u><i>metropolitan and town centres</i></u> supported by higher density residential and mixed use areas;</li> <li>3. <del>neighbourhood</del> <u><i>local centres</i></u>, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;</li> <li>4. productive rural areas, characterised by openness, natural landforms, areas and corridors of <i>indigenous vegetation</i>, and <i>primary production activities</i>; and</li> <li>5. well managed interfaces between different types of land use areas (e.g. between living, working and rural areas and between potentially conflicting land uses), so as to minimise adverse <i>effects</i>.</li> </ol>	

**1.12 Amend the explanatory text to objective DO-O11 as follows:**

Explanation
<p>The Kāpiti Coast consists of a series of unique settlements along the coast, each with their own character but linked by a common lifestyle focused on the <i>beaches</i>, <u>and natural areas and enjoyment of low key living.</u> <u>The enjoyment of living in these areas for current and future generations will be supported by an increase in housing variety and choice, alongside improved access to public and active modes of transport and commercial activities and community services within the District's centres.</u> The character of <i>development</i> is typified by the distinct villages and townships located on the coastal plain between the <i>beach</i> and the Tararua Ranges. Added to this, the Kāpiti Coast has a wealth of heritage places, including places with natural, built, cultural, archaeological, geological, and heritage values.</p> <p>Character is the distinct, recognisable and consistent pattern of natural or human elements which create a distinctive collective identity or sense of place. The <i>RMA</i> defines '<i>amenity values</i>' as 'those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes'. In general, the combined <i>amenity values</i> of an area go towards defining the character of that area. <u>At the same time, Objective 4 of the National Policy Statement on Urban Development 2020</u></p>

provides that the District's urban environments, including their *amenity values*, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

Many factors contribute to the perception of an area's *amenity values*. These values derive from a range of environmental characteristics, including the built form, such as scale, density, appearance, and age of *buildings*, as well as from the absence of *buildings* and the naturalness of an area. Other important contributors to *amenity values* include *noise*, privacy, access to *sunlight* and odour. *Amenity values* in the District vary from location to location, and largely depend upon the perceived character of each area. These differences are important factors in determining which environmental characteristics may be acceptable in one area while not in another.

Character and *amenity values* are significantly influenced by built form and *development*. The character and *amenity values* of the District are ~~coming under threat from~~ likely to be affected by *development* that is not sensitive to ~~the existing values~~ character and *amenity values* that are particularly notable, particularly in new urban expansion areas, ~~infill residential areas~~ areas of residential intensification and rural lifestyle areas.

The following provides a summary of the existing characteristics of the District.

Ōtaki has the role of a rural service town and is unique for its *tāngata whenua* presence and for its post-European history, including Chinese settlers. Ōtaki has a number of distinct areas, consisting of Ōtaki Beach, the main town centre, the Railway area, the Waitohu Plateau and the industrial lands. The shape and form of Ōtaki has been influenced by the Ōtaki River and the various streams flowing through the town. The overlying residential character is low density with wide streets. The challenge for Ōtaki is ~~maintaining~~ acknowledging the overall character of the town and its local areas, ~~in particular the low key feel of the Ōtaki Beach Area~~ while providing for increased housing variety and choice alongside increased access to public transport, commercial activities and community services.

Paekākāriki has a low density, settlement or village character with a unique rail settlement history. The coastal escarpment, the Tararua Ranges and the *beach* edge shape the village with Queen Elizabeth Park to the north. ~~Paekākāriki is vulnerable to a change in character~~ It is likely that the character of Paekākāriki would change, should redevelopment of residential sites occur. The challenge for Paekākāriki will be ~~maintaining the scale and~~ acknowledging the character of the village while providing for increased housing variety and choice, and encouraging a more viable and stable commercial area.

The settlement of Raumati is where the old dune landforms have largely been retained. The settlement has a low density village feel and has strong connections with the *beach* and Queen Elizabeth Park. The major issues for Raumati are ~~maintaining the scale and style of domestic buildings~~ providing for increased housing variety and choice, while acknowledging existing landforms and supporting the distinctive local *centres*.

Paraparaumu comprises a large area of relatively low density housing tied together by Paraparaumu Beach and *Paraparaumu Sub-Regional Centre*. The Waikanae Estuary is an important natural feature to the north and the coastal hills and escarpment have a strong influence on the communities to the east of the railway line. The area is bisected by *State Highway 1* with Kāpiti Road as a major east/west route. There are significant retirement villages in Paraparaumu and the Kāpiti Coast Airport forms a significant feature of the town. The major challenge for Paraparaumu Beach is to improve the vibrancy and viability of the centre and provide for increased housing variety and choice while avoiding a change in scale managing the change in scale of development along the coastal edge. For other areas there is a need to restore and protect the estuary and *river*. The major challenge for the *development of Paraparaumu Sub-Regional Centre* will be achieving a District where the scale and form of *development* ~~is sympathetic to~~ acknowledges the character of the District and local natural landform and which results in a lively and vibrant place.

Otaihanga is characterised by a quiet low density area which is set apart from the main urban area. It is strongly linked to the river. The major issue for Otaihanga is to provide for increased housing variety and choice, while managing the change in existing character that may result from development ~~maintaining this character~~ while providing for improved cross river access.

Waikanae has a number of distinctive low density areas. Waikanae Beach has a 'bach' character in some areas with a large lagoon, the estuary mouth for the river and Waimanu Stream. Waikanae Garden Precinct has large *allotments* and distinctive extensive gardens and Waikanae East has the remnants of the old commercial centre. Waikanae North retains many of the dune and bush features which have been lost from other parts of the District. A key issue for Waikanae is to provide for increased housing variety and choice, while managing the change in existing character that may result from development.

The coastal villages of Te Horo and Peka Peka are low density, low scale settlements which have grown out of weekend bach use. The challenge for Te Horo and Peka Peka is ~~to maintain their character as they come under increasing pressure to expand or intensify~~ is to provide for increased housing variety and choice, while managing the change in existing character that may result from development.

The coastal community of Te Horo Beach is a quiet, relatively remote, low-density area with one narrow *road* accessing the village, many streets with no kerbs or footpaths, and potential adverse *effects* from septic tanks on drinking water supplied by bores. ~~The activities and development that would be appropriate in this area are therefore different from other areas with better services and infrastructure~~ While a lack of reticulated infrastructure may constrain levels of development in the short-term, access to reticulated infrastructure to support existing and new development in the area may need to be considered over the long-term.

A significant area of the District is productive and attractive rural areas, with a backdrop of the Tararua Ranges. The rural areas are characterised by openness, natural landforms, areas and corridors of *indigenous vegetation* (some of which may have been planted), and *primary production* activities. The major challenges for the District is protecting this rural character from pressures for urban expansion and rural lifestyle living.

### 1.13 Amend objective DO-O11 where it appears in the following District Plan chapters:

- INF – Infrastructure
- ECO – Ecosystems and Indigenous Biodiversity
- NFL – Natural Features and Landscapes
- SUB-DW – District Wide Subdivision Matters
- SUB-RES – Subdivision in Residential Zones
- SUB-WORK – Subdivision in Working Zones
- SUB-RUR – Subdivision in Rural Zones
- SUB-OS – Subdivision in Open Space Zones
- SUB-DEV1 – Subdivision in the Ngārara Development Area
- SUB-DEV2 – Subdivision in the Waikanae North Development Area
- CE – Coastal Environment
- CF – Community Facilities
- AR – Domestic Satellite Dishes and Amateur Radio Configurations
- EW – Earthworks
- NOISE – Noise
- SIGN – Signs
- TEMP – Temporary Events
- GRZ – General Residential Zone
- GRUZ – General Rural Zone
- RPROZ – Rural Production Zone



- RLZ – Rural Lifestyle Zone
- LCZ – Local Centre Zone
- MUZ – Mixed Use Zone
- TCZ – Town Centre Zone
- MCZ – Metropolitan Centre Zone
- GIZ – General Industrial Zone
- AIRPZ – Airport
- FUZ – Future Urban Zone
- HOSZ – Hospital
- PREC16 – Ōtaki South Precinct
- DEV1 – Ngārara Development Area
- DEV2 – Waikanae North Development Area

**1.14 Amend objective DO-O16 as follows:**

DO-O16	Centres
<p>To have vibrant, safe and economically sustainable <i>centres</i> that function as key employment and economic nodes and as a focus for social and community life, as public transport and local service hubs, and as places for living, entertainment and recreation that:</p> <ol style="list-style-type: none"> <li>1. provide the primary focus for <i>commercial</i> (excluding <i>industrial</i>), <i>retail</i> and community activities within the District;</li> <li>2. support community cohesion and a sense of place;</li> <li>3. reinforce a compact, well designed and sustainable District and regional form, through promoting and reinforcing a close proximity and good accessibility between living, business and employment areas;</li> <li>4. encourage economic opportunities and <i>business activities</i> in a manner which promotes:               <ol style="list-style-type: none"> <li>a. the <i>Paraparaumu Sub-Regional Centre</i> as the principal commercial, retail, cultural, civic and tourist centre for the District, to be developed in a manner that:                   <ol style="list-style-type: none"> <li>i. achieves an integrated and compact <i>Metropolitan Centre Zone</i>, linking all Precincts through a well-connected pedestrian and <i>transport networks</i> offering a choice of efficient routes and a quality built environment;</li> <li>ii. provides for a broad range of mutually compatible activities that are integrated with pedestrian and public transport;</li> <li>iii. is supported by opportunities for <del>medium</del> <u>higher</u> density residential living;</li> <li>iv. consolidates community activities within Precinct B; and</li> <li>v. provides for <i>commercial</i> (excluding <i>industrial</i>) and <i>retail activities</i> in Precincts A1, A2 and C, with some restrictions on the scale and nature of <i>retail activities</i> in Precinct C</li> </ol> </li> <li>b. the District's <i>town centres</i> at a scale and form that provides the urban focus for the commercial (excluding <i>industrial</i>), tourism, education, entertainment, community and civic activities as well as opportunities for <del>medium</del> <u>higher</u> density residential living, where these meet the needs of the surrounding township community; and</li> <li>c. District's <i>local centres</i> to provide for <i>commercial activities</i> (excluding <i>industrial activities</i>), within a residential context, to primarily serve the local convenience, community and commercial needs of the surrounding residential community.</li> </ol> </li> <li>5. <u>provide for higher density urban built character and high-quality <i>development</i>, including:</u> <ol style="list-style-type: none"> <li>a. <u>12-storey buildings within the <i>Metropolitan Centre Zone</i>;</u></li> <li>b. <u>6-storey buildings within:</u> <ol style="list-style-type: none"> <li>i. <u>the <i>Town Centre Zone</i>;</u></li> </ol> </li> </ol> </li> </ol>	

- ii. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone;
- iii. the Local Centre Zone at Paekākāriki; and
- c. 4-storey buildings within the Local Centre Zone

**1.15 Amend the explanatory text to Objective DO-016 as follows:**

**Explanation**

...

The role of each of the *centres* within the District is set out in the *centres* hierarchy. Development that is inconsistent with the role of a *centre* could weaken the role and viability of other *centres* in the hierarchy and may have a range of adverse *effects* including cumulative *effects*, on both the *centre* and other *centres* within the District. Specific consideration needs to be given to the *effect* of development pressures, such as those created around the Expressway interchanges, which may affect the viability and vitality of the District's *centres*. To support the role of each centre, the scale and urban built form of development provided for within each of the centres is related to the centre's position within the hierarchy.

...

**1.16 Amend objective DO-O16 where it appears in the following District Plan chapters:**

- SUB-DW – District Wide Subdivision Matters
- SUB-WORK – Subdivision in Working Zones
- CF – Community Facilities
- LCZ – Local Centre Zone
- MUZ – Mixed Use Zone
- TCZ – Town Centre Zone
- MCZ – Metropolitan Centre Zone
- PREC16 – Ōtaki South Precinct

**1.17 Add 7 new objectives as follows:**

**DO-Ox4** Papakāinga – Papakāinga are a Taonga

To provide for traditional papakāinga, which are a taonga that:

1. empower and enable tangata whenua to live on their ancestral land;
2. provide for tangata whenua to maintain and enhance their traditional and cultural relationship with their ancestral land; and
3. are developed and used in accordance with tikanga Māori, while recognising that papakāinga may develop their own tikanga.

**DO-Ox5** Papakāinga – Kia ora te mauri o te Whānau (Māori living as Māori)

Oranga is central to a thriving whānau/hapū/iwi. Tangata whenua are supported to ensure they can thrive as a Māori community living on and around their papakāinga.

To provide for papakāinga development that achieves:

1. a place where Kaupapa and Tikanga Māori are in the ascendant;
2. affordable, warm, dry and safe housing for tangata whenua;

<p>3. <u>security of tenure, connection and participation for <i>tangata whenua</i> in their community; and</u>          4. <u>access to the services needed by <i>tangata whenua</i> to sustain their housing.</u></p>
<p><b>DO-Ox6</b>      <i>Papakāinga – Provide for the sustained occupation of Ancestral Land</i></p>
<p><u>To provide for the sustained occupation of <i>ancestral land</i> by <i>tangata whenua</i>, through <i>papakāinga development</i> that provides for the <i>land</i> to be held and managed for the benefit of current and future generations.</u></p>
<p><b>DO-Ox7</b>      <i>Papakāinga – Provide for the development of land owned by Tangata Whenua</i></p>
<p><u>To provide for the connection between <i>tangata whenua</i> and their <i>ancestral land</i> through providing for the <i>development</i> of <i>papakāinga</i> on <i>land</i> owned by <i>tangata whenua</i>.</u></p>
<p><b>DO-Ox8</b>      <i>Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga</i></p>
<p><u>To work in partnership with <i>tangata whenua</i> to exercise their <i>rangatiratanga</i> through the <i>development</i> of <i>papakāinga</i>, by providing maximum flexibility for <i>tangata whenua</i> to <i>develop</i> and live on their <i>ancestral land</i>, within the limitations of the <i>site</i>.</u></p>
<p><b>DO-Ox9</b>      <i>Papakāinga – Increasing the visibility of Tangata Whenua through the design of papakāinga</i></p>
<p><u>To increase the visibility of <i>tangata whenua</i> through <i>papakāinga</i> design that is led by <i>tangata whenua</i> and guided by <i>tikanga Māori</i>.</u></p>
<p><b>DO-Ox10</b>      <i>Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development</i></p>
<p><u>To protect and enhance ecological, cultural and environmental and indigenous values through the design, <i>development</i> and use of <i>papakāinga</i>.</u></p>
<p><b><u>Explanation</u></b>   <u>Refer to chapter PK – <i>Papakāinga</i> for explanation of the issues associated with the development and use of <i>papakāinga</i>.</u></p>

## 2.0 Proposed amendments to the Urban Form and Development Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the District Objectives Chapter are proposed to achieve the following purposes:

1. To incorporate the MDRS (including by providing for the mandatory MDRS objectives);
2. To give effect to Policy 3 of the NPS-UD (including by providing for related Objectives and Policies of the NPS-UD); and
3. To amend the Policies as part of enabling papakāinga in the District.

The following is a summary of proposed amendments to the Chapter to achieve these purposes:

Provision reference	Summary of amendments
UFD-Px	A new policy to explain how the MDRS and Policy 3 of the NPS-UD have been incorporated into the district plan.
UFD-P1	Amendments to the “Growth Management” Policy as part of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD, including: <ul style="list-style-type: none"> <li>• Amendments to sub-policy (3) so that it provides for the management of densities consistent with the MDRS and Policy 3 of the NPS-UD;</li> <li>• Amendments to sub-policy (4) so that it is not inconsistent with Objectives 3 and 4 of the NPS-UD;</li> <li>• Amendments to sub-policy (5) so that it provides for the integration of development infrastructure planning, consistent with Objective 6(a) of the NPS-UD.</li> </ul>
UFD-P2	Minor amendment to the “Housing Choice” policy to ensure that it is not inconsistent with Objective 4 of the NPS-UD.
UFD-P3	Amendment to the “Managing Intensification” policy to ensure that it is not inconsistent with Objectives 3 and 4 of the NPS-UD.
UFD-P4	Amendments to the “Residential Density” policy as part of incorporating the MDRS and giving effect to Policy 3 of the NPS-UD, including: <ul style="list-style-type: none"> <li>• Amendment to sub-policy (1) to clarify that mixed use development is not intended in the General Residential Zone;</li> <li>• Amendments to sub-policy (2) to provide for higher density development within areas subject to Policies 3(c) and 3(d) of the NPS-UD;</li> <li>• Amendment to sub-policy (3) to remove reference to the Focussed Infill precinct, and provide for a variety of densities across the General Residential Zone, consistent with the MDRS;</li> <li>• Deleting sub-policies (5) to (7), as these are inconsistent with the MDRS and Objectives 3 and 4 of the NPS-UD;</li> <li>• Amendment to sub-policy (8) to provide that residential densities will be integrated with infrastructure planning, consistent with Objective 6(a) of the NPS-UD;</li> </ul>

	<ul style="list-style-type: none"> <li>Deleting the explanatory text below the policy, as this is no longer relevant in the context of the amendments to the policy.</li> </ul>
UFD-P5	The existing “Papakāinga” Policy is deleted. This is replaced by a set of district-wide policies for papakāinga development, contained within the proposed PK – Papakāinga chapter.
UFD-P11	Sub-policy (2) is amended so that it is not inconsistent with Objective 4 of the NPS-UD.
UDF-P13	Consequential amendments to the “Zoning Framework” Policy to reflect changes to the precincts within the General Residential Zone.

## Proposed amendments to the District Plan

This section forms part of the IPI.

### 2.1 Add a new policy as follows:

UFD-Px	Urban Built Form
<p>Provide for heights and densities of urban built form that enable more people to live in, and more businesses and community services to be located in, the District’s urban environments, by:</p> <ol style="list-style-type: none"> <li>enabling the greatest building heights and densities, including 12-storey buildings, to occur within the <i>Metropolitan Centre Zone</i>;</li> <li>enabling greater building heights and densities, including 6-storey buildings, to occur within a walkable catchment of the <i>Metropolitan Centre Zone</i> and the train stations at Paekākāriki, Paraparaumu and Waikanae;</li> <li>enabling greater building heights and densities, including 6-storey buildings, to occur in the <i>Town Centre Zone</i>;</li> <li>enabling increased building heights and densities, including 4-storey buildings, to occur in the <i>Local Centre Zone</i>;</li> <li>enabling increased building heights and densities, including 4-storey buildings, to occur adjacent to the <i>Town Centre Zone</i> and <i>Local Centre Zone</i>; and</li> <li>enabling a variety of building heights and densities, including 3-storey buildings, to occur within the <i>General Residential Zone</i>;</li> </ol> <p>while avoiding inappropriate heights and densities within <i>qualifying matter areas</i>.</p>	

### 2.2 Amend policy UFD-P1 as follows:

UFD-P1	Growth Management
<p>New urban <i>development</i> for <i>residential activities</i> will only be located within <i>existing urban areas</i> and <i>identified growth areas</i>, and will be undertaken in a manner which:</p> <ol style="list-style-type: none"> <li>supports the District’s consolidated urban form;</li> <li>maintains the integrity of the urban edge north of Waikanae and Ōtaki;</li> <li>manages residential densities by: <ol style="list-style-type: none"> <li><del>enabling medium density housing and focused infill housing in identified precinct areas that are close to centres, public open spaces, and public transport nodes;</del></li> <li><del>retaining a predominantly low residential density in the Residential Zones;</del></li> </ol> </li> </ol>	

<p><del>c. avoiding any significant adverse effects of subdivision and development in special character areas identified in GRZ-P3;</del></p> <p>a. <u>providing for a variety of housing types and densities in the General Residential Zone;</u></p> <p>b. <u>enabling increased housing densities:</u></p> <ol style="list-style-type: none"> <li>i. <u>in, and within a walkable catchment of the Metropolitan Centre Zone;</u></li> <li>ii. <u>within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and</u></li> <li>iii. <u>in and adjacent to the Town Centre Zone and Local Centre Zone;</u></li> </ol> <p>4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural <i>environment</i> between and around settlements;</p> <p>5. can be sustained within and makes efficient use of existing capacity of public services and <u>strategic infrastructure, or is integrated with the planned capacity of public services and infrastructure;</u> and</p> <p>6. promotes the efficient use of energy and water.</p>
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### 2.3 Amend policy UFD-P2 as follows:

<b>UFD-P2</b>	Housing Choice
<p>An increased mix of housing forms and types will be encouraged within parts of the District where increased variety and densities of housing are able to cater for changing demographics, while <del>maintaining</del> <u>encouraging high amenity values</u>. This will include provision for:</p> <ol style="list-style-type: none"> <li>1. smaller <i>household</i> sizes, including 1 and 2 bedroom <i>residential units</i>;</li> <li>2. housing for older persons;</li> <li>3. <i>supported living accommodation</i>;</li> <li>4. <i>papakāinga</i>;</li> <li>5. <i>shared and group accommodation</i>;</li> <li>6. <i>minor residential units</i>; and</li> <li>7. a range of <i>allotment</i> sizes and land tenure arrangements to facilitate these typologies.</li> </ol>	

### 2.4 Amend policy UFD-P3 as follows:

<b>UFD-P3</b>	Managing Intensification
<p><del>Residential intensification will be managed to ensure that adverse effects on local amenity and character are avoided, remedied or mitigated, including through achievement of the following principles:</del></p> <ol style="list-style-type: none"> <li>1. <del>development will complement the existing environment in terms of retaining landforms, yard setbacks and relationship to the street and open spaces; and</del></li> <li>2. <del>building bulk and scale will be managed.</del></li> </ol> <p><u>Residential intensification will give consideration to the effects of subdivision and development on character and amenity values, where these are provided for in the District Plan.</u></p>	

### 2.5 Amend policy UFD-P4 as follows:

<b>UFD-P4</b>	Residential Density
<p>The density of <i>subdivision</i> and <i>development</i> will be managed through an area-specific approach to achieve an appropriate range of housing types across the District, as set out below:</p> <ol style="list-style-type: none"> <li>1. the highest densities, including apartments as part of mixed use developments, will be located within <del>and in immediate proximity to centres;</del></li> </ol>	

<ol style="list-style-type: none"> <li>2. <del>medium density housing will be limited to specific precinct areas within walking distance of centres higher density development, including multi-storey apartments, will be provided for within a walkable catchment of the Metropolitan Centre Zone, train stations at Paekākāriki, Paraparaumu and Waikanae, and adjacent to the Town Centre Zone and Local Centre Zone;</del></li> <li>3. <del>focused infill will be encouraged in specific areas where there is good access to shops and services a variety of densities will be provided for in the General Residential Zone;</del></li> <li>4. <del>within the Neighbourhood Development Areas identified in the Ngārara Development Area Structure Plan in Appendix 7, the provision of affordable housing will be encouraged at appropriate locations with good access to shops and services; and</del></li> <li>5. <del>traditional low density residential subdivision will be allowed within the general residential area;</del></li> <li>6. <del>overall existing low densities will be maintained in special character areas identified in GRZ-P3;</del></li> <li>7. <del>especially low densities will be applied in Low Density Housing Precinct areas (identified on the District Plan Maps) as transitions between rural and urban environments); and</del></li> <li>5. <del>8. in areas where infrastructure constraints exist (such as water, wastewater or roading), densities will reflect those constraints residential densities will be integrated with existing or planned infrastructure capacity.</del></li> </ol> <p><b>Note:</b> Low density areas include: Ōtaki and Paraparaumu Low Density Precincts, Pokawy Precinct, Ferndale Area Precinct, Panorama Drive Precinct, Manu Grove Low Density Housing Precinct, and Peka Peka North Rural Lifestyle Precinct. The Waikanae Garden Precinct is also characterised by a slightly lower density than the <i>general residential area</i>. In many cases, the low density nature of the above areas is not only a product of their transitional nature between urban and rural areas, but also due to the high <i>natural character</i> or ecological values of the areas, or physical constraints that otherwise preclude higher densities being able to be sustained there.</p> <p>Paekākāriki and Te Horo are examples where the amount of <i>development</i> that can be sustained there is limited due to existing constraints on necessary <i>infrastructure</i>. In these areas, development intensity which exceeds these constraints will be avoided.</p>
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## 2.6 Delete policy UFD-P5 as follows:

UFD-P5	Papakāinga
<p><del>Development of papakainga on Māori land (as defined by the Te Ture Whenua Māori Act 1993) will be provided for where it is of a scale, extent and intensity that is determined by the physical characteristics of the subject site, surrounding environment and tikanga Māori. Development will be undertaken in accordance with the following principles:</del></p> <ol style="list-style-type: none"> <li>1. <del>an appropriate level of residential privacy and amenity for each unit within the papakainga and adjoining properties will be provided for, including via:               <ol style="list-style-type: none"> <li>a. <del>sufficient service areas, access and car parking;</del></li> <li>b. <del>shared open space and private outdoor living spaces of a useable size and shape; and</del></li> <li>c. <del>screening where appropriate;</del></li> </ol> </del></li> <li>2. <del>the character, amenity, ecological function and productive capabilities of the surrounding environment will be maintained by:               <ol style="list-style-type: none"> <li>a. <del>not restricting primary production activities on the balance of the subject site or on surrounding sites, where located in a Rural Zone;</del></li> <li>b. <del>providing for the long term protection of the natural environment; and</del></li> <li>c. <del>having a scale and appearance which positively relates to the surrounding residential character where located in a Residential Zone;</del></li> </ol> </del></li> </ol>	

~~3. servicing methods will be suitable for individual *subject site* conditions, and where possible, use communal *infrastructure*.~~

## 2.7 Amend policy UFD-P11 as follows:

UFD-P11	Amenity Values
<p>1. New <i>subdivision</i>, land use and <i>development</i> within reserves and areas of significant scenic, ecological, cultural, scientific and national importance will provide for the <i>amenity values</i> of these areas, including (but not limited to) values associated with:</p> <ol style="list-style-type: none"> <li>a. a sense of openness and visual relief from more intensive urban areas;</li> <li>b. <i>indigenous vegetation</i> (excluding planted vegetation);</li> <li>c. significant landforms; and</li> <li>d. <i>natural character</i>.</li> </ol> <p>2. New <i>subdivision</i>, use and <i>development</i> of land outside of the areas identified in (1.) above will be undertaken in a manner that <del>does not compromise</del> <u>considers effects on the <i>amenity values</i> of those areas while recognising that the District's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.</u></p>	

## 2.8 Amend policy UFD-P13 as follows:

UFD-P13	Zoning Framework
<p><i>Subdivision</i>, use and <i>development</i> in the <i>Residential Zones</i> will be managed through the following zoning framework:</p> <ol style="list-style-type: none"> <li>1. General Residential Zone, including the following precincts: <ol style="list-style-type: none"> <li>a. <del>Medium Density Housing (also located within various <i>Centres Zones</i>)</del> <u>Residential Intensification</u>;</li> <li>b. <del>Focused Infill Coastal Qualifying Matter</del>;</li> <li>c. Waikanae Garden;</li> <li>d. <del>Low Density (at Ōtaki, County Road Ōtaki, Paraparaumu and Manu Grove Low Density Housing) County Road Ōtaki</del>;</li> <li>e. <del>Pekawu</del>;</li> <li>f. <del>Ferndale Area</del>;</li> <li>g. <del>Panorama Drive</del>;</li> <li>h. <del>Waikanae Golf</del>;</li> <li>i. <del>The Drive Extension</del>;</li> <li>e. j. <del>Beach Residential</del>;</li> </ol> </li> <li>2. Ngārara Development Area; and</li> <li>3. Waikanae North Development Area.</li> </ol>	



## 3.0 Proposed new Papakāinga Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

A new chapter is proposed to enable papakāinga within the District. The purpose of this chapter is to outline the objectives and policies for the development and use of papakāinga throughout the District. The chapter will be located in the “Part 2: District Wide Matters – General District-wide Matters” section of the District Plan.

Papakāinga are defined as “housing and ancillary activities, including social, cultural, educational, recreational and commercial activities, for tangata whenua on their ancestral land”. This means that the papakāinga provisions are for the use and benefit of iwi and hapū that hold mana whenua over the land in the District.

This chapter outlines the objectives and policies that will apply to the development and use of papakāinga throughout the district. The chapter does not include any rules, as these are located within the relevant Zone chapters. This chapter includes an advice note referring District Plan users to the relevant Zone chapters. Where papakāinga rules are located within a Zone chapter, advice notes are included to direct District Plan users back to this chapter for the objectives and policies associated with papakāinga.

This chapter includes the following:

Provision reference	Summary
Chapter introduction	An explanation of the purpose of the chapter, and its relationship with other Zone chapters.
<u>DO-Ox4</u> , <u>DO-Ox5</u> , <u>DO-Ox6</u> , <u>DO-Ox7</u> , <u>DO-Ox8</u> , <u>DO-Ox9</u> , <u>DO-Ox10</u>	Seven new District Objectives that seek a range of outcomes sought in relation to the development of papakāinga.
<u>PK-Px1</u>	A new policy for the development of papakāinga on Māori owned land, including land held under Te Ture Whenua Māori Act 1993, and general title land.
<u>PK-Px2</u>	A new policy that recognises that papakāinga development will be led by tangata whenua.
<u>PK-Px3</u>	A new policy that recognises that the location, design and extent of papakāinga will be guided by kaupapa Māori in accordance with tikanga Māori.
<u>PK-Px4</u>	A new policy to recognise that the maximum scale of a papakāinga would be determined by its ability to be serviced, and its effects on the surrounding environment, while recognising that papakāinga may contain activities of a character, scale, intensity or range that are not provided for in the Zone.
<u>PK-Px5</u>	A new policy that provides for social, cultural, educational, recreation and commercial activities as a part of a papakāinga.

PK-Px6	A new policy that identifies that Council will actively partner with tangata whenua to prepare design guides for papakāinga, and encourage development consistent with these guidelines.
Advice notes	<p>Advice notes are included that:</p> <ul style="list-style-type: none"> <li>• specify that Council will seek and rely on advice from iwi authorities when considering resource consent applications under these objectives and policies;</li> <li>• identifies that subject to section 33 of the RMA, the Council is able to transfer its powers to a relevant iwi authority;</li> <li>• identifies that provisions in other chapters of the District Plan will be relevant to papakāinga.</li> </ul>

Refer to the proposed amendments to the following chapters for rules associated with papakāinga:

- The General Residential Zone;
- The General Rural Zone;
- The Rural Production Zone;
- The Rural Lifestyle Zone;
- The Future Urban Zone;
- The Town Centre Zone.

Refer also to the proposed amendments to the Definitions chapter for new and amended definitions relevant to papakāinga.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 3.1 Insert the following chapter into the “Part 2: District Wide Matters – General District Wide Matters” section of the District Plan:

## PK - Papakāinga

The purpose of the *Papakāinga* Chapter is to assist *tangata whenua* in the *development and use of papakāinga* on their *ancestral land*. *Ancestral land* is land that belonged to *tipuna/tupuna*. It was a base upon which the *hapū* was nurtured and was handed down in succession through generations by continuous occupation. This is known as *ahi kā* or *ahi kā roa*. In the context of the District Plan, *ancestral Māori land* includes *land* held under the **Te Ture Whenua Māori Act 1993**, *Māori customary land*, *Māori freehold land*, and *general title land* owned by Māori.

It is recognised that *tangata whenua* face barriers to developing and using their *land* in the way that fits into the principle of *Tino Rangatiranga*, and that this is different to *land* held in European title. The emergence of these barriers can be linked to the process of land alienation. This process occurred alongside the introduction by the Crown of a system of land tenure that individualised title to land in a manner that did not provide for the communal approach that underpinned Māori institutions, including Māori decision-making around the traditional use and development of land. Over time, this has contributed to the fragmentation and loss of land

owned by *tangata whenua*, and created barriers to the development of the land that does remain in the ownership of *tangata whenua*.

The status of *Māori land* held under **Te Ture Whenua Māori Act 1993** creates unique ownership issues, demonstrating the need for *Māori land* to be treated differently to *land* under European title. The costs associated with obtaining approval for *papakāinga development* from *Council* and other organisations are an issue for *tangata whenua*. The provisions in this Chapter seek to reduce the barriers that *tangata whenua* face in the *development* of *papakāinga* on their *ancestral land*.

*Papakāinga developments* are *developments* led by Māori landowners on their *ancestral land*. These *developments* reconnect Māori to their *land*. *Papakāinga development* provides a pathway to sustain the social, economic and cultural well-being of *tangata whenua*. *Papakāinga developments* include housing and associated activities such as social, cultural, educational, recreational and *commercial activities*.

This Chapter outlines the Objectives and Policies that provide for the *development* and use of *papakāinga* by *tangata whenua* on *land* where there is a *whakapapa* or ancestral connection. In addition to providing for *papakāinga* through these provisions, the *Council* is committed to working actively with *tangata whenua* on the *development* of *papakāinga* through the range of other strategies and plans that it prepares and implements (including the Long Term Plan and Infrastructure Strategy).

The Objectives and Policies contained within this Chapter apply to *papakāinga* throughout the *District*. The rules that provide for *papakāinga* are located within the relevant Zone Chapters. The Zones where *papakāinga* are provided for are:

- The General Residential Zone;
- The General Rural Zone;
- The Rural Production Zone;
- The Rural Lifestyle Zone;
- The Future Urban Zone; and
- The Town Centre Zone.

## Strategic Context

The Primary Objectives that this chapter implements are:

- DO-Ox4 – *Papakāinga* – *Papakāinga* are a *Taonga*;
- DO-Ox5 – *Papakāinga* – *Kia ora te mauri o te Whānau* (Māori living as Māori)
- DO-Ox6 – *Papakāinga* – Provide for the sustained occupation of *Ancestral Land*;
- DO-Ox7 – *Papakāinga* – Provide for the *development* of *land* owned by *Tangata Whenua*;
- DO-Ox8 – *Papakāinga* – Working in partnership with *Tangata Whenua* to exercise their *Tino Rangatiratanga*;
- DO-Ox9 – *Papakāinga* – Increasing the visibility of *Tangata Whenua* through the design of *papakāinga*;
- DO-Ox10 – *Papakāinga* – Implementing Te Ao Māori and demonstrating *Kaitiakitanga* in *papakāinga development*

**DO-Ox4**      *Papakāinga* – *Papakāinga* are a *Taonga*

To provide for traditional *papakāinga*, which are a *taonga* that:

1. empower and enable *tangata whenua* to live on their *ancestral land*;
2. provide for *tangata whenua* to maintain and enhance their traditional and cultural relationship with their *ancestral land*; and
3. are *developed* and used in accordance with *tikanga Māori*, while recognising that *papakāinga* may *develop* their own *tikanga*.

#### **DO-Ox5** *Papakāinga – Kia ora te mauri o te Whānau (Māori living as Māori)*

Oranga is central to a thriving whānau/hapū/iwi. *Tangata whenua* are supported to ensure they can thrive as a Māori community living on and around their *papakāinga*.

To provide for *papakāinga development* that achieves:

1. a place where Kaupapa and *Tikanga Māori* are in the ascendant;
2. affordable, warm, dry and safe housing for *tangata whenua*;
3. security of tenure, connection and participation for *tangata whenua* in their community; and
4. access to the services needed by *tangata whenua* to sustain their housing.

#### **DO-Ox6** *Papakāinga – Provide for the sustained occupation of Ancestral Land*

To provide for the sustained occupation of *ancestral land* by *tangata whenua*, through *papakāinga development* that provides for the *land* to be held and managed for the benefit of current and future generations.

#### **DO-Ox7** *Papakāinga – Provide for the development of land owned by Tangata Whenua*

To provide for the connection between *tangata whenua* and their *ancestral land* through providing for the *development* of *papakāinga* on *land* owned by *tangata whenua*.

#### **DO-Ox8** *Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga*

To work in partnership with *tangata whenua* to exercise their *rangatiratanga* through the *development* of *papakāinga*, by providing maximum flexibility for *tangata whenua* to *develop* and live on their *ancestral land*, within the limitations of the *site*.

#### **DO-Ox9** *Papakāinga – Increasing the visibility of Tangata Whenua through the design of papakāinga*

To increase the visibility of *tangata whenua* through *papakāinga* design that is led by *tangata whenua* and guided by *tikanga Māori*.

#### **DO-Ox10** *Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development*

To protect and enhance ecological, cultural and environmental and indigenous values through the design, *development* and use of *papakāinga*.

## **Policies**

#### **PK-Px1** Providing for *papakāinga* on Māori owned *land*

*Papakāinga* will be:

1. provided for on *land* held under **Te Ture Whenua Māori Act 1993**; and
2. allowed on *general title land* where it can be demonstrated that there is a *whakapapa* or ancestral connection to the *land*, and the *land* will remain in Māori ownership.

<b>PK-Px2</b>	<u>Papakāinga development to be led by Tangata Whenua</u>
<u>The design and development of papakāinga will be led by tangata whenua.</u>	
<b>PK-Px3</b>	<u>Location, extent and design of papakāinga</u>
<u>The location, extent and design of papakāinga, including extensions to existing papakāinga, will be guided by kaupapa Māori in accordance with tikanga Māori.</u>	
<b>PK-Px4</b>	<u>Maximum scale of papakāinga development</u>
<p>The maximum intensity and scale of <i>papakāinga development</i> will be determined by the limitations of the <i>site</i>, including:</p> <ol style="list-style-type: none"> <li>1. <u>adequate provision of on-site or off-site infrastructure to serve the papakāinga; and</u></li> <li>2. <u>adverse effects on adjoining properties and the environment are avoided, remedied or mitigated;</u></li> </ol> <p><u>while recognising that papakāinga may contain activities of a character, scale, intensity or range that are not provided for in the surrounding area.</u></p>	
<b>PK-Px5</b>	<u>Non-residential aspects of papakāinga</u>
<p><u>Social, cultural, educational, recreation and commercial activities will be provided for as part of a papakāinga, where they:</u></p> <ol style="list-style-type: none"> <li>1. <u>are consistent with tangata whenua aspirations for the papakāinga; and</u></li> <li>2. <u>are of a scale, character and intensity that are consistent with kaupapa, kawa and tikanga Māori.</u></li> </ol>	
<b>Note:</b> refer to chapter BA – Business Activities for other policies on <i>commercial activities</i> located outside of <i>Centres Zones</i> .	
<b>PK-Px6</b>	<u>Papakāinga Design Guides and Development Plans</u>
<p><u>The Council will actively partner with tangata whenua to prepare papakāinga design guides that are clearly underpinned by kaupapa Māori. The guidelines should draw on traditional land use and other environmental features distinctive to the takiwā. As an ecosystem it should give expression to the whānau/hapū/iwi traditional papakāinga.</u></p> <p><u>Tangata whenua will be encouraged to prepare development plans for papakāinga that are consistent with these design guides.</u></p>	
<p><b>Advice notes:</b></p> <ol style="list-style-type: none"> <li>1. <u>Where these Objectives and Policies are relevant to the consideration of a resource consent application, the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include:</u> <ul style="list-style-type: none"> <li>• <u>where the papakāinga is on general title land, whether the applicant has demonstrated a whakapapa or ancestral connection to the land;</u></li> <li>• <u>any other matter related to tikanga Māori.</u></li> </ul> </li> <li>2. <u>Subject to the requirements of section 33 of the Resource Management Act 1991, the Council is able to transfer its powers to the relevant iwi authority for the rohe in which the land is located.</u></li> <li>3. <u>Provisions in other chapters of the Plan may also be relevant.</u></li> </ol>	

## Rules

**Note:** refer to the following chapters for *papakāinga* rules:

- The General Residential Zone;
- The General Rural Zone;
- The Rural Production Zone;
- The Rural Lifestyle Zone;
- The Future Urban Zone;
- The Town Centre Zone.

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## 4.0 Proposed amendments to the General Residential Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the General Residential Zone Chapter are proposed to achieve the following purposes:

1. Incorporate the Medium Density Residential Standards (the 'MDRS') into the Chapter;
2. Give effect to Policies 3(c) and 3(d) of the NPS-UD; and
3. To amend the Chapter to enable papakāinga in the Zone.

The following is a summary of proposed amendments to the Chapter to achieve these purposes:

Provision reference	Summary of amendments
Zone Introduction	Amendments to the Zone introduction to better reflect the purpose of the Zone and its precincts, in light of the range of changes proposed to the Zone provisions.
Amended precincts	<p>The following precincts are deleted from the General Residential Zone, as their provisions have been superseded by the MDRS:</p> <ul style="list-style-type: none"> <li>• The Pekawu Precinct;</li> <li>• The Ferndale Area Precinct;</li> <li>• The Waikanae Golf Precinct;</li> <li>• The Drive Extension Precinct;</li> <li>• The Te Horo Beach Precinct;</li> <li>• The Panorama Drive Precinct;</li> <li>• The Paraparaumu Low Density Precinct;</li> <li>• The Manu Grove Low Density Precinct;</li> <li>• The Focussed Infill Precinct; and</li> <li>• The Medium Density Housing Precinct.</li> </ul> <p>The following precinct title has been amended, as some subdivision provisions associated with the precinct are still relevant:</p> <ul style="list-style-type: none"> <li>• The County Road Ōtaki <del>Low Density</del> Precinct.</li> </ul>
Advice note	Minor amendment to the advice note located below DO-O17 in order to incorporate a reference to new rule <u>SUB-DW-Rx</u> .
<u>GRZ-Px1</u> , <u>GRZ-Px2</u> , <u>GRZ-Px3</u> , <u>GRZ-Px4</u> , <u>GRZ-Px5</u>	New policies that provide for the MDRS, as required by clause 6 of Schedule 3A of the Act.
<u>GRZ-Px6</u>	<p>A new policy that provides for higher-density housing within the proposed Residential Intensification Precincts.</p> <p>Residential Intensification Precincts are areas that are close to the Metropolitan, Town and Local Centre Zones, as well as the train stations at Paekākāriki,</p>

	Paraparaumu and Waikanae, and the provisions associated with these precincts give effect to policy 3 of the NPS-UD.
<u>GRZ-Px7</u>	<p>A new policy that relates to development within the proposed Coastal Qualifying Matter Precinct.</p> <p>The purpose of the precinct is to maintain the level of development currently provided for in the Operative District Plan within an area of the Zone that has been identified as potentially susceptible to coastal erosion hazard, until the management of coastal hazards is addressed through a future coastal environment plan change.</p>
<del>GRZ-P1</del>	This policy is deleted because the Medium Density Residential Precinct is deleted.
<del>GRZ-P2</del>	This policy is deleted because the Focussed Infill Precinct is deleted.
<del>GRZ-P3</del>	<p>This policy is deleted because it superseded by amendments to policy GRZ-P4 (Beach Residential Precincts) and GRZ-P5 (Waikanae Garden Precinct).</p> <p>Note that the Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas: Design Guides are deleted as they are generally inconsistent with the level of development provided for by the MDRS as a permitted activity. In lieu of these design guides, amendments to policies GRZ-P4 and GRZ-P5 will provide policy direction on the appropriateness of development that does meet permitted activity standards under GRZ-Rx1 and GRZ-Rx2.</p>
GRZ-P4	The policy on the Beach Residential Precincts is amended so that continues to recognise aspects of valued character within the Precinct, but in a manner that is not inconsistent with the MDRS or Objective 4 of the NPS-UD.
GRZ-P5	The policy on the Waikanae Garden Precinct is amended so that continues to recognise aspects of valued character within the Precinct, but in a manner that is not inconsistent with the MDRS or Objective 4 of the NPS-UD.
GRZ-P9	The policy on residential activities is amended so that it is not inconsistent with the MDRS or Objective 4 of the NPS-UD.
GRZ-P10	The policy on residential amenity is amended so that it is not inconsistent with the MDRS or Objective 4 of the NPS-UD.
GRZ-P12	The policy on landscaping is amended so that it applies to all residential development, consistent with the MDRS.
GRZ-R4	Consequential amendments to existing permitted activity standards to refer to new rules <u>GRZ-Rx1</u> and <u>GRZ-Rx2</u> , and amended standard numbers under rule GRZ-R6.
GRZ-R6	<p>The existing operative rule for buildings (including minor works, additions and alterations) is amended so that it only applies within the Coastal Qualifying Matter Precinct.</p> <p>Consequential amendments are made to delete standards from the rule that are associated with deleted precincts (as these precincts do not coincide with the Coastal Qualifying Matter Precinct).</p>
<u>GRZ-Rx1</u>	<p>A new rule that provides for new buildings, and any minor works, additions or alterations to any building, as a permitted activity subject to the density standards of the MDRS.</p> <p>This rule does not apply to buildings in:</p> <ul style="list-style-type: none"> <li>• The Coastal Qualifying Matter Precinct (refer rule GRZ-R6); or</li> <li>• Residential Intensification Precincts (refer rule <u>GRZ-Rx2</u>).</li> </ul>



<u>GRZ-Rx2</u>	A new rule that provides for taller buildings (relative to the MDRS) in Residential Intensification Precincts. This rule gives effect to policy 3 of the NPS-UD.
GRZ-R7, GRZ-R8, GRZ-R9, GRZ-R10	Consequential amendments to existing permitted activity standards to refer to new rules <u>GRZ-Rx1</u> and <u>GRZ-Rx2</u> .
<u>GRZ-Rx3</u>	A new permitted activity rule to provide for papakāinga on land held under Te Ture Whenua Māori Act 1993.  Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.
GRZ-R11	Consequential amendments to existing controlled activity standards to refer to new rules <u>GRZ-Rx1</u> and <u>GRZ-Rx2</u> .
<del>GRZ-R13</del>	The restricted discretionary activity rule for medium density housing is deleted because it is superseded by the new rules that provide for the MDRS.
<u>GRZ-Rx4</u>	A new restricted discretionary activity rule that provides for the development of 3 or fewer residential units on a site, where one or more of the density standards under rule <u>GRZ-Rx1</u> or <u>GRZ-Rx2</u> . Public notification is precluded under this rule.  This rule is required by clause 4 of Schedule 3A of the Act. The notification preclusion is required by clause 5(1).
<u>GRZ-Rx5</u>	A new restricted discretionary activity rule that provides for the development of 4 or more residential units on a site, but only where the density standards under rule <u>GRZ-Rx1</u> or <u>GRZ-Rx2</u> are complied with. Public and limited notification are precluded under this rule.  This rule is required by clause 4 of Schedule 3A of the Act. The notification preclusion is required by clause 5(2).
<u>GRZ-Rx6</u>	A new restricted discretionary activity rule that provides for the development of 4 or more residential units on a site, where one or more of the density standards under rule <u>GRZ-Rx1</u> or <u>GRZ-Rx2</u> . Public notification is precluded under this rule.  This rule is required by clause 4 of Schedule 3A of the Act. The notification preclusion is required by clause 5(1).
GRZ-R14	Consequential amendments to existing restricted discretionary activity standards to refer to new rules <u>GRZ-Rx1</u> and <u>GRZ-Rx2</u> , and amended standard numbers under rule GRZ-R6.
GRZ-R15	This restricted discretionary rule is deleted, as rules associated with Beach Residential Precincts in the Zone generally are deleted in order to incorporate the MDRS into the Zone.  This rule is triggered by breaching permitted yard standards in the Beach Residential Precincts under rule GRZ-R6. Where this occurs in the Beach Residential Precinct within the Coastal Qualifying Matter Precinct, this is provided for as a discretionary activity under existing rule GRZ-R19 (which relates to breaches of permitted activity standards under rule GRZ-R6).
<u>GRZ-Rx7</u>	This new restricted discretionary activity rule provides for papakāinga on general title land where it is demonstrated that the applicant has an ancestral connection to the land, and the land will remain in Māori ownership.  An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.

	Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.
<u>GRZ-Rx8</u>	<p>This new restricted discretionary activity rule provides for papakāinga on any land owned by Māori, where the permitted activity standards under rule <u>GRZ-Rx3</u> are breached.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
<u>GRZ-R22</u>	The non-complying activity rule for medium density housing is deleted because it is superseded by the new rules that provide for the MDRS.

## Proposed amendments to the District Plan

*This section forms part of the IPI.*

### 4.1 Amend the introductory text to the General Residential Zone chapter as follows:

#### Introduction

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

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

The following issues are covered in this Chapter:

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

This Chapter contains policies, rules and standards relating specifically to the General Residential Zone. Policies, rules and standards relating to the other *Residential Zones* (the Ngārara Development Area and Precincts 1, 2, 4 and 5 of the Waikanae North Development Area) are located within the Development Area chapters.

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

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

## General Residential Zone

The General Residential Zone contributes to the development of a well-functioning urban environment by enabling a variety of housing types and sizes that will provide a greater diversity of housing options for the city. The provisions of this zone incorporate the Medium Density Residential Standards (the MDRS) and give effect to Policy 3 of the National Policy Statement on Urban Development 2020 (the NPS-UD).

A mix of housing densities are provided for throughout the Zone, with higher densities enabled in areas that are well served by public transport or are close to a range of commercial activities and community services. Housing types anticipated in the Zone include detached housing, semi-detached housing, terrace housing, low-rise apartments, and in some areas mid-rise apartments. The *development of papakāinga* is also provided for within the Zone. The Zone does not promote one form of housing over another but instead provides flexibility to meet the community's diverse housing needs.

It is anticipated that the form, appearance and amenity of neighbourhoods within the Zone will change over time. Design guidelines help manage this change by promoting a high standard of urban design and encouraging new development to contribute positively to the changing character of the Zone.

The following precincts are used to recognise or provide for a range of specific matters throughout the Zone:

### **Residential Intensification Precincts**

The Zone supports a higher density of development in areas that are close to rapid transit stops, the *Metropolitan Centre Zone*, the *Town Centre Zone* and the *Local Centre Zone*. These are areas that are well served by public transport or are accessible to a range of existing or planned commercial activities and community services. Higher density development is provided for in the following intensification precincts:

#### **Residential Intensification Precinct A**

This Precinct encompasses the part of the Zone that is located within a walkable catchment of the edge of the Metropolitan Centre Zone, and the train stations at Paekākāriki, Paraparaumu and Waikanae. The precinct enables the development of buildings up to and including 6-storeys in height. This precinct gives effect to policy 3(c) of the NPS-UD.

#### **Residential Intensification Precinct B**

This precinct encompasses the part of the Zone that is adjacent to the *Town Centre Zone* and the *Local Centre Zone*. The precinct enables the development of buildings up to 4-storeys in height. This precinct gives effect to policy 3(d) of the NPS-UD.

### **Coastal Qualifying Matter Precinct**

The Coastal Qualifying Matter Precinct covers parts of the Zone near to the coast that have been identified as being potentially susceptible to coastal erosion hazard. The purpose of this precinct is to identify the area within which the level of *development* otherwise required by the Medium Density Residential Standards and policy 3 of the NPS-UD will not be enabled until the

management of coastal hazards is addressed through a future coastal environment plan change.

### **Beach Residential Precinct**

The Beach Residential Precinct provides for policies that recognise that coastal landforms and mature established vegetation are notable characteristics of the Precinct.

Within the Waikanae Beach Residential Precinct, the largely intact historical subdivision pattern is recognised as a notable characteristic. This pattern dates back to the subdivision of the area as a beach settlement in the period between the 1920s and 1950s.

While it is anticipated that the character of the Beach Residential Precinct will change over time, these policies require that, where *subdivision*, use and *development* is not a *permitted activity*, consideration is given to these characteristics.

With the exception of the part of the precinct that is located in the Coastal Qualifying Matter Precinct, there are no specific rules for building density or subdivision associated with the Beach Residential Precinct.

### **Waikanae Garden Precinct**

The Waikanae Garden Precinct provides for a policy that recognises that the presence of existing mature trees and areas of extensive vegetation are a notable characteristic of the Precinct.

While it is anticipated that the character of the Waikanae Garden Precinct will change over time, this policy requires that, where *subdivision*, use and *development* is not a *permitted activity*, consideration is given to these characteristics.

There are no specific rules for building density or subdivision associated with the Waikanae Garden Precinct.

### **County Road Ōtaki Precinct**

This precinct provides for specific subdivision rules associated with a scheduled ecological site and the provision of an integrated traffic management assessment for the development of a number of lots located around County Road, Ōtaki. Refer to the Subdivision in Residential Zones chapter for rules associated with this precinct.

~~The General Residential Zone comprises the majority of the *Residential 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 *General 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 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***

##### **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*.~~

**Pekawy Precinct**

This precinct is located in Peka Peka. A *structure plan* (Appendix 5) has been developed to manage the location, form and scale of *development* within the precinct.

**Ferndale Area 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 4).

**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.

**The Drive Extension Precinct**

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

**Te Horo Beach****Low Density Housing Precincts****Panorama Drive 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.

**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.

**Paraparaumu Low Density 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.

**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 *allotments* characterised by mature vegetation, *ecological sites* and relatively low built intensity.

**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 *allotments* and mature vegetation.

**Intensification Precincts****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.

### **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 2.

## **Beach Residential Precincts**

The four Beach Residential Precinct areas extend 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 *building 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 *allotments* 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 Precincts are subject to specific rules and standards. The Special Character Area Guidelines in Appendix 3 set out the manner in which *development* in the Beach Residential Precincts should be undertaken.

### **General Residential Area**

The areas of the General Residential Zone which do not have additional place-based provisions which modify the zone's provisions are identified with the *General Residential Area Precinct*.

#### 4.2 Amend the advice note located below DO-O17 as follows:

See Rule NH-FLOOD-R2 for separation of *buildings* and *structures* from *waterbodies* standards, TR-PARK-R18 to TR-PARK-R21 for Parking, INF-MENU-R27 to INF-MENU-R29, INF-MENU-R35, INF-MENU-R37, SUB-DW-Rx, SUB-DW-R4, SUB-DW-R5 and SUB-DW-R23 in relation to *water* and *stormwater* and the Financial Contributions chapter in relation to financial contributions rules and standards for all development.

#### 4.3 Add 5 new policies as follows:

<b>GRZ-Px1</b>	<u>Medium Density Residential Standards – Policy 1</u>
<p>Enable a variety of housing typologies with a mix of densities within the Zone, including 3-storey attached and detached dwellings, and low-rise apartments.</p> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	
<b>GRZ-Px2</b>	<u>Medium Density Residential Standards – Policy 2</u>
<p>Apply the MDRS across all <i>relevant residential zones</i> in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as <i>historic heritage</i> and the relationship of Māori and their culture and traditions with their ancestral <i>lands, water, sites, waahi tapu, and other taonga</i>).</p> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	
<b>GRZ-Px3</b>	<u>Medium Density Residential Standards – Policy 3</u>
<p>Encourage <i>development</i> to achieve attractive and safe streets and public <i>open spaces</i>, including by providing for <i>passive surveillance</i>.</p> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	
<b>GRZ-Px4</b>	<u>Medium Density Residential Standards – Policy 4</u>
<p>Enable housing to be designed to meet the day-to-day needs of residents.</p> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	
<b>GRZ-Px5</b>	<u>Medium Density Residential Standards – Policy 5</u>
<p>Provide for <i>developments</i> not meeting <i>permitted activity</i> status, while encouraging high-quality <i>developments</i>.</p> <p><u>[s80H(1)(a)(ii) note: this provision incorporates the policies in clause 6 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>	

#### 4.4 Add a new policy as follows:

<b>GRZ-Px6</b>	<u>Residential Intensification Precincts</u>
<p>Provide for higher-density housing within Residential Intensification Precincts, including:</p>	

1. within Residential Intensification Precinct A, 6-storey residential *buildings*; and
  2. within Residential Intensification Precinct B, 4-storey residential *buildings*;
- where *development* meets the requirements of the **Residential Design Guide**.

#### 4.5 Add a new policy as follows:

<b>GRZ-Px7</b>	<u>Coastal Qualifying Matter Precinct</u>
<p><u>Within the Coastal Qualifying Matter Precinct, the level of <i>development</i> otherwise required by the <i>Medium Density Residential Standards</i> and policy 3 of the NPS-UD will not be enabled until the management of coastal hazards within the precinct is addressed through a future coastal environment plan change.</u></p>	

#### 4.6 Delete policy GRZ-P1 as follows:

<del>GRZ-P1</del>	<del>Medium Density Housing</del>
<p><del><i>Medium density housing</i> 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 <i>centres</i>, <i>open spaces</i>, <i>public transport networks</i> and where existing <i>infrastructure</i> has sufficient capacity.</del></p> <p><del><i>Medium density housing</i> developments will be designed and developed in a manner which:</del></p> <ol style="list-style-type: none"> <li><del>1. is of a suitable and compatible location, <i>height</i>, density, scale, and bulk relative to the context, adjacent <i>land uses</i>, streets and reserves;</del></li> <li><del>2. ensures high quality, high-amenity living conditions in comprehensive and coordinated <i>medium density housing</i> developments, including appropriate private <i>outdoor living areas</i> and <i>landscaping</i> which meet the on-site outdoor amenity needs of residents;</del></li> <li><del>3. is consistent with the principles in the Medium Density Housing Design Guide in Appendix 2. The Design Guide will be used as an assessment tool for applications to establish new <i>medium density housing</i> or to modify lawfully established <i>medium density housing</i>; and</del></li> <li><del>4. maintains <i>amenity values</i> of, and is sympathetic to, adjacent <i>residential buildings</i> and areas, and avoids excessive <i>building</i> dominance, including through <i>building height</i> and mass, materials and finishing.</del></li> </ol>	

#### 4.7 Delete policy GRZ-P2 as follows:

<del>GRZ-P2</del>	<del>Focused Infill Precincts</del>
<p><del>Focused <i>infill</i> development will be provided for in identified precincts which are close to <i>centres</i>, other local services, and public <i>open spaces</i> and which have sufficient <i>infrastructure</i> capacity. The resulting density will be higher than <i>general residential</i> areas but lower than <i>medium density housing</i> precinct areas.</del></p>	

#### 4.8 Delete policy GRZ-P3 as follows:

<del>GRZ-P3</del>	<del>Special Character Areas</del>
<p><del><i>Development</i>, use and <i>subdivision</i> 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.</del></p>	



<p>The District's special character areas are the:</p> <ol style="list-style-type: none"> <li>1. <del>Beach Residential Precinct at:</del> <ol style="list-style-type: none"> <li>a. <del>Paekākāriki;</del></li> <li>b. <del>Raumati;</del></li> <li>c. <del>Waikanae Beach;</del></li> <li>d. <del>Ōtaki Beach; and</del></li> </ol> </li> <li>2. <del>Waikanae Garden Precinct.</del></li> </ol>
<p><b>Note:</b> Special Character Area Guidelines are included in Appendix 3 but only apply to the Beach Residential Precincts.</p>

**4.9 Amend policy GRZ-P4 as follows:**

<b>GRZ-P4</b>	Beach Residential Precincts
<p><del>Subdivision, use and development</del> in the Beach Residential Precincts will be undertaken in a manner that protects the valued character and qualities of these areas in accordance with Appendix 3 Special Character Areas Design Guidelines.</p> <p>Where new <del>subdivision or development</del> is proposed in the Beach Residential Precincts, specific consideration will be given to the extent to which the proposal:</p> <ol style="list-style-type: none"> <li>1. <del>contributes to the collective identity of the local environment;</del></li> <li>2. <del>reinforces an attractive, defined and coherent streetscape character and is responsive to specific local conditions;</del></li> <li>3. <del>is sympathetic to and maintains the integrity of the existing landscape, landform and vegetation;</del></li> <li>4. <del>is compatible in scale with its built context;</del></li> <li>5. <del>is coherently designed and of good design quality; and</del></li> <li>6. <del>retains mature vegetation, reinforces existing planting patterns and integrates buildings into the existing landscape setting.</del></li> </ol> <p><del>Subdivision, use and development</del> in the Beach Residential Precincts (excluding the Waikanae Beach Residential Precinct) will give consideration to:</p> <ol style="list-style-type: none"> <li>1. <u>Maintaining, where practicable, the intactness of existing dune landforms;</u></li> <li>2. <u>Retaining, where practicable, existing mature trees and areas of extensive vegetation;</u> <u>and</u></li> <li>3. <u>The relationship between built form and the landscape and streetscape setting, having regard to (1) and (2).</u></li> </ol>	

**4.10 Amend policy GRZ-P5 as follows:**

<b>GRZ-P5</b>	Waikanae Beach Residential Precinct
<p><del>Subdivision, use and development</del> in the Waikanae Beach Residential Precinct will be undertaken in a manner that respects and recognises the cultural context and history of the area, including through:</p> <ol style="list-style-type: none"> <li>1. <del>limiting subdivision, use and development that affects the dune system in the area;</del></li> <li>2. <del>limiting the density of subdivision in the area; and</del></li> <li>3. <del>maintaining the natural character of vegetation in the area.</del></li> </ol>	

<p><u>Subdivision, use and development</u> in the Waikanae Beach Residential Precinct will give consideration to:</p> <ol style="list-style-type: none"> <li>1. <u>Maintaining, where practicable, the intactness of existing dune landforms;</u></li> <li>2. <u>Cohesiveness, where practicable, with the historic <i>subdivision</i> pattern of the Precinct; and</u></li> <li>3. <u>The relationship between built form and the landscape and streetscape setting, having regard to (1) and (2).</u></li> </ol>
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**4.11 Amend policy GRZ-P6 as follows:**

<b>GRZ-P6</b>	Waikanae Garden Precinct
<p><del>Subdivision</del> in the Waikanae Garden Precinct will be managed to retain the valued low density 'garden' character of the area. <del>Use and development</del> will ensure that mature <del>trees</del> and extensive areas of vegetation are retained and where possible enhanced.</p> <p><u>Subdivision, use and development</u> in the Waikanae Garden Precinct will give consideration to:</p> <ol style="list-style-type: none"> <li>1. <u>Retaining, where practicable, existing mature <i>trees</i> and areas of extensive vegetation; and</u></li> <li>2. <u>The relationship between built form and the landscape and streetscape setting, having regard to (1).</u></li> </ol>	

**4.12 Amend policy GRZ-P9 as follows:**

<b>GRZ-P9</b>	<i>Residential Activities</i> (excluding <i>visitor accommodation</i> other than <i>temporary residential rental accommodation</i> )
<p><i>Residential activities</i> will be recognised and provided for as the principal use in the <i>Residential Zones</i>, while ensuring that the <i>effects</i> of <i>subdivision, use and development</i> is in accordance with the following principles:</p> <ol style="list-style-type: none"> <li>1. adverse <i>effects</i> on natural systems will be avoided, remedied or mitigated;</li> <li>2. new built <i>development</i> will relate to local built identity, character values and the density of the surrounding residential <i>environment</i> be compatible with the planned built character of the <i>Zone</i>;</li> <li>3. transport choice and efficiency will be maximised;</li> <li>4. housing types which meet the need of households will be provided for;</li> <li>5. the number of <i>residential units</i> per <i>allotment</i> will be limited; and</li> <li>6. a limited number of <i>accessory buildings</i> and <i>buildings</i> which are <i>ancillary</i> to <i>residential activities</i> will be provided for.</li> </ol>	

**4.13 Amend policy GRZ-P10 as follows:**

<b>GRZ-P10</b>	Residential Amenity
<p><u>Subdivision, use and development</u> in the <i>Residential Zones</i> will be required to achieve a high level of on-site amenity for residents and neighbours in accordance with the following principles:</p> <ol style="list-style-type: none"> <li>1. <i>building</i> size and <i>footprint</i> will be proportional to the size of the <i>allotment</i>;</li> <li>2. usable and easily accessible private <i>outdoor living spaces</i> will be provided;</li> <li>3. <i>buildings</i> and <i>structures</i> will be designed and located to maximise sunlight access, privacy and amenity for the <i>site</i> and adjoining <i>allotments</i>;</li> <li>4. <i>buildings</i> and <i>structures</i> 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 compatible with the planned built character of the <i>Zone</i>;</li> </ol>	

5. appropriate separation distances will be maintained between *buildings*;
6. *yards* will be provided to achieve appropriate *building* setbacks from neighbouring areas, the street and the coast;
7. hard and impermeable surfaces will be offset by permeable areas on individual *allotments*;
8. unreasonable and excessive *noise*, odour, smoke, *dust*, light, glare and vibration will be avoided;
9. *non-residential buildings* will be of a form and scale which is compatible with the surrounding residential *environment*; and
10. service areas for *non-residential activities* will be screened, and planting and *landscaping* will be provided.

**4.14 Amend policy as GRZ-P12 follows:**

<b>GRZ-P12</b>	Landscaping
<p><i>Landscaping</i> will be required for <i>non-residential activities</i> and <del>intensive</del> residential development in the <i>Residential Zones</i> to enhance residential amenity, while promoting <i>water</i> conservation and biodiversity and allowing for the natural infiltration of surface <i>waters</i> through permeable treatments. Landscaping will be located and designed in accordance with the following principles:</p> <ol style="list-style-type: none"> <li>1. the visual impact of large <i>buildings</i> will be reduced by appropriate screening and planting;</li> <li>2. service areas, loading areas and <i>outdoor storage</i> areas will be screened;</li> <li>3. on-site <i>outdoor living spaces</i> will be defined and enhanced by <i>landscaping</i>;</li> <li>4. <i>sunlight</i> access and passive surveillance to adjoining areas will not be unreasonably restricted;</li> <li>5. public <i>infrastructure</i> and services will not be damaged or blocked;</li> <li>6. planting of locally <i>indigenous vegetation</i> will be encouraged; and</li> <li>7. permeable surfaces will be provided for the natural infiltration of surface <i>waters</i>.</li> </ol>	

**4.15 Amend rule GRZ-R4 as follows:**

<b>GRZ-R4</b>	<i>Shared and group accommodation and supported living accommodation.</i>
Permitted Activity	<p><b>Standards</b></p> <p>Number of residents and residential units</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>residential unit</i> shall be provided.</li> </ol> <p><b>Buildings</b></p> <ol style="list-style-type: none"> <li>3. Any <i>building</i> (excluding <i>minor buildings</i>) used for the purposes of <i>shared and group accommodation</i> or <i>supported living accommodation</i> must comply with the standards in GRZ-R6 excluding standard <u>2.1 a</u>) i., GRZ-Rx1 or GRZ-Rx2.</li> </ol>

4.16 Amend rule GRZ-R6 as follows:

<p><b>GRZ-R6</b></p>	<p>New <i>buildings</i>, and any minor works, <i>additions</i> or <i>alterations</i> to any <i>building</i> within the Coastal Qualifying Matter Precinct.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• Any listed <i>historic heritage building</i> (see the Historic Heritage chapter).</li> <li>• <i>Minor Buildings</i></li> </ul> <p><i>Residential unit measurement criteria, qualifying criteria, and measurement criteria</i> apply to some activities under this rule.</p> <p><u>Is80H(1)(b)(i) note: outside of the Coastal Qualifying Matter precinct, this rule is replaced by the density standards in Part 2 of Schedule 3A of the Act (refer new rule GRZ-Rx1). This note does not form part of the IPI and will be removed when the IPI becomes operative.</u></p>
<p>Permitted activity</p>	<p><b>Standards</b></p> <p>Maximum number of <i>residential units</i> (as measured by the <i>Residential Unit Measurement Criteria</i>)</p> <p><del>1. For any <i>allotment</i> in a focused infill precinct, no more than one <i>residential unit</i> may be erected.</del></p> <p>1. <del>2.</del> For any <i>allotment</i> in the General Residential Zone which is not in a focused infill precinct Coastal Qualifying Matter Precinct, no more than one <i>residential unit</i> may be erected, except that:</p> <p style="margin-left: 40px;">a. up to four <i>residential units</i> may be erected on-site provided it can be shown that:</p> <p style="margin-left: 80px;">i. each <i>residential unit</i> is capable of being contained within its own <i>allotment</i> which complies with the <i>subdivision</i> standards under Rules SUB-RES-R26 and SUB-RES-R27;</p> <p style="margin-left: 80px;">ii. each <i>residential unit</i> must be separated by a distance not less than 4.5 metres, except that this shall not apply to any attached <i>residential units</i>;</p> <p style="margin-left: 80px;">iii. each <i>residential unit</i> must comply with the <i>permitted activity</i> standards under GRZ-R6; and</p> <p style="margin-left: 80px;">iv. each <i>residential unit</i> must comply with the payment of financial contributions under the Financial Contributions chapter.</p> <p><b>Note:</b> <i>Residential Units</i> associated with <i>visitor accommodation</i> other than <i>temporary residential rental accommodation</i> are not managed by this rule. Refer to Rule GRZ-R11 for visitor accommodation requirements.</p> <p><i>Minor residential units</i></p> <p><del>2. 3.</del> A maximum of one <i>minor residential unit</i> may be erected as <i>ancillary</i> to a <i>residential unit</i> on any <i>allotment</i> that meets the applicable minimum <i>allotment</i> size requirements in Rules SUB-RES-R26 and SUB-RES-R27.</p> <p><del>3. 4.</del> A <i>minor residential unit</i> must not be sold or otherwise separately disposed of except in conjunction with the <i>residential unit</i>.</p> <p><b>Note:</b> Notwithstanding this standard a <i>minor residential unit</i> may be removed from the <i>allotment</i>.</p> <p><i>Qualifying Criteria:</i></p>

In order to be self-contained a *minor residential unit* must contain a *kitchen* and *bathroom*. A *minor residential unit* has a gross floor area which is no greater than 54m<sup>2</sup>.

**Measurement Criteria:**

When measuring gross floor area for the purposes of a *minor residential unit*, include:

- a. covered yards and areas covered by a roof but not enclosed by walls

Exclude:

- a. decks and covered *outdoor living spaces*
- b. uncovered stairways;
- c. floor space in terraces (open or roofed), external balconies, breezeways or porches;
- d. *car parking* areas; and
- e. floor space of interior balconies and mezzanines not used by the public.

**Coverage**

- ~~4.~~ ~~5.~~ The maximum *building coverage* of any *allotment* shall be 40%, except in the Beach Residential Precinct where it shall be 35%.

**Measurement Criteria:**

When measuring *building coverage*, include:

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

Exclude:

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

- ~~5.~~ ~~6.~~ The combined maximum area of all *accessory buildings* on any *allotment* shall be 60m<sup>2</sup>.

**Measurement Criteria:**

The footprint of any *minor building* are excluded from the limits in this standard.

**Height**

- ~~6.~~ ~~7.~~ The maximum *height* of any *building* shall be 8 metres except:

- a. any *accessory building*, *structure* and any *minor residential unit* (excluding a *minor residential unit* contained within the *primary residential building*) shall have a maximum *height* of 4.5 metres;
- ~~b.~~ any *building* in the Waikanae Golf Precinct shall have a maximum *height* of 4.5 metres above the ~~1% Annual Exceedance Probability flood event~~;
- ~~b.~~ any *building* in the Beach Residential Precinct, except for any *accessory building* or *minor residential unit* (excluding a *minor residential unit* contained within the *primary residential building*), shall have a maximum *height* of 8 metres and no more than two storeys; and
- ~~d.~~ any *building* in The Drive Extension Precinct, as shown on the District Plan Maps, except for any *accessory building* or a *minor residential unit* (excluding a *minor residential unit* contained within the *primary residential building*), shall have a maximum *height* of 8 metres and no more than two storeys.

**Measurement Criteria:**

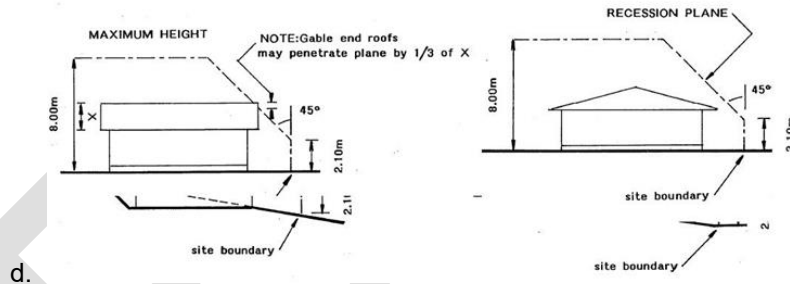
*Height* must be measured using the *height measurement criteria*.

**Note:** Any solar panel erected on, or anchored to, a *building* is exempt from the standard above where it does not breach the maximum permitted *height* by more than 1 metre (measured vertically) (see ENGY-R2).

- ~~7.~~ ~~8.~~ Any *building* or *structure* must fit within a *height in relation to boundary* envelope which is made up of recession planes which commence at a point 2.1 metres above the *original ground level* at the *site boundary* and inclines inwards at an angle of 45 degrees.

**Measurement Criteria:**

- a. The *height in relation to boundary* envelope must be measured from a point above the *original ground level* at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the *height in relation to boundary*
- c. Where there is a right-of-way or an *access strip/leg* adjoining the allotment boundary, the *height in relation to boundary* envelope shall be measured from a point 2.1 metres above a point midway across the right-of-way or *access strip/leg*.



**Note:** Any solar panel erected on, or anchored to, a *building* is exempt from the standard above where it does not breach the maximum permitted *height in relation to boundary* envelope by more than 1 metre (measured vertically) (see ENGY-R2).

Floor area ratio – Beach Residential Precinct

- ~~8.~~ ~~9.~~ Any *allotment* in the Beach Residential Precinct shall have a maximum *floor area ratio* of 0.6:1.0, excluding the Beach Residential Precinct at Waikanae Beach where it shall be 0.5:1.0.

Outdoor living areas

- ~~9.~~ ~~10.~~ The *primary residential building* must have an *outdoor living space*. *Outdoor living space* must:

- 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>;~~
- b. contain no dimension less than 4 metres, ~~except in any focused infill precinct where:~~
  - i. ~~the minimum dimension shall be 2.5 metres; and~~
  - ii. ~~the court shall be capable of accommodating a circle of not less than 4 metres in diameter;~~
- c. be located to the north, west or east of any *primary residential building*;

- d. be screened by a fence or vegetation to provide privacy from the ground floor windows and the *outdoor living space* of other *primary residential buildings*; and
- e. have direct access to an internal *habitable room* in the *primary residential building*.

**Qualifying Criteria**

*Outdoor Living Spaces* may be covered but may not be enclosed. An *Outdoor Living Space* does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space

**Yards and building location**

10. 44. Any *allotment* must meet the following minimum *yard* requirements:

- a. for any front *yard* in the ~~General Residential Zone~~, (excluding the Beach Residential Precinct):
  - i. any *building, structure*, or above ground *water tank* must be set back at least 4.5 metres from any *legal road boundary*, except that any *primary residential building* may be located within a distance no closer than 3 metres from any *road boundary* provided that any part of the *primary residential building* located within 4.5 metres of the *road boundary* is not used as a garage, carport or other covered vehicle storage area; and
  - ii. any eave which intrudes into the front *yard* by no greater than 0.6 metres shall be excluded, except where the eave would overhang any easement;
- b. for any front *yard* in the Beach Residential Precincts:
  - i. any *building, structure*, or above ground *water tank* must be set back at least 4.5 metres from any *road boundary*; and
  - ii. any eave which intrudes into the front *yard* by no greater than 0.6 metres shall be excluded, except where the eave would overhang any easement;
- c. Side and rear *yards*:
  - i. any *residential building* and any *habitable room* within any *accessory building*, must be setback from side or rear *boundaries* such that the following minimum dimensions are achieved:
    - a. if located on front *allotment* - 3 metres rear *yard*, 3 metres one side *yard*, and 1.5 metres all other side *yards*; and
    - b. if located on rear *allotment*- 3 metres all *yards*;
  - ii. any *accessory building*, excluding *habitable rooms* within the *accessory building* or *structure*, must be setback from side or rear *boundaries* such that rear and side *yards* have a minimum width of 1 metre;
  - iii. any *building* used for *non-residential activities* (excluding *home businesses* and *home craft occupations*) must be set back from side or rear *boundaries* by a minimum of 4 metres; and
  - iv. any eave which intrudes into the side or rear *yard* by no greater than 0.6 metres shall be excluded, except where the eave would

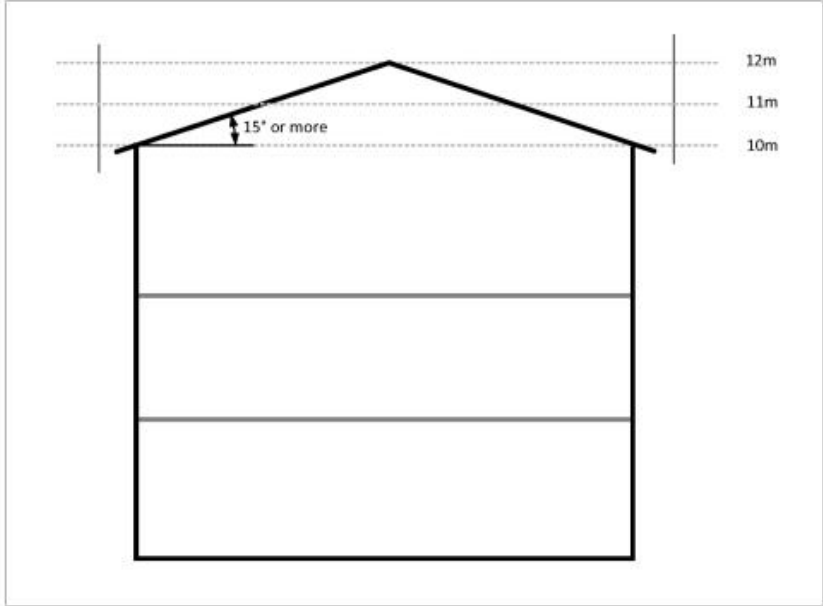
	<p>overhang any easement;</p> <p>d. Coastal yards:</p> <p>i. <i>Buildings and structures</i>, must not be located within the following coastal yards:</p> <p>a. in the <del>General Residential Zone Coastal Qualifying Matter Precinct</del> at Te Horo Beach - 7.5 metres from the seaward title <i>boundary</i> for <i>allotments</i> west of Rodney Avenue;</p> <p>b. in the <del>General Residential Zone Coastal Qualifying Matter Precinct</del> at Peka Peka Beach - 70 metres from the seaward edge of the <i>esplanade reserve</i>; and</p> <p>c. in the <del>General Residential Zone Coastal Qualifying Matter Precinct</del> at Waikanae Beach - 7.5 metres of the seaward title <i>boundary</i> for <i>allotments</i> west of Olliver Grove, Field Way and Tutere Street.</p> <p>e. Separation of <i>buildings and structures</i> from <i>access legs/rights of way</i>:</p> <p>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.</p> <p>f. <del>In the Waikanae Golf Precinct, the following additional yard standards shall be met. Where standards i. – iii. below differ from standards a) – d) above, the standards below shall take precedence:</del></p> <p>i. any <i>yard</i> adjoining <i>site</i> in the <del>General Residential Zone</del> must have a minimum width of 4 metres;</p> <p>ii. all <i>buildings and structures</i> must be separated by a distance not less than 6 metres; and</p> <p>iii. the maximum dimension of any <i>building or structure</i> shall be 15 metres.</p> <p><del>Buildings in the Pekawy Precinct</del>  12. Any <i>building</i> in Pekawy Precinct (Lot 8 DP 25867) must comply with the <i>permitted activity</i> standards specified on the <i>structure plan</i> for the Pekawy Precinct (see Appendix 5) in addition to any other standards for <i>buildings</i> in the General Residential Zone under GRZ-R6.</p> <p><del>Buildings in the Ferndale Area Precinct</del>  13. Any <i>building</i> in the Ferndale Area Precinct must:</p> <p>a. 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 4). For the avoidance of doubt, where the standards in Appendix 4 differ from standards 1-12 above, the standards in Appendix 4 shall apply; and</p> <p>b. be in general accordance with the Ferndale Area Structure Plan (Appendix 4).</p> <p><del>The Drive Extension Precinct – Finishes</del>  14. 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> <p>1. For the avoidance of doubt, where two or more contiguous <i>allotments</i> are owned by the same person and there is only one <i>residential unit</i>, the relevant <i>building coverage, height in</i></p>



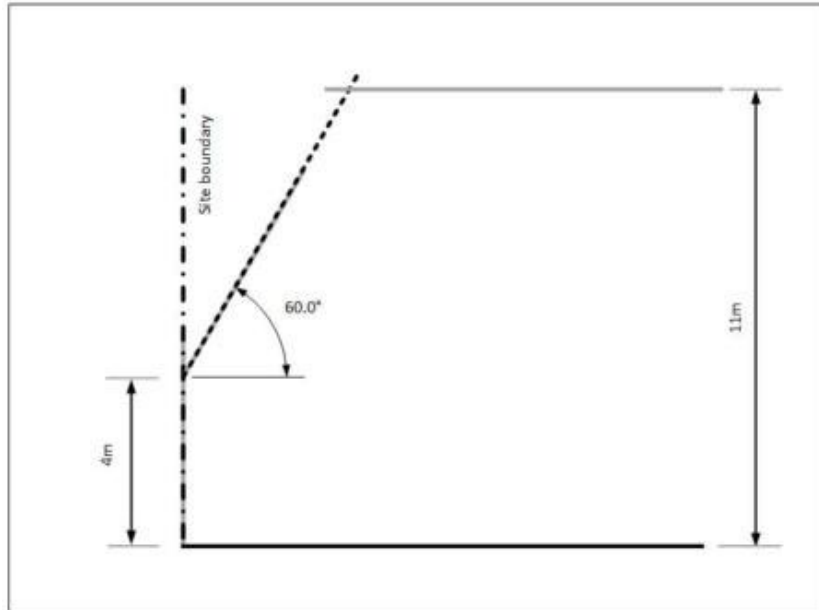
*relation to boundary envelope and yard standards in this Rule shall apply to the outside perimeter of the combined area of the commonly owned allotments.*

2. Please refer to the Natural Hazards and Infrastructure Chapters for standards relating to setbacks from *waterbodies* and *water* demand management.

**4.17 Add a new rule as follows:**

<b><u>GRZ-Rx1</u></b>	<p><u>New buildings, and any minor works, additions or alterations to any building.</u></p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• <u>Buildings within the Coastal Qualifying Matter Precinct (refer rule GRZ-R6)</u></li> <li>• <u>Buildings within any Residential Intensification Precinct (refer rule GRZ-Rx2)</u></li> <li>• <u>Minor Buildings</u></li> </ul> <p style="color: red;"><u>[s80H(1)(a)(i) note: this rule incorporates the density standards in Part 2 of Schedule 3A of the Act. This note does not form part of the IPI and will be removed when the IPI becomes operative.]</u></p>
<b><u>Permitted Activity</u></b>	<p><b><u>Standards</u></b></p> <p><u>Number of residential units per site</u></p> <p>1. <u>There must be no more than 3 residential units per site.</u></p> <p><u>Building height</u></p> <p>2. <u>Buildings must not exceed 11 metres in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more, as shown on the following diagram:</u></p> <div style="text-align: center; margin: 10px 0;">  </div> <p><b><u>GRZ-Diagram x1 – Building height</u></b></p> <p><u>Height in relation to boundary</u></p> <p>3. <u>Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal</u></p>

right of way, *entrance strip*, *access site*, or pedestrian access way, the *height in relation to boundary* applies from the farthest *boundary* of that legal right of way, *entrance strip*, *access site*, or pedestrian access way.



**GRZ-Diagram x2 – Height in relation to boundary**

This standard does not apply to:

- a. a boundary with a road;
- b. existing or proposed internal boundaries within a site;
- c. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Setbacks

- 4. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<b>GRZ-Table x – Yard setbacks</b>	
<b>Yard</b>	<b>Minimum depth</b>
Front	1.5 metres
Side	1 metre
Rear	1 metre (excluded on corner sites)

This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Building coverage

- 5. The maximum building coverage must not exceed 50% of the net site area.

Outdoor living space (per unit)

- 6. A residential unit at ground floor level must have an outdoor living space that is at least 20m<sup>2</sup> and that comprises ground floor, balcony, patio, or roof terrace space that:
  - a. where located at ground level, has no dimension less than 3 metres; and
  - b. where provided in the form of a balcony, patio, or roof terrace, is at least 8m<sup>2</sup> and has a minimum dimension of 1.8 metres; and

- c. is accessible from the *residential unit*; and
- d. may be:
  - i. grouped cumulatively by area in 1 communally accessible location; or
  - ii. located directly adjacent to the unit; and
- e. is free of *buildings, parking spaces, and servicing and manoeuvring areas.*

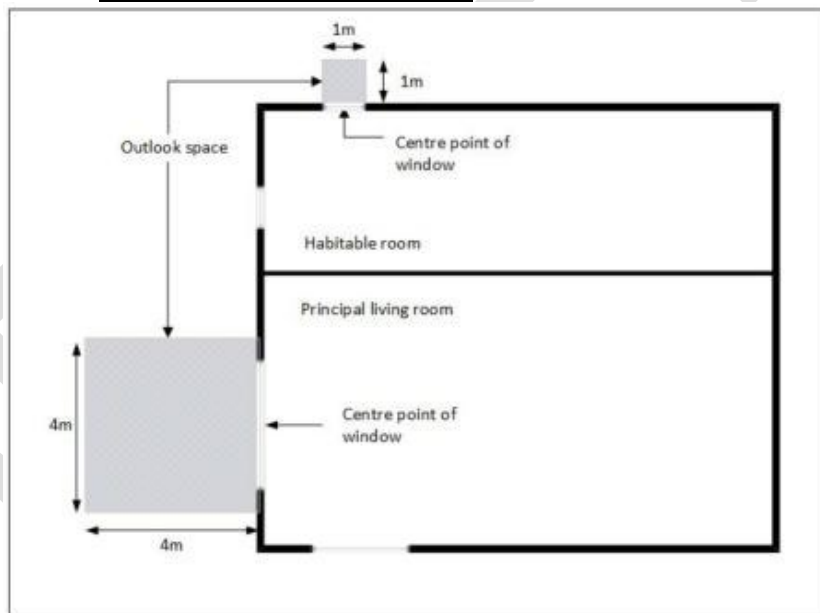
**7. A *residential unit* located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:**

- a. is at least 8m<sup>2</sup> and has a minimum dimension of 1.8 metres; and
- b. is accessible from the *residential unit*; and
- c. may be:
  - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at *ground level*; or
  - ii. located directly adjacent to the unit.

**Outlook space (per unit)**

**8. An outlook space must be provided for each *residential unit* as specified in this standard:**

- a. An outlook space must be provided from *habitable room* windows as shown in the diagram below:



**GRZ-Diagram x3 – Outlook space**

- b. The minimum dimensions for a required outlook space are as follows:
  - i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
  - ii. all other *habitable rooms* must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- c. The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.
- d. Outlook spaces may be over *driveways* and footpaths within the site or over a public street or other public open space.
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey *building*.

	<p>f. <u>Outlook spaces may be under or over a balcony.</u></p> <p>g. <u>Outlook spaces required from different rooms within the same <i>building</i> may overlap.</u></p> <p>h. <u>Outlook spaces must:</u></p> <ol style="list-style-type: none"> <li>i. <u>be clear and unobstructed by buildings; and</u></li> <li>ii. <u>not extend over an outlook space or <i>outdoor living space</i> required by another dwelling.</u></li> </ol> <p><u>Windows to street</u></p> <p>9. <u>Any <i>residential unit</i> facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.</u></p> <p><u>Landscaped area</u></p> <p>10. <u>A <i>residential unit</i> at ground floor level must have a landscaped area of a minimum of 20% of a developed <i>site</i> with grass or plants, and can include the canopy of <i>trees</i> regardless of the ground treatment below them.</u></p> <p>11. <u>The landscaped area may be located on any part of the <i>development site</i>, and does not need to be associated with each <i>residential unit</i>.</u></p>
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**4.18 Add a new rule as follows:**

<b>GRZ-Rx2</b>	<p><u>New <i>buildings</i>, and any minor works, <i>additions</i> or <i>alterations</i> to any <i>building</i> within a Residential Intensification Precinct.</u></p> <p><u>The following are excluded from this rule:</u></p> <ul style="list-style-type: none"> <li>• <u><i>Minor Buildings</i></u></li> <li>• <u><i>Buildings</i> within the Coastal Qualifying Matter Precinct (refer rule GRZ-R6)</u></li> </ul> <p><u>Measurement criteria apply to some activities under this rule.</u></p>
<u>Permitted Activity</u>	<p><b><u>Standards</u></b></p> <p>1. <u>The standards set out under rule GRZ-Rx1, except for standard 2.</u></p> <p><u><i>Building height</i></u></p> <p>2. <u><i>Buildings</i> must not exceed:</u></p> <ol style="list-style-type: none"> <li>a. <u>20 metres in <i>height</i>, where located in Residential Intensification Precinct A;</u></li> <li>b. <u>14 metres in <i>height</i>, where located in Residential Intensification Precinct B.</u></li> </ol> <p><u>Measurement criteria:</u> <u><i>Height</i> must be measured using the <i>height measurement criteria</i>.</u></p>

**4.19 Amend rule GRZ-R7 as follows:**

<b>GRZ-R7</b>	Relocation of any <i>building</i> excluding <i>minor buildings</i> .
<u>Permitted Activity</u>	<b><u>Standards</u></b>

	<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 GRZ-R6-, <u>GRZ-Rx1</u> or <u>GRZ-Rx2</u>.</p>
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**4.20 Amend rule GRZ-R8 as follows:**

<b>GRZ-R8</b>	Arable <i>farming</i> (including horticulture and market gardening), and the keeping of animals.
Permitted Activity	<p><b>Standards</b></p> <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>site</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 GRZ-R6-, <u>GRZ-Rx1</u> or <u>GRZ-Rx2</u>.</li> </ol>

**4.21 Amend rule GRZ-R9 as follows:**

<b>GRZ-R9</b>	Development of Lot 2 DP 441854 (Milne Drive, Paraparaumu).
Permitted Activity	<p><b>Standards</b></p> <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% Annual Exceedance Probability flood event will be achieved on-site.</li> <li>2. No sealed <i>carpark</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 18 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> <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> </ol> </li> <li>4. The entire width of ‘No-Build Area C’ must be planted and maintained as a vegetated buffer for Andrews Pond.</li> </ol>

	<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> (excluding <i>minor buildings</i>) must comply with the permitted activity standards for <i>buildings</i> (excluding <i>minor buildings</i>) set out under <del>Rule GRZ-R6</del>, Rules GRZ-Rx1 and GRZ-Rx2.</p>
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**4.22 Amend rule GRZ-R10 as follows:**

<b>GRZ-R10</b>	<p><i>Home businesses and home craft occupations</i></p> <p>Qualifying criteria apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <i>Home businesses and home craft occupations</i> must:             <ol style="list-style-type: none"> <li>a. be carried out within a lawfully established <i>residential building</i> (excluding <i>minor buildings</i>) or an associated accessory building that meets the <i>permitted activity</i> standards in Rule GRZ-R6; <del>GRZ-Rx1 or GRZ-Rx2</del>.</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 business</i> or <i>home craft occupation</i> per site, excluding home offices;</li> <li>d. not have more than one non-resident person working on the <i>site</i> at any one time; and</li> <li>e. not have any deliveries related to the activity made to or from the <i>site</i> between the hours of 7pm and 7am.</li> </ol> </li> <li>2. The total floor area used for <i>home businesses</i> or <i>home craft occupations</i> must not exceed 40m<sup>2</sup>.</li> <li>3. In addition to Standards (1) and (2) above, for any <i>home businesses</i>:             <ol style="list-style-type: none"> <li>a. any <i>retailing</i> must be an <i>ancillary activity</i> to the <i>home business</i>;</li> <li>b. no goods on display shall be visible from outside the <i>building</i> in which the <i>home business</i> is undertaken; and</li> <li>c. the maximum <i>retail floor space</i> or sales area must not exceed 10m<sup>2</sup>.</li> </ol> </li> </ol> <p><b>Qualifying Criteria:</b></p> <p><i>Home businesses and home craft occupations</i> are performed entirely within a <i>residential building</i> or <i>accessory building</i>. <i>Home businesses and home craft occupations</i> shall not include any activity involving any panel beating, spray painting, motor vehicle repairs, fibre glassing, <i>heavy trade vehicles</i>, sheet metal work, wrecking of motor vehicles, bottle or scrap metal storage, rubbish collection service (except that empty, clean drums may be stored in a suitably screened area), wrought iron work or manufacture, motor body building, fish processing, breeding or boarding of dogs or cats, <i>visitor accommodation</i> or any process which involves repetitive use of power tools, drills or hammering or any <i>business activity</i>, trade, craft or profession which creates a <i>nuisance effect</i> at or beyond the <i>boundary</i> of the <i>property</i> on which the activity is occurring, and does not include <i>temporary residential rental accommodation</i>.</p>

**4.23 Add a new rule as follows:**

<b>GRZ-Rx3</b>	<b><i>Papakāinga on land held under Te Ture Whenua Māori Act 1993.</i></b>
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<u>Permitted Activity</u>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <u>Any building (excluding minor buildings) must comply with the following Standards:</u> <ol style="list-style-type: none"> <li>a. <u>Standards 2, 3, 4 and 5 set out under rule GRZ-Rx1; or</u></li> <li>b. <u>where the papakāinga is in a Residential Intensification Precinct, Standards 3, 4 and 5 set out under rule GRZ-Rx1 and Standard 2 set out under rule GRZ-Rx2; or</u></li> <li>c. <u>where the papakāinga is in the Coastal Qualifying Matter Precinct, Standards 4, 6, 7 and 10 set out under rule GRZ-R6.</u></li> </ol> </li> <li>2. <u>The gross floor area of all commercial activities must not exceed the lesser of 20% of the area of the subject site, or 500m<sup>2</sup>.</u></li> </ol>
<p><b>Note:</b> refer to chapter PK – Papakāinga for Objectives and Policies specific to papakāinga.</p>	

**4.24 Amend rule GRZ-R11 as follows:**

<b>GRZ-R11</b>	<p><i>Visitor accommodation, excluding temporary residential rental accommodation and excluding the use of land for accommodating five or less visitors, subject to a tariff being paid.</i></p>	
<b>Controlled Activity</b>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Any building (excluding minor buildings) associated with the activity must comply with the permitted activity standards under GRZ-R6, GRZ-Rx1 or GRZ-Rx2.</li> <li>2. The activity must not receive any delivery between the hours of 7pm and 7am.</li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. Transport effects.</li> <li>2. Landscaping.</li> <li>3. Noise effects.</li> <li>4. Layout, size, design and location of any proposed buildings (excluding minor buildings) associated with the activity.</li> <li>5. The imposition of conditions to manage visual, character and amenity effects.</li> <li>6. Any positive effects to be derived from the activity.</li> <li>7. Cumulative effects.</li> <li>8. The imposition of conditions in accordance with section 108 of the Resource Management Act 1991.</li> <li>9. The imposition of financial contributions in accordance with the Financial Contributions Chapter of this Plan.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p>

**4.25 Delete rule GRZ-R13 as follows:**

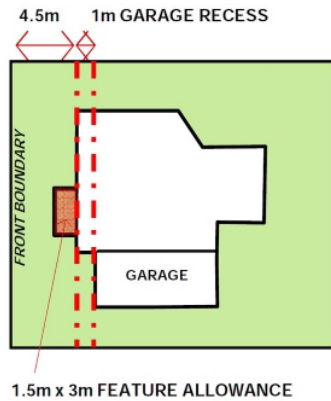
<b>GRZ-R13</b>	<p><del>Medium density housing.</del></p> <p><del>Measurement criteria, and residential unit measurement criteria apply to activities under this rule.</del></p>
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<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <p><b>General requirements</b></p> <p>1. <del>Medium density housing must:</del></p> <ul style="list-style-type: none"> <li>a. <del>be located in areas identified on the District Plan Maps as a Medium Density Housing Precinct;</del></li> <li>b. <del>have a minimum proposed development <i>subject site</i> area of 1,500m<sup>2</sup>;</del></li> <li>c. <del>comprise at least four <i>residential units</i>, as measured by the <i>Residential Unit Measurement Criteria</i>.</del></li> <li>d. <del>have a minimum development area of 200m<sup>2</sup> per <i>residential unit</i> and a minimum average area of 250m<sup>2</sup> per <i>residential unit</i> across the development; and</del></li> <li>e. <del>include an assessment of the <i>development</i> against the Crime Prevention Through Environmental Design Guidelines (Appendix 6) and the Medium Density Housing Design Guide (Appendix 2).</del></li> </ul> <p><b>Site development</b></p> <p>2. <del>A detailed <i>subject site</i> analysis plan must be provided with any application. The <i>subject site</i> analysis plan must:</del></p> <ul style="list-style-type: none"> <li>a. <del>include consideration of the local environment within a 200 metre radius of the proposed development <i>subject site</i>; and</del></li> <li>b. <del>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>subject site</i> for <i>medium density housing</i>.</del></li> </ul> <p>3. <del>A <i>subject site</i> development plan must be provided with any application including details of proposed:</del></p> <ul style="list-style-type: none"> <li>a. <del>access;</del></li> </ul>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <del>The imposition of <i>conditions</i> in accordance with <i>Council's Best Practice Medium Density Housing Design Guide</i>, <i>Crime Prevention through Environmental Design Guidelines</i> and <i>Subdivision and Development Principles and Requirements 2012</i>.</del></li> <li>2. <del>Design and layout.</del></li> <li>3. <del>The design, size, shape and location of reserves and <i>esplanade reserves</i>.</del></li> <li>4. <del>Compatibility with adjacent <i>development</i>.</del></li> <li>5. <del><i>Landscaping</i>.</del></li> <li>6. <del>The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</del></li> <li>7. <del>Materials and finishing of any <i>buildings</i> (excluding <i>minor buildings</i>).</del></li> <li>8. <del>Adequacy of proposed <i>subject site</i> analysis plan and <i>subject site</i> development plan.</del></li> <li>9. <del>Energy efficiency and <i>water</i> conservation.</del></li> <li>10. <del>Screening of rubbish storage areas.</del></li> <li>11. <del>Solid <i>waste</i> management and collection.</del></li> <li>12. <del>The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</del> <b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</li> <li>13. <del>Transport <i>effects</i>.</del></li> <li>14. <del>Any positive <i>effects</i> to be derived from the activity.</del></li> <li>15. <del>Cumulative <i>effects</i>.</del></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 discretion may also apply.</p>
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	<p><del>b. detailed <i>landscaping</i> (including a maintenance schedule); and</del></p> <p><del>c. waste collection and service points as well as details of screening of waste collection areas.</del></p> <p><del>4. Each <i>residential unit's</i> development area must be capable of containing an 8 metre diameter circle.</del></p> <p><del>5. Where existing <i>allotments</i> are to be amalgamated to achieve the requisite 1,500m<sup>2</sup> minimum proposed development <i>subject site</i> area, amalgamation of full existing <i>allotments</i> only shall be permitted. No <i>land use</i> consent shall be issued for a <i>medium density housing</i> development until any 'base' <i>allotments</i> required to form the 1,500m<sup>2</sup> minimum 'parent' <i>allotments</i> have been formally amalgamated.</del></p> <p><del>6. Each <i>residential unit</i> must have a <i>building area</i> above the estimated 1% Annual Exceedence Probability flood event.</del></p> <p><b>Note:</b> Refer to Natural Hazard 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><i>Buildings</i></p> <p><del>7. The maximum <i>height</i> as determined by the <i>height measurement criteria</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.</del></p> <p><del>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</del></p>	
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floor *habitable room* must face the street in any *residential building* that fronts a street.

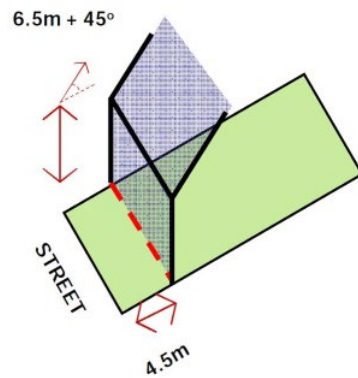
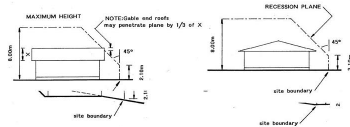


9. ~~Primary residential buildings that front a street must have a main pedestrian 'front door' accessed from the street.~~
10. ~~Garages, irrespective of access, must be recessed a minimum 1.0 metre behind the front façade of a primary residential building (irrespective of whether the front façade fronts a street, a common lane, a rear boundary, etc.), and otherwise must be set back a minimum 5.5 metres from any front boundary.~~
11. ~~A height in relation to boundary control of 2.1 metres + 45° shall apply from all boundaries facing the southern half of a compass including north-south faces, and one of 3 metres + 45° shall apply to all boundaries facing the northern half. This standard shall not apply from the road frontage boundary.~~

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

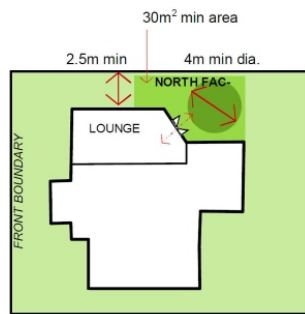
~~Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary envelope.~~

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



- ~~12. A height in relation to boundary control of 6.5 metres + 45° shall apply inwards from the 4.5 metre front yard line.~~
- ~~13. Maximum building 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 height of no less than 1 metre lower than the adjoining building mass. In addition, no more than 2 units may be terraced unless the connection is via a single storey garage, in which case an unlimited number may terrace to avoid long repetitive rows of units.~~
- ~~14. The maximum height of a front boundary fence, or any fence within the front yard, shall be 800 millimetres above original ground level. For any other fence, the maximum height shall be in accordance with Rule GRZ R3.~~
- ~~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 *habitable room*; however it must not be located between a *primary residential building's* front and a street. The space must also allow *sunlight* 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 *sunlight* between the hours of 11:00am and 2:00pm on June 21 (mid-winter solstice).



**Note:** depending on orientation and topography, an additional balcony may be required to provide minimum *sunlight* access to residents.

~~16. Where *sunlight* 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 be provided elsewhere around the unit directly accessible from a *habitable room*. 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.~~

~~17. *Building coverage* shall not exceed 50%.~~

**Measurement Criteria:**

When measuring *building coverage*, include:

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

	<p><del>Public Works Act 1981.</del></p> <p><del>Exclude:</del></p> <p><del>b. any section of any buildings that extends out beyond the ground floor level limits of the building and overhangs the ground</del></p> <p><del>c. The footprint of any <i>minor building</i></del></p> <p><del>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.</del></p> <p><del>19. <i>Habitable rooms</i> within <i>residential buildings</i> on <i>allotments</i> adjacent to any <i>Strategic Arterial Route</i> (including any <i>State Highway</i>) must be acoustically designed to achieve an internal <math>L_{10(18\text{ hr})}</math> level of 45dBA with all opening windows closed and provide an acoustic design certificate from a suitably qualified person confirming this has been achieved.</del></p> <p><del><i>Esplanades</i></del></p> <p><del>20. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</del></p> <p><del><i>Financial Contributions</i></del></p> <p><del>21. Compliance with FC-Table 1.</del></p>	
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4.26 Add a new rule as follows:

<b><u>GRZ-Rx4</u></b>	<p><u>New buildings, and any minor works, additions or alterations to any building, that do not comply with one or more of the standards under rules GRZ-Rx1 or GRZ-Rx2, except for standard GRZ-Rx1.1.</u></p> <p><b><u>Notification</u></b> Public notification of an application for resource consent under this Rule is precluded.</p>
<u>Restricted Discretionary Activity</u>	<p><b><u>Matters of Discretion</u></b></p> <ol style="list-style-type: none"> <li>1. <u>The matters contained in the Residential Design Guide.</u></li> <li>2. <u>The matters contained in the Subdivision and Development Principles and Requirements 2012.</u></li> </ol>

		<ol style="list-style-type: none"> <li>3. <u>Consideration of the <i>effects</i> of the standard not met.</u></li> <li>4. <u>Cumulative <i>effects</i>.</u></li> <li>5. <u>The imposition of financial contributions in accordance with the Financial Contributions Chapter.</u></li> </ol>
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4.27 Add a new rule as follows:

<b>GRZ-Rx5</b>	<p>New <i>buildings</i>, and any minor works, <i>additions</i> or <i>alterations</i> to any <i>building</i>, that comply with all of the standards under rules GRZ-Rx1 or GRZ-Rx2, except for standard GRZ-Rx1.1.</p> <p><b>Notification</b> Public and limited notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>		<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <u>The matters contained in the <b>Residential Design Guide</b>.</u></li> <li>2. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012</b>.</u></li> <li>3. <u>Site layout.</u></li> <li>4. <u>Building density, form and appearance.</u></li> <li>5. <u>Streetscape.</u></li> <li>6. <u>Landscaping.</u></li> <li>7. <u>Reverse sensitivity.</u></li> <li>8. <u>Transport <i>effects</i>.</u></li> <li>9. <u>Cumulative <i>effects</i>.</u></li> <li>10. <u>The imposition of financial contributions in accordance with the Financial Contributions Chapter.</u></li> </ol>

4.28 Add a new rule as follows:

<b>GRZ-Rx6</b>	<p>New <i>buildings</i>, and any minor works, <i>additions</i> or <i>alterations</i> to any <i>building</i>, that do not comply with one or more of the standards under rules GRZ-Rx1 or GRZ-Rx2, including standard GRZ-Rx1.1.</p> <p><b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>		<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <u>The matters of discretion listed under Rules GRZ-Rx4 and GRZ-Rx5.</u></li> </ol>

4.29 Amend rule GRZ-R14 as follows:

GRZ-R14	Any <i>local convenience retail outlet</i> .	
Restricted Discretionary Activity	<p><b>Standards</b></p> <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 <del>Rules GRZ-R5 and GRZ-R6, except that permitted activity standards 12(a) and 12(b) of GRZ-R6 shall not apply the following rules:</del> <ol style="list-style-type: none"> <li>a. <u>GRZ-R5; and</u></li> <li>b. <u>GRZ-R6 (except that standards GRZ-R6.11(a) and (b) shall not apply; or</u></li> <li>c. <u>GRZ-Rx1 (except that the front yard requirement of standard GRZ-Rx1.4 shall not apply); or</u></li> <li>d. <u>GRZ-Rx2 (except that the front yard requirement of standard GRZ-Rx1.4 shall not apply).</u></li> </ol> </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 TR-Table 7 - Transport Network Hierarchy).</li> <li>6. The activity must not be located within 500 metres of (or within):               <ol style="list-style-type: none"> <li>a. any Metropolitan Centre, Local Centre, Mixed Use Centre or Town Centre <i>Zone</i>; or</li> </ol> </li> </ol>	<p><b>Matters of Discretion</b></p> <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>subject 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 the Financial Contributions chapter of this Plan.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p><del>10. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 3.</del></p>

	<p>b. any lawfully established <i>local convenience retail outlet</i> in the General Residential Zone.</p>	
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**4.30 Delete rule GRZ-R16 as follows:**

<b>GRZ-R16</b>	<i>Any building (excluding minor buildings), and any additions or alterations to any building (excluding minor buildings and any listed historic heritage building) in the Beach Residential Precincts that does not comply with the permitted activity standards for yard setbacks.</i>	
Restricted Discretionary Activity	-	<p><b>Matters of Discretion</b></p> <p>-</p> <ol style="list-style-type: none"> <li><del>1. The consideration of effects with regard to Council's Subdivision and Development Principles and Requirements 2012 and Streetscape Strategy and Guideline.</del></li> <li><del>2. Compatibility with adjacent development.</del></li> <li><del>3. The imposition of conditions to manage visual, character, amenity and cumulative effects.</del></li> <li><del>4. Landscaping.</del></li> <li><del>5. The imposition of financial contributions in accordance with the Financial Contributions Chapter.</del></li> </ol> <p><b>Note:</b> other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> <li><del>6. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 3.</del></li> </ol>

**4.31 Add a new rule as follows:**

<b>GRZ-Rx7</b>	<i>Papakāinga on general title land.</i>	
	<b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
	<ol style="list-style-type: none"> <li><u>1. The applicant is a member of Ngāti Toa Rangatira, Ngāti Raukawa te au ki te Tonga, or Te Āti Awa ki Whakarongotai.</u></li> </ol>	<ol style="list-style-type: none"> <li><u>1. Whether the applicant has demonstrated their <i>whakapapa</i> or ancestral connection to the <i>land</i>;</u></li> </ol>



		<ol style="list-style-type: none"> <li>2. <u>Evidence of appropriate legal mechanism(s) to ensure that <i>land</i> is maintained in Māori ownership.</u></li> <li>3. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></li> </ol>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</u></li> <li>2. <u>For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include:</u> <ol style="list-style-type: none"> <li>a. <u>where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</u></li> <li>b. <u>any other matter related to <i>tikanga Māori</i>.</u></li> </ol> </li> </ol>		

**4.32 Add a new rule as follows:**

<b>GRZ-Rx8</b>	<p><u><i>Papakāinga</i> on land held under <b>Te Ture Whenua Māori Act 1993</b> or on <i>general title land</i> that do not comply with one or more of the Standards set out under Rule GRZ-Rx3.</u></p> <p><b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.</p>	
Restricted Discretionary Activity		<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <u>Consideration of the <i>effects</i> of the standard not met.</u></li> <li>2. <u>Measures to avoid, remedy or mitigate adverse <i>effects</i>.</u></li> <li>3. <u>Cumulative <i>effects</i>.</u></li> <li>4. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></li> </ol>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</u></li> <li>2. <u>For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include:</u> <ol style="list-style-type: none"> <li>a. <u>where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</u></li> <li>b. <u>any other matter related to <i>tikanga Māori</i>.</u></li> </ol> </li> </ol>		

**4.33 Delete rule GRZ-R22 as follows:**

<b>GRZ-R22</b>	<p><u><i>Medium Density Housing</i> 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 <i>restricted discretionary activity</i> standards under GRZ-R13.</u></p>
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Non-complying Activity	-
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DRAFT

## 5.0 Proposed amendments to the Metropolitan Centre Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Metropolitan Centre Zone Chapter are proposed to give effect to Policy 3(b) of the NPS-UD.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
MCZ-P2	Policy amended to give effect to policy 3(b) of the NPS-UD by enabling high density residential activities within the Zone.
MCZ-P5	Policy amended to give effect to policy 3 of the NPS-UD by amending existing text to enable the outcomes sought under Objective 4 of the NPS-UD.
MCZ-P8	Policy amended to give effect to policy 3 of the NPS-UD by enabling a higher density of urban built form across all centres zones and the Mixed Use Zone, specifically by enabling: <ol style="list-style-type: none"> <li>1. 12-storey buildings within the <i>Metropolitan Centre Zone</i>;</li> <li>2. 6-storey buildings within: <ol style="list-style-type: none"> <li>a. the <i>Town Centre Zone</i>;</li> <li>b. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the <i>Mixed Use Zone</i>;</li> <li>c. the <i>Local Centre Zone</i> at Paekākāriki; and</li> </ol> </li> <li>3. 4-storey buildings within the <i>Local Centre Zone</i>.</li> </ol>
MCZ-R5	Permitted activity rule amended to: <ul style="list-style-type: none"> <li>• Remove standards that effectively functioned as a minimum site size rule for residential development in precinct C of the MCZ;</li> <li>• Remove building density standards that are superseded by new standards contained within rule MCZ-R7;</li> <li>• Make consequential amendments to standards numbering.</li> </ul>
MCZ-R7	Permitted activity rule for buildings amended to: <ul style="list-style-type: none"> <li>• Increase the permitted height threshold to 21 metres (the equivalent of 6-storeys) (12-storey development is enabled as a restricted discretionary activity, see MCZ-R13);</li> <li>• Amend the height in relation to boundary standard so that it is consistent with the standard for the surrounding Residential Intensification Precinct;</li> <li>• Introduce standards for outdoor living space and outlook space for residential units that are consistent with the MDRS (except where existing standards within the Zone are more enabling);</li> <li>• Make consequential amendments to standards numbering.</li> </ul>
MCZ-R11	Consequential amendment to permitted activity rule to update cross-references to other rules.

MCZ-R13	Restricted discretionary activity rule for buildings amended to include a height standard that enables buildings up to 40 metres in height (the equivalent of 12-storeys).
MCZ-R15	Consequential amendment to restricted discretionary activity rule to update cross-references to other rules.
MCZ-P2, MCZ-P7, MCZ-R13, MCZ-R14	Consequential amendments to incorporate a reference to the Centres Design Guide.

## Proposed amendments to the District Plan

This section forms part of the IPI.

### 5.1 Amend policy MCZ-P2 as follows:

MCZ-P2	Metropolitan Centre Zone Precincts
<p><i>Subdivision, use and development</i> in the Metropolitan Centre Zone will be undertaken in accordance with the Metropolitan Centre Zone Structure Plan in Appendix 19 and the <del>principles in the Centres Design Principles in Appendix 20</del> <b>Centres Design Guide</b>, in a manner that reinforces the following specific management principles for each precinct:</p>	
<p>1. Precinct A Manage <i>Precinct A</i> to maintain and reinforce its purpose as the primary retail and commercial core within the District and to improve <i>amenity values</i> and functional diversity. Manage Precinct A1 to enhance existing retail and commercial development, while managing Precinct A2 to enable <i>development</i> for <i>retail, commercial</i> and <i>residential activities</i> (excluding <i>industrial activities</i>) and to reinforce the amenity and function of the existing retail and commercial core.</p> <p>Precinct A will be developed in the following manner:</p> <ol style="list-style-type: none"> <li>a. transport circulation and integration within the surrounding Metropolitan Centre precincts and the rail interchange, is improved;</li> <li>b. diversity and choice in terms of the shopping and social experience for the wider Kāpiti Coast community is created, and a variety of <i>commercial</i> and <i>entertainment activities</i> is enabled (excluding <i>industrial activities</i>);</li> <li>c. the extent and diversity of employment is retained and increased;</li> <li>d. <i>retail</i> and <i>commercial activities</i> (excluding <i>industrial activities</i>) adjoining Rimu Road are provided for where these provide an active edge, and where activities remain compatible with the role of Precinct A as the primary commercial core of the Metropolitan Centre;</li> <li>e. enable apartment and mixed use activities to occur alongside the eastern edge of the green network of the Wharemauku Stream in a manner that enhances the recreational values of stream margins;</li> <li>f. <i>amenity values</i> for pedestrians that utilise the adjoining public realm are improved; and</li> <li>g. <i>building</i> development adjoining Rimu Road will have active frontages and avoid blank facades.</li> </ol> <p>1. Precinct B Manage <i>Precinct B</i> to consolidate its role as the community and civic focal point for the District.</p>	

Precinct B will be developed in the following manner:

- a. transport circulation and integration within the surrounding Metropolitan Centre precincts will be provided, while reinforcing the *development* of Rimu Road as the Metropolitan Centre’s Main Street;
- b. community uses and civic facilities will be consolidated in the Iver Trask Place and Ngahina Street areas; and
- c. substantial *stormwater* management facilities will be provided where these also provide ecological and recreational values.

3. Precinct C

Manage *Precinct C* to provide development areas, some being subject to the resolution of *stormwater* management, to reinforce the sub-regional status and the vitality and functioning of the Metropolitan Centre. Precinct C shall be developed to provide strong connections within the Metropolitan Centre Zone and to accommodate development that is compatible with and complementary to the balance of the Centre and reinforces the role and function of the Sub-Regional Centre.

Precinct C will be developed in the following manner:

- a. transport circulation and integration within the surrounding Metropolitan Centre precincts will be provided for;
- b. adverse *effects* that would otherwise decrease the efficiency and effectiveness of Kāpiti Road as a transport corridor, including for public transport, will be managed;
- c. *amenity values* of Kāpiti Road will be maintained or enhanced;
- d. adverse *effects* on the landscape and *amenity values* of the dune system will be avoided to the extent practicable having regard to the development outcomes provided for in Precinct C and, where adverse *effects* cannot be avoided, they will be mitigated or offset by environmental enhancements within Precinct C that are commensurate with the scale of the adverse *effects*.
- e. the establishment of complementary activities, including *commercial* and *residential activities* (excluding *industrial* and *retail activities*), will be provided for where activities remain compatible with the role and function of Precinct A as the primary retail and commercial core of the Metropolitan Centre Zone;
- f. allowance for *retail activities* will be limited in type and scale, to ensure adverse *effects* on the vitality and viability of the Metropolitan Centre will not be significant;
- g. ~~medium density~~ higher density residential activities will be enabled in conjunction with *commercial activities* (excluding *industrial* and *retail activities*); and
- h. *stormwater* management will be provided to address *stormwater* concerns and, where practicable, will also support ecological and recreational values.

5.2 Amend policy MCZ-P5 as follows:

MCZ-P5	Activities in the Working Zones
<p><i>Business activities</i> are the primary <i>land use</i> and function of the <i>Working Zones</i>. The location, scale, size and design of <i>subdivision</i>, use and <i>development</i> in the <i>Working Zones</i> will be undertaken with regard to the following principles:</p> <ol style="list-style-type: none"> <li>1. local and on-site <i>amenity values</i> are maintained and enhanced <u>where practicable, while recognising that these values develop and change over time in response to the diverse and changing needs of people, communities and future generations</u>;</li> <li>2. local built identity and character values are <del>retained</del> considered;</li> <li>3. connectivity and access within and to the <i>Working Zones</i> is enhanced;</li> <li>4. opportunities for transport choice and efficiency are maximised, including integration with public and community transport;</li> <li>5. built form is compatible with the <del>surrounding environment</del> <u>planned built character of the Zone</u>;</li> <li>6. facilities are integrated within the <i>centre</i> or other <i>Working Zones</i>; and</li> </ol>	

7. *temporary events* will be enabled in *centres* where they are consistent with the scale, role and function of the *centre*.

### 5.3 Amend policy MCZ-P7 as follows:

<b>MCZ-P7</b>	Mixed Use Activities in Centres
Mixed use development, including <i>residential activities</i> , will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the principles in <del>Appendix 20 Centres Design Principles</del> <b><u>Centres Design Guide</u></b> .	

### 5.4 Amend policy MCZ-P8 as follows:

<b>MCZ-P8</b>	Urban form and design of centres
<p><i>Subdivision</i>, use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high quality interface between built form and public space. To achieve this, the <del>principles in the Centres Design Principles in Appendix 20</del> <b><u>Centres Design Guide</u></b> will be applied.</p> <p>A higher density of urban built form will be enabled in <i>centres</i> including:</p> <ol style="list-style-type: none"> <li>1. <u>12-storey buildings within the <i>Metropolitan Centre Zone</i>;</u></li> <li>2. <u>6-storey buildings within:</u> <ol style="list-style-type: none"> <li>a. <u>the <i>Town Centre Zone</i>;</u></li> <li>b. <u>the <i>Ihakara Street West</i>, <i>Ihakara Street East</i> and <i>Kapiti Road</i> precincts of the <i>Mixed Use Zone</i>;</u></li> <li>c. <u>the <i>Local Centre Zone</i> at <i>Paekākāriki</i>; and</u></li> </ol> </li> <li>3. <u>4-storey buildings within the <i>Local Centre Zone</i>.</u></li> </ol>	

### 5.5 Amend rule MCZ-R5 as follows:

<b>MCZ-R5</b>	<p><i>Commercial and residential activities in Precinct C.</i></p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• <i>retail activities</i></li> <li>• <i>industrial activities</i></li> <li>• non-commercial <i>ancillary activities</i> to the <i>commercial activity</i>.</li> </ul> <p><del><i>Residential unit measurement criteria, qualifying criteria, and measurement criteria</i></del> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Where <i>residential activities</i> (excluding <i>visitor accommodation</i> that is not <i>temporary residential rental accommodation</i>) are incorporated into a <i>development</i> that includes <i>commercial activities</i> they must be located above ground floor level or separated from all street frontages by <i>commercial activities</i>.</li> <li>2. <i>Residential activities</i> (other than those incorporated into a <i>development</i> that includes retail or <i>commercial activities</i>) must meet the following standards (excluding <i>visitor accommodation</i> that is not <i>temporary residential rental accommodation</i>):</li> </ol>

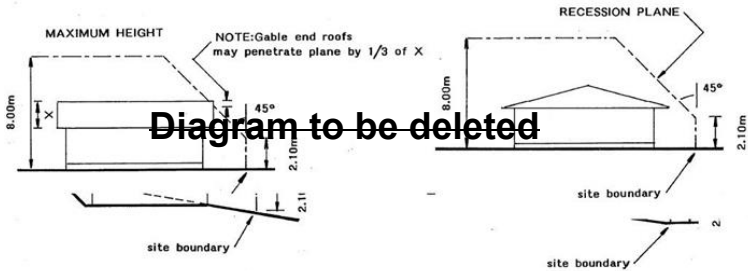
- a. comprise at least one *residential unit* (as measured by the *residential unit measurement criteria*);
- b. have a minimum development area of 200m<sup>2</sup> per *residential unit* and a minimum average area of 250m<sup>2</sup> per *residential unit* across the development;
- c. each *residential unit's* development area must be capable of containing an 8 metre diameter circle;
- d. a ground floor *habitable room* must face the street in any *residential building* that fronts the street;
- e. *residential buildings* that front a street must have a main pedestrian 'front door' accessed from the street;
- f. garages, irrespective of access, must be recessed a minimum 1.0 metre behind the front façade of a *residential buildings* (irrespective of whether the front façade fronts a street, a common lane, a rear *boundary*, etc.);
- g. a *height in relation to boundary* envelope control of 2.1 metres + 45° shall apply from all *boundaries* facing the southern half of a compass including north-south faces, and one of 3 metres + 45° shall apply to all *boundaries* facing the northern half. This standard shall not apply from the *road frontage boundary*;
- h. maximum *building* length is 12 metres before a recess with a minimum dimension of 3 metres x 3 metres is required (excludes *minor buildings*). This recess must also have a maximum *height* of no less than 1 metre lower than the adjacent building mass. In addition, no more than 2 units may be terraced unless the connection is via a single storey garage, in which case an unlimited number may terrace to avoid long repetitive rows of units;
- i. the maximum *height* (above *original ground level*) of a front *boundary* fence, or any fence within the front yard, shall be 0.8 metres;
- j. 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 *habitable room*; however it must not be located between a *residential building's* front and a street; and
- k. *building coverage* must not exceed 50%.

#### Qualifying Criteria

*Outdoor Living Space* may be covered but may not be enclosed. An *Outdoor Living Space* does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.

#### Measurement Criteria

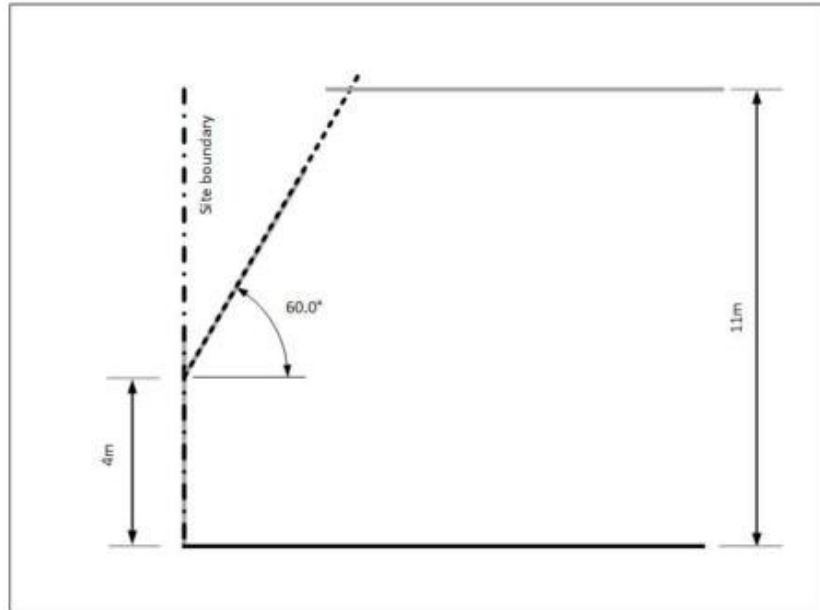
- a. The *height in relation to boundary* envelope must be measured from a point above the *original ground level* at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the *height in relation to boundary* envelope.
- c. Where there is a right of way or an access strip/leg adjoining the allotment boundary, the *height in relation to boundary* envelope shall be measured from a point 2.1 metres above a point midway across the right of way or access strip/leg.

	 <p style="text-align: center;"><b>Diagram to be deleted</b></p> <p>d.</p> <p>a. e.-When measuring <i>building coverage</i>, include:</p> <p style="padding-left: 20px;">i. any part of the <i>site</i> subject to a designation that may be taken or acquired under the Public Works Act 1981.</p> <p>b. f.-When measuring <i>building coverage</i>, exclude:</p> <p style="padding-left: 20px;">i. any section of any buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.</p> <p style="padding-left: 20px;">ii. The footprint of any <i>minor Building</i></p> <p>3. Compliance with FC-Table 1.</p>
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5.6 Amend rule MCZ-R7 as follows:

<p><b>MCZ-R7</b></p>	<p>Except within the Dune Protection Area identified on the Structure Plan in Appendix 19, new <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing buildings and <i>structures</i>.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</li> </ul> <p><u>Residential unit measurement criteria and measurement criteria apply to activities under this rule.</u></p>
<p>Permitted Activity</p>	<p><b>Standards</b></p> <p><u>Building height</u></p> <p>1. <u>Buildings must not exceed 21 metres in height.</u></p> <p><u>Measurement criteria:</u>  <u>Height must be measured using the height measurement criteria.</u></p> <p><u>Height in relation to boundary</u></p> <p>2. <u>Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</u></p>





**MCZ-Diagram 1 – Height in relation to boundary**

This standard does not apply to any of the following:

- a. a boundary with a road;
- b. a boundary between a site in the Metropolitan Centre Zone, and a site in any of the following zones:
  - i. Any centres zone;
  - ii. The Mixed Use Zone;
  - iii. The General Industrial Zone;
- c. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials.

Outdoor living space (per residential unit, as measured by the Residential Unit Measurement Criteria)

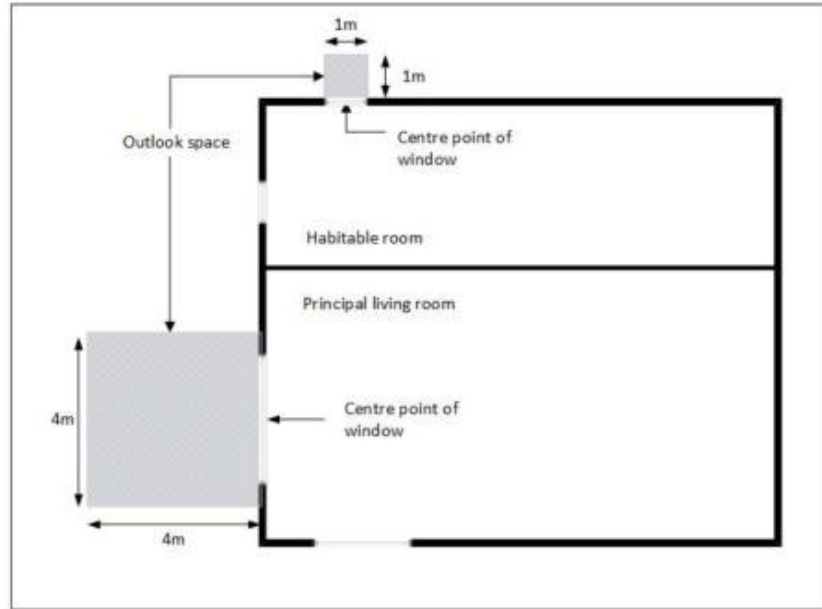
3. Except as provided for under Rule MCZ-R3, a residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:
  - a. where located at ground level, has no dimension less than 3 metres; and
  - b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - c. is accessible from the residential unit; and
  - d. may be:
    - i. grouped cumulatively by area in 1 communally accessible location; or
    - ii. located directly adjacent to the unit; and
  - e. is free of buildings, parking spaces, and servicing and manoeuvring areas.
4. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
  - a. is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - b. is accessible from the residential unit; and
  - c. may be:
    - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or

ii. located directly adjacent to the unit.

Outlook space (per residential unit, as measured by the Residential Unit Measurement Criteria)

5. An outlook space must be provided for each residential unit as specified in this standard:

a. An outlook space must be provided from habitable room windows as shown in the diagram below:



**MCZ-Diagram 2 – Outlook space**

b. The minimum dimensions for a required outlook space are as follows:

- i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
- ii. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

c. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

d. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.

e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

f. Outlook spaces may be under or over a balcony.

g. Outlook spaces required from different rooms within the same building may overlap.

h. Outlook spaces must:

- i. be clear and unobstructed by buildings; and
- ii. not extend over an outlook space or outdoor living space required by another dwelling.

Other Standards

1. ~~The maximum height of any building or structures from original ground level shall be 12 metres and no building shall be more than 3 storeys above the original ground level, except in Precinct A1 where the maximum~~

~~height of any building or structure shall be 15 metres and no building shall be more than 4 storeys above original ground level.~~

~~6. 2–In Precinct A, where a building adjoins, or is within 2 metres of the front boundary of a site, or a main internal pedestrian route, the building must contain at least 75% of the ground level road boundary façade and façades on main internal pedestrian routes as active retail frontages, including pedestrian entrances and clear glass for the display of goods. This standard excludes buildings only used for residential activities (excluding visitor accommodation that is not temporary residential rental accommodation) in Precinct A2.~~

~~7. 3–In Precinct A, buildings must be located within 20 metres of any existing retail activities on the subject site or adjoining subject sites, and provide links via footpaths to the pedestrian entrances of adjoining premises.~~

~~8. 4–In Precinct A, buildings must:~~

- ~~a. contain a minimum of one pedestrian entrance/exit per 15 metres of frontage to legal roads;~~
- ~~b. provide pedestrian access between public entrances of building and public roads, vehicle parking and loading areas and public open spaces; and~~
- ~~c. each footpath shall have a minimum width of 2 metres and shall have an all-weather surface suitable for foot access.~~

~~9. 5–In Precinct B, buildings must contain at least 50% of the ground level road boundary façade and facades on desired connector roads as active frontages, including pedestrian entrances and clear glass with views to activities in the building.~~

~~10. 6–In Precinct C, buildings for commercial uses must contain at least 50% of the ground level road boundary façade and facades on desired connector roads as active frontages, including pedestrian entrances and clear glass with views to activities in the building.~~

~~7. All buildings and structures must fit within a height in relation boundary envelope, which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the property boundary where it adjoins the boundary of Residential Zones and inclines inwards at an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height may infringe the height in relation to boundary envelope.~~

**Measurement Criteria:**

- ~~a. The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).~~
- ~~b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary envelope.~~
- ~~c. Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary envelope shall be measured from a point 2.1 metres above a point midway across the right of way or access strip/leg.~~

**Diagram to be deleted**

~~d.~~

	<p><u>11.</u> <del>8.</del> Any <i>building</i> or <i>structure</i> which is setback 2 or more metres from the <i>road boundary</i> must provide (or, in respect of existing <i>trees</i>, retain) at least one specimen tree capable of growing to 5 metres in <i>height</i> within 10 years of planting for every 10 metres of <i>site</i> frontage. Any <i>landscaping</i> provided in accordance with this standard must be included in the <i>landscaping</i> car park requirement.</p> <p><u>12.</u> <del>9.</del> All <i>buildings</i>, other than temporary or accessory storage <i>buildings</i>, must be lit with exterior lighting at pedestrian entrance areas at a minimum of 10 lux.</p> <p><u>13.</u> <del>40.</del> In <i>Precinct A</i>, <i>Precinct B</i>, and <i>Precinct C</i> along frontage to main pedestrian routes, verandahs shall be provided to the following standards, except in situations where the adjoining <i>buildings</i> on both sides do not have a verandah (excluding roads fronting the Wharemauku Stream reserve where all <i>buildings</i> must provide a verandah) and where the <i>building</i> is set back from the frontage by more than 3 metres:</p> <p style="margin-left: 40px;">a. The verandah shall have a minimum depth of 3 metres; and</p> <p style="margin-left: 40px;">b. The verandah shall be at least 0.5 metres behind the kerb face.</p> <p><u>14.</u> <del>41.</del> Verandahs must extend along the entire frontage of the <i>building</i> and shall adjoin existing verandahs on adjacent <i>buildings</i>.</p> <p><u>15.</u> <del>42.</del> Verandahs must have exterior lighting at pedestrian entrance areas at a minimum of 10 lux.</p> <p><u>16.</u> <del>43.</del> <i>Buildings</i> and <i>structures</i> shall be sited a minimum of 4 metres from the <i>boundary</i> of the <i>Residential Zones</i>.</p> <p><u>17.</u> <del>44.</del> Except in <i>Precinct C</i>, no <i>building</i> or <i>structure</i> shall be set back more than 2 metres from the legal <i>road boundary</i> or main internal pedestrian route edge.</p> <p><u>18.</u> <del>45.</del> In <i>Precinct C</i>, <i>buildings</i> and <i>structures</i> shall be set back less than 2 metres from the legal <i>road boundary</i> or main internal pedestrian route edge, or shall be set back more than 10 metres where the setback is not used for <i>vehicle access</i> and parking. Any setback less than 2 metres must be entirely paved for pedestrian circulation (except for <i>ancillary landscaping</i>). This rule does not apply to <i>ancillary buildings</i> and <i>structures</i>; that is <i>buildings</i> and <i>structures</i> used for a purpose which is secondary to the main use of the <i>subject site</i>, provided that the <i>ancillary buildings</i> are located to the rear of the main <i>building</i> on the <i>subject site</i>.</p> <p><b>Note:</b> These setbacks allow for future small-scale activities.</p> <p><u>19.</u> <del>46.</del> The maximum <i>block length</i> of the <i>development</i> shall be 150 metres. For the purposes of this standard, the maximum <i>block length</i> shall also apply to any internal roading proposed.</p> <p><u>20.</u> <del>47.</del> No vehicle entrances to car parking or loading areas shall be located:</p> <p style="margin-left: 40px;">a. on Rimu Road in <i>Precinct A2</i>; or</p> <p style="margin-left: 40px;">b. on Kāpiti Road in <i>Precinct C</i>.</p>
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**5.7 Amend rule MCZ-R11 as follows:**

<b>MCZ-R11</b>	New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> in <i>Precinct A</i> that do not comply with Permitted Activity Standards <del>3, 4, 17 and 18</del> <u>7, 8 and 20</u> in MCZ-R7.
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	Excludes: <ul style="list-style-type: none"> <li>New <i>minor buildings and additions and alterations</i> to existing <i>minor buildings</i>.</li> </ul>	
Controlled Activity	<b>Standards</b> <ol style="list-style-type: none"> <li><i>Buildings</i> must be located within 30 metres of any existing <i>retail activities</i> on the site.</li> <li>For <i>active retail frontages</i>, the distance between pedestrian entrances must not exceed 20 metres.</li> </ol>	<b>Matters of Control</b> <ol style="list-style-type: none"> <li>Consideration of the standard not met.</li> <li>Measures to avoid, remedy or mitigate adverse <i>effects</i>.</li> <li>Cumulative <i>effects</i>.</li> </ol>

5.8 Amend rule MCZ-R13 as follows:

<b>MCZ-R13</b>	New <i>buildings and structures and additions and alterations</i> to existing <i>buildings and structures</i> where one or more of the <i>permitted activity</i> standards in MCZ-R7 or one or more of the controlled activity standards in MCZ-R11 are not met.	
	Excludes: <ul style="list-style-type: none"> <li>New <i>minor buildings and additions and alterations</i> to existing <i>minor buildings</i>.</li> </ul>	
	<u>Measurement criteria apply to activities under this rule.</u>	
Restricted Discretionary Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>For <i>active retail frontages</i> in Precinct A, the distance between pedestrian entrances must not exceed 18 metres.</li> </ol> <p><u>Building height</u></p> <ol style="list-style-type: none"> <li><u><i>Buildings</i> must not exceed 40 metres in <i>height</i>.</u></li> </ol> <p><u>Measurement criteria:</u> <u><i>Height</i> must be measured using the <i>height measurement criteria</i>.</u></p>	<b>Matters of Discretion</b> <ol style="list-style-type: none"> <li>Location, layout, size and design of the proposed <i>development</i>.</li> <li>Consideration of the standard(s) not met.</li> <li>Visual, character, amenity, <i>historic heritage</i> and streetscape <i>effects</i>.</li> <li>The extent of consistency with the <del>Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's</del> <b>Centres Design Guide</b> and the <b>Subdivision and Development Principles and Requirements 2012</b> and the <del>Centres Design Principles in Appendix 20.</del></li> <li><i>Effects</i> on landform and landscape.</li> <li>Traffic and transport <i>effects</i>.</li> <li>Design and appearance of <i>buildings</i>.</li> <li>Location and design of parking, traffic circulation areas, loading and access.</li> <li>Public safety.</li> <li>Context and surroundings.</li> <li>Cumulative <i>effects</i>.</li> </ol>

		<p>12. Whether any <i>nuisance effects</i> are created.</p> <p>13. The consistency with the relevant objectives and policies.</p>
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**5.9 Amend rule MCZ-R14 as follows:**

<b>MCZ-R14</b>	Large Format retail activities in <i>Precinct C</i> that are not permitted by MCZ-R10.	
	<i>Measurement criteria</i> apply to activities under this rule.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The <i>building</i> for the retail activity must meet the <i>permitted activity standards</i> for <i>buildings</i> in Precinct C in MCZ-R7.</li> <li>2. The activity must be consistent with the Structure Plan in Appendix 19.</li> <li>3. Department Stores shall be limited to one <i>department store</i>, which may include grocery and other retailing, within a single premise which must have a minimum <i>gross floor area</i> of 3,000m<sup>2</sup> and the store or brand must not be in the District.</li> </ol> <p><i>Measurement Criteria:</i> When measuring <i>gross floor area</i>, include:</p> <ol style="list-style-type: none"> <li>a. covered yards and areas covered by a roof but not enclosed by walls</li> </ol> <p>Exclude:</p> <ol style="list-style-type: none"> <li>a. uncovered stairways;</li> <li>b. floor space in terraces (open or roofed), external balconies, breezeways or porches;</li> <li>c. roof <i>car parking</i>, lift towers and machinery rooms on the roof having a floor area of not more than 200m<sup>2</sup>;</li> <li>d. <i>car parking</i> areas; and</li> <li>e. floor space of interior balconies and mezzanines not used by the public.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Location, layout, size and design of the proposed <i>development</i>.</li> <li>2. The extent of consistency with the <del>Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's</del> <b>Centres Design Guide</b> and the <b>Subdivision and Development Principles and Requirements 2012</b> and the <del>Centres Design Principles in Appendix 20.</del></li> <li>3. Visual, character, amenity, <i>historic heritage</i> and <i>streetscape effects</i>.</li> <li>4. Traffic and transport <i>effects</i>.</li> <li>5. Location and design of parking, traffic circulation areas, loading and access.</li> <li>6. Public safety.</li> <li>7. Context and surroundings.</li> <li>8. Whether any <i>nuisance effects</i> are created.</li> <li>9. The consistency with the relevant objectives and policies.</li> <li>10. <i>Effects</i> on the vitality and viability of the Metropolitan Centre Zone</li> </ol>

**5.10 Amend rule MCZ-R15 as follows:**

<b>MCZ-R15</b>	<i>Earthworks, new buildings and structures and additions and alterations</i> to existing <i>buildings and structure</i> in the Dune Protection Area identified in the Structure Plan in Appendix 19.
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	<p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</li> </ul> <p><b>Note:</b> Earthworks associated with the removal or replacement of underground fuel storage tanks and "earthworks" as defined in and regulated by the NESPF are not managed by this plan. For <i>extractive industries</i> see EW-EXT.</p>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The activity must comply with the following standards listed in the following <i>permitted activity</i> rules:            MCZ-R1 (Standards 1 to 5 inclusive)            MCZ-R5 (Standards 1 to 4 inclusive)            MCZ-R6 (Standard 1)            MCZ-R7 (Standards 1, 6 to 13 inclusive and 15 to 17 inclusive, 1 to 5 inclusive, 10 to 16 inclusive and 18 to 20 inclusive)            MCZ-R9 (Standard 1)</li> </ol> <p><b>Note:</b> All <i>roads</i> and associated <i>infrastructure</i> must be constructed to the standards specified in in the Transport and Infrastructure chapters. See NH-FLOOD-R2 for the separation of <i>buildings</i> and <i>structures</i> from <i>waterbodies</i> standards. See FC-Table 1 for the rules and standards for <i>financial contributions</i> for all <i>development</i>.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on ecological values.</li> <li>2. <i>Effects</i> on <i>amenity</i> and landscape <i>values</i> and the extent to which the dune landform and <i>natural character</i> are protected or retained.</li> <li>3. The extent to which <i>earthworks</i> are necessary to facilitate the efficient <i>development</i> of land within Precinct C.</li> <li>4. <i>Effects</i> on the pattern of <i>development</i> within Precinct C, including benefits associated with efficient <i>development</i> of the land.</li> <li>5. Measures to mitigate or offset adverse <i>effects</i> on landscape and <i>amenity values</i> or to address potential soil erosion.</li> <li>6. The profile and surface treatment of any excavated or filled area and the integration of excavated or filled areas with the natural landform.</li> <li>7. The layout of <i>roads</i>, walking and cycling routes and the location of <i>infrastructure</i> services and <i>stormwater</i> management areas.</li> <li>8. The location and finished appearance of any <i>building</i>.</li> <li>9. The matters referred to in Policies MCZ-P1 and MCZ-P2.</li> </ol>

## 6.0 Proposed amendments to the Town Centre Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Town Centre Zone Chapter are proposed to:

1. Give effect to Policy 3(c)(i) of the NPS-UD in the Town Centre Zone at Waikanae;
2. Give effect to Policy 3(d) of the NPS-UD in the Town Centre Zone elsewhere in the district; and
3. To enable papakāinga within the Town Centre Zone at Ōtaki Main Street, Ōtaki Railway and Waikanae.

The following is a summary of proposed amendments to the Chapter to achieve these purposes:

Provision reference	Summary of amendments
Zone Introduction	Amendments to the Zone introductory text to add a description of the Coastal Qualifying Matter Precinct.
TCZ-P3	Policy amended to give effect to policy 3 of the NPS-UD by amending existing text to enable the outcomes sought under Objective 4 of the NPS-UD.
TCZ-P6	Policy amended to give effect to policy 3 of the NPS-UD by enabling a higher density of urban built form across all centres zones and the Mixed Use Zone, specifically by enabling: <ul style="list-style-type: none"> <li>• 12-storey buildings within the <i>Metropolitan Centre Zone</i>;</li> <li>• 6-storey buildings within: <ol style="list-style-type: none"> <li>a. the <i>Town Centre Zone</i>;</li> <li>b. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the <i>Mixed Use Zone</i>;</li> <li>c. the <i>Local Centre Zone</i> at Paekākāriki; and</li> </ol> </li> <li>• 4-storey buildings within the <i>Local Centre Zone</i>.</li> </ul>
TCZ-Px	A new policy that relates to development within the proposed Coastal Qualifying Matter Precinct.  The purpose of the precinct is to maintain the level of development currently provided for in the Operative District Plan within an area of the Zone that has been identified as potentially susceptible to coastal erosion hazard, until the management of coastal hazards is addressed through a future coastal environment plan change. This policy clarifies the anticipated level of development within the Precinct on this basis.
TCZ-R6	Permitted activity rule for buildings amended to: <ul style="list-style-type: none"> <li>• Amend the height in relation to boundary standard (except within the Coastal Qualifying Matter Precinct) so that it is consistent with the standard for the surrounding General Residential Zone;</li> <li>• Introduce standards for outdoor living space and outlook space for residential units that are consistent with the MDRS;</li> <li>• Make consequential amendments to standards numbering.</li> </ul>



TCZ-R7	Permitted activity rule amended to delete a standard for outdoor living space in the Raumati Beach Town Centre Zone that is superseded by the new outdoor living space standard in rule TCZ-R6.
<u>TCZ-Rx1</u>	<p>New permitted activity rule added to enable papakāinga development on land held under Te Ture Whenua Māori Act 1993, and at Whakarongotai Marae, within the Town Centre Zone. This rule recognises that parts of the Town Centre Zone contain land held under Te Ture Whenua Māori Act 1993.</p> <p>The specific reference to Whakarongotai Marae under this rule carries over an existing provision for papakāinga at the Marae that was provided for under rule TCZ-R12. The reference to Whakarongotai Marae is required, as not all land identified within the scheduled area is held under Te Ture Whenua Māori Act 1993.</p>
TCZ-R11	Restricted discretionary activity rule for buildings amended to include a height standard that enables buildings up to 21 metres in height (the equivalent of 6-storeys).
<del>TCZ-R12</del>	Restricted discretionary activity rule for papakāinga at Whakarongotai Marae deleted and replaced by new permitted activity rule <u>TCZ-Rx1</u> .
<u>TCZ-Rx2</u>	<p>This new restricted discretionary activity rule provides for papakāinga on general title land where it is demonstrated that the applicant has an ancestral connection to the land, and the land will remain in Māori ownership.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
<u>TCZ-Rx3</u>	<p>This new restricted discretionary activity rule provides for papakāinga on any land owned by Māori, where the permitted activity standards under rule <u>TCZ-Rx1</u> are breached.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
TCZ-P5, TCZ-P6, TCZ-R10, TCZ-R11	Consequential amendments to incorporate references to the new Centres Design Guide.

## Proposed amendments to the District Plan

This section forms part of the IPI.

### 6.1 Add the following text to the end of the Zone introduction:

#### **Coastal Qualifying Matter Precinct**

The Coastal Qualifying Matter Precinct covers parts of the *Working Zones* near to the coast that have been identified as being potentially susceptible to coastal erosion hazard. The purpose of this precinct is to identify the area within which the level of *development* otherwise required by policy 3 of the NPS-UD will not be enabled until the management of coastal hazards is addressed through a future coastal environment plan change.

The Coastal Qualifying Matter Precinct applies to two areas within the *Working Zones*:

1. The Coastal Qualifying Matter Precinct in the Town Centre Zone at Raumati Beach; and
2. The Coastal Qualifying Matter Precinct in the Local Centre Zone at Raumati South.

### 6.2 Amend policy TCZ-3 as follows:

TCZ-P3	Activities in the Working Zones
<p><i>Business activities</i> are the primary <i>land use</i> and function of the <i>Working Zones</i>. The location, scale, size and design of <i>subdivision</i>, use and <i>development</i> in the <i>Working Zones</i> will be undertaken with regard to the following principles:</p> <ol style="list-style-type: none"> <li>1. local and on-site <i>amenity values</i> are maintained and enhanced <u>where practicable, while recognising that these values develop and change over time in response to the diverse and changing needs of people, communities and future generations;</u></li> <li>2. local built identity and character values are <del>retained</del> <u>considered;</u></li> <li>3. connectivity and access within and to the <i>Working Zones</i> is enhanced;</li> <li>4. opportunities for transport choice and efficiency are maximised, including integration with public and community transport;</li> <li>5. built form is compatible with the <del>surrounding environment</del> <u>planned built character of the Zone;</u></li> <li>6. facilities are integrated within the <i>centre</i> or other <i>Working Zones</i>; and</li> <li>7. <i>temporary events</i> will be enabled in <i>centres</i> where they are consistent with the scale, role and function of the <i>centre</i>.</li> </ol>	

### 6.3 Amend policy TCZ-P5 as follows:

TCZ-P5	Mixed Use Activities in Centres
<p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the <del>principles in Appendix 20 Centres Design Principles</del> <b><u>Centres Design Guide</u></b>.</p>	

## 6.4 Amend policy TCZ-P6 as follows:

<b>TCZ-P6</b>	Urban form and design of centres
<p><i>Subdivision, use and development in centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high quality interface between built form and public space. To achieve this, the principles in the Centres Design Principles in Appendix 20 <b><u>Centres Design Guide</u></b> will be applied.</p> <p><u>Except within the Coastal Qualifying Matter Precinct, a higher density of urban built form will be enabled in centres including:</u></p> <ol style="list-style-type: none"> <li>1. <u>12-storey buildings within the Metropolitan Centre Zone;</u></li> <li>2. <u>6-storey buildings within:</u> <ol style="list-style-type: none"> <li>a. <u>the Town Centre Zone;</u></li> <li>b. <u>the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone;</u></li> <li>c. <u>the Local Centre Zone at Paekākāriki; and</u></li> </ol> </li> <li>3. <u>4-storey buildings within the Local Centre Zone.</u></li> </ol>	

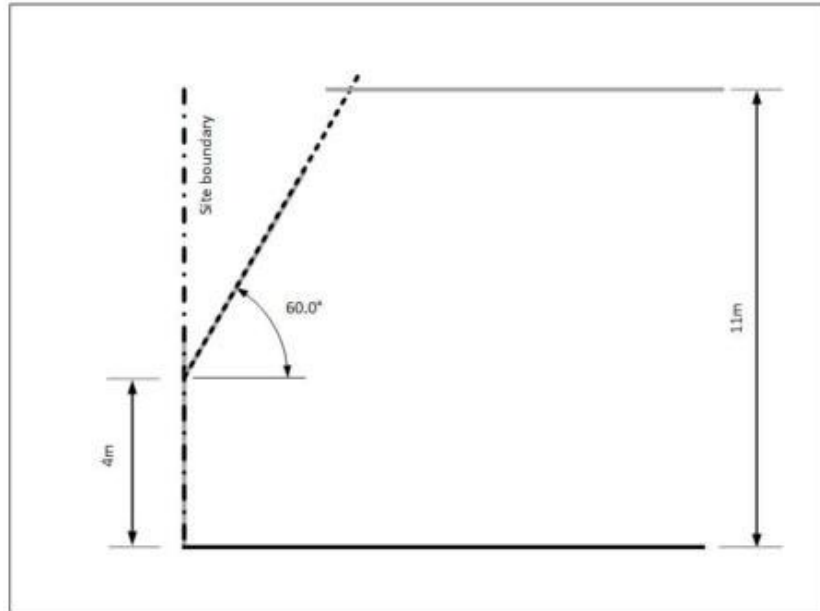
## 6.5 Add a new policy as follows:

<b>TCZ-Px1</b>	Coastal Qualifying Matter Precinct at Raumati Beach
<p><u>Within the Coastal Qualifying Matter Precinct at Raumati Beach:</u></p> <ol style="list-style-type: none"> <li>1. <u>an urban built form not exceeding 3-storeys is anticipated; and</u></li> <li>2. <u>the level of <i>development</i> otherwise required by policy 3 of the NPS-UD will not be enabled until the management of coastal hazards within the area is addressed through a future coastal environment plan change.</u></li> </ol>	

## 6.6 Amend rule TCZ-R6 as follows:

<b>TCZ-R6</b>	<p>New <i>buildings and structures and additions and alterations</i> to existing <i>buildings and structures</i>.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings and additions and alterations</i> to existing <i>minor buildings</i>.</li> <li>• New <i>buildings and structures and additions and alterations</i> to existing <i>buildings and structures</i>, in the Raumati Beach Town Centre Zone (see TCZ-R7).</li> </ul> <p><i>Height measurement criteria, and measurement criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <p><u><i>Building height</i></u></p> <ol style="list-style-type: none"> <li>1. <u><i>Buildings</i> must not exceed 12 metres in <i>height</i>, and within the Coastal Qualifying Matter Precinct no <i>building</i> shall be more than 3 storeys above the <i>original ground level</i>.</u></li> </ol> <p><u><i>Measurement criteria:</i></u> <u><i>Height</i> must be measured using the <i>height measurement criteria</i>.</u></p> <p><u><i>Height in relation to boundary</i></u></p>

2. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above *ground level* along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, *entrance strip*, *access site*, or *pedestrian access way*, the *height in relation to boundary* applies from the farthest boundary of that legal right of way, *entrance strip*, *access site*, or *pedestrian access way*.



**TCZ-Diagram 1 – Height in relation to boundary**

This standard does not apply to any of the following:

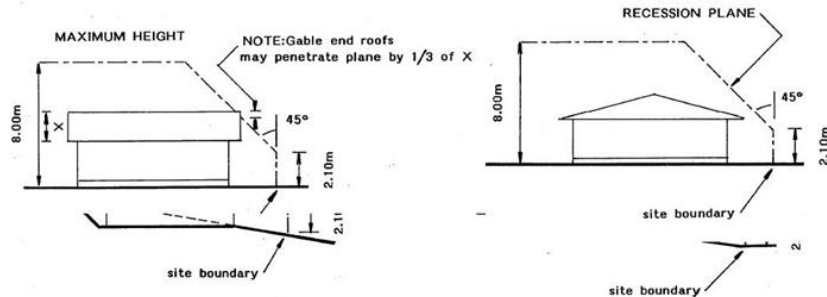
- a. buildings and structures within the Coastal Qualifying Matter Precinct;
- b. a boundary with a road;
- c. a boundary between a site in the Town Centre Zone, and a site in any of the following zones:
  - i. Any centres zone;
  - ii. The Mixed Use Zone;
  - iii. The General Industrial Zone;
- d. residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials.

3. Within the Coastal Qualifying Matter Precinct, all buildings and structures must fit within a height in relation to boundary envelope, which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the site boundary where it adjoins the boundary of Residential Zones and inclines inwards at an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height (as determined by the height measurement criteria) may infringe the height in relation to boundary envelope.

Measurement criteria

- a. The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary envelope.

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



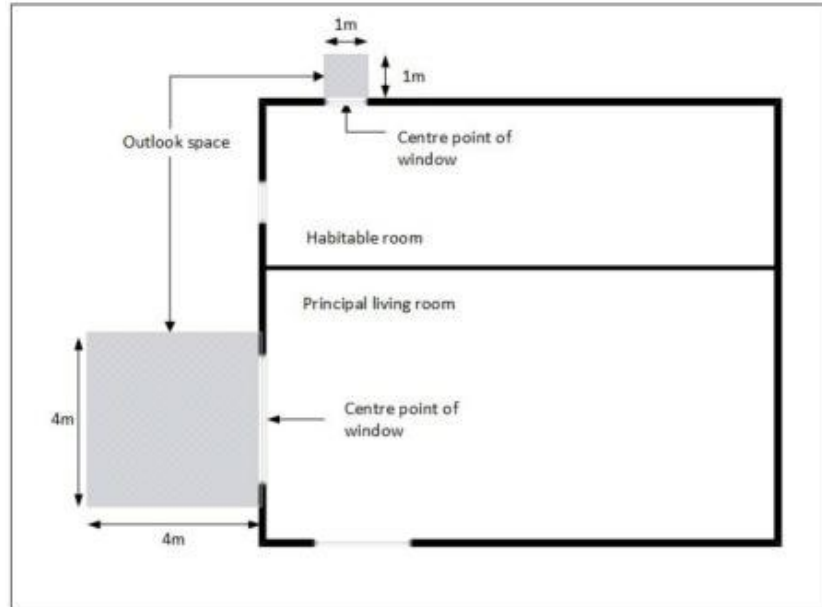
**TCZ-Diagram 2 – Height in relation to boundary in the Coastal Qualifying Matter Precinct**

Outdoor living space (per residential unit, as measured by the Residential Unit Measurement Criteria)

4. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:
- a. where located at ground level, has no dimension less than 3 metres; and
  - b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - c. is accessible from the residential unit; and
  - d. may be:
    - i. grouped cumulatively by area in 1 communally accessible location; or
    - ii. located directly adjacent to the unit; and
  - e. is free of buildings, parking spaces, and servicing and manoeuvring areas.
5. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
- a. is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - b. is accessible from the residential unit; and
  - c. may be:
    - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
    - ii. located directly adjacent to the unit.

Outlook space (per residential unit, as measured by the Residential Unit Measurement Criteria)

6. An outlook space must be provided for each residential unit as specified in this standard:
- a. An outlook space must be provided from habitable room windows as shown in the diagram below:



**TCZ-Diagram 3 – Outlook space**

- b. The minimum dimensions for a required outlook space are as follows:
- i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
  - ii. all other *habitable rooms* must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- c. The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.
- d. Outlook spaces may be over *driveways* and footpaths within the site or over a public street or other public open space.
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey *building*.
- f. Outlook spaces may be under or over a balcony.
- g. Outlook spaces required from different rooms within the same *building* may overlap.
- h. Outlook spaces must:
- i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or *outdoor living space* required by another dwelling.

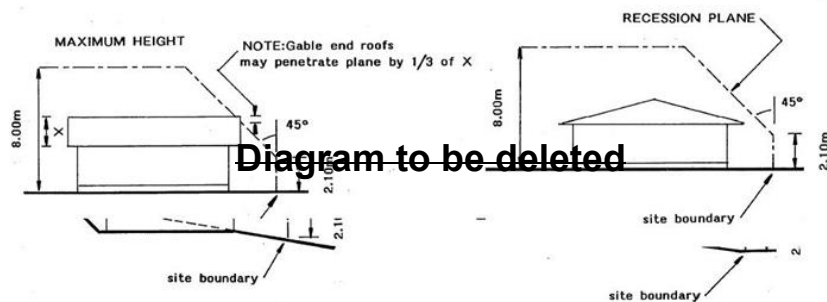
#### Other Standards

1. ~~The maximum *height* of any *building* or *structure* from *original ground level* shall be 12 metres and no *building* shall be more than 3 storeys above the *original ground level*.~~
7. ~~2. Where a *building* adjoins, or is within 2 metres of the front *boundary* of a *site*, or a main internal pedestrian route, the *building* must contain at least 75% of the ground level *road boundary* façade and facades on main internal pedestrian routes as *active retail frontages*, including pedestrian entrances and clear glass for the display of goods.~~
3. ~~All *buildings* and *structures* must fit within a *height in relation to boundary envelope*, which is made up of recession planes which commence at a point 2.1 metres above the *original ground level* at the *site boundary* where it adjoins the boundary of *Residential Zones* and inclines inwards at~~

an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height (as determined by the height measurement criteria) may infringe the height in relation to boundary envelope.

**Measurement Criteria:**

- a. The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary envelope.
- c. Where there is a right of way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary envelope shall be measured from a point 2.1 metres above a point midway across the right of way or access strip/leg.



8. ~~4.~~ Any building or structure which is setback 2 or more metres from the road boundary must provide (or, in respect of existing trees, retain) at least one specimen tree capable of growing to 5 metres in height within 10 years of planting for every 10 metres of site frontage. Any landscaping provided in accordance with this standard must be included in the landscaping carpark requirement.
9. ~~5.~~ All buildings, other than temporary or accessory storage buildings, must be lit with exterior lighting at pedestrian entrance areas at a minimum of 10 lux.
10. ~~6.~~ Verandahs shall be provided to the following standards, except in situations where the adjoining buildings on both sides do not have a verandah (excluding Raumati Beach Town Centre Zone where all buildings shall provide a verandah) and where the building is set back from the frontage by more than 3 metres:
  - a. The verandah shall have a minimum depth of 3 metres.
  - b. The verandah shall be at least 0.5 metres behind the kerb face.
11. ~~7.~~ Verandahs must extend along the entire frontage of the building and must adjoin existing verandahs on adjacent buildings.
12. ~~8.~~ Verandahs must have exterior lighting at pedestrian entrance areas at a minimum of 10 lux.
13. ~~9.~~ Buildings and structures shall be sited a minimum of 4 metres from the boundary of any Residential Zone.
14. ~~10.~~ No building or structure shall be set back more than 2 metres from the legal road boundary or main internal pedestrian route edge. Any setback less than 2 metres must be entirely paved for pedestrian circulation (except for ancillary landscaping). This rule does not apply to ancillary buildings or structures; that is buildings or structures used for a purpose

	<p>which is secondary to the main use of the <i>site</i> and which are located to the rear of the main <i>building</i> on the <i>site</i>.</p> <p>15. <del>44.</del> Pedestrian pathways must be provided with a minimum width of 2 metres and be separated by appropriate marking/delineation from traffic movements from all car parking areas to the <i>building</i> entrances and between <i>building</i> entrances.</p>
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**6.7 Amend rule TCZ-R7 as follows:**

<b>TCZ-R7</b>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> and activities in the Raumati Beach Town Centre Zone.</p> <p>Excludes:</p> <p>a. New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</p> <p><del>Qualifying criteria apply to activities under this rule.</del></p>
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The activity must comply with the <i>permitted activity</i> standards for new <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> under TCZ-R6.</li> <li>2. No <i>building</i> or <i>structure</i> shall be set back from the <i>road boundary</i> except where the setback provides open space/courts for non-vehicle use. This rule does not apply to <i>ancillary</i> buildings and <i>structures</i>; that is <i>buildings</i> and <i>structures</i> used for a purpose which is secondary to the main use of the <i>site</i> and which are located to the rear of the main <i>building</i> on the <i>site</i>.</li> <li>3. Any <i>buildings</i> used for <i>residential activities</i> (excluding <i>visitor accommodation</i> that is not <i>temporary residential rental accommodation</i>) must comply with the following standards:             <ol style="list-style-type: none"> <li>a. A ground floor retail or <i>commercial</i> (excluding <i>industrial</i>) use must face the street with a main residential front door accessed from the street.</li> <li>b. A <i>building</i> recess must be provided for each 12 metres of <i>building</i> length. The recess must have a minimum horizontal length and width of 3 metres x 3 metres, and must be at least 1 metre lower than the adjoining section of the <i>building</i> (this reduced section shall extend from one side of the <i>building</i> to the other). In relation to this standard, <i>building</i> length is the external measurement of the <i>building</i> from front to back, or from one side to the other. The recess shall not apply to the ground floor street frontage.</li> <li>c. <del>Each <i>residential unit</i> must provide a private <i>outdoor living space</i> of at least 20m<sup>2</sup>, with a minimum dimension of 1.5 metres. The <i>outdoor living space</i> must be directly accessible from a living room (lounge / dining / family etc.)</del></li> </ol> </li> <li>4. <i>Residential buildings</i> must be acoustically designed to achieve the <i>permitted activity</i> standards in the Noise chapter.</li> </ol> <p><del>Qualifying Criteria:</del></p> <p><del><i>Outdoor Living Space</i> may be covered but may not be enclosed. An <i>Outdoor Living Space</i> does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</del></p>



## 6.8 Add a new rule as follows:

<b>TCZ-Rx1</b>	<i>Papakāinga</i> on: <ol style="list-style-type: none"> <li>land held under <b>Te Ture Whenua Māori Act 1993</b>; or</li> <li>at Whakarongotai Marae (Schedule of Historic Heritage ID: WTS0361A).</li> </ol>
<b>Permitted Activity</b>	<b>Standards</b> <ol style="list-style-type: none"> <li><i>Any building (excluding minor buildings) must comply with Standards 1, 2, 3 and 13 set out under Rule TCZ-R6.</i></li> </ol>
<b>Note:</b> refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i> .	

## 6.9 Amend rule TCZ-R10 as follows:

<b>TCZ-R10</b>	<i>Retail activities</i> that do not comply with one or more of the <i>permitted activity</i> standards.	
Restricted Discretionary Activity	<b>Standards</b> <ol style="list-style-type: none"> <li><i>Retail activities</i> in the following zones shall have a ground level <i>retail floor space</i> less than:           <ol style="list-style-type: none"> <li>1000m<sup>2</sup> in the Raumati Beach Town Centre Zone;</li> <li>1000m<sup>2</sup> in the Ōtaki Main Street Town Centre Zone;</li> <li>2000m<sup>2</sup> in the Paraparaumu Beach Town Centre Zone.</li> </ol> </li> <li><i>Supermarkets</i> in the Waikanae Town Centre Zone and Ōtaki Rail Town Centre Zone.</li> </ol>	<b>Matters of Discretion</b> <ol style="list-style-type: none"> <li>Location, layout, size and design of the proposed <i>development</i>.</li> <li>Consideration of the standard(s) not met.</li> <li>The extent of consistency with the <del>Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's Centres Design Guide</del> and the <b>Subdivision and Development Principles and Requirements 2012</b> and the <del>Centres Design Principles in Appendix 20</del>.</li> <li>Visual, character, amenity and streetscape <i>effects</i>.</li> <li>Traffic and transport <i>effects</i>.</li> <li>Location and design of parking, traffic circulation areas, loading and access.</li> <li>Public safety.</li> <li>Context and surroundings.</li> <li>Cumulative <i>effects</i>.</li> <li>Whether any <i>nuisance effects</i> are created.</li> <li>The consistency with the relevant objectives and policies.</li> <li>Economic <i>effects</i> including <i>effects</i> on the vitality of <i>centres</i>.</li> </ol>

## 6.10 Amend rule TCZ-R11 as follows:

<b>TCZ-R11</b>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> where one or more of the <i>permitted activity</i> standards is not met.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</li> </ul>
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<u>Height measurement criteria apply to activities under this rule.</u>		
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>For <i>active retail frontages</i> the distance between pedestrian entrances must not exceed 18 metres.</li> </ol> <p><u>Building height</u></p> <ol style="list-style-type: none"> <li><u>Buildings must not exceed 21 metres in height.</u></li> </ol> <p><u>Measurement criteria:</u> <u>Height must be measured using the height measurement criteria.</u></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>Location, layout, size and design of the proposed <i>development</i>.</li> <li>Consideration of the standard(s) not met.</li> <li>Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>.</li> <li>The extent of consistency with the <del>Crime Prevention Through Environmental Design Guidelines in Appendix 6,</del> <b>Council's Centres Design Guide</b> and the <b>Subdivision and Development Principles and Requirements 2012</b> and the <del>Centres Design Principles in Appendix 20.</del></li> <li><i>Effects</i> on landform and landscape.</li> <li>Traffic and transport <i>effects</i>.</li> <li>Design and appearance of <i>buildings</i>.</li> <li>Location and design of parking, traffic circulation areas, loading and access.</li> <li>Public safety.</li> <li>Context and surroundings.</li> <li>Cumulative <i>effects</i>.</li> <li>Whether any <i>nuisance effects</i> are created.</li> <li>The consistency with the relevant objectives and policies.</li> </ol>

## 6.11 Delete rule TCZ-R12:

<b>TCZ-R12</b> – Papakāinga activities at Whakarongotai Marae (Schedule of Historic Heritage ID: WTS0361A).		
<u>Qualifying criteria apply to activities under this rule.</u>		
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li><del>A maximum of 10 <i>papakāinga</i> units shall be permitted on the <i>site</i>.</del></li> <li><del>Each <i>papakāinga</i> unit must have an <i>outdoor living space</i> for the exclusive use of the individual <i>papakāinga</i> unit.</del></li> </ol> <p><u>Qualifying Criteria:</u></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li><del>Location, layout, size and design of the proposed <i>development</i>.</del></li> <li><del>Visual, character, amenity, streetscape and stream <i>effects</i>.</del></li> <li><del>The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, <i>Council's</i> Subdivision and Development Principles and Requirements 2012</del></li> </ol>

	<p><del>Outdoor Living Space may be covered but may not be enclosed. An Outdoor Living Space does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</del></p> <p><del>3. The outdoor living space must be a minimum of 30m<sup>2</sup>, with a minimum dimension of 2.5 metres and the ability to accommodate a circle with a 4 metre diameter.</del></p> <p><del>4. The outdoor living space must be directly accessible from a living room (lounge / dining / family etc.) however it shall not be located between a residential building's front and a street.</del></p> <p><del>5. The outdoor living space must provide sunlight 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 sunlight between the hours of 11:00am – 2:00pm on June 21 (mid-winter solstice).</del></p>	<p>and the <i>Centres Design Principles</i> in Appendix 20.</p> <p><del>4. Traffic and transport effects.</del></p> <p><del>5. Location and design of parking, traffic circulation areas, loading and access.</del></p> <p><del>6. Public safety.</del></p> <p><del>7. Context and surroundings.</del></p> <p><del>8. Whether any nuisance effects are created.</del></p> <p><del>9. The consistency with the relevant objectives and policies.</del></p>
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6.12 Add a new rule as follows:

<b><u>TCZ-Rx2</u></b>	<p><u>Papakāinga on general land title.</u></p> <p><u>Excludes:</u></p> <ul style="list-style-type: none"> <li>• <u>papakāinga at Whakarongotai Marae (Schedule of Historic Heritage ID: WTS0361A).</u></li> </ul> <p><b><u>Notification</u></b> Public notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>	<p><b><u>Standards</u></b></p> <p>1. <u>The applicant is a member of Ngāti Toa Rangatira, Ngāti Raukawa te au ki te Tonga, or Te Āti Awa ki Whakarongotai.</u></p>	<p><b><u>Matters of Discretion</u></b></p> <p>1. <u>Whether the applicant has demonstrated their <i>whakapapa</i> or ancestral connection to the <i>land</i>;</u></p> <p>2. <u>Evidence of appropriate legal mechanism(s) to ensure that <i>land</i> is maintained in Māori ownership.</u></p> <p>3. <u>The matters contained in the <b>Subdivision and Development</b></u></p>

		<b><u>Principles and Requirements 2012.</u></b>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. <u>Part of the land at Whakarongotai Marae is general title land. Papakāinga on general title land at Whakarongotai Marae (Schedule of Historic Heritage ID: WTS0361A) are provided for under rule TCZ-Rx1.</u></li> <li>2. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to papakāinga.</u></li> <li>3. <u>For resource consent applications under this rule, the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include:</u> <ol style="list-style-type: none"> <li>a. <u>where the papakāinga is on general title land, whether the applicant has demonstrated a whakapapa or ancestral connection to the land;</u></li> <li>b. <u>any other matter related to tikanga Māori.</u></li> </ol> </li> </ol>		

**6.13 Add a new rule as follows:**

<b><u>TCZ-Rx3</u></b>	<p><u>Papakāinga on land held under Te Ture Whenua Māori Act 1993 or on general title land that do not comply with one or more of the Standards set out under Rules TCZ-Rx1.</u></p> <p><b>Notification</b>  <u>Public notification of an application for resource consent under this Rule is precluded.</u></p>
<u>Restricted Discretionary Activity</u>	<p><b><u>Matters of Discretion</u></b></p> <ol style="list-style-type: none"> <li>1. <u>Consideration of the effects of the standard not met.</u></li> <li>2. <u>Measures to avoid, remedy or mitigate adverse effects.</u></li> <li>3. <u>Cumulative effects.</u></li> <li>4. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></li> </ol>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to papakāinga.</u></li> <li>2. <u>For resource consent applications under this rule, the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include:</u> <ol style="list-style-type: none"> <li>a. <u>where the papakāinga is on general title land, whether the applicant has demonstrated a whakapapa or ancestral connection to the land;</u></li> <li>b. <u>any other matter related to tikanga Māori.</u></li> </ol> </li> </ol>	

## 7.0 Proposed amendments to the Local Centre Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Local Centre Zone Chapter are proposed to:

1. Give effect to Policy 3(c)(i) of the NPS-UD in the Local Centre Zone at Paekākāriki; and
2. Give effect to Policy 3(d) of the NPS-UD in the Local Centre Zone elsewhere in the district.

The following is a summary of proposed amendments to the Chapter to achieve these purposes:

Provision reference	Summary of amendments
Zone Introduction	Amendments to the Zone introductory text to add a description of the Coastal Qualifying Matter Precinct.
LCZ-P1	Policy amended to give effect to policy 3(c)(i) of the NPS-UD by removing the application of the Paekākāriki Village Centre Design Guide to the Local Centre Zone at Paekākāriki. The design guide does not enable the level of built form anticipated by policy 3(c)(i) of the NPS-UD. Development within the Local Centre Zone at Paekākāriki would be guided by the Centres Design Guide under policy LCZ-P6.
LCZ-P3	Policy amended to give effect to policy 3 of the NPS-UD by amending existing text to enable the outcomes sought under Objective 4 of the NPS-UD.
LCZ-P6	Policy amended to give effect to policy 3 of the NPS-UD by enabling a higher density of urban built form across all centres zones and the Mixed Use Zone, specifically by enabling: <ul style="list-style-type: none"> <li>• 12-storey buildings within the <i>Metropolitan Centre Zone</i>;</li> <li>• 6-storey buildings within: <ol style="list-style-type: none"> <li>a. the <i>Town Centre Zone</i>;</li> <li>b. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the <i>Mixed Use Zone</i>;</li> <li>c. the <i>Local Centre Zone</i> at Paekākāriki; and</li> </ol> </li> <li>• 4-storey buildings within the <i>Local Centre Zone</i>.</li> </ul>
LCZ-Px	A new policy that relates to development within the proposed Coastal Qualifying Matter Precinct.  The purpose of the precinct is to maintain the level of development currently provided for in the Operative District Plan within an area of the Zone that has been identified as potential susceptible to coastal erosion hazard, until the management of coastal hazards is addressed through a future coastal environment plan change. This policy clarifies the anticipated level of development within the Precinct on this basis.
LCZ-R6	Permitted activity rule for buildings amended to: <ul style="list-style-type: none"> <li>• Include the Local Centre Zone at Paekākāriki;</li> </ul>

	<ul style="list-style-type: none"> <li>Amend the height in relation to boundary standard (except within the Coastal Qualifying Matter Precinct) so that it is consistent with the standard for the surrounding Residential Intensification Precinct;</li> <li>Introduce standards for outdoor living space and outlook space for residential units that are consistent with the MDRS;</li> <li>Make consequential amendments to standards numbering.</li> </ul>
LCZ-R12	<p>Restricted discretionary activity rule amended to:</p> <ul style="list-style-type: none"> <li>Include a height standard that enables buildings up to 15 metres in height (the equivalent of 4-storeys); and</li> <li>Include a height standard that enables buildings up to 21 metres in height (the equivalent of 6-storeys) within the Local Centre Zone at Paekākāriki.</li> </ul>
LCZ-R15	<p>Restricted discretionary activity rule for buildings and structures in the Local Centre Zone at Paekākāriki deleted. This rule contains standards that do not does not enable the level of built form anticipated by policy 3(c)(i) of the NPS-UD. Buildings and structures in the Local Centre Zone at Paekākāriki are provided for under amended permitted activity rule LCZ-R6, and where standards under this rule are breached, the amended restricted discretionary activity rule LCZ-R12 will apply.</p>
LCZ-R20	<p>Non-complying activity rule amended to provide for the following buildings and structures as a non-complying activity:</p> <ul style="list-style-type: none"> <li>Buildings and structures that exceed 15 metres in height (the equivalent of 4-storeys); or</li> <li>Buildings and structures that exceed 21 metres in height (the equivalent of 6-storeys) within the Local Centre Zone at Paekākāriki.</li> </ul> <p>The rule also maintainings the height existing threshold of 12 metres or 3 storeys for buildings and structures located within the Coastal Qualifying Matter Precinct);</p>
LCZ-P5, LCZ-P6, LCZ-R12	<p>Consequential amendments to incorporate references to the new Centres Design Guide.</p>

## Proposed amendments to the District Plan

*This section forms part of the IPI.*

### 7.1 Add the following text to the end of the Zone introduction:

#### **Coastal Qualifying Matter Precinct**

The Coastal Qualifying Matter Precinct covers parts of the *Working Zones* near to the coast that have been identified as being potentially susceptible to coastal erosion hazard. The purpose of this precinct is to identify the area within which the level of *development* otherwise required by policy 3 of the NPS-UD will not be enabled until the management of coastal hazards is addressed through a future coastal environment plan change.

The Coastal Qualifying Matter Precinct applies to two areas within the *Working Zones*:

1. The Coastal Qualifying Matter Precinct in the Town Centre Zone at Raumati Beach; and

2. The Coastal Qualifying Matter Precinct in the Local Centre Zone at Raumati South.

7.2 Amend policy LCZ-P1 as follows:

LCZ-P1	Local Centres
<p><i>Local centres</i> are managed to enable a mix of limited local <i>retail activities</i>, other <i>business activities</i>, facilities and services which serve the daily convenience needs of local communities, generally within a walkable distance. <i>Local centres</i> may also contain residential and community and civic activities.</p> <p><i>Local centres</i> are located within the <i>Local Centre Zone</i> at Paekākāriki, Raumati South, Kena Kena, Meadows, Te Moana Road and Mazengarb Road. <i>Local centres</i> are also provided for in the Waikanae North Development Area Precinct 6 (Mixed Use) and the Ngārara Development Area - Waimeha <i>Neighbourhood Development Area</i>.</p> <p>In the following <i>local centres</i>, <i>subdivision</i>, use and <i>development</i> will be undertaken in a manner that is consistent with the specified design objectives and principles:</p> <ol style="list-style-type: none"> <li><del>1. Paekākāriki Village: the Paekākāriki Village Centre Design Guide in Appendix 15;</del></li> <li>1. <del>2–</del>Meadows Precinct: the Meadows Precinct Design Guidelines in Appendix 16, and the Meadows Structure Plan in Appendix 17;</li> <li>2. <del>3–</del>Waimeha <i>Neighbourhood Development Area</i>, Ngārara Development Area: the Waimeha Neighbourhood development guidelines under the Ngārara Structure Plan in Appendix 7;</li> <li>3. <del>4–</del>Precinct 6 (Mixed Use) - Waikanae North Development Area: Waikanae North Design Guide in Appendix 9.</li> </ol>	

7.3 Amend policy LCZ-P3 as follows:

LCZ-P3	Activities in the Working Zones
<p><i>Business activities</i> are the primary <i>land use</i> and function of the <i>Working Zones</i>. The location, scale, size and design of <i>subdivision</i>, use and <i>development</i> in the <i>Working Zones</i> will be undertaken with regard to the following principles:</p> <ol style="list-style-type: none"> <li>1. local and on-site <i>amenity values</i> are maintained and enhanced <u>where practicable, while recognising that these values develop and change over time in response to the diverse and changing needs of people, communities and future generations;</u></li> <li>2. local built identity and character values are <del>retained</del> considered;</li> <li>3. connectivity and access within and to the <i>Working Zones</i> is enhanced;</li> <li>4. opportunities for transport choice and efficiency are maximised, including integration with public and community transport;</li> <li>5. built form is compatible with the <del>surrounding environment</del> <u>planned built character of the Zone;</u></li> <li>6. facilities are integrated within the <i>centre</i> or other <i>Working Zones</i>; and</li> <li>7. <i>temporary events</i> will be enabled in <i>centres</i> where they are consistent with the scale, role and function of the <i>centre</i>.</li> </ol>	

7.4 Amend policy LCZ-P5 as follows:

LCZ-P5	Mixed Use Activities in Centres
<p>Mixed use development, including <i>residential activities</i>, will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and</p>	

visitors is achieved in accordance with the principles in ~~Appendix 20 Centres Design Principles~~ **Centres Design Guide**.

#### 7.5 Amend policy LCZ-P6 as follows:

<b>LCZ-P6</b>	Urban form and design of centres
<p><i>Subdivision, use and development in centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high quality interface between built form and public space. To achieve this, the <del>principles in the Centres Design Principles in Appendix 20</del> <b>Centres Design Guide</b> will be applied.</p> <p>A higher density of urban built form will be enabled in <i>centres</i> including:</p> <ol style="list-style-type: none"> <li>1. <u>12-storey buildings within the Metropolitan Centre Zone;</u></li> <li>2. <u>6-storey buildings within:</u> <ol style="list-style-type: none"> <li>a. <u>the Town Centre Zone;</u></li> <li>b. <u>the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone;</u></li> <li>c. <u>the Local Centre Zone at Paekākāriki; and</u></li> </ol> </li> <li>3. <u>4-storey buildings within the Local Centre Zone.</u></li> </ol>	

#### 7.6 Add a new policy as follows:

<b>TCZ-Px1</b>	Coastal Qualifying Matter Precinct at Raumati South
<p><u>Within the Coastal Qualifying Matter Precinct at Raumati South:</u></p> <ol style="list-style-type: none"> <li>1. <u>an urban built form not exceeding 3-storeys is anticipated; and</u></li> <li>2. <u>the level of <i>development</i> otherwise required by policy 3 of the NPS-UD will not be enabled until the management of coastal hazards within the area is addressed through a future coastal environment plan change.</u></li> </ol>	

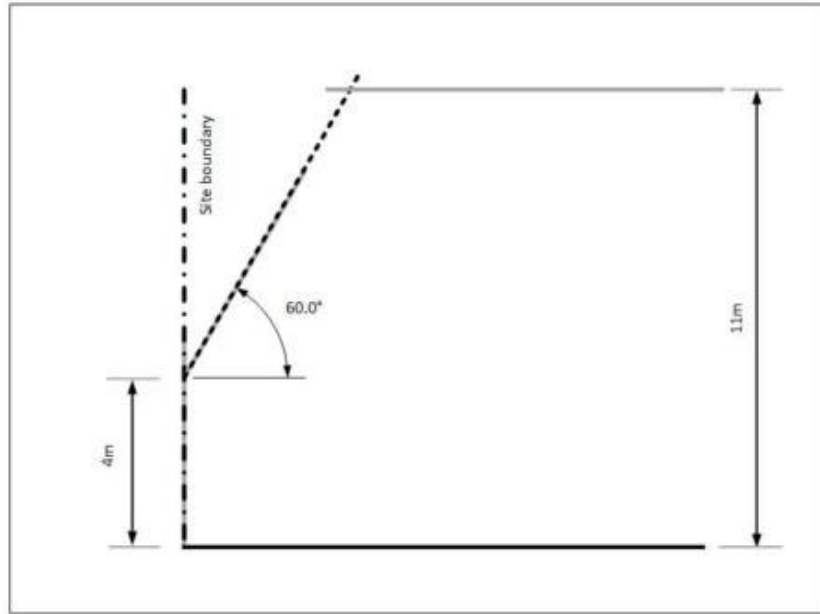
#### 7.7 Amend rule LCZ-R6 as follows:

<b>LCZ-R6</b>	<p>New <i>buildings and structures</i> and <i>additions and alterations</i> to existing <i>buildings</i> (except in Paekākāriki).</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings and additions and alterations</i> to existing <i>minor buildings</i>.</li> </ul> <p><i>Height measurement criteria, and measurement criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <p><u><i>Building height</i></u></p> <ol style="list-style-type: none"> <li>1. <u><i>Buildings</i> must not exceed 12 metres in <i>height</i>, and within the Coastal Qualifying Matter Precinct, no <i>building</i> shall be more than 3 storeys above the <i>original ground level</i>.</u></li> </ol> <p><u><i>Measurement criteria:</i></u> <u><i>Height</i> must be measured using the <i>height measurement criteria</i>.</u></p>



Height in relation to boundary

2. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



**LCZ-Diagram 1 – Height in relation to boundary**

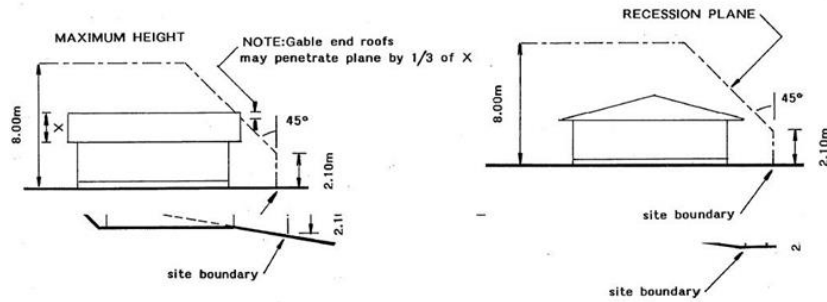
This standard does not apply to any of the following:

- a. buildings and structures within the Coastal Qualifying Matter Precinct;
- b. a boundary with a road;
- c. a boundary between a site within the Local Centre Zone, and a site within any of the following zones:
  - i. Any centres zone;
  - ii. The Mixed Use Zone;
  - iii. The General Industrial Zone;
- d. residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials.

3. Within the Coastal Qualifying Matter Precinct, all buildings and structures must fit within a height in relation to boundary envelope, which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the site boundary where it adjoins the boundary of Residential Zones and inclines inwards at an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height (as determined by the height measurement criteria) may infringe the height in relation to boundary envelope.

- a. The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).
- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary envelope.
- c. Where there is a right-of-way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary

envelope shall be measured from a point 2.1 metres above a point midway across the right-of-way or access strip/leg.



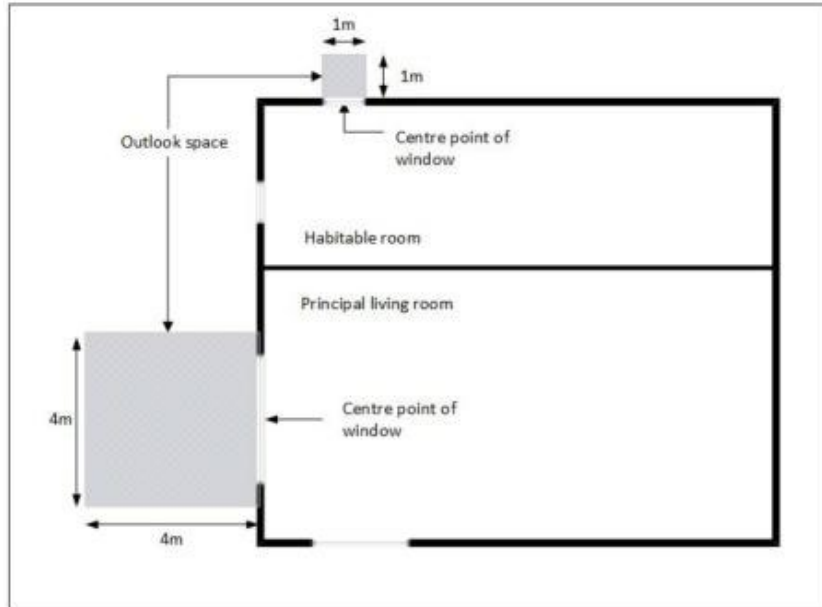
**LCZ-Diagram 2 – Height in relation to boundary in the Coastal Qualifying Matter Precinct**

**Outdoor living space (per residential unit, as measured by the Residential Unit Measurement Criteria)**

4. A residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:
  - a. where located at ground level, has no dimension less than 3 metres; and
  - b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - c. is accessible from the residential unit; and
  - d. may be:
    - i. grouped cumulatively by area in 1 communally accessible location; or
    - ii. located directly adjacent to the unit; and
  - e. is free of buildings, parking spaces, and servicing and manoeuvring areas.
5. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
  - a. is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - b. is accessible from the residential unit; and
  - c. may be:
    - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
    - ii. located directly adjacent to the unit.

**Outlook space (per residential unit, as measured by the Residential Unit Measurement Criteria)**

6. An outlook space must be provided for each residential unit as specified in this standard:
  - a. An outlook space must be provided from habitable room windows as shown in the diagram below:



**LCZ-Diagram 3 – Outlook space**

- b. The minimum dimensions for a required outlook space are as follows:
  - i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
  - ii. all other *habitable rooms* must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- c. The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.
- d. Outlook spaces may be over *driveways* and footpaths within the site or over a public street or other public open space.
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey *building*.
- f. Outlook spaces may be under or over a balcony.
- g. Outlook spaces required from different rooms within the same *building* may overlap.
- h. Outlook spaces must:
  - i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or *outdoor living space* required by another dwelling.

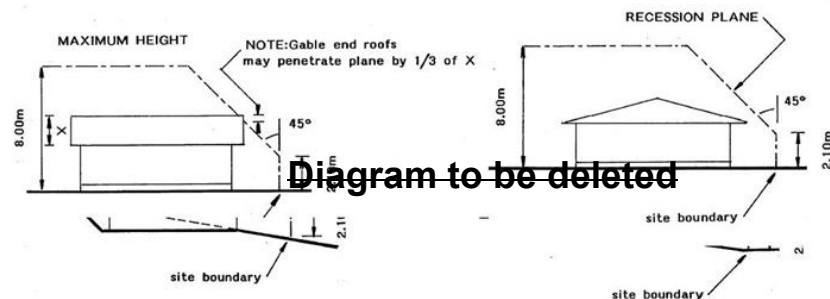
Other Standards

1. ~~The maximum *height* of any *building* or *structure* from *original ground level* shall be 12 metres and no *building* shall be more than 3 storeys above the *original ground level*.~~
7. ~~2. Where a *building* adjoins, or is within 2 metres of the front *boundary* of a *site*, or a main internal pedestrian route, the *building* must contain at least 75% of the ground level *road boundary* façade and façades on main internal pedestrian routes as *active retail frontages*, including pedestrian entrances and clear glass for the display of goods.~~
3. ~~All *buildings* and *structures* must fit within a *height in relation to boundary envelope*, which is made up of recession planes which commence at a point 2.1 metres above the *original ground level* at the *site boundary* where it adjoins the boundary of *Residential Zones* and inclines inwards at~~

an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height (as determined by the height measurement criteria) may infringe the height in relation to boundary envelope.

**Measurement Criteria:**

- a. ~~The height in relation to boundary envelope must be measured from a point above the original ground level at the boundary (including restrictive covenant areas of cross lease properties).~~
- b. ~~Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the height in relation to boundary envelope.~~
- c. ~~Where there is a right of way or an access strip/leg adjoining the allotment boundary, the height in relation to boundary envelope shall be measured from a point 2.1 metres above a point midway across the right of way or access strip/leg.~~



8. ~~4. Any building or structure which is setback 2 or more metres from the road boundary must provide (or, in respect of existing trees, retain) at least one specimen tree capable of growing to 5 metres in height within 10 years of planting for every 10 metres of site frontage. Any landscaping provided in accordance with this standard must be included in the landscaping car park requirement.~~
9. ~~5. All buildings, other than temporary or accessory storage buildings, must be lit with exterior lighting at pedestrian entrance areas at a minimum of 10 lux.~~
10. ~~6. Verandahs shall be provided to the following standards, except in situations where the adjoining buildings on both sides do not have a verandah (excluding Paekākāriki, where all buildings shall provide a verandah) and where the building is set back from the frontage by more than 3 metres:
 
  - a. The verandah shall have a minimum depth of 3 metres; and
  - b. The verandah shall be at least 0.5 metres behind the kerb face.~~
11. ~~7. Verandahs must extend along the entire frontage of the building and must adjoin existing verandahs on adjacent buildings.~~
12. ~~8. Verandahs must have exterior lighting at pedestrian entrance areas at a minimum of 10 lux.~~
13. ~~9. Buildings and structures shall be sited a minimum of 4 metres from the boundary of any Residential Zone.~~
14. ~~40. No building or structure shall be set back more than 2 metres from the legal road boundary or main internal pedestrian route edge. Any setback less than 2 metres shall be entirely paved for pedestrian circulation (except for ancillary landscaping). This rule does not apply to ancillary buildings and structures; that is buildings and structures used for a~~

	<p>purpose which is secondary to the main use of the <i>site</i> and which are located to the rear of the main <i>building</i> on the <i>site</i>.</p> <p>15. <del>44.</del> Pedestrian pathways must be provided with a minimum width of 2 metres and be separated by appropriate marking/delineation from traffic movements from all car parking areas to the <i>building</i> entrances and between <i>building</i> entrances.</p>
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**7.8 Amend rule LCZ-R12 as follows:**

<b>LCZ-R12</b>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> in the Local Centre Zone (<del>except in Paekākāriki</del>) where one <u>or more</u> of the following <i>permitted activity</i> standards is not met:</p> <ol style="list-style-type: none"> <li><del>1. active retail frontages;</del></li> <li><del>2. height in relation to boundary envelope;</del></li> <li><del>3. landscaping;</del></li> <li><del>4. lighting;</del></li> <li><del>5. verandahs;</del></li> <li><del>6. buildings adjoining Residential Zones;</del></li> <li><del>7. building setback;</del></li> <li><del>8. pedestrian pathways; and</del></li> <li><del>9. vehicle entrances.</del></li> </ol> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</li> </ul> <p><u>Measurement criteria</u> apply to activities under this rule.</p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. For <i>active retail frontages</i> the distance between pedestrian entrances must not exceed 18 metres.</li> </ol> <p><u>Building height</u></p> <ol style="list-style-type: none"> <li>2. <u>Buildings</u> must not exceed 15 metres in <i>height</i>; except that</li> <li>3. <u>Buildings</u> within the <i>Local Centre Zone</i> at Paekākāriki must not exceed 21 metres in <i>height</i>.</li> </ol> <p><u>Measurement criteria:</u> <u>Height</u> must be measured using the <u>height measurement criteria</u>.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Location, layout, size and design of the proposed <i>development</i>.</li> <li>2. Consideration of the standard(s) not met.</li> <li>3. Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>.</li> <li>4. The extent of consistency with the <del>Crime Prevention Through Environmental Design Guidelines in Appendix 6,</del> <b>Council's Centres Design Guide</b> and the <b>Subdivision and Development Principles and Requirements 2012</b> and the <del>Centres Design Principles in Appendix 20.</del></li> <li>5. <i>Effects</i> on landform and landscape.</li> <li>6. Traffic and transport <i>effects</i>.</li> <li>7. Design and appearance of <i>buildings</i>.</li> <li>8. Location and design of parking, traffic circulation areas, loading and access.</li> <li>9. Public safety.</li> <li>10. Context and surroundings.</li> </ol>

		<p>11. Cumulative <i>effects</i>.</p> <p>12. Whether any <i>nuisance effects</i> are created.</p> <p>13. The consistency with the relevant objectives and policies.</p>
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7.9 Delete rule LCZ-R15 as follows:

<b>LCZ-R15</b>	<p>New <del>buildings and structures and additions and alterations</del> to existing <del>buildings</del> in the Local Centre Zone in Paekākāriki.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>● <del>New minor buildings and additions and alterations to existing minor buildings.</del></li> </ul> <p><del>Height measurement criteria</del> apply to activities under this rule.</p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <del>The activity must comply with the permitted activity standards for new buildings and structures and additions and alterations to existing buildings and structures under LCZ-R6</del></li> <li>2. <del>No building or structure shall be set back from the road boundary except where there is provision for open space/courts for non-vehicle use.</del></li> <li>3. <del>The maximum height of any building or structure from original ground level shall be 10 metres, provided that no more than 50% of the building or structure exceeds a height of 8 metres above original ground level.</del></li> <li>4. <del>The maximum height (as determined by the height measurement criteria) of any part of the front elevation of a building or structure shall be 8 metres.</del></li> <li>5. <del>No part of a building or structure within 2 metres of the front elevation shall exceed 8 metres in height (as determined by the height measurement criteria), except that a pitched roof may be installed with a slope running upwards from the frontage to the centre of the building at an angle of not more than 45 degrees.</del></li> <li>6. <del>All buildings and structures above the ground</del></li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <del>Location, layout, size and design of the proposed development.</del></li> <li>2. <del>Visual, character, amenity, historic heritage, streetscape and stream effects.</del></li> <li>3. <del>The extent of consistency with the Paekākāriki Village Centre Design Guide in Appendix 15, the Crime Prevention through Environmental Design Guidelines in Appendix 6, Council's Subdivision and Development Principles and Requirements 2012 and the Centres Design Principles in Appendix 20.</del></li> <li>4. <del>Effects on landform and landscape.</del></li> <li>5. <del>Traffic and transport effects.</del></li> <li>6. <del>Design and appearance of buildings.</del></li> <li>7. <del>Location and design of parking, traffic circulation areas, loading and access.</del></li> <li>8. <del>Public safety.</del></li> <li>9. <del>Context and surroundings.</del></li> <li>10. <del>Cumulative effects.</del></li> <li>11. <del>Whether any nuisance effects are created.</del></li> <li>12. <del>The consistency with the relevant objectives and policies.</del></li> </ol>

	<p>floor must be set back at least 1.5 metres from the side boundaries.</p>	
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**7.10 Amend rule LCZ-R20 as follows:**

<b>LCZ-R20</b>	<p>New buildings and structures (excluding minor buildings) and additions and alterations to existing buildings (excluding minor buildings) which exceed: 12 metres in height (as determined by the height measurement criteria) or are more than 3 storeys above the original ground level.</p> <ol style="list-style-type: none"> <li>1. 15 metres in height; or</li> <li>2. 12 metres in height or are more than 3 storeys above the original ground level within the Coastal Qualifying Matter Precinct; or</li> <li>3. 21 metres in height within the Local Centre Zone at Paekākāriki.</li> </ol> <p><i>Height measurement criteria apply to activities under this rule.</i></p>
Non-Complying Activity	

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## 8.0 Proposed amendments to the Mixed Use Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Mixed Use Zone Chapter are proposed to give effect to Policy 3(c)(i) and (iii) of the NPS-UD in the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the Mixed Use Zone.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
MUZ-P1	Policy amended to give effect to policy 3 of the NPS-UD by replacing references to “medium density housing” with “higher density housing”.
MUZ-P4	Policy amended to give effect to policy 3 of the NPS-UD by amending existing text to enable the outcomes sought under Objective 4 of the NPS-UD.
MUZ-P7	Policy amended to give effect to policy 3 of the NPS-UD by enabling a higher density of urban built form across all centres zones and the Mixed Use Zone, specifically by enabling: <ul style="list-style-type: none"> <li>• 12-storey buildings within the <i>Metropolitan Centre Zone</i>;</li> <li>• 6-storey buildings within: <ol style="list-style-type: none"> <li>a. the <i>Town Centre Zone</i>;</li> <li>b. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the <i>Mixed Use Zone</i>;</li> <li>c. the <i>Local Centre Zone</i> at Paekākāriki; and</li> </ol> </li> <li>• 4-storey buildings within the <i>Local Centre Zone</i>.</li> </ul>
MUZ-R6	Permitted activity rule for buildings amended to: <ul style="list-style-type: none"> <li>• Amend the height in relation to boundary standard so that it is consistent with the standard for the surrounding Residential Intensification Precinct, except in the Paraparaumu North Gateway Precinct, where it has been amended so that is consistent with the standard for the surrounding General Residential Zone;</li> <li>• Introduce standards for outdoor living space and outlook space for residential units that are consistent with the MDRS;</li> <li>• Make consequential amendments to standards numbering.</li> </ul>
MUZ-R13	Restricted discretionary activity rule for buildings amended to include a height standard that enables buildings up to 21 metres in height (the equivalent of 6-storeys).
MUZ-P6, MUZ-P7, MUZ-R13	Consequential amendments to incorporate references to the new Centres Design Guide.

### Proposed amendments to the District Plan



This section forms part of the IPI.

### 8.1 Amend policy MUZ-P1 as follows:

MUZ-P1	Mixed Use Zone
<p>1. <i>Subdivision, use and development</i> in the Mixed Use Zone will provide for high amenity commercial development in a manner which:</p> <ol style="list-style-type: none"> <li>remains compatible with the role and function of <i>Metropolitan Centre Zone Precinct A</i> as the primary retail and commercial core of the <i>Paraparaumu Sub-Regional Centre</i>;</li> <li>is appropriate along an arterial <i>road environment</i>; and</li> <li>is compatible with adjoining residential areas.</li> </ol> <p>2. <i>Subdivision, use and development</i> in the Mixed Use Zone will be undertaken in the following manner:</p> <ol style="list-style-type: none"> <li>adverse <i>effects</i> that would otherwise decrease the efficiency and effectiveness of Kāpiti Road as a transport corridor, including for public transport, will be managed;</li> <li>apartment living and <del>medium density housing</del> <u>higher density housing</u> developments will be encouraged east of Moana Road to consolidate residential densities within close proximity to <i>Metropolitan Centre Zone Precinct A</i> and the rail interchange;</li> <li><i>retail activities</i> will be provided for in a manner which minimises adverse <i>effects</i> on the role, function and vitality of the Metropolitan Centre Zone and ensures the safe, efficient function of the District's <i>transport network</i> and hierarchy by: <ol style="list-style-type: none"> <li>managing the scale of <i>retail activities</i> in the Ihakara Street East and Ihakara Street West Precincts;</li> <li>limiting the type and scale of <i>retail activities</i> in Kāpiti Road; and</li> <li>limiting the type and scale of <i>retail activities</i> in Paraparaumu North Gateway Precinct (as outlined in MUZ-P2); and</li> </ol> </li> <li><i>amenity values</i> of Kāpiti Road will be maintained or enhanced;</li> <li>vehicle parking and manoeuvring will be provided for on-site and preferably at the rear of the <i>subject site</i>;</li> <li>activities which produce high levels of <i>nuisance effects</i> will not be provided for;</li> <li><i>buildings</i> will have <i>active frontages</i>, including frequent entrances and windows, along the primary <i>road</i> frontage;</li> <li><i>building</i> bulk, size and <i>height</i> will be of a scale and design that relates to the surrounding <i>environment</i>;</li> <li>activities and <i>development</i> will recognise the proximity of <i>sensitive activities</i> in nearby <i>zones</i>; and</li> <li><i>buildings</i> will have a minimal and consistent setback from the <i>road boundary</i>.</li> </ol>	

### 8.2 Amend policy MUZ-P4 as follows:

MUZ-P4	Activities in the Working Zones
<p><i>Business activities</i> are the primary <i>land use</i> and function of the <i>Working Zones</i>. The location, scale, size and design of <i>subdivision, use and development</i> in the <i>Working Zones</i> will be undertaken with regard to the following principles:</p> <ol style="list-style-type: none"> <li>local and on-site <i>amenity values</i> are maintained and enhanced <u>where practicable, while recognising that these values develop and change over time in response to the diverse and changing needs of people, communities and future generations</u>;</li> <li>local built identity and character values are <del>retained</del> <u>considered</u>;</li> <li>connectivity and access within and to the <i>Working Zones</i> is enhanced;</li> </ol>	

4. opportunities for transport choice and efficiency are maximised, including integration with public and community transport;
5. built form is compatible with the ~~surrounding environment~~ planned built character of the Zone;
6. facilities are integrated within the *centre* or other *Working Zones*; and
7. *temporary events* will be enabled in *centres* where they are consistent with the scale, role and function of the *centre*.

### 8.3 Amend policy MUZ-P6 as follows:

<b>MUZ-P6</b>	Mixed Use Activities in Centres
Mixed use development, including <i>residential activities</i> , will be enabled in <i>centres</i> to enhance the viability and vitality of the <i>centre</i> where a high level of amenity for residents, businesses and visitors is achieved in accordance with the <del>principles in Appendix 20 Centres Design Principles</del> <b><u>Centres Design Guide</u></b> .	

### 8.4 Amend policy MUZ-P7 as follows:

<b>MUZ-P7</b>	Urban form and design of centres
<p><i>Subdivision</i>, use and <i>development</i> in <i>centres</i> must be undertaken in a manner that achieves efficient integration with necessary <i>infrastructure</i>, reinforces the District's consolidated urban form and sense of place, and provides for a high quality interface between built form and public space. To achieve this, the <del>principles in the Centres Design Principles in Appendix 20</del> <b><u>Centres Design Guide</u></b> will be applied.</p> <p><u>A higher density of urban built form will be enabled in <i>centres</i> including:</u></p> <ol style="list-style-type: none"> <li>1. <u>12-storey buildings within the <i>Metropolitan Centre Zone</i>;</u></li> <li>2. <u>6-storey buildings within:</u> <ol style="list-style-type: none"> <li>a. <u>the <i>Town Centre Zone</i>;</u></li> <li>b. <u>the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the <i>Mixed Use Zone</i>;</u></li> <li>c. <u>the <i>Local Centre Zone</i> at Paekākāriki; and</u></li> </ol> </li> <li>3. <u>4-storey buildings within the <i>Local Centre Zone</i>.</u></li> </ol>	

### 8.5 Amend rule MUZ-R6 as follows:

<b>MUZ-R6</b>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i>,</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</li> <li>• New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> in the Paraparaumu North Gateway Precinct (see MUZ-R9).</li> </ul> <p><i>Measurement criteria</i>, and <i>height measurement criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <p><u><i>Building height</i></u></p>

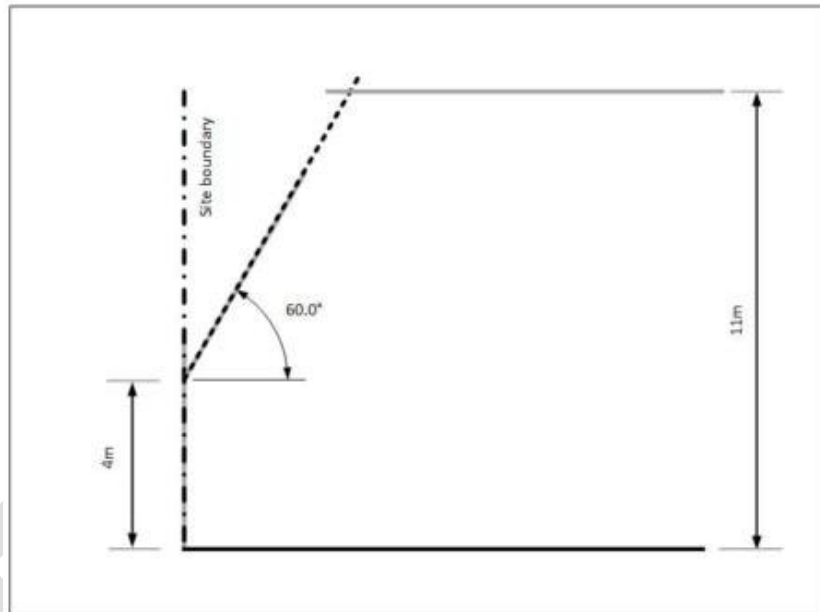
1. Buildings must not exceed 12 metres in height.

Measurement criteria:

Height must be measured using the height measurement criteria.

Height in relation to boundary

2. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



**MCZ-Diagram 1 – Height in relation to boundary**

This standard does not apply to any of the following:

- a. a boundary with a road;
- b. a boundary between a site in the Mixed Use Zone, and a site in any of the following zones:
  - i. Any centres zone;
  - ii. The Mixed Use Zone;
  - iii. The General Industrial Zone.
- c. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials.

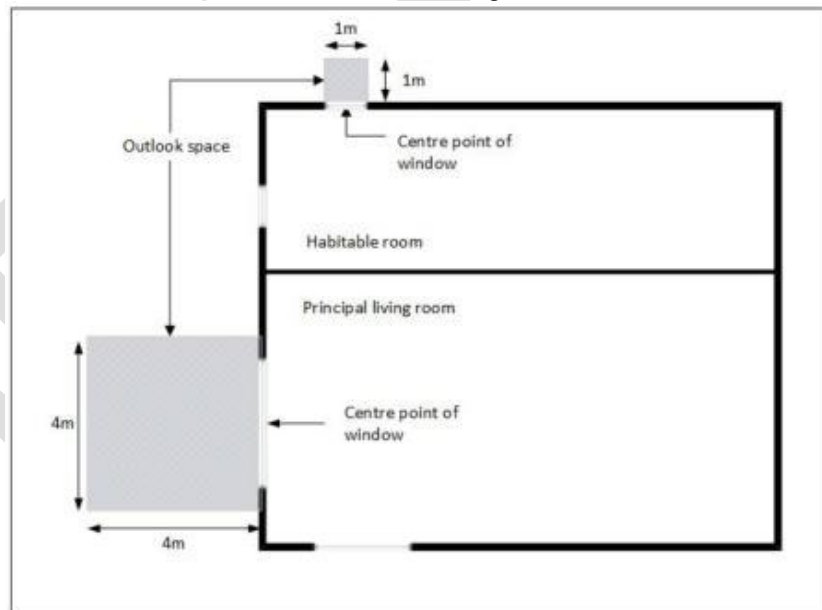
Outdoor living space (per residential unit, as measured by the Residential Unit Measurement Criteria)

3. Except as provided for under Rule MUZ-R5, a residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises ground floor, balcony, patio, or roof terrace space that:
  - a. where located at ground level, has no dimension less than 3 metres; and
  - b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and

- c. is accessible from the *residential unit*; and
  - d. may be:
    - i. grouped cumulatively by area in 1 communally accessible location; or
    - ii. located directly adjacent to the unit; and
  - e. is free of *buildings, parking spaces, and servicing and manoeuvring areas.*
4. A *residential unit* located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
- a. is at least 8 square metres and has a minimum dimension of 1.8 metres; and
  - b. is accessible from the *residential unit*; and
  - c. may be:
    - i. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at *ground level*; or
    - ii. located directly adjacent to the unit.

Outlook space (per *residential unit*, as measured by the *Residential Unit Measurement Criteria*)

5. An outlook space must be provided for each *residential unit* as specified in this standard:
- a. An outlook space must be provided from *habitable room* windows as shown in the diagram below:



**MCZ-Diagram 3 – Outlook space**

- b. The minimum dimensions for a required outlook space are as follows:
  - i. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
  - ii. all other *habitable rooms* must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- c. The width of the outlook space is measured from the centre point of the largest window on the *building* face to which it applies.

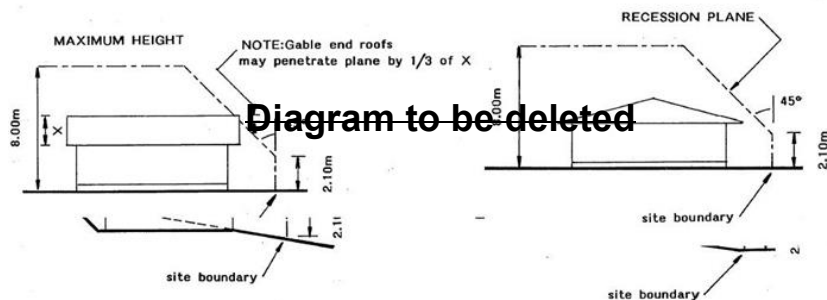
- d. Outlook spaces may be over *driveways* and footpaths within the site or over a public street or other public open space.
- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey *building*.
- f. Outlook spaces may be under or over a balcony.
- g. Outlook spaces required from different rooms within the same *building* may overlap.
- h. Outlook spaces must:
  - i. be clear and unobstructed by buildings; and
  - ii. not extend over an outlook space or *outdoor living space* required by another dwelling.

Other Standards

- ~~2. The maximum *height* and *structure* of any *building* from *original ground level* shall be 12 metres and no *building* shall be more than 3 storeys above the *original ground level*.~~
- ~~6. 2. Buildings except residential buildings in the Ihakara Street West Precinct complying with MUZ-R5, must contain at least 25% of the ground level *road boundary* façade and facades on boulevards as *active frontages* including pedestrian entrances and clear glass with views to activities in the *building*.~~
- ~~7. 3. Buildings and structures located on sites with frontage along the north-eastern side of Kāpiti Road must be set back at least 3 metres from the Kāpiti Road *boundary*.~~
- ~~4. All *buildings* and *structures* must fit within a *height in relation to boundary envelope*, which is made up of recession planes which commence at a point 2.1 metres above the *original ground level* at the *property boundary* where it adjoins the boundary of *Residential Zones* and inclines inwards at an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in *height* (as determined by the *height measurement criteria*) may infringe the *height in relation to boundary envelope*.~~

*Measurement Criteria:*

- ~~a. The *height in relation to boundary envelope* must be measured from a point above the *original ground level* at the boundary (including restrictive covenant areas of cross lease properties).~~
- ~~b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the *height in relation to boundary envelope*.~~
- ~~c. Where there is a right of way or an *access strip/leg* adjoining the allotment boundary, the *height in relation to boundary envelope* shall be measured from a point 2.1 metres above a point midway across the right-of-way or *access strip/leg*.~~



	<p><u>8.</u> <del>5.</del> Any <i>building</i> or <i>structure</i> which is set back 2 or more metres from the <i>road boundary</i> must provide (or, in respect of existing <i>trees</i>, retain) at least one specimen <i>tree</i> capable of growing to 5 metres in <i>height</i> within 10 years of planting for every 10 metres of <i>site</i> frontage. Any <i>landscaping</i> provided in accordance with this standard must be included in the <i>landscaping</i> car park requirement.</p> <p><u>9.</u> <del>6.</del> All <i>buildings</i>, other than temporary or accessory storage <i>buildings</i>, or <i>residential buildings</i> in the Ihakara Street West Precinct complying with MUZ-R5, must be lit with exterior lighting at pedestrian entrance areas at a minimum of 10 lux.</p> <p><u>10.</u> <del>7.</del> <i>Buildings</i> and <i>structures</i> shall be sited a minimum of 4 metres from the boundary of the <i>Residential Zones</i>.</p>
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**8.6 Amend rule MUZ-R13 as follows:**

<b>MUZ-R13</b>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> where one or more of the <i>permitted activity</i> standards in MUZ-R6 is not met.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>New <i>minor buildings</i> and <i>additions</i> and <i>alterations</i> to existing <i>minor buildings</i>.</li> </ul> <p><u>Measurement criteria apply to activities under this rule.</u></p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <p><u>Building height</u></p> <p>1. <u>Buildings must not exceed 21 metres in height:</u></p> <p><u>Measurement criteria:</u> <u>Height must be measured using the height measurement criteria.</u></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>Location, layout, size and design of proposed <i>development</i>.</li> <li>Consideration of the <i>permitted activity</i> standard not met.</li> <li>Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>.</li> <li>The extent of consistency with the <del>Crime Prevention Through Environmental Design Guidelines in Appendix 6, Council's</del> <b>Centres Design Guide</b> and the <b>Subdivision and Development Principles and Requirements 2012</b> and the <del>Centres Design Principles in Appendix 20.</del></li> <li><i>Effects</i> on landform and landscape.</li> <li>Traffic and transport <i>effects</i>.</li> <li>Design and appearance of <i>buildings</i>.</li> <li>Location and design of parking, traffic circulation areas, loading and access.</li> <li>Public safety.</li> <li>Context and surroundings.</li> </ol>

		<ol style="list-style-type: none"><li>11. Cumulative <i>effects</i>.</li><li>12. Any <i>nuisance effects</i>.</li><li>13. The consistency with the relevant objectives and policies.</li></ol>
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## 9.0 Proposed amendments to the Hospital Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Hospital Zone Chapter are proposed:

1. To give effect to Policy 3(c)(iii) of the NPS-UD in the Hospital Zone (as it is located within the walkable catchment of the Metropolitan Centre Zone); and
2. To make amendments consequential to incorporating the MDRS into the surrounding General Residential Zone.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
HOSZ-R6	Permitted activity rule for buildings amended so that the height and the height in relation to boundary standards are consistent with the standard for the surrounding General Residential Zone.
HOSZ-R8	Restricted discretionary activity rule for buildings amended to give effect to policy 3(c)(iii) of the NPS-UD by enabling 6-storey building heights within the Zone.
HOSZ-R14	Non-complying activity rule for buildings amended to give effect to policy 3(c)(iii) of the NPS-UD by enabling 6-storey building heights within the Zone.

### Proposed amendments to the District Plan

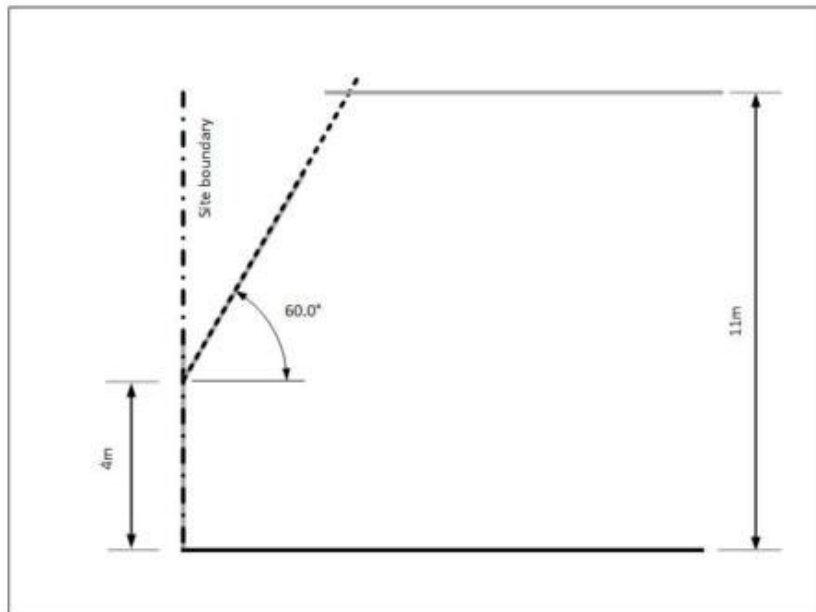
*This section forms part of the IPI.*

#### 9.1 Amend rule HOSZ-R6 as follows:

<b>HOSZ-R6</b>	<p>New <i>buildings and structures</i> and <i>additions and alterations</i> to existing <i>buildings and structures</i>.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>• New <i>minor buildings</i> and additions and alterations to existing <i>minor buildings</i>.</li> </ul> <p><i>Height measurement criteria</i>, and <i>measurement criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <p><u><i>Building height</i></u></p> <p>1. <u><i>Buildings</i></u> must not exceed 12 metres in <u><i>height</i></u>.</p> <p><u><i>Measurement criteria:</i></u> <u><i>Height</i></u> must be measured using the <u><i>height measurement criteria</i></u>.</p> <p><u><i>Height in relation to boundary</i></u></p>



2. Buildings and structures must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



**HOSZ-Diagram 1 – Height in relation to boundary**

This standard does not apply to any of the following:

- a. a boundary with a road;
- b. a boundary between a site in the Hospital Zone, and a site in any of the following zones:
  - i. The Hospital Zone;
  - ii. Any centres zone;
  - iii. The Mixed Use Zone;
  - iv. The General Industrial Zone;
- c. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials.

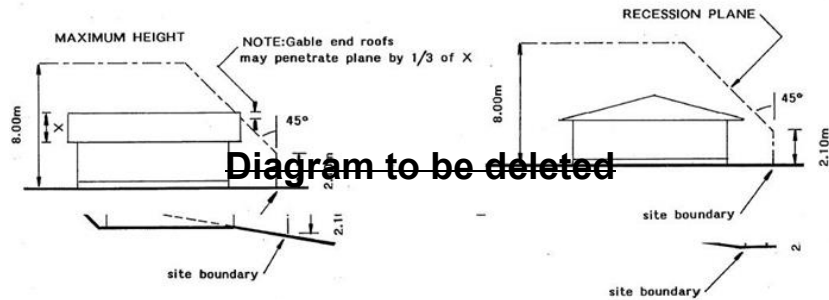
#### Other standards

1. ~~The maximum height of any building or structure from original ground level shall be 12 metres and no building shall be more than 3 storeys above the original ground level.~~
2. ~~All buildings and structures must fit within a height in relation to boundary envelope, which is made up of recession planes which commence at a point 2.1 metres above the original ground level at the site boundary where it adjoins the boundary of Residential Zones and inclines inwards at an angle of 45 degrees. The exception to this is that garages located in the side or rear yard and not more than 2.4 metres in height (as measured by the height measurement criteria) may infringe the height in relation to boundary envelope.~~

#### Measurement Criteria:

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

- b. Residential chimneys, electricity transmission towers, masts, radio, television and telecommunication antenna and aerials are excluded from the *height in relation to boundary envelope*.
- c. Where there is a right of way or an access strip/leg adjoining the allotment boundary, the *height in relation to boundary envelope* shall be measured from a point 2.1 metres above a point midway across the right of way or access strip/leg.



- 3. Any *building* or *structure* which is setback 2 or more metres from the *road boundary* must provide (or, in respect of existing *trees*, retain) at least one specimen *tree* capable of growing to 5 metres in *height* within 10 years of planting for every 10 metres of *site* frontage. Any *landscaping* provided in accordance with this standard must be included in the *landscaping car park* requirement.
- 4. All *buildings*, other than temporary or accessory storage *buildings*, must be lit with exterior lighting at pedestrian entrance areas at a minimum of 10 lux.
- 5. *Buildings* shall be sited a minimum of 4 metres from the *boundary* of the *Residential Zones*.
- 6. *Buildings* and *structures* shall have a maximum *building coverage* of 75%.

**Measurement Criteria:**

When measuring *building coverage*, include:

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

When measuring *building coverage*, exclude:

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

- 7. Pedestrian pathways must be provided with a minimum width of 2 metres and be separated by appropriate marking/delineation from traffic movements from all car parking areas to the *building* entrances and between *building* entrances.

**9.2 Amend rule HOSZ-R8 as follows:**

<b>HOSZ-R8</b>	New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> where <del>no more than one or more</del> of the following <i>permitted activity</i> standards <del>is</del> <u>are</u> not met:.
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	<p>1. <del>height in relation to boundary envelope;</del>                  2. <del>landscaping;</del>                  3. <del>lighting;</del>                  4. <del>buildings adjoining Residential Zones;</del>                  5. <del>building setbacks;</del>                  6. <del>pedestrian pathways; and</del>                  7. <del>vehicle entrances.</del></p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>New <i>minor buildings</i> and additions and alterations to existing <i>minor buildings</i>.</li> </ul> <p><u>Measurement criteria apply to activities under this rule.</u></p>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <p><u>Building height</u></p> <p>1. <u>Buildings must not exceed 21 metres in height.</u></p> <p><u>Measurement criteria:</u>  <u>Height must be measured using the height measurement criteria.</u></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>Location, layout, size and design of the proposed <i>development</i>.</li> <li>Consideration of the standard(s) not met.</li> <li>Visual, character, amenity, <i>historic heritage</i>, streetscape and stream <i>effects</i>.</li> <li>The extent of consistency with the Crime Prevention Through Environmental Design Guidelines in Appendix 6, <i>Council's</i> Subdivision and Development Principles and Requirements 2012 and the Centres Design Principles in Appendix 20.</li> <li><i>Effects</i> on landform and landscape.</li> <li>Traffic and transport <i>effects</i>.</li> <li>Design and appearance of <i>buildings</i>.</li> <li>Location and design of parking, traffic circulation areas, loading and access.</li> <li>Public safety.</li> <li>Context and surroundings.</li> <li>Cumulative <i>effects</i>.</li> <li>Whether any <i>nuisance effects</i> are created.</li> <li>The consistency with the relevant objectives and policies.</li> </ol>

**9.3 Amend rule HOSZ-14 follows:**

<p><b>HOSZ-R14</b></p>	<p>New <i>buildings</i> and <i>structures</i> and <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> and <i>structures</i> which exceed <del>42</del> <u>21</u> metres in <i>height</i> or are more than <del>3</del> storeys above the <i>original ground level</i>.</p> <p><u>Height measurement criteria apply to activities under this rule.</u></p>
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Non-Complying Activity	
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## 10.0 Proposed amendments to the District Wide Subdivision Chapters

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the District Wide Subdivision Matters, Subdivision in Residential Zones and Subdivision in Working Zones chapters are proposed for the purpose of incorporating the Medium Density Residential Standards (the 'MDRS') into the Chapters.

The following is a summary of proposed amendments to the chapters to achieve this purpose:

Provision reference	Summary of amendments
<u>SUB-DW-Rx</u>	<p>A new rule to provide for a notification-precluded, controlled activity equivalent of the existing district-wide restricted discretionary subdivision rule SUB-DW-R5. This rule applies to subdivision within the General Residential Zone that is a controlled activity under new rule <u>SUB-RES-Rx</u> and provides standards for hydraulic neutrality, underground services, water supply, effluent disposal, telecommunications and electricity supply.</p> <p>This new rule is part of giving effect to clauses 5(3) and 7 of Schedule 3A.</p>
SUB-DW-R23	<p>Consequential amendment to the existing non-complying subdivision rule to ensure that it applies where standards under new rule <u>SUB-DW-Rx</u> are not met.</p>
SUB-RES-P1	<p>Existing policy amended to provide for subdivision where it is consistent with the Objectives and Policies of the General Residential Zone. The singular focus of the existing policy on avoiding the compromise of local character and amenity can be interpreted as being inconsistent with the level of development permitted under the MDRS, whereas the proposed amendments to the Objectives and Policies of the General Residential Zone provide for the consideration of urban development and housing supply alongside local character and amenity.</p> <p>This amendment provides for clause 7 of Schedule 3A.</p>
SUB-RES-25	<p>Consequential amendment to:</p> <ul style="list-style-type: none"> <li>• remove reference to medium density housing development, which has been superseded by the MDRS. Development in accordance with the MDRS is provided for under <u>SUB-RES-Rx</u>;</li> <li>• removes references to existing character area design guides.</li> </ul>
SUB-RES-26	<p>Amendments to the existing controlled activity rule for subdivision of land in the General Residential Zone, so that the parts of the Coastal Qualifying Matter Precinct that are currently provided for under this rule continue to be provided for.</p> <p>Existing standards for minimum allotment size and shape associated with subdivision in the Coastal Qualifying Matter Precinct are relocated to a new table (SUB-RES-Table x) at the end of the chapter.</p> <p>Subdivision of land within the General Residential Zone outside of the Coastal Qualifying Matter Precinct is provided for under new rule <u>SUB-RES-Rx</u>.</p>

<p>SUB-RES-Rx</p>	<p>A new controlled activity rule that provides for subdivision of land in the General Residential Zone consistent with the MDRS. The rule is required by clause 7 of Schedule 3A of the Act.</p> <p>The standards associated with the rule include:</p> <ul style="list-style-type: none"> <li>• Standards 1 and 2 provide that subdivision must either be consistent with either: <ul style="list-style-type: none"> <li>○ the level of development permitted by the equivalent land use rule in the General Residential Zone (rule GRX-Rx1, or rule GRZ-Rx2 for development within the Residential Intensification Precincts); or</li> <li>○ an approved land-use resource consent.</li> </ul> </li> </ul> <p>This avoids a situation where a developer could avoid the requirement for a land-use resource consent for a development of larger than 3 dwellings by subdividing the parent allotment.</p> <ul style="list-style-type: none"> <li>• Standard 5 refers to a table at the end of the chapter for minimum allotment size and shape requirements. Unless the allotment is a vacant allotment or located within the Coastal Qualifying Matter Precinct, there are no minimum allotment size or shape requirements;</li> <li>• Standard 9 is a standard for non-sewered allotments that has been transferred from SUB-RES-R27, as the land to which this relates is now provided for under this rule;</li> <li>• Standard 10 is a standard dealing with non-size or shape related matters in the County Road Ōtaki Precinct that has been transferred from SUB-RES-R27, as the land to which this relates is now provided for under this rule;</li> <li>• The remaining standards under this rule have been copied from Rule SUB-RES-R26, as they do not relate to allotment size or shape, and are relevant to subdivision under this rule.</li> </ul> <p>Matters of control under this rule are the same as for rule SUB-RES-R26, except that additional text has been added to Matter of Control 1 to make it clear that size and shape related requirements are not a matter of control.</p> <p>Public and limited notification is precluded in accordance with clause 5(3) of Schedule 3A of the Act.</p>
<p>SUB-RES-R27</p>	<p>This restricted discretionary subdivision rule will continue to apply to:</p> <ul style="list-style-type: none"> <li>• Subdivision within specified parts of the Coastal Qualifying Matter Precinct that are currently provided for under this rule in the Operative District Plan;</li> <li>• Subdivision that does not comply with the controlled activity standards under rules SUB-RES-R25 and SUB-RES-R26.</li> </ul> <p>The following amendments are proposed to this rule:</p> <ul style="list-style-type: none"> <li>• Amending the rule to remove reference to the deleted “Focussed Infill Precinct”;</li> <li>• Amending the rule so that it applies when subdivision does not comply with controlled activity standards under rule <u>SUB-RES-Rx</u>;</li> </ul> <p>The following amendments are proposed to standards under this rule:</p>

	<ul style="list-style-type: none"> <li>Standards 1 and 2 are two new standards that provide the same function as standards 1 and 2 under SUB-RES-Rx. This avoids a situation where a developer could avoid the requirement for a land-use resource consent for a development of larger than 3 dwellings by subdividing the parent allotment. These standards do not apply to the subdivision of land in the Coastal Qualifying Matter Precinct, as this situation would not occur under the Rule GRZ-R6 (which applies to development in the Coastal Qualifying Matter Precinct).</li> <li>Existing standards for minimum allotment size and shape associated with subdivision in the Coastal Qualifying Matter Precinct are relocated to a new table (SUB-RES-Table x) at the end of the chapter.</li> <li>Consequential amendment to the block length standard to ensure that it continues to apply to subdivision where land to be subdivided is less than 3,000m<sup>2</sup>;</li> <li>Consequential amendment to the Matters of Discretion to remove reference to the superseded character area design guides.</li> </ul>
<del>SUB-RES-28</del>	Consequential amendment to delete a rule that applies to subdivision within the Focussed Infill Precinct. This precinct is proposed to be deleted from the General Residential Zone.
SUB-RES-29	Consequential amendment to delete reference to deleted rule SUB-RES-R28.
SUB-RES-30	Consequential amendments to: <ul style="list-style-type: none"> <li>remove reference to “excluding land within any precinct identified in UFD-P13”;</li> <li>refer to an amended standard number under rule SUB-RES-R27.</li> </ul>
<del>SUB-RES-31</del>	Consequential amendment to delete a rule that applies to subdivision within the Focussed Infill Precinct. This precinct is proposed to be deleted from the General Residential Zone.
<u>SUB-RES-Table x</u>	<p>A new table to specify minimum allotment size and shape factor requirements for subdivision under rules SUB-RES-R26 and R-27. This table specifies minimum allotment areas, minimum average allotment areas and minimum allotment shape factors for:</p> <ul style="list-style-type: none"> <li>vacant allotments;</li> <li>allotments within the Coastal Qualifying Matter Precinct. The specification for these allotments is consistent with their specification under the operative district plan.</li> </ul> <p>This new table gives effect to clause 8 of Schedule 3A.</p>
SUB-WORK-R40, SUB-WORK-R41, SUB-WORK-R42, SUB-WORK-R43, SUB-WORK-R44	Supporting amendments to standards to provide that subdivision associated with buildings up to the amended restricted discretionary height limit within the centres zones, certain precincts within the Mixed Use Zone and the Hospital Zone is enabled as part of the restricted discretionary activity subdivision rule.
SUB-WORK-R36, SUB-WORK-R37, SUB-WORK-R39, SUB-WORK-R40, SUB-WORK-R41, SUB-WORK-R42,	Consequential amendments to replace references to the Centres Design Principles with the Centres Design Guide.

SUB-WORK-R43, SUB-WORK-R44	
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**Proposed amendments to the District Plan**

*This section forms part of the IPI.*

**10.1 Add a new rule to the SUB-DW District Wide Subdivision Matter Chapter as follows:**

<b>SUB-DW-Rx</b>	<p><u>Subdivision of land creating new allotments in the General Residential Zone that complies with all <i>controlled activity</i> standards under rule SUB-RES-Rx.</u></p> <p><b>Notification</b> Public and limited notification of an application for resource consent under this rule is precluded.</p>	
Controlled Activity	<p><b>Standards</b></p> <p><b><u>Hydraulic neutrality</u></b></p> <ol style="list-style-type: none"> <li><u>Stormwater systems must be designed to ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation for the 50%, 20%, 10% and 1% Annual Exceedance Probability flood events.</u></li> <li><u>Existing waterways and stormwater detention areas must be retained, and be enhanced with plantings to create attractive features.</u></li> </ol> <p><b>Note:</b> <u>Any stormwater discharge may need to meet threshold limits for the receiving waters under Council's network discharge consent or under the National Policy Statement for Freshwater Management.</u></p> <p><b><u>Underground Services</u></b></p> <ol style="list-style-type: none"> <li><u>Where any subdivision of land involves the construction of a new road or the extension of an existing road all electric, gas and telecommunication services to the land in the subdivision shall be reticulated underground.</u></li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li><u>Those matters listed under rule SUB-RES-R26 in the Subdivision in Residential Zones chapter;</u></li> <li><u>The degree of compliance with Council's <b>Subdivision and Development Principles and Requirements, 2012</b>;</u></li> </ol> <p><b><u>Stormwater</u></b></p> <ol style="list-style-type: none"> <li><u>The provision of grassed swales to direct road-run-off (instead of concrete kerb and channel) where grassed swales would be functional and in keeping with the surrounding environment.</u></li> </ol>



	<p><b><u>Water Supply</u></b></p> <p>4. <u>All new allotments, other than allotments for access, roads, utilities or reserves, where the allotments are in or adjoining areas which are served with a Council reticulated water supply, must be provided with a connection to the Council reticulated water supply laid to the boundary of the allotment.</u></p> <p><b><u>Effluent Disposal</u></b></p> <p>5. <u>All new allotments, other than allotments for access, roads, utilities or reserves, where the allotments are in or adjoining areas which are served by the public wastewater reticulation and treatment system must be provided with a piped sewage outfall for disposing of sanitary sewage to a reticulated system, laid to the boundary of each allotment.</u></p> <p><b><u>Telecommunication and electricity supply</u></b></p> <p>6. <u>Provision must be made to the boundary of each proposed allotment for a connection to a telecommunication network and energy supply network.</u></p>	
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**10.2 Amend rule SUB-DW-R23 in the SUB-DW District Wide Subdivision Matter Chapter as follows:**

<b>SUB-DW-R23</b>	<i>Subdivision that does not comply with one or more of the activity standards for water, wastewater and stormwater or electricity and telecommunications under rules SUB-DW-Rx, SUB-DW-R4 and SUB-DW-R5.</i>
Non-Complying Activity	

**10.3 Amend policy SUB-RES-P1 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-P1</b>	General Residential Subdivision
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~~Subdivision, including for small-scale infill, will be provided for in general residential areas where it does not compromise local character and amenity.~~  
Subdivision will be provided for where it is consistent with the Objectives and Policies applicable to subdivision, use and development in the General Residential Zone.

**10.4 Amend rule SUB-RES-R25 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R25</b>	<p>The following <i>subdivisions</i>:</p> <ul style="list-style-type: none"> <li>• <i>Boundary adjustments</i></li> <li>• Subdivision of <i>land</i> where no additional <i>allotments</i> are created.</li> <li>• <del>Subdivision of <i>Medium Density Housing</i> developments if the <i>land use consent</i> establishing the <i>Medium Density Housing</i> development has been given <i>effect to</i>.</del></li> </ul> <p><i>Boundary adjustment qualifying criteria</i> apply to activities under this rule.</p> <p>Cross lease updates are excluded from this rule.</p>	
Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. 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>allotment</i> and a larger <i>allotment</i> which can then be further <i>subdivided</i> and would not have met all <i>restricted discretionary activity</i> standards including minimum or average <i>allotment</i> sizes prior to this <i>subdivision</i> occurring).</li> <li>3. Public <i>roads</i>, public <i>water</i> supply systems, sanitary drainage systems and surface <i>water</i> drainage systems must be available to serve the <i>subdivision</i>.</li> <li>4. The relevant <i>subdivision</i> standards under Rules SUB-RES-R26, SUB-RES-Rx, SUB-RES-R27 and SUB-RES-R28 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> <p><i>Boundary adjustment qualifying criteria</i>:</p>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. Design and layout, including any associated <i>earthworks</i>.</li> <li>2. <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>3. The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</li> <li>4. 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 and landscape or area of high natural character</i>.</li> <li>5. The imposition of <i>conditions</i> in accordance with Council's <i>Subdivision</i> and Development Principles and Requirements 2012.</li> <li>6. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> <li>7. The imposition of conditions in accordance with sections 108</li> </ol>

	<p>1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of existing <i>allotments</i>.</p>	<p>and 220 of the Resource Management Act 1991.</p> <p>8. The design, size, shape and location of reserves and <i>esplanade reserves</i>.</p> <p>9. <del>The Ōtaki Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 3.</del></p>
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**10.5 Amend rule SUB-RES-R26 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R26</b>	<p>Except as provided for under Rule SUB-RES-R25, <del>subdivision of land within the General Residential Zone at Raumati, Paraparaumu, Waikanae and Ōtaki (excluding Ōtaki Beach), excluding land within any precinct listed in UFD P13.</del> <u>subdivision of land within the Coastal Qualifying Matter Precinct.</u></p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• <u>Subdivision of land in the Coastal Qualifying Matter Precinct at Paekākāriki, Peka Peka, Te Horo Beach and Ōtaki Beach;</u></li> <li>• <u>Subdivision of land in the Coastal Qualifying Matter Precinct within the Beach Residential Precinct at Raumati and Waikanae Beach.</u></li> </ul>	
Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>allotment</i> must have a flood free <i>building area</i> above the estimated 1% <i>Annual Exceedance Probability flood event</i>.</li> </ol> <p><b>Parent allotment area</b></p> <ol style="list-style-type: none"> <li>3. The <i>land</i> to be <i>subdivided</i> shall be less than 3,000m<sup>2</sup> in area.</li> </ol> <p><b>Note:</b> <i>Subdivision of land</i> greater than 3,000m<sup>2</sup> is provided for under SUB-RES-R27.</p> <p><b>Minimum allotment size</b></p> <ol style="list-style-type: none"> <li>4. <del>For all areas, excluding the General Residential Zone at Ōtaki, the minimum allotment area shall be 450m<sup>2</sup> (inclusive of access).</del></li> <li>5. <del>For the General Residential Zone at Ōtaki:</del> <ol style="list-style-type: none"> <li>a. <del>the minimum allotment area for front allotments shall be 450m<sup>2</sup> and for rear</del></li> </ol> </li> </ol>	<p><b>Matters of Control</b></p> <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 the Financial Contributions chapter.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <ol style="list-style-type: none"> <li>6. <i>Vehicle access points</i> 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 area(s)</i> relative to any identified <i>natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, rare and threatened</i></li> </ol>

	<p><del>allotments 550m<sup>2</sup> (exclusive of access); and</del>  <del>b. the minimum average allotment area shall be 700m<sup>2</sup> or greater (exclusive of access).</del></p> <p><b>Shape factor</b></p> <p><del>6. Each allotment must be capable of accommodating an 18 metre diameter circle.</del>  <del>7. Where a rear allotment is created, the shape factor circle for the front allotment(s) may extend over the access leg for the rear allotment by up to 3 metres.</del></p> <p><b><u>Minimum allotment size and shape factor</u></b></p> <p><del>4. Compliance with SUB-RES-Table x.</del></p> <p><b>Infrastructure, access and services</b></p> <p><del>5. 8. Access, water supply, wastewater and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the Council's Subdivision and Development Principles and Requirements 2012.</del>  <del>6. 9. The maximum number of allotments gaining legal and physical access by rights of way shall be 6.</del>  <del>7. 10. Access to all allotments must comply with the standards in the Transport chapter.</del></p> <p><b>Esplanades</b></p> <p><del>8. 11. The Esplanade Reserve and Esplanade Strip provisions of SUB-DW-Table 1 must be complied with.</del></p> <p><b>Financial Contributions</b></p> <p><del>9. 12. Compliance with FC-Table 1.</del></p>	<p><i>vegetation species, geological feature, outstanding natural feature and landscape or area of high natural character.</i></p> <p>9. The imposition of <i>conditions</i> in accordance with sections 108 and 220 of the Resource Management Act 1991.</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>
<p><b>Note:</b> the <i>subdivision of land</i> within:</p> <ul style="list-style-type: none"> <li>the Coastal Qualifying Matter Precinct at Paekākāriki, Peka Peka, Te Horo Beach and Ōtaki Beach; and</li> </ul>		

- the Coastal Qualifying Matter Precinct within the Beach Residential Precinct at Raumati and Waikanae Beach;  
are provided for under Rule SUB-RES-R27.

**10.6 Add a new rule to the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<p><b>SUB-RES-Rx</b></p>	<p>Except as provided for under Rule SUB-RES-R25 or SUB-RES-R26, <u>subdivision of land within the General Residential Zone.</u></p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• <u>Subdivision of land in the Coastal Qualifying Matter Precinct.</u></li> </ul> <p><b>Notification</b> Public and limited notification of an application for resource consent under this rule is precluded.</p>	
<p>Controlled Activity</p>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <u>Where the parent allotment contains an existing residential unit:</u> <ol style="list-style-type: none"> <li>a. <u>the subdivision must not increase the degree of any non-compliance with Rules GRZ-Rx1 or GRZ-Rx2; or</u></li> <li>b. <u>the subdivision must comply with an approved land use resource consent.</u></li> </ol> </li> <li>2. <u>Where the parent allotment does not contain an existing residential unit:</u> <ol style="list-style-type: none"> <li>a. <u>it must be demonstrated that it is practicable to construct residential units on the parent allotment that comply with Rules GRZ-Rx1 or GRZ-Rx2; or</u></li> <li>b. <u>the subdivision must comply with an approved land use resource consent.</u></li> </ol> </li> <li>3. <u>Each allotment must have legal and physical access to a legal road.</u></li> <li>4. <u>Each allotment must have a flood free building area above the estimated 1% Annual Exceedance Probability flood event.</u></li> </ol> <p><b>Minimum allotment size and shape factor</b></p>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. <u>The design and layout of the subdivision (excluding allotment size, shape, or other size-related subdivision requirements) and any associated earthworks.</u></li> <li>2. <u>The imposition of conditions to manage character and amenity effects.</u></li> <li>3. <u>The design and location of reserves and esplanade reserves.</u></li> <li>4. <u>The imposition of conditions in accordance with Council's Subdivision and Development Principles and Requirements 2012.</u></li> <li>5. <u>The imposition of financial contributions in accordance the Financial Contributions chapter.</u></li> </ol> <p><b>Note:</b> <u>Other contributions may be applicable under the provisions of the Local Government Act 2002.</u></p> <ol style="list-style-type: none"> <li>6. <u>Vehicle access points onto legal road including the State Highway network and any transport effects.</u></li> <li>7. <u>Any legal mechanisms required for legal access.</u></li> <li>8. <u>The location of any associated building area(s) relative to any identified natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, rare and threatened vegetation species, geological feature, outstanding</u></li> </ol>

	<p>5. <u>Compliance with SUB-RES-Table x.</u></p> <p><b><u>Infrastructure, access and services</u></b></p> <p>6. <u>Access, water supply, wastewater and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the Council’s Subdivision and Development Principles and Requirements 2012.</u></p> <p>7. <u>The maximum number of allotments gaining legal and physical access by rights of way shall be 6.</u></p> <p>8. <u>Access to all allotments must comply with the standards in the Transport chapter.</u></p> <p><b><u>Wastewater disposal – non-sewered allotments</u></b></p> <p>9. <u>Any subdivision occurring on land that is not serviced by an existing community sewerage scheme must provide evidence from a suitably qualified and experienced person that on-site domestic wastewater disposal is suitable for each allotment in accordance with AS/NZS 1547:2012 “On-site Domestic Wastewater Management.”</u></p> <p><u>Note: attention is drawn to the requirements for on-site domestic wastewater disposal enforced by the Regional Council.</u></p> <p><b><u>County Road Ōtaki Precinct</u></b></p> <p>10. <u>For land in the County Road Ōtaki Precinct:</u></p> <p style="padding-left: 20px;">a. <u>the protection of ecological site (K212) shall be secured via an encumbrance on the new allotments within which K212 is located; and</u></p> <p style="padding-left: 20px;">b. <u>an integrated traffic assessment must be undertaken for all subdivisions creating</u></p>	<p><u>natural feature and landscape or area of high natural character.</u></p> <p>9. <u>The imposition of conditions in accordance with sections 108 and 220 of the Resource Management Act 1991.</u></p> <p><b><u>Note:</u></b> <u>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 subdivision under this rule.</u></p>
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	<p style="text-align: center;"><u>more than six allotments with vehicle access only onto County Road.</u></p> <p><b><u>Esplanades</u></b></p> <p>11. <u>The Esplanade Reserve and Esplanade Strip provisions of SUB-DW-Table 1 must be complied with.</u></p> <p><b><u>Financial Contributions</u></b></p> <p>12. <u>Compliance with FC-Table 1.</u></p>	
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**10.7 Amend rule SUB-RES-R27 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R27</b>	<p><del>Any s</del><u>Subdivision of land (excluding land within a Focused Infill Precinct) which is not a controlled activity under SUB-RES-R25, or SUB-RES-R26 or SUB-RES-Rx.</u></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 SUB-RES-R25 the written approval of persons will not be required and applications under this rule will not be served on any person or notified.</p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <p>1. <u>Where the parent allotment contains an existing residential unit:</u></p> <p style="margin-left: 20px;">a. <u>the subdivision must not increase the degree of any non-compliance with Rules GRZ-Rx1 or GRZ-Rx2; or</u></p> <p style="margin-left: 20px;">b. <u>the subdivision must comply with an approved land use resource consent.</u></p> <p><u>This standard does not apply to the subdivision of land in the Coastal Qualifying Matter Precinct.</u></p> <p>2. <u>Where the parent allotment does not contain an existing residential unit:</u></p> <p style="margin-left: 20px;">a. <u>it must be demonstrated that it is practicable to construct residential units on the parent allotment that comply with Rules</u></p>	<p><b>Matters of Discretion</b></p> <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 conditions to manage character and amenity <i>effects</i>.</li> <li>3. The design, size, shape and location of reserves and esplanades.</li> <li>4. The imposition of conditions in accordance with <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</li> <li>5. The imposition of <i>financial contributions</i> in accordance with the Financial Contributions chapter.</li> </ol> <p><b>Note:</b> Other contributions may be applicable under the provisions of the Local Government Act 2002.</p> <p>6. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network and any transport <i>effects</i>.</p>

	<p style="text-align: center;"><u>GRZ-Rx1 or GRZ-Rx2;</u> <u>or</u></p> <p style="text-align: center;"><u>b. the subdivision must comply with an approved land use resource consent.</u></p> <p style="text-align: center;"><u>This standard does not apply to the subdivision of land in the Coastal Qualifying Matter Precinct.</u></p> <p><u>3.</u> <del>4.</del> Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</p> <p><b>Minimum and average allotment sizes</b></p> <p><del>2.</del> Each <i>allotment</i> must meet the following minimum requirements:</p> <p style="margin-left: 20px;"><del>a.</del> the minimum <i>allotment</i> area shall be 950m<sup>2</sup> for any <i>allotment</i> in:</p> <p style="margin-left: 40px;"><del>i.</del> the Beach Residential Precinct or General Residential Zone at Paekākāriki;</p> <p style="margin-left: 40px;"><del>ii.</del> the General Residential Zone at Peka Peka; and</p> <p style="margin-left: 40px;"><del>iii.</del> the General Residential Zone at Te Horo Beach;</p> <p style="margin-left: 20px;"><del>b.</del> for any <i>allotment</i> in the Waikanae Garden Precinct the minimum <i>allotment</i> area shall be 700m<sup>2</sup> (inclusive of access);</p> <p style="margin-left: 20px;"><del>c.</del> for any <i>allotment</i> in the Manu Grove Low Density Housing Precinct the minimum <i>allotment</i> area shall be 1,200m<sup>2</sup> (inclusive of access) and the minimum average <i>allotment</i> area for the <i>subdivision</i> shall be 6,000m<sup>2</sup>;</p> <p style="margin-left: 20px;"><del>d.</del> for <i>land</i> in the Panorama Drive Precinct:</p> <p style="margin-left: 40px;"><del>i.</del> the minimum <i>allotment</i> area shall be 2,500m<sup>2</sup> (inclusive of access);</p>	<p>7. Any legal mechanisms required for legal access.</p> <p>8. The location of any associated <i>building</i> area(s) 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 landscape</i> and <i>area of high natural character</i>.</p> <p><del>9.</del> The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 3.</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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	<p>ii. <del>the minimum average <i>allotment</i> area for the precinct shall be 5,000m<sup>2</sup>; and</del></p> <p>iii. <del>a notional house area 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</i> plan;</del></p> <p><b>Note:</b> <del>Land within the Panorama Drive Precinct is located within a <i>special amenity landscape</i>. Refer to the Natural Features and Landscapes chapter for policies on <i>special amenity landscapes</i>.</del></p> <p>e. <del>for land in the Ōtaki Low Density Precinct and Paraparaumu Low Density Precinct:</del></p> <p style="padding-left: 20px;">i. <del>the minimum <i>allotment</i> area shall be 800m<sup>2</sup> (inclusive of access); and</del></p> <p style="padding-left: 20px;">ii. <del>the minimum average <i>allotment</i> area for the precinct shall be 950m<sup>2</sup>;</del></p> <p>f. <del>for land in the Ferndale Area Precinct, the minimum <i>allotment</i> area shall be as set out in Appendix 4 Ferndale Area Structure Plan Notations;</del></p> <p>g. <del>for land in the Pekawu Precinct, any <i>subdivision</i> shall:</del></p> <p style="padding-left: 20px;">i. <del>conform to the layout of <i>boundaries, vehicle access, open space</i> and planting proposals shown on the Structure Plan in Appendix 5; and</del></p> <p style="padding-left: 20px;">ii. <del>be subject to the "<i>subdivision controls</i>"</del></p>	
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	<p>as set out in the Structure Plan in Appendix 5;</p> <p><del>h. for land in the County Road Ōtaki Low Density Precinct:</del></p> <p style="padding-left: 40px;"><del>i. the minimum average <i>allotment</i> area for the <i>subdivision</i> shall be 700m<sup>2</sup>;</del></p> <p style="padding-left: 40px;"><del>ii. the number of residential <i>allotments</i> created by <i>subdivision</i> of the <i>land</i> contained in Lot 37 DP1429 shall not exceed 20 (including any balance of Lot 37 DP1429;</del></p> <p style="padding-left: 40px;"><del>iii. the protection of <i>ecological site</i> (K212) shall be secured via an encumbrance on the new <i>allotments</i> within which K212 is located; and</del></p> <p style="padding-left: 40px;"><del>iv. an integrated traffic assessment must be undertaken for all <i>subdivisions</i> creating more than six <i>allotments</i> with vehicle access only onto County Road.</del></p> <p><del>i. for land in the Beach Residential Precinct at Waikanae Beach, the minimum lot area shall be 550m<sup>2</sup> (exclusive of access):</del></p> <p><del>j. for all other <i>land</i> in the General Residential Zone where the <i>land</i> to be <i>subdivided</i> is less than 3,000m<sup>2</sup> in area:</del></p> <p style="padding-left: 40px;"><del>i. the minimum <i>allotment</i> area shall be 450m<sup>2</sup> (exclusive of access); and</del></p> <p style="padding-left: 40px;"><del>ii. the minimum average <i>allotment</i> area for the entire <i>subdivision</i> shall be 600m<sup>2</sup> (exclusive of access);</del></p>	
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	<p>k. <del>for all other <i>land</i> in the General Residential Zone where the <i>land</i> to be subdivided is greater than 3,000m<sup>2</sup> in size:</del></p> <p style="padding-left: 40px;">i. <del>at least 50% of all front <i>allotments</i> in the <i>subdivision</i> shall have a minimum <i>allotment</i> area of 550m<sup>2</sup> and at least 25% of all front <i>allotments</i> in the <i>subdivision</i> shall have a minimum <i>allotment</i> area of 700m<sup>2</sup>; and</del></p> <p style="padding-left: 40px;">ii. <del>at least 50% of all rear <i>allotments</i> in the <i>subdivision</i> shall have a minimum <i>allotment</i> area of 650m<sup>2</sup> (exclusive of access) and at least 25% of all rear <i>allotments</i> in the <i>subdivision</i> shall have a minimum <i>allotment</i> area of 800m<sup>2</sup> (exclusive of access);</del></p> <p style="padding-left: 40px;">l. <del>in addition to the minimum <i>allotment</i> area requirements in standards (i) and (j) above, the following overall average <i>allotment</i> sizes (exclusive of access) shall be achieved:</del></p> <p style="padding-left: 80px;">i. <del>600m<sup>2</sup> or greater in the General Residential Zone at Ōtaki Beach; and</del></p> <p style="padding-left: 80px;">ii. <del>700m<sup>2</sup> or greater in the Beach Residential Precinct at Raumati.</del></p> <p><b>Shape factor</b></p> <p>3. <del>Each <i>allotment</i> must be capable of accommodating an 18 metre diameter circle.</del></p> <p>4. <del>Where a rear <i>allotment</i> is created, the shape factor circle for the front <i>allotment</i>(s) may extend over the <i>access leg</i> for</del></p>	
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	<p>the rear <i>allotment</i> by up to 3 metres.</p> <p><b><u>Minimum allotment size and shape factor</u></b></p> <p>4. <u>Compliance with SUB-RES-Table x.</u></p> <p><b>Wastewater disposal – non-sewered allotments</b></p> <p>5. Any <i>subdivision</i> occurring on land that is not serviced by an existing community sewerage scheme must provide evidence from a suitably qualified and experienced person that on-site domestic <i>wastewater</i> disposal is suitable for each <i>allotment</i> in accordance with AS/NZS 1547:2012 “On-site Domestic Wastewater Management.”</p> <p><u>Note: attention is drawn to the requirements for on-site domestic wastewater disposal enforced by the Regional Council.</u></p> <p><b>Block length</b></p> <p>6. The maximum <i>block length</i> for any <i>subdivision</i> <del>subject to standard 2.j. of SUB-RES-R27</del> where the land to be subdivided is less than 3,000m<sup>2</sup> in area shall be 100 metres.</p> <p><b>Esplanades</b></p> <p>7. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</p> <p><b>Financial contributions</b></p> <p>8. Compliance with FC-Table 1.</p>	
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**10.8 Delete rule SUB-RES-R28 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R28</b>	<del><i>Subdivision of land</i> in the Focused Infill Precinct which is not a <i>controlled activity</i> under Rule SUB-RES-R25.</del>
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<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <p>1. Each <i>allotment</i> must have legal and physical access to a legal road.</p> <p><b>Size and shape</b></p> <p>2. Each <i>allotment</i> shall have a minimum area of 300m<sup>2</sup> (exclusive of access).</p> <p>3. Each <i>allotment</i> must be capable of accommodating a 12 metre diameter circle.</p> <p><b>Road frontage</b></p> <p>4. Any front <i>allotment</i> shall have a minimum road frontage of 6 metres.</p> <p><b>Esplanades</b></p> <p>5. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW Table 1 must be complied with.</p> <p><b>Financial contributions</b></p> <p>6. Compliance with FC Table 1.</p>	<p><b>Matters of Discretion</b></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 effects.</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 this chapter.</p> <p><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 effects.</p> <p>7. Any legal mechanisms required for legal access.</p> <p>8. The location of any associated <i>building area(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 feature and landscape or area of high natural character</i>.</p> <p>9. <i>Council's Crime Prevention through Environmental Design Guidelines Appendix 6</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>
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**10.9 Amend rule SUB-RES-R29 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R29</b>	<i>Subdivision</i> which is undertaken in accordance with the Development Incentives Guidelines set out in Appendix 1.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li><i>Subdivision</i> under this rule must comply with all other relevant <i>subdivision</i> standards unless otherwise specified in Appendix 1.</li> </ol> <p><b>Note:</b> For development which is undertaken in accordance with the Development Incentives Guidelines, see GRZ-R15.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>The scale of biodiversity, energy or <i>water</i> quality benefits created by the proposal.</li> <li>The design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>Covenants, easements and other legal mechanisms required.</li> <li>The imposition of <i>conditions</i> to manage visual, character and amenity <i>effects</i>.</li> <li>Ecological or biodiversity <i>effects</i>, and <i>effects</i> on natural character values.</li> <li>Transport <i>effects</i>.</li> <li>Proposed mitigation, remediation or ongoing management measures.</li> <li>Cumulative <i>effects</i>.</li> <li>The matters of discretion set out under SUB-RES-R27 or SUB-RES-R28 (whichever is applicable).</li> </ol>

**10.10 Amend rule SUB-RES-R30 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R30</b>	<p>Any <i>subdivision of land</i> in the General Residential Zone at Raumati, Paraparaumu, Waikanae and Ōtaki (excluding <del>land within any precinct identified in UFD-P13</del> where the <i>land</i> to be <i>subdivided</i> is less than 3,000m<sup>2</sup> in area and it:</p> <ol style="list-style-type: none"> <li>is not a <i>controlled activity</i> under SUB-RES-R25, <del>or</del> SUB-RES-R26 <u>or</u> SUB-RES-Rx;</li> <li>meets all standards under SUB-RES-R27 except standard <del>(3)</del>2;</li> <li>has a minimum <i>allotment</i> area of 450m<sup>2</sup>; and</li> <li>each <i>allotment</i> can accommodate a 15m diameter circle.</li> </ol>	
Discretionary Activity		

**10.11 Delete rule SUB-RES-R31 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R31</b>	<p>Any <i>subdivision of land</i> in the Focused Infill Precinct which is not a restricted discretionary activity under SUB-RES-R28.</p>	
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Discretionary Activity	
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**10.12 Amend rule SUB-RES-R32 in the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES-R32</b>	Any <i>subdivision of land</i> which is not a controlled activity under SUB-RES-R25, or SUB-RES-R26 or SUB-RES-Rx, a <i>restricted discretionary</i> activity under SUB-RES-R27, or a <i>discretionary</i> activity under SUB-RES-R30.
Non-Complying Activity	

**10.13 Add a new table to the SUB-RES Subdivision in Residential Zones Chapter as follows:**

<b>SUB-RES- Table x – Minimum allotment size and shape factor</b>	<b><u>Allotment type</u></b>	<b><u>Minimum allotment area</u></b>	<b><u>Minimum average allotment area for the entire subdivision</u></b>	<b><u>Minimum allotment shape factor</u></b>
	<u>Vacant allotment</u>	<u>450m<sup>2</sup> (inclusive of access)</u>	<u>No minimum average allotment area</u>	<u>Must be capable of accommodating an 18 metre diameter circle.</u>
	<u>Any allotment in the Coastal <i>Qualifying Matter</i> Precinct, except where otherwise provided for in this table</u>	<u>450m<sup>2</sup> (inclusive of access)</u>	<u>No minimum average allotment area</u>	<u>Where a rear <i>allotment</i> is created, the shape factor circle for the front <i>allotment(s)</i> may extend over the <i>access leg</i> for the rear <i>allotment</i> by up to 3 metres.</u>
	<u>Any allotment in the Coastal <i>Qualifying Matter</i> Precinct where the parent allotment is greater than 3,000m<sup>2</sup> in size</u>	<u>At least 50% of all front <i>allotments</i> in the <i>subdivision</i> shall have a minimum <i>allotment area</i> of 550m<sup>2</sup> and at least 25% of all front <i>allotments</i> in the <i>subdivision</i> shall have a minimum <i>allotment area</i> of 700m<sup>2</sup>.</u>  <u>At least 50% of all rear <i>allotments</i> in the <i>subdivision</i></u>	<u>No minimum average allotment area</u>	

		shall have a <u>minimum allotment area of 650m<sup>2</sup> (exclusive of access) and at least 25% of all rear allotments in the subdivision shall have a minimum allotment area of 800m<sup>2</sup> (exclusive of access).</u>	
	<u>Any allotment in the Coastal Qualifying Matter Precinct within the Beach Residential Precinct within at Waikanae Beach</u>	<u>550m<sup>2</sup> (exclusive of access)</u>	<u>No minimum average allotment area</u>
	<u>Any allotment in the Coastal Qualifying Matter Precinct within the Beach Residential Precinct at Raumati</u>	<u>450m<sup>2</sup> (exclusive of access)</u>	<u>700m<sup>2</sup> (exclusive of access)</u>
	<u>Any allotment in the Coastal Qualifying Matter Precinct at Ōtaki Beach</u>	<u>450m<sup>2</sup> (exclusive of access)</u>	<u>600m<sup>2</sup> (exclusive of access)</u>
	<u>Any allotment in the Coastal Qualifying Matter Precinct at Paekākāriki, Peka Peka or Te Horo Beach</u>	<u>950m<sup>2</sup> (inclusive of access)</u>	<u>No minimum average allotment area</u>

**10.14 Amend rule SUB-WORK-R36 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R36</b>	<p><i>Boundary adjustments and subdivisions where no additional allotments (other than reserves or legal road to be vested in Council) are created in the Local Centre Zone.</i></p> <p><i>Boundary adjustment qualifying criteria apply to activities under this rule.</i></p>
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Cross lease updates are excluded from this rule.		
Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. 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>allotment</i> and a larger <i>allotment</i> which can then be further <i>subdivided</i> and would not have met all <i>restricted discretionary activity</i> standards including minimum or average <i>allotment</i> sizes prior to this <i>subdivision</i> occurring).</li> <li>3. Public <i>roads</i>, public <i>water</i> supply, <i>wastewater</i> and <i>stormwater</i> systems must be available to serve the <i>subdivision</i>.</li> <li>4. Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards.</li> <li>5. The relevant standards under SUB-WORK-R43 must be complied with, including any additional <i>restricted discretionary activity</i> standards for subdivision attached as notations to <i>structure plans</i>. Where the <i>zone</i> standards and standards attached as notations differ, the notations shall take precedence.</li> <li>6. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</li> </ol> <p><i>Boundary adjustment qualifying criteria:</i></p> <ol style="list-style-type: none"> <li>1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of <i>existing allotments</i>.</li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i>.</li> <li>3. Visual, character and amenity <i>effects</i>.</li> <li>4. Design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The location of any associated building area(s) 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> and <i>outstanding natural features and landscapes</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. The extent of consistency with <i>Council's Subdivision and Development Principles and Requirements 2012</i> and the <del>Centres Design Principles in Appendix 20</del> <i>Centres Design Guide</i>.</li> <li>8. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>9. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>10. Imposition of <i>conditions</i> under sections 108 and 220 of the RMA.</li> </ol>

**10.15 Amend rule SUB-WORK-R37 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<p><b>SUB-WORK-R37</b></p>	<p><i>Boundary adjustments and subdivisions</i> where no additional <i>allotments</i> (other than reserves or <i>legal road</i> to be vested in <i>Council</i>) are created in the Hospital Zone.</p> <p><i>Boundary adjustment qualifying criteria</i> apply to activities under this rule.</p> <p>Cross lease updates are excluded from this rule.</p>	
<p>Controlled Activity</p>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. No further development potential shall be created as a result of the <i>subdivision</i> (i.e. through the creation of a small <i>allotment</i> and a larger <i>allotment</i> which can then be further <i>subdivided</i> and would not have met all <i>restricted discretionary activity</i> standards including minimum or average <i>allotment</i> sizes prior to this <i>subdivision</i> occurring).</li> <li>3. Public roads, public water supply, wastewater and stormwater systems must be available to serve the <i>subdivision</i>.</li> <li>4. Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards.</li> <li>5. The relevant standards under Rule SUB-WORK-R44 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 <i>zone</i> standards and standards attached as notations differ, the notations shall take precedence.</li> <li>6. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</li> </ol> <p><i>Boundary adjustment qualifying criteria:</i></p> <ol style="list-style-type: none"> <li>1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve</li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i>.</li> <li>3. Visual, character and amenity <i>effects</i>.</li> <li>4. Design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The location of any associated building area(s) 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> and <i>outstanding natural features and landscapes</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. <i>Council's Subdivision and Development Principles and Requirements 2012</i> and the <del>Centres Design Principles</del> <u>Centres Design Principles in Appendix 20 Centres Design Guide</u>.</li> <li>8. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>9. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>10. Imposition of <i>conditions</i> under sections 108 and 220 of the RMA.</li> </ol>

	the practicality of <i>existing allotments</i> .	
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**10.16 Amend rule SUB-WORK-R39 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R39</b>	Except as provided for under Rule SUB-WORK-R33, the <i>subdivision of land</i> within the <i>Metropolitan Centre Zone</i> Structure Plan area that is consistent with the Structure Plan in Appendix 19.	
Controlled Activity	<b>Standards</b>	<b>Matters of Control</b>
	<ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>allotment</i>, including any balance area must be able to accommodate a <i>building</i> which complies with the <i>permitted activity</i> standards in Rule MCZ-R7.</li> <li>3. Each <i>allotment</i> must have a flood free <i>building</i> area above the estimated <i>1% Annual Exceedence Probability</i> flood event.</li> <li>4. Public <i>roads</i>, public <i>water</i> supply, <i>wastewater</i> and <i>stormwater</i> systems must be available to serve the <i>subdivision</i>.</li> <li>5. A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and <i>landscaping</i> must be provided.</li> <li>6. The maximum <i>block length</i> of the development shall be 150 metres. For the purposes of this standard, the maximum <i>block length</i> shall also apply to any internal roading proposed.</li> <li>7. For <i>sites</i> adjoining <i>Residential Zones</i>, <i>development</i> must meet the <i>permitted activity</i> standards of the adjoining <i>Residential Zone</i> for <i>building</i> separation, setbacks and screening.</li> <li>8. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</li> <li>9. Compliance with FC-Table 1.</li> </ol>	<ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle</i> access points onto <i>legal road</i> including the <i>State Highway</i> Network and any effects on the <i>transport network</i>, including proposed link roads and desired connector roads shown in the <i>Metropolitan Centre Structure Plan</i> in Appendix 19.</li> <li>3. Visual, character and amenity effects.</li> <li>4. Design, size, shape and location of reserves and <i>esplanade</i> reserves.</li> <li>5. The location of any associated <i>building</i> area(s) 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 features and landscapes</i> and <i>dominant ridgelines</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. <i>Council's</i> Subdivision and Development Principles and Requirements 2012 and the <del>Centres Design Principles in Appendix 20</del> <u>Centres Design Guide</u>.</li> <li>8. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>9. Imposition of <i>conditions</i> under sections 108 and 220 of the RMA.</li> <li>10. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>11. The provision of walkways, cycleways and bridleways.</li> </ol>

	<p>12. Within Precinct A2, the alignment of <i>road</i> reserves so that views (including glimpses) of Kāpiti Island are maintained from at least three points along Rimu Road.</p>
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**10.17 Amend rule SUB-WORK-R40 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R40</b>	<i>Any subdivision of land in the Metropolitan Centre Zone which is not a controlled activity under SUB-WORK-R33 or SUB-WORK-R39.</i>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards in MCZ-R7 (except for standard 1), and the <i>restricted discretionary activity</i> standard for <i>building height</i> under Rule MCZ-R13.</li> <li>3. Public <i>roads</i>, public <i>water</i> supply, <i>wastewater</i> and <i>stormwater</i> systems must be available to serve the <i>subdivision</i>.</li> <li>4. A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and landscaping must be provided.</li> <li>5. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto legal road including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</li> <li>3. Visual, character and amenity effects.</li> <li>4. Design, size, shape and location of <i>reserves</i> and <i>esplanade reserves</i>.</li> <li>5. The location of any associated <i>building area(s)</i> 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 features and landscapes</i> and <i>dominant ridgelines</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. The extent of consistency with <i>Council's Subdivision and Development Principles and Requirements 2012</i> and the <del>Centres Design Principles in Appendix 20 Centres Design Guide</del>.</li> <li>8. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>9. The imposition of financial contributions in accordance with the <i>Financial Contributions</i> chapter.</li> <li>10. The provision of walking, cycle pathways and <i>bridleways</i>.</li> </ol>

**10.18 Amend rule SUB-WORK-R41 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R41</b>	Any <i>subdivision of land</i> in the Mixed Use Zone which is not a <i>controlled activity</i> under SUB-WORK-R34.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards <u>except within the Ihakara Street West, Ihakara Street East and Kapiti Road Precincts, each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards under Rule MUZ-R6 (except standard 1) and the <i>restricted discretionary activity</i> standard for <i>building height</i> under rule MUZ-R13.</u></li> <li>Public roads, public water supply, wastewater and stormwater systems must be available to serve the <i>subdivision</i>.</li> <li>A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and <i>landscaping</i> must be provided.</li> <li>For <i>sites</i> adjoining <i>Residential Zones</i>, development must meet the <i>permitted activity</i> standards of the adjoining <i>Residential Zone</i> for <i>building</i> separation, setbacks and screening.</li> <li>Any additional <i>restricted discretionary activity</i> standards for <i>subdivision</i> attached as notations to <i>structure plans</i> must be complied with. Where the <i>zone</i> standards and standards attached as notations differ, the notations shall take precedence.</li> <li>The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li><i>Vehicle</i> access points onto <i>legal road</i> including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</li> <li>Visual, character and amenity effects.</li> <li>Design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>The location of any associated <i>building</i> area(s) 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>rare and threatened vegetation species</i>, <i>geological feature</i>, <i>outstanding natural features and landscapes</i> and <i>dominant ridgelines</i>.</li> <li><i>Natural hazard</i> management.</li> <li><i>Council's</i> Subdivision and Development Principles and Requirements 2012 and the <del><i>Centres Design Principles in Appendix 20 Centres Design Guide</i></del>.</li> <li>Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>The provision of walkways, cycleways and bridleways.</li> </ol>

	<p>8. In the <i>Paraparaumu North Gateway Precinct</i>, allotments must have a minimum area of 1000m<sup>2</sup> and a minimum average for the <i>subdivision</i> of 2500 m<sup>2</sup>.</p> <p>9. Compliance with FC-Table 1.</p>	
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**10.19 Amend rule SUB-WORK-R42 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R42</b>	Any <i>subdivision of land</i> in the Town Centre Zone which is not a <i>controlled activity</i> under SUB-WORK-R35.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards (except for standard 1 under Rule TCZ-R6), and the <i>restricted discretionary activity</i> standard for <i>building height</i> under Rule TCZ-R11.</li> <li>3. Public roads, public water supply, wastewater and stormwater systems must be available to serve the <i>subdivision</i>.</li> <li>4. The maximum <i>block length</i> of the <i>development</i> shall be 150 metres. For the purposes of this standard, the maximum <i>block length</i> shall also apply to any internal roading proposed.</li> <li>5. A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and <i>landscaping</i> must be provided.</li> <li>6. For <i>sites</i> adjoining <i>Residential Zones</i>, <i>development</i> must meet the <i>permitted activity</i> standards of the adjoining <i>Residential Zone</i> for <i>building</i> separation, setbacks and screening.</li> <li>7. Any additional <i>restricted discretionary activity</i> standards for <i>subdivision</i> attached as notations to <i>structure plans</i> must be complied with. Where the <i>zone</i> standards and</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</li> <li>3. Visual, character and amenity effects.</li> <li>4. Design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The location of any associated <i>building</i> area(s) 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 features and landscapes</i> and <i>dominant ridgelines</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. <i>Council's</i> Subdivision and Development Principles and Requirements 2012 and the <del>Centres Design Principles in Appendix 20</del> <i>Centres Design Guide</i>.</li> <li>8. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>9. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>10. The provision of walking, cycle pathways and <i>bridleways</i>.</li> </ol>

	<p>standards attached as notations differ, the notations shall take precedence.</p> <p>8. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</p> <p>9. Compliance with FC-Table 1.</p>	
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**10.20 Amend rule SUB-WORK-R43 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R43</b>	Any <i>subdivision of land</i> in the Local Centre Zone which is not a <i>controlled activity</i> under SUB-WORK-R36.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards in Rules LCZ-R1 to LCZ-R9 (excluding standard 1 in Rule LCZ-R6), and the <i>restricted discretionary activity</i> standards for <i>building height</i> in Rule LCZ-R12.</li> <li>3. Public roads, public <i>water</i> supply, <i>wastewater</i> and <i>stormwater</i> systems must be available to serve the <i>subdivision</i>.</li> <li>4. A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and <i>landscaping</i> must be provided.</li> <li>5. For <i>sites</i> which adjoin <i>Residential Zones</i>, <i>development</i> must meet the <i>Permitted Activity</i> Standards of the adjoining <i>Residential Zone</i> for <i>building</i> separation, setbacks and screening.</li> <li>6. Any additional <i>restricted discretionary activity</i> standards for <i>subdivision</i> attached as notations to <i>structure plans</i> must be complied with. Where the <i>zone</i> standards and standards attached as notations differ, the notations shall take precedence.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</li> <li>3. Visual, character and amenity effects.</li> <li>4. Design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The location of any associated building area(s) 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 features and landscapes</i> and <i>dominant ridgelines</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. The extent of consistency with Council's Subdivision and Development Principles and Requirements 2012 and the <del>Centres Design Principles in Appendix 20 Centres Design Guide</del>.</li> <li>8. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>9. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>10. The provision of walkways, cycleways and bridleways.</li> </ol>

	<p>7. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</p> <p>8. Compliance with FC-Table 1.</p>	
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**10.21 Amend rule SUB-WORK-R44 in the SUB-WORK Subdivision in Working Zones Chapter as follows:**

<b>SUB-WORK-R44</b>	Any <i>subdivision of land</i> in the Hospital Zone which is not a <i>controlled activity</i> under SUB-WORK-R37.	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
	<ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must have legal and physical access to a <i>legal road</i>.</li> <li>2. Each <i>allotment</i>, including any balance area, must be able to accommodate a <i>building</i> (excluding <i>minor buildings</i>) which complies with the <i>permitted activity</i> standards (except for standard 1 in Rule HOSZ-R6), and the <i>restricted discretionary activity</i> standard for <i>building height</i> in Rule HOSZ-R8).</li> <li>3. Public roads, public water supply wastewater and stormwater systems must be available to serve the <i>subdivision</i>.</li> <li>4. The maximum <i>block length</i> of the development shall be 150 metres. For the purposes of this standard, the maximum <i>block length</i> shall also apply to any internal roading proposed.</li> <li>5. A development plan showing indicative <i>buildings</i> (excluding <i>minor buildings</i>) and <i>landscaping</i> must be provided.</li> <li>6. For <i>sites</i> adjoining <i>Residential Zones</i>, <i>development</i> must meet the <i>Permitted Activity</i> Standards of the adjoining <i>Residential Zone</i> for <i>building</i> separation, setbacks and screening.</li> <li>7. Any additional <i>restricted discretionary activity</i> standards for <i>subdivision</i> attached as notations to <i>structure plans</i> must be complied with. Where the <i>zone</i> standards and standards attached as</li> </ol>	<ol style="list-style-type: none"> <li>1. Design and layout of the <i>subdivision</i> and <i>earthworks</i>.</li> <li>2. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</li> <li>3. Visual, character and amenity effects.</li> <li>4. Design, size, shape and location of reserves and <i>esplanade reserves</i>.</li> <li>5. The location of any associated building area(s) 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 features and landscapes</i> and <i>dominant ridgelines</i>.</li> <li>6. <i>Natural hazard</i> management.</li> <li>7. <i>Council's Subdivision</i> and <i>Development Principles and Requirements 2012</i> and the <del>Centres Design Principles in Appendix 20</del> <i>Centres Design Guide</i>.</li> <li>8. Imposition of encumbrances on titles to prevent or limit further <i>subdivision</i>.</li> <li>9. The imposition of financial contributions in accordance with the <i>Financial Contributions</i> chapter.</li> <li>10. The provision of walkways, cycleways and bridleways.</li> </ol>



	<p>notations differ, the notations shall take precedence.</p> <p>8. The <i>Esplanade Reserve</i> and <i>Esplanade Strip</i> provisions of SUB-DW-Table 1 must be complied with.</p> <p>9. Compliance with FC-Table 1.</p>	
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## 11.0 Proposed amendments to the General Rural Zone Chapter

### Summary

*not form part of the IPI.*

Amendments to the General Rural Zone Chapter are proposed as part of enabling papakāinga within the district.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
GRUZ-P9	Policy amended to ensure that multiple dwellings as part of a papakāinga are provided for.
GRUZ-P11	Policy amended to provide that the requirement for development in the Rural Eco-Hamlet Precinct to be in accordance with a structure plan appended to the District Plan through a plan change does not apply to papakāinga.
GRUZ-R8	Amendments to the existing permitted activity rule for papakāinga so that it enables papakāinga on land held under Te Ture Whenua Māori Act 1993 in a manner that aligns with the objectives and policies for papakāinga.  The development of papakāinga on Kāpiti Island and other offshore islands will continue to be subject to relevant activity standards for development on the islands.
GRUZ-R12	The rule for papakāinga on Kāpiti Island is deleted, as the development of papakāinga on the island is provided for under Rule GRUZ-R8.
<u>GRUZ-Rx1</u>	This new restricted discretionary activity rule provides for papakāinga on general title land where it is demonstrated that the applicant has an ancestral connection to the land, and the land will remain in Māori ownership.  An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.  Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.
<u>GRUZ-Rx2</u>	This new restricted discretionary activity rule provides for papakāinga on any land owned by Māori, where the permitted activity standards under rule GRUZ-R8 are breached.  An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.  Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.
GRUZ-R15	The existing restricted discretionary activity rule for development within the Visually Sensitive Areas of the Waikanae North and Ōtaki North Eco-Hamlet Precinct is amended to ensure that papakāinga are enabled in these areas.  The Ōtaki North Eco Hamlet Precinct contains a notable amount of land held under Te Ture Whenua Māori Act 1993, so this amendment ensures that papakāinga are enabled in these areas consistent with the proposed objectives for papakāinga.
GRUZ-R19	Amend the existing non-complying activity rule for second or subsequent dwellings in the Zone so that it excludes dwellings associated with a papakāinga.

GRUZ-R20	Amend the existing non-complying activity rule for industrial, retail or commercial activities in the Zone so that it excludes retail or commercial activities associated with a papakāinga.
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## Proposed amendments to the District Plan

This section forms part of the IPI.

### 11.1 Amend policy GRUZ-P9 as follows:

GRUZ-P9	<i>Residential Units and Buildings (excluding minor buildings)</i>
<p>New <i>residential units</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>) and other <i>buildings</i> (excluding <i>minor buildings</i>) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental <i>effects</i> (including <i>cumulative effects</i>) on the <i>productive potential</i> and landscape character of the rural area, including:</p> <ol style="list-style-type: none"> <li>1. limiting the number of <i>residential units</i> and <i>minor residential units</i> to one of each per <i>subject site</i>, except for <u><i>papakāinga</i></u> and where Development Incentive Guidelines are complied with;</li> <li>2. managing the location and scale of <i>buildings</i> (excluding <i>minor buildings</i>); and</li> <li>3. recognising the operational requirements for <i>buildings</i> (excluding <i>minor buildings</i>) that are <i>ancillary to primary production activities</i>.</li> </ol>	

### 11.2 Amend policy GRUZ-P11 as follows:

GRUZ-P11	Rural-Eco Hamlet Precinct
<p><i>Subdivision</i>, use and <i>development</i> in the Rural Eco-Hamlet Precinct must be undertaken in accordance with <i>structure plans</i> approved by way of changes to the District Plan, and be consistent with the following principles:</p> <ol style="list-style-type: none"> <li>1. ensure that eco-hamlets and associated <i>buildings</i> (excluding <i>minor buildings</i>) are designed and located to minimise landform <i>modification</i>;</li> <li>2. <i>buildings</i>, <i>roads</i> and <i>structures</i> are located so that they minimise disturbance to the existing landforms and natural features including general contours and prominent landforms, areas of native bush, <i>wetlands</i>, streams and their margins;</li> <li>3. <i>buildings</i> (excluding <i>minor buildings</i>) are designed and oriented to maximise <i>water</i> and energy efficiency while ensuring public health is maintained;</li> <li>4. the use of <i>renewable electricity generation activities</i> is encouraged;</li> <li>5. <i>building design / building form</i> reflects local character;</li> <li>6. <i>open space</i> and rural character are protected and enhanced by maintaining an appropriate overall low density and ratio of <i>development</i> intensity to <i>open space</i>;</li> <li>7. consideration is given to minimising light pollution;</li> <li>8. the <i>productive potential</i> of rural land is maintained through the retention of larger balance area <i>allotments</i>;</li> <li>9. any <i>development</i> is designed to create a sense of community and to provide a safe and accessible <i>environment</i> for pedestrians and cyclists;</li> <li>10. <i>stormwater</i> treatment and management systems are designed to integrate into the landscape to minimise <i>stormwater</i> runoff resulting from <i>development</i>;</li> <li>11. any <i>development</i> and <i>subdivision</i> ensures that individual <i>allotments</i> are landscaped and planted in a manner that: reduces the visual bulk of <i>buildings</i> (excluding <i>minor buildings</i>); integrates <i>buildings</i> (excluding <i>minor buildings</i>) into the landscape; provides shade and windbreaks; and maintains visual privacy;</li> </ol>	

12. limits linear planting, including hedges and *shelter belts*, along *site boundaries*;
13. maintains sufficient separation distance between vegetation and *regionally significant infrastructure*;
14. any *development* maintains the ecological health of *waterbodies*, *wetlands* and aquatic habitats, and retains and enhances blue and green corridors (waterways and native bush areas) as a feature of the *zone*;
15. *development* provides for walkable communities with generous provision for walking, cycling and horse riding trails, including non-motorised access along watercourses and *open space* areas; and
16. *buildings* (excluding *minor buildings*) and *subject site* accesses are designed and built so that they are free from flooding. Design solutions must, where possible, use *soft engineering* to be consistent with Kāpiti Coast District Council Subdivision and Development Principles and Requirements 2012.

The requirement for a *structure plan* does not apply to *papakāinga*.

### 11.3 Amend rule GRZ-R8 as follows:

<b>GRZ-R8</b>	<p><i>Papakāinga housing</i> in all Rural Zones on land held under <b>Te Ture Whenua Māori Act 1993</b>.</p> <p><i>Qualifying criteria</i> apply to activities under this rule.</p>
Permitted Activity	<p><b>Standards</b></p> <p><del>1. On Māori land which is subdivided/partitioned/leased before November 2012:</del></p> <p style="padding-left: 20px;"><del>a. a maximum of 10 <i>papakāinga</i> units are permitted on any <i>subject site</i>;</del></p> <p style="padding-left: 20px;"><del>b. a minimum land area of 2000m<sup>2</sup> must be provided for each <i>papakāinga</i> unit;</del></p> <p style="padding-left: 20px;"><del>c. each <i>papakāinga</i> unit to have an <i>outdoor living space</i> for its own individual use. The <i>outdoor living space</i> must adjoin the living room and be located to either the North, East or West of the <i>papakāinga</i> unit it serves and must be a minimum of 40m<sup>2</sup>, with a minimum width of 5.5 metres for the exclusive use of each <i>papakāinga</i> unit; and</del></p> <p style="padding-left: 20px;"><del>d. a maximum of one communal <i>habitable building</i> with a maximum total floor area not exceeding 200m<sup>2</sup> for group activities which do not include <i>retail, commercial, industrial</i> or <i>service</i> activities may be erected on each <i>subject site</i>.</del></p> <p><i>Qualifying Criteria:</i></p> <p><del><i>Outdoor Living Space</i> may be covered but may not be enclosed. An <i>Outdoor Living Space</i> does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</del></p> <p>1. <u>Any <i>building</i> or <i>structure</i> must comply with the Standards set out under Rule GRUZ-R3, except for Standard 1;</u></p> <p>2. <u>Where the <i>papakāinga</i> is located on Kāpiti Island or an offshore island, it must comply with the Standards set out under Rule GRUZ-R6;</u></p> <p>3. <u>The gross floor area of all <i>commercial activities</i> must not exceed the lesser of 20% of the area of the <i>subject site</i>, or 500m<sup>2</sup>.</u></p>
<p><b>Note:</b> refer to chapter PK - Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</p>	

## 11.4 Delete rule GRZ-R12 as follows:

<b>GRUZ-R12</b>	<i>Papakāinga housing on Kāpiti Island.</i>	
	<i>Qualifying criteria apply to activities under this rule.</i>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Minimum <i>subject site</i> area per <i>residential unit</i> – 250m<sup>2</sup>.</li> <li>2. Minimum distance between dwellings must be not less than 6 metres. This dimension may be reduced to not less than 3 metres if the design and layout of the <i>building</i> preserves the privacy of individual <i>residential units</i>.</li> <li>3. Each residential unit must have an <i>outdoor living space</i> of not less than 40m<sup>2</sup> for its own individual use.</li> </ol> <p><i>Qualifying Criteria:</i></p> <p><i>Outdoor Living Space</i> may be covered but may not be enclosed. An <i>Outdoor Living Space</i> does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</p> <ol style="list-style-type: none"> <li>4. Compliance with the “Kāpiti Island <i>Permitted Activity Standards</i>”.</li> </ol>	<p><b>Matters of Discretion</b></p> <p>-</p> <ol style="list-style-type: none"> <li>1. Design, location and layout of <i>buildings</i> (excluding <i>minor buildings</i>).</li> <li>2. Number of <i>residential units</i> (as measured by the <i>residential unit measurement criteria</i>).</li> <li>3. Visual, character and amenity <i>effects</i>.</li> <li>4. <i>Effects</i> on ecology and biodiversity.</li> <li>5. <i>Effects</i> on <i>natural character</i> in the <i>coastal environment</i>.</li> </ol>

## 11.5 Add a new rule as follows:

<b>GRUZ-Rx1</b>	<i>Papakāinga on general title land.</i>	
	<b>Notification</b> <u>Public notification of an application for resource consent under this Rule is precluded.</u>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <u>The applicant is a member of Ngāti Toa Rangatira, Ngāti Raukawa te au ki te Tonga, or Te Āti Awa ki Whakarongotai.</u></li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <u>Whether the applicant has demonstrated their <i>whakapapa</i> or ancestral connection to the <i>land</i>;</u></li> <li>2. <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u></li> <li>3. <u>The matters contained in the <b>Subdivision and Development</b></u></li> </ol>

		<b><u>Principles and Requirements 2012.</u></b>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</li> <li>2. For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include: <ol style="list-style-type: none"> <li>a. where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</li> <li>b. any other matter related to <i>tikanga Māori</i>.</li> </ol> </li> </ol>		

#### 11.6 Add a new rule as follows:

<b>GRUZ-Rx2</b>	<p><i>Papakāinga</i> on <i>land</i> held under <b>Te Ture Whenua Māori Act</b> or on <i>general title land</i> that do not comply with one or more of the <i>permitted activity</i> Standards set out under Rule GRUZ-R8.</p> <p><b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>		<p><b><u>Matters of Discretion</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration of the <i>effects</i> of the standard not met.</li> <li>2. Measures to avoid, remedy or mitigate adverse <i>effects</i>.</li> <li>3. Cumulative <i>effects</i>.</li> <li>4. The matters contained in the <b><u>Subdivision and Development Principles and Requirements 2012.</u></b></li> </ol>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</li> <li>2. For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include: <ol style="list-style-type: none"> <li>a. where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</li> <li>b. any other matter related to <i>tikanga Māori</i>.</li> </ol> </li> </ol>		

#### 11.7 Add a new policy as follows:

<b>GRUZ-R15</b>	<p>Development within the Visually Sensitive Areas of the Waikanae North and Ōtaki North Eco-Hamlet Precinct.</p> <p>This rule does not apply to <i>papakāinga development</i>.</p> <p><i>Height measurement criteria</i> apply to activities under this rule.</p>	
<u>Restricted Discretionary Activity</u>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Compliance with the <i>Permitted Activity</i> Standards for <i>development</i> in the General Rural Zone and the Waikanae</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Ecological or biodiversity <i>effects</i></li> <li>2. Layout, size, design and location of proposed <i>building</i> and <i>structures</i>.</li> </ol>

	<p>North and Ōtaki North Eco-Hamlet Precinct.</p> <p>2. All <i>buildings</i> (excluding <i>minor buildings</i>) to use as exterior materials:</p> <p>a. natural stone; or</p> <p>b. natural timber provided any stains and protectants used do not contain colorants to change the natural colour of the timber (for example, to green or red); or</p> <p>c. another material painted or finished in visually muted, <i>recessive</i> colours, from British Standard 5252 A01 to C40 inclusive, with a reflective value of 60% or less.</p> <p>3. Any <i>building</i> (excluding <i>minor buildings</i>) or fence constructed or clad in metal, or material with reflective surfaces, must be painted or otherwise coated with a non-reflective finish and be at least 50% visually permeable. For the avoidance of doubt glazing is excluded from this standard.</p> <p>4. <i>Buildings</i> (excluding <i>minor buildings</i>) must be no more than 6 metres in <i>height</i> (as determined by the <i>height measurement criteria</i>).</p>	<p>3. Visual, character and amenity <i>effects</i>.</p> <p>4. Adequacy of <i>subject site</i> investigations.</p> <p>5. Suitability of the <i>subject site</i> for the proposed activity.</p> <p>6. Proposed mitigation, remediation or ongoing management measures.</p> <p>7. Cumulative <i>effects</i>.</p> <p>8. <i>Effects</i> on <i>natural character</i> in the <i>coastal environment</i>.</p>
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**11.8 Amend rule GRUZ-R19 as follows:**

<b>GRUZ-R19</b>	<p>Second or subsequent <i>residential units</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential accommodation</i>, or <i>papakāinga</i>) on any <i>allotment</i>.</p> <p><i>Measurement Criteria</i> The number of <i>residential units</i> must be determined using the <i>residential unit measurement criteria</i>.</p>
Non-Complying Activity	

**11.9 Amend rule GRUZ-R20 as follows:**

<b>GRUZ-R20</b>	<p><i>Industrial, retail or commercial activities</i> in all Rural Zones which are not:</p> <p>a. a <i>home business, home craft occupations, homestay</i> or an <i>ancillary activity</i> to a <i>primary production</i> activity on the <i>subject site</i>; <del>or</del></p>
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	<p>b. <i>an extractive industry on the site; or</i>  c. <i>ancillary to and located within a papakāinga.</i></p> <p><i>Qualifying criteria apply to home businesses and home craft occupations. Refer to GRUZ-R5.</i></p>
<p>Non-Complying Activity</p>	

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## 12.0 Proposed amendments to the Rural Lifestyle Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Rural Lifestyle Zone Chapter are proposed as part of enabling papakāinga within the district.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
RLZ-P8	Policy amended to ensure that multiple dwellings as part of a papakāinga are provided for.
RLZ-R6	Amendments to the existing permitted activity rule for papakāinga so that it enables papakāinga on land held under Te Ture Whenua Māori Act 1993 in a manner that aligns with the objectives and policies for papakāinga.
<u>RLZ-Rx1</u>	<p>This new restricted discretionary activity rule provides for papakāinga on general title land where it is demonstrated that the applicant has an ancestral connection to the land, and the land will remain in Māori ownership.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
<u>RLZ-Rx2</u>	<p>This new restricted discretionary activity rule provides for papakāinga on any land owned by Māori, where the permitted activity standards under rule RLZ-R6 are breached.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
RLZ-R14	Amend the existing non-complying activity rule for second or subsequent dwellings in the Zone so that it excludes dwellings associated with a papakāinga.
RLZ-R15	Amend the existing non-complying activity rule for industrial, retail or commercial activities in the Zone so that it excludes retail or commercial activities associated with a papakāinga.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 12.1 Amend policy RLZ-P8 as follows:

RLZ-P8	<i>Residential Units and Buildings (excluding minor buildings)</i>
<p>New <i>residential units</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>) and other <i>buildings</i> (excluding <i>minor buildings</i>) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental <i>effects</i> (including cumulative <i>effects</i>) on the <i>productive potential</i> and landscape character of the rural</p>	

area, including:

- a. limiting the number of *residential units* and *minor residential units* to one of each per *subject site*, except for *papakāinga* and where Development Incentive Guidelines are complied with;
- b. managing the location and scale of *buildings* (excluding *minor buildings*); and
- c. recognising the operational requirements for *buildings* (excluding *minor buildings*) that are *ancillary* to *primary production* activities.

**12.2 Amend rule RLZ-R6 as follows:**

<b>RLZ-R6</b>	<i>Papakāinga housing</i> on land held under <b>Te Ture Whenua Māori Act 1993</b> . <del>Qualifying criteria</del> apply to activities under this rule.
Permitted Activity	<p><b>Standards</b></p> <p><del>1. On Māori land</del> which is subdivided/partitioned/leased before November 2012:</p> <ul style="list-style-type: none"> <li><del>a. a maximum of 10 papakāinga units are permitted on any subject site;</del></li> <li><del>b. a minimum land area of 2000m<sup>2</sup> must be provided for each papakāinga unit;</del></li> <li><del>c. each papakāinga unit to have outdoor living space for its own individual use. The outdoor living space must adjoin the living room and be located to either the North, East or West of the papakāinga unit it serves and must be a minimum of 40m<sup>2</sup>, with a minimum width of 5.5 metres for the exclusive use of each papakāinga unit; and</del></li> <li><del>d. a maximum of one communal habitable building with a maximum total floor area not exceeding 200m<sup>2</sup> for group activities which do not include retail, commercial, industrial or service activities may be erected on each subject site.</del></li> </ul> <p><i>Qualifying Criteria:</i> <del>Outdoor Living Space may be covered but may not be enclosed. An Outdoor Living Space does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</del></p> <ul style="list-style-type: none"> <li>1. <u>Any building or structure must comply with the Standards set out under Rule RLZ-R3, except for Standard 1;</u></li> <li>2. <u>The gross floor area of all commercial activities must not exceed the lesser of 20% of the area of the subject site, or 500m<sup>2</sup>.</u></li> </ul>
<b>Note:</b> refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i> .	

**12.3 Add a new rule as follows:**

<b>RLZ-Rx1</b>	<i>Papakāinga on general title land</i> .  <b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.
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<u>Restricted Discretionary Activity</u>	<p><b>Standards</b></p> <p>1. <u>The applicant is a member of Ngāti Toa Rangatira, Ngāti Raukawa te au ki te Tonga, or Te Āti Awa ki Whakarongotai.</u></p>	<p><b>Matters of Discretion</b></p> <p>1. <u>Whether the applicant has demonstrated their <i>whakapapa</i> or ancestral connection to the <i>land</i>;</u></p> <p>2. <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u></p> <p>3. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></p>
<p><b>Notes:</b></p> <p>1. Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</p> <p>2. For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include:</p> <p>a. <u>where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</u></p> <p>b. <u>any other matter related to <i>tikanga Māori</i>.</u></p>		

12.4 Add a new rule as follows:

<b>RLZ-Rx2</b>	<p><u><i>Papakāinga</i> on land held under <b>Te Ture Whenua Māori Act</b> or on <i>general title land</i> that do not comply with one or more of the <i>permitted activity</i> Standards set out under Rule RLZ-R6.</u></p> <p><b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>		<p><b>Matters of Discretion</b></p> <p>1. <u>Consideration of the <i>effects</i> of the standard not met.</u></p> <p>2. <u>Measures to avoid, remedy or mitigate adverse <i>effects</i>.</u></p> <p>3. <u>Cumulative <i>effects</i>.</u></p> <p>4. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></p>
<p><b>Notes:</b></p> <p>1. Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</p> <p>2. For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include:</p> <p>a. <u>where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</u></p> <p>b. <u>any other matter related to <i>tikanga Māori</i>.</u></p>		

**12.5 Amend rule RLZ-R14 as follows:**

<b>RLZ-R14</b>	<p>Second or subsequent <i>residential units</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential accommodation</i>, or <i>papakāinga</i>) units on any <i>allotment</i>.</p> <p><i>Measurement Criteria</i> The number of <i>residential units</i> must be determined using the <i>residential unit measurement criteria</i>.</p>
Non-Complying Activity	

**12.6 Amend rule RLZ-R15 as follows:**

<b>RLZ-R15</b>	<p><i>Industrial, retail or commercial activities</i> in all Rural Zones which are not:</p> <ul style="list-style-type: none"> <li>a. a <i>home business, home craft occupations, homestay</i> or an <i>ancillary activity to a primary production activity on the subject site</i>; <del>or</del></li> <li>b. an <i>extractive industry on the site</i>; <u>or</u></li> <li>c. <i>ancillary to and located within a papakāinga</i>.</li> </ul> <p><i>Qualifying criteria</i> apply to <i>home businesses and home craft occupations</i>. Refer to RLZ-R5.</p>
Non-Complying Activity	

## 13.0 Proposed amendments to the Rural Production Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Rural Production Zone Chapter are proposed as part of enabling papakāinga within the district.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
RPROZ-P9	Policy amended to ensure that multiple dwellings as part of a papakāinga are provided for.
RPROZ-R6	Amendments to the existing permitted activity rule for papakāinga so that it enables papakāinga on land held under Te Ture Whenua Māori Act 1993 in a manner that aligns with the objectives and policies for papakāinga.
<u>RPROZ-Rx1</u>	<p>This new restricted discretionary activity rule provides for papakāinga on general title land where it is demonstrated that the applicant has an ancestral connection to the land, and the land will remain in Māori ownership.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
<u>RPROZ-Rx2</u>	<p>This new restricted discretionary activity rule provides for papakāinga on any land owned by Māori, where the permitted activity standards under rule RPROZ-R6 are breached.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
RPROZ-R16	Amend the existing non-complying activity rule for second or subsequent dwellings in the Zone so that it excludes dwellings associated with a papakāinga.
RPROZ-R17	Amend the existing non-complying activity rule for industrial, retail or commercial activities in the Zone so that it excludes retail or commercial activities associated with a papakāinga.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 13.1 Amend policy RPROZ-P9 as follows:

RPROZ-P9	<i>Residential Units and Buildings (excluding minor buildings)</i>
<p>New <i>residential units</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>) and other <i>buildings</i> (excluding <i>minor buildings</i>) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental <i>effects</i> (including cumulative <i>effects</i>) on the <i>productive potential</i> and landscape character of the rural</p>	

<p>area, including:</p> <ol style="list-style-type: none"> <li>1. limiting the number of <i>residential units</i> and <i>minor residential units</i> to one of each per <i>subject site</i>, except for <i>papakāinga</i> and where Development Incentive Guidelines are complied with;</li> <li>2. managing the location and scale of <i>buildings</i> (excluding <i>minor buildings</i>); and</li> <li>3. recognising the operational requirements for <i>buildings</i> (excluding <i>minor buildings</i>) that are <i>ancillary</i> to <i>primary production</i> activities.</li> </ol>
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**13.2 Amend rule RPROZ-R6 as follows:**

<b>RPROZ-R6</b>	<p><del><i>Papakāinga housing</i> on land held under <b>Te Ture Whenua Māori Act 1993</b>.</del></p> <p><del>Qualifying criteria apply to activities under this rule.</del></p>	
Permitted Activity	<p><b>Standards</b></p> <p><del>1. On Māori land which is subdivided/partitioned/leased before November 2012:</del></p> <ol style="list-style-type: none"> <li><del>a. a maximum of 10 <i>papakāinga</i> units are permitted on any <i>subject site</i>;</del></li> <li><del>b. a minimum land area of 2000m<sup>2</sup> must be provided for each <i>papakāinga</i> unit;</del></li> <li><del>c. each <i>papakāinga</i> unit to have an <i>outdoor living space</i> for its own individual use. The <i>outdoor living space</i> must adjoin the living room and be located to either the North, East or West of the <i>papakāinga</i> unit it serves and must be a minimum of 40m<sup>2</sup>, with a minimum width of 5.5 metres for the exclusive use of each <i>papakāinga</i> unit; and</del></li> <li><del>d. a maximum of one communal <i>habitable building</i> with a maximum total floor area not exceeding 200m<sup>2</sup> for group activities which do not include <i>retail, commercial, industrial</i> or <i>service</i> activities may be erected on each <i>subject site</i>.</del></li> </ol> <p><del>Qualifying Criteria:</del></p> <p><del>Outdoor Living Space may be covered but may not be enclosed. An <i>Outdoor Living Space</i> does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</del></p> <ol style="list-style-type: none"> <li>1. <u>Any <i>building</i> or <i>structure</i> must comply with the Standards set out under Rule RPROZ-R3, except for Standard 1;</u></li> <li>2. <u>The gross floor area of all <i>commercial activities</i> must not exceed the lesser of 20% of the area of the <i>subject site</i>, or 500m<sup>2</sup>.</u></li> </ol>	
<p><b>Note:</b> refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</p>		

**13.3 Add a new rule as follows:**

<b>RPROZ-Rx1</b>	<p><u><i>Papakāinga on general title land.</i></u></p> <p><b>Notification</b>  <u>Public notification of an application for resource consent under this Rule is precluded.</u></p>	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>

	<ol style="list-style-type: none"> <li>1. The applicant is a member of <u>Ngāti Toa Rangatira, Ngāti Raukawa te au ki te Tonga, or Te Āti Awa ki Whakarongotai.</u></li> </ol>	<ol style="list-style-type: none"> <li>1. Whether the applicant has demonstrated their <u>whakapapa or ancestral connection to the land;</u></li> <li>2. Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</li> <li>3. The matters contained in the <b><u>Subdivision and Development Principles and Requirements 2012.</u></b></li> </ol>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Refer to chapter PK – Papakāinga for Objectives and Policies specific to <u>papakāinga.</u></li> <li>2. For resource consent applications under this rule, the <u>Council</u> will seek advice from the relevant <u>iwi authority</u> and will rely on this advice. The matters that <u>Council</u> will seek advice from <u>iwi authorities</u> on include: <ol style="list-style-type: none"> <li>a. where the <u>papakāinga</u> is on <u>general title land</u>, whether the applicant has demonstrated a <u>whakapapa</u> or ancestral connection to the land;</li> <li>b. any other matter related to <u>tikanga Māori.</u></li> </ol> </li> </ol>		

**13.4 Add a new rule as follows:**

<b>RPROZ-Rx2</b>	<p><u>Papakāinga</u> on land held under <b>Te Ture Whenua Māori Act</b> or on <u>general title land</u> that do not comply with one or more of the <u>permitted activity</u> Standards set out under Rule RPROZ-R6.</p> <p><b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>		<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Consideration of the <u>effects</u> of the standard not met.</li> <li>2. Measures to avoid, remedy or mitigate adverse <u>effects.</u></li> <li>3. <u>Cumulative effects.</u></li> <li>4. The matters contained in the <b><u>Subdivision and Development Principles and Requirements 2012.</u></b></li> </ol>
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Refer to chapter PK – Papakāinga for Objectives and Policies specific to <u>papakāinga.</u></li> <li>2. For resource consent applications under this rule, the <u>Council</u> will seek advice from the relevant <u>iwi authority</u> and will rely on this advice. The matters that <u>Council</u> will seek advice from <u>iwi authorities</u> on include: <ol style="list-style-type: none"> <li>a. where the <u>papakāinga</u> is on <u>general title land</u>, whether the applicant has demonstrated a <u>whakapapa</u> or ancestral connection to the land;</li> <li>b. any other matter related to <u>tikanga Māori.</u></li> </ol> </li> </ol>		

**13.5 Amend rule RPROZ-R16 as follows:**

<b>RPROZ-R16</b>	<p>Second or subsequent <u>residential units</u> (excluding <u>visitor accommodation</u> which is not <u>temporary residential rental accommodation</u>, or <u>papakāinga</u>) on any <u>allotment.</u></p> <p><u>Measurement Criteria</u></p>
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	The number of <i>residential units</i> must be determined using the <i>residential unit measurement criteria</i> .
Non-Complying Activity	

**13.6 Amend rule RPROZ-R17 as follows:**

<b>RPROZ-R17</b>	<p><i>Industrial, retail or commercial activities</i> in all Rural Zones which are not:</p> <ul style="list-style-type: none"> <li>a. <i>a home business, home craft occupations, homestay or an ancillary activity to a primary production activity on the subject site; or</i></li> <li>b. <i>an extractive industry on the site; or</i></li> <li>c. <i>ancillary to and located within a papakāinga.</i></li> </ul> <p><i>Qualifying criteria</i> apply to <i>home businesses and home craft occupations</i>. Refer to RPROZ-R5.</p>
Non-Complying Activity	

DRAFT



## 14.0 Proposed amendments to the Future Urban Zone Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Future Urban Zone Chapter are proposed as part of enabling papakāinga within the district.

The following is a summary of proposed amendments to the Chapter to achieve this purpose:

Provision reference	Summary of amendments
FUZ-P10	Policy amended to ensure that multiple dwellings as part of a papakāinga are provided for.
FUZ-R6	Amendments to the existing permitted activity rule for papakāinga so that it enables papakāinga on land held under Te Ture Whenua Māori Act 1993 in a manner that aligns with the objectives and policies for papakāinga.
<u>FUZ-Rx1</u>	<p>This new restricted discretionary activity rule provides for papakāinga on general title land where it is demonstrated that the applicant has an ancestral connection to the land, and the land will remain in Māori ownership.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
<u>FUZ-Rx2</u>	<p>This new restricted discretionary activity rule provides for papakāinga on any land owned by Māori, where the permitted activity standards under rule FUZ-R6 are breached.</p> <p>An advice note provides that Council will seek advice from iwi, and rely on that advice when considering resource consent applications under this rule.</p> <p>Refer to the proposed Papakāinga chapter for a description of the Objectives and Policies associated with Papakāinga.</p>
FUZ-R14	Amend the existing non-complying activity rule for second or subsequent dwellings in the Zone so that it excludes dwellings associated with a papakāinga.
FUZ-R15	Amend the existing non-complying activity rule for industrial, retail or commercial activities in the Zone so that it excludes retail or commercial activities associated with a papakāinga.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 14.1 Amend policy FUZ-P10 as follows:

FUZ-P10	Residential Units and Buildings (excluding minor buildings)
	New residential units (excluding visitor accommodation which is not temporary residential rental accommodation) and other buildings (excluding minor buildings) in all the Rural Zones will be provided in a manner which avoids, remedies or mitigates adverse environmental effects (including cumulative effects) on the productive potential and landscape character of the rural

area, including:

1. limiting the number of *residential units* and *minor residential units* to one of each per *subject site*, except for *papakāinga* and where Development Incentive Guidelines are complied with;
2. managing the location and scale of *buildings* (excluding *minor buildings*); and
3. recognising the operational requirements for *buildings* (excluding *minor buildings*) that are *ancillary* to *primary production* activities.

**14.2 Amend rule FUZ-R6 as follows:**

<b>FUZ-R6</b>	<u><i>Papakāinga housing</i></u> on land held under <b>Te Ture Whenua Māori Act 1993</b> . <del>Qualifying criteria apply to activities under this rule.</del>
Permitted Activity	<p><b>Standards</b></p> <p><del>1. On Māori land which is subdivided/partitioned/leased before November 2012:</del></p> <p style="margin-left: 20px;"><del>a. a maximum of 10 <i>papakāinga</i> units are permitted on any <i>subject site</i>;</del></p> <p style="margin-left: 20px;"><del>b. a minimum land area of 2000m<sup>2</sup> must be provided for each <i>papakāinga</i> unit;</del></p> <p style="margin-left: 20px;"><del>c. each <i>papakāinga</i> unit to have <i>outdoor living space</i> for its own individual use. The <i>outdoor living space</i> must adjoin the living room and be located to either the North, East or West of the <i>papakāinga</i> unit it serves and must be a minimum of 40m<sup>2</sup>, with a minimum width of 5.5 metres for the exclusive use of each <i>papakāinga</i> unit; and</del></p> <p style="margin-left: 20px;"><del>d. a maximum of one communal <i>habitable building</i> with a maximum total floor area not exceeding 200m<sup>2</sup> for group activities which do not include <i>retail, commercial, industrial</i> or <i>service activities</i> may be erected on each <i>subject site</i>.</del></p> <p><del>Qualifying Criteria:</del></p> <p><del><i>Outdoor Living Space</i> may be covered but may not be enclosed. An <i>Outdoor Living Space</i> does not include vehicle parking areas, driveways, service and delivery areas, rubbish bin storage, areas for rainwater tanks, effluent drainage areas and other utility areas or group residential building communal open space.</del></p> <p style="margin-left: 20px;">1. <u>Any <i>building</i> or <i>structure</i> must comply with the Standards set out under Rule FUZ-R3, except for Standard 1;</u></p> <p style="margin-left: 20px;">2. <u>The gross floor area of all <i>commercial activities</i> must not exceed the lesser of 20% of the area of the <i>subject site</i>, or 500m<sup>2</sup>.</u></p>
<b>Note:</b> refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i> .	

**14.3 Add a new rule as follows:**

<b>FUZ-Rx1</b>	<p><u><i>Papakāinga on general title land</i></u>.</p> <p><b>Notification</b> Public notification of an application for resource consent under this Rule is precluded.</p>
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<u>Restricted Discretionary Activity</u>	<p><b><u>Standards</u></b></p> <p>1. <u>The applicant is a member of Ngāti Toa Rangatira, Ngāti Raukawa te au ki te Tonga, or Te Āti Awa ki Whakarongotai.</u></p>	<p><b><u>Matters of Discretion</u></b></p> <p>1. <u>Whether the applicant has demonstrated their <i>whakapapa</i> or ancestral connection to the <i>land</i>;</u></p> <p>2. <u>Evidence of appropriate legal mechanism(s) to ensure that land is maintained in Māori ownership.</u></p> <p>3. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></p>
<p><b><u>Notes:</u></b></p> <p>1. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</u></p> <p>2. <u>For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include:</u></p> <p style="margin-left: 20px;">a. <u>where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</u></p> <p style="margin-left: 20px;">b. <u>any other matter related to <i>tikanga Māori</i>.</u></p>		

14.4 Add a new rule as follows:

<b><u>FUZ-Rx2</u></b>	<p><u><i>Papakāinga</i> on land held under <b>Te Ture Whenua Māori Act</b> or on <i>general title land</i> that do not comply with one or more of the <i>permitted activity</i> Standards set out under Rule FUZ-R6.</u></p> <p><b><u>Notification</u></b> Public notification of an application for resource consent under this Rule is precluded.</p>	
<u>Restricted Discretionary Activity</u>		<p><b><u>Matters of Discretion</u></b></p> <p>1. <u>Consideration of the <i>effects</i> of the standard not met.</u></p> <p>2. <u>Measures to avoid, remedy or mitigate adverse <i>effects</i>.</u></p> <p>3. <u>Cumulative <i>effects</i>.</u></p> <p>4. <u>The matters contained in the <b>Subdivision and Development Principles and Requirements 2012.</b></u></p>
<p><b><u>Notes:</u></b></p> <p>1. <u>Refer to chapter PK – Papakāinga for Objectives and Policies specific to <i>papakāinga</i>.</u></p> <p>2. <u>For resource consent applications under this rule, the <i>Council</i> will seek advice from the relevant <i>iwi authority</i> and will rely on this advice. The matters that <i>Council</i> will seek advice from <i>iwi authorities</i> on include:</u></p> <p style="margin-left: 20px;">a. <u>where the <i>papakāinga</i> is on <i>general title land</i>, whether the applicant has demonstrated a <i>whakapapa</i> or ancestral connection to the land;</u></p> <p style="margin-left: 20px;">b. <u>any other matter related to <i>tikanga Māori</i>.</u></p>		

**14.5 Amend rule FUZ-R14 as follows:**

<b>FUZ-R14</b>	<p>Second or subsequent <i>residential units</i> (excluding <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>, or <i>papakāinga</i>) on any <i>allotment</i>.</p> <p><i>Measurement Criteria:</i></p> <p>The number of <i>residential units</i> must be determined using the <i>residential unit measurement criteria</i>.</p>
Non-Complying Activity	

**14.6 Amend rule FUZ-R15 as follows:**

<b>FUZ-R15</b>	<p><i>Industrial, retail or commercial activities</i> in all Rural Zones which are not:</p> <ul style="list-style-type: none"> <li>a. a <i>home business, home craft occupations, homestay</i> or an <i>ancillary activity</i> to a <i>primary production activity</i> on the <i>subject site</i>; <del>or</del></li> <li>b. an <i>extractive industry</i> on the <i>site</i>; <u>or</u></li> <li>c. <u><i>ancillary</i></u> to and located within a <i>papakāinga</i>.</li> </ul> <p><i>Qualifying criteria</i> apply to <i>home businesses and home craft occupations</i>. Refer to <i>FUZ-R5</i>.</p>
Non-Complying Activity	

## 15.0 Proposed amendments to the Financial Contributions Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

This IPI proposes to amend the provisions for financial contributions contained within the Financial Contributions Chapter.

The following is a summary of proposed amendments to the Chapter:

Provision reference	Summary of amendments
Introduction text	Amendments to the introduction text in order to: <ul style="list-style-type: none"> <li>• signal Council's intent to move reserves into the Development Contributions Policy at a future date; and</li> <li>• provide for offsetting and compensation.</li> </ul>
<u>FC-P3</u>	A new policy to provide for offsetting and compensation conditions as part of a resource consent.
New "General Rules for Financial Contributions" section (including <u>FC-R5</u> , <u>FC-R6</u> , <u>FC-R7</u> )	New general rules to provide for the taking of financial contributions for upgrades or new infrastructure that is not covered in the Council's Development Contributions Policy.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 15.1 Amend the Financial Contributions chapter introduction text as follows:

*Financial contributions* are a contribution of money, *land*, or a combination of both, to address the specific *effects* generated by a land use activity or *subdivision*.

*Financial contributions* under this Plan may be required in respect of ~~the mitigation of~~ avoiding, remedying, mitigating or off-setting any adverse environmental effects on any or all of the following:

- *open spaces* and reserves;
- upgrading off-site *infrastructure*, before programmed works that will address any adverse environmental effects created by the proposed *development*;
- significant heritage and ecological features; and
- riparian margins.

The natural environment values, and historical and cultural values, and open space and recreation-chapters of this plan provide further direction on where *financial contributions* may be payable.

Council will not require a further *financial contribution* where they have been previously taken in relation to:

- the same *development*;
- the same purpose; and
- the same level and intensity of *development*, and the same level of *effects*.

In addition to *financial contributions* under this Plan, Council also has a Development Contributions Policy under the Local Government Act 2002.

Council must not require a development financial contribution if it has imposed a development financial contribution in relation to:

- the same *development*
- for the same purpose, and
- at the same level and intensity of development, and the same level of effects.

The converse also applies.

~~The Council has expressed a preference to~~ takes development contributions in most circumstances rather than *financial contributions*.

As such *financial contributions* will generally only be required where the Development Contributions Policy does not apply or where the Development Contributions Policy does not address the type of adverse *effects* generated by the *development* or activity. A financial contribution may also be required when an applicant proposes to off-set or provide compensation for any adverse effects generated by the development or activity.

Note: The Council intends to move contributions for open space and reserves into its Development Contributions Policy. When that has occurred, the policies and rules requiring payment of a financial contribution for open space and reserve purposes will not be implemented and will be removed by way of a subsequent plan change. Until that time, the policies and rules relating to financial contributions for open space and reserves will continue to have legal effect and be implemented.

Note: Section 110 of the RMA applies when a land use, *subdivision* or *development* for which a *financial contribution* has been paid, does not proceed.

**15.2 Add a new policy as follows:**

<b>FC-P3</b>	Financial contributions to offset or compensate for adverse effects
<u>A financial contribution may be required for any land use or subdivision application to ensure positive effects on the environment are achieved to offset any adverse effects that cannot otherwise be avoided, remedied or mitigated.</u>	

**15.3 Add a new section to the end of the chapter as follows:**

General Rules for Financial Contributions

**Introduction:**

FC-R5 is a general rule that applies to all financial contributions that are imposed as a condition of consent under s108 of the RMA. FC-R6 and FC-R7 are rules that apply when the Council determines that it is appropriate to impose a financial contribution when considering a resource consent application under FC-P2 and / or FC-P3.

FC-R5	General requirements for payment of a financial contribution
	<p>1. <u>Financial contributions may, at Council's discretion, take the form of money or land or a combination of money and land.</u></p> <p>2. <u>Financial contributions shall not be imposed on a use, development or subdivision for the same purpose as a development contribution that:</u></p> <ul style="list-style-type: none"> <li>a. <u>is required, or</u></li> <li>b. <u>has been agreed through a development agreement, or</u></li> <li>c. <u>has already been paid</u></li> </ul> <p><u>in relation to that use, development or subdivision.</u></p> <p>3. <u>Where a financial contribution is, or includes the payment of money, the Council may specify any one or more of the following in the conditions of the resource consent:</u></p> <ul style="list-style-type: none"> <li>a. <u>The amount to be paid by the consent holder.</u></li> <li>b. <u>How the payment is to be made, including whether payment is to be made by instalment and whether bonding or security can be entered into.</u></li> <li>c. <u>When the payment is to be made:</u> <ul style="list-style-type: none"> <li>i. <u>In the case of subdivision, before issuing the section 224 certification.</u></li> <li>ii. <u>In the case of land use, before the consent is given effect to.</u></li> <li>iii. <u>If the amount of the payment is to be adjusted to take account of inflation and if so, how the amount is to be adjusted.</u></li> <li>iv. <u>Whether any penalty is to be imposed for default in payment and if so, the amount of the penalty or formula by which the penalty is to be calculated.</u></li> </ul> </li> <li>d. <u>Where a financial contribution is, or includes land, the Council may specify any one or more of the following in the conditions of the resource consent:</u> <ul style="list-style-type: none"> <li>i. <u>The location and area of the land.</u></li> <li>ii. <u>The state the land is to be in before vesting in or transferring to the Council.</u></li> <li>iii. <u>The purpose of the land if it is to be classified under the Reserves Act 1977, or the general purpose of the land.</u></li> <li>iv. <u>When and how the land is to be vested in or transferred to the Council or other infrastructure provider. In the case of subdivision consent the land shall be vested on the deposit of the survey plan under section 224 of the Act, or transferred as soon as legal certificate of title is available.</u></li> </ul> </li> <li>e. <u>Where any land is to be vested in Council or other infrastructure provider as part of a financial contribution a registered valuer shall determine its market value at the date on which the resource consent (imposing the financial contribution condition) commenced under section 116 of the Resource Management Act 1991.</u></li> </ul>

	<p><u>For the purposes of this standard, ‘market value’ has the same meaning as defined in the International Valuation Standard, as adopted by Australian Property Institute 2008 and Property Institute of New Zealand 2009, which is as follows:</u></p> <p><i><u>‘Market Value is the estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm’s length transaction, after proper marketing, wherein the parties had each acted knowledgably, prudently and without compulsion.’</u></i></p> <p><u>This standard does not apply to land that is to be vested in Council as a financial contribution in circumstances where the value of the land does not need to be determined.</u></p> <p>4. <u>Security for compliance of resource consent conditions imposing financial contributions shall be in accordance with sections 108, 108A, 109 and 220 of the Act, further secured by deposits of money with the Council or by way of a bond or bank guarantee. Where appropriate, securities shall be registered against the relevant titles.</u></p>
<p><b>FC-R6</b></p>	<p><u>Level of financial contribution payable, excluding reserves</u></p>
	<p>1. <u>The level of contribution shall be up to 100% of the actual or estimated costs, or land necessary to provide for the “Reasons for Financial Contribution” specified in Table FC-Table2.</u></p> <p>2. <u>Actual or estimated costs may include:</u></p> <p>    a. <u>All reasonable costs incurred in providing the infrastructure.</u></p> <p>    b. <u>Any reasonable costs in avoiding, remedying or mitigating any adverse effects on the environment of providing or upgrading any infrastructure.</u></p> <p>3. <u>The level of financial contribution shall include any associated costs including but not limited to:</u></p> <p>    a. <u>The reimbursement of legal costs incurred by Council in providing easements, encumbrances, covenants and the like.</u></p> <p>    b. <u>The reimbursement of fees charged to Council by Government departments, local authorities and the suppliers of infrastructure.</u></p> <p>    c. <u>Survey work.</u></p> <p>    d. <u>Any fees incurred by an adjoining local authority or network utility operator in processing the application.</u></p> <p>    e. <u>Goods and Services Tax (GST).</u></p> <p>4. <u>The estimated or actual cost of financial contributions, whether provided or constructed by the Council or otherwise shall be calculated in accordance with, the matters for consideration set out in Table FC-Table 2.</u></p> <p>5. <u>When determining the level of financial contribution payable, the Council will apply credits in accordance with FC-S3.</u></p>
<p><b>FC-R7</b></p>	<p><u>Credits and refunds, excluding reserves</u></p>
	<p>1. <u>The Council will refund a financial contribution in accordance with 2 below where:</u></p>



	<p>a. <u>A resource consent which includes a condition requiring a financial contribution lapses or is cancelled or surrendered without having been given effect in whole or in part, in accordance with the provisions of the Act.</u></p> <p>b. <u>The activity in respect of which the resource consent was granted does not proceed.</u></p> <p>2. <u>Council shall, on notice, pay or return to the person entitled the financial contribution less a value equivalent to the costs incurred by Council in relation to any associated administration costs, provided that Council shall not pay for, or refund the value of, any work or services undertaken by the Council before the resource consent lapsing/being cancelled/surrendered or otherwise not proceeding.</u></p> <p>3. <u>Where a financial contribution is made and Council subsequently resolves not to proceed with that work or to provide that service, the financial contribution shall be refunded to the person entitled, provided that in the case of a financial contribution of money no interest shall be paid.</u></p> <p>4. <u>The amount of any previous payment shall be deducted from the level of the financial contribution payable in respect of any subdivision or land use consent in the following circumstances.</u></p> <p>a. <u>Where a previous financial contribution payment was made to provide an increase in capacity in infrastructure necessitated by the proposal.</u></p> <p>b. <u>If a financial contribution has previously been paid in respect of a land use consent for land now subject to an application for subdivision consent, where both the previous and proposed contributions relate to the same development and same purpose.</u></p> <p>c. <u>If a financial contribution has previously been paid in respect of a subdivision consent for land now subject to an application for a land use consent, where both the previous and proposed contributions relate to the same development and same purpose.</u></p> <p><b>Note</b></p> <p>1. <u>Council shall keep a register of all financial contributions which shall contain the following information.</u></p> <p>a. <u>The amount of the financial contribution.</u></p> <p>b. <u>The name of the person making the contribution and the date on which it was made.</u></p> <p>c. <u>The purpose for which the financial contribution was made.</u></p> <p>d. <u>The name of the consent-holder entitled to any refund or credit.</u></p>
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<b><u>FC-Table 2 – Financial Contribution payable</u></b>	<b><u>Basis of contribution</u></b>	<b><u>Reasons for financial contribution</u></b>	<b><u>Matters for consideration in determining level and / or nature of financial contribution</u></b>
	<u>Water supply systems</u>	<ul style="list-style-type: none"> <li>• <u>Where an existing supply is available, the cost of connection with the existing system;</u></li> <li>• <u>Where an existing supply is available, but the capacity of the system is inadequate to</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Whether the new infrastructure/ upgrade/extension is already contained in the Development Contributions Policy;</u></li> <li>• <u>Whether other funding sources apply;</u></li> </ul>

		<p><u>meet the additional generated demand, the cost of connection and capacity upgrading of the existing system;</u></p> <ul style="list-style-type: none"> <li>• <u>Where an existing supply is not available, the cost of providing for the supply of water.</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>The quality and quantity of the supply;</u></li> <li>• <u>The effect any additional connections may have on the existing system, its users and/or on the quality and quantity of the supply;</u></li> <li>• <u>The age and value of the existing infrastructure;</u></li> <li>• <u>The proximity and directness of the effect.</u></li> </ul>
	<p><u>Stormwater disposal services</u></p>	<ul style="list-style-type: none"> <li>• <u>Where an existing outfall is available, the cost of connection with the existing stormwater system;</u></li> <li>• <u>Where an existing outfall is available, but the capacity of the system is inadequate to meet the additional generated demand, the cost of connecting and capacity upgrading of the stormwater system;</u></li> <li>• <u>Where an existing outfall is not available, the cost of providing a stormwater system.</u></li> </ul>	
	<p><u>Wastewater disposal services</u></p>	<ul style="list-style-type: none"> <li>• <u>Where an existing wastewater network and treatment plant are available, the cost of connection to them;</u></li> <li>• <u>Where an existing wastewater network and treatment plant are available, but their capacity is inadequate to meet the additional generated demand, the cost of connection and capacity upgrading;</u></li> <li>• <u>Where an existing wastewater network and treatment plant are not available, the cost of providing them.</u></li> </ul>	
	<p><u>Transport infrastructure and access</u></p>	<ul style="list-style-type: none"> <li>• <u>The costs of specific works needed to service the use, subdivision or development and/or mitigate their effects.</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Whether the new infrastructure/ upgrade/extension is already contained in the Development Contributions Policy;</u></li> <li>• <u>Whether other funding sources apply;</u></li> <li>• <u>The current standard and estimated carrying capacity of the transport network the</u></li> </ul>

			<p><u>subdivision, development or land use will connect to;</u></p> <ul style="list-style-type: none"> <li>• <u>The current number of users of the transport network and the estimated increase in number of users as a result of the subdivision, development or land use;</u></li> <li>• <u>The sensitivity and location of activities adjoining the transport corridor and adjacent to the subject site;</u></li> <li>• <u>Sight distances and the presence of blind spots along adjacent transport corridors and the standard and adequacy of intersections;</u></li> <li>• <u>The need to improve the transport network to accommodate additional traffic generated (taking into account both type and numbers of traffic generated) by the subdivision, development and/or land use;</u></li> <li>• <u>The benefit to the subdivision or land use arising from the improvement to the transport network relative to the benefit to existing users and other members of the public;</u></li> <li>• <u>The estimated number of future users of the transport network, assuming degrees of development and growth anticipated by the standards in the District Plan;</u></li> <li>• <u>The likely route from the site to key locations in the District.</u></li> </ul>
	<p><u>Offsetting and compensation effects</u></p>	<ul style="list-style-type: none"> <li>• <u>The amount of money or land or both needed to offset or compensate for any adverse environmental effects that cannot otherwise be avoided, remedied or mitigated.</u></li> </ul>	

## 16.0 Other proposed consequential or supporting amendments

### Summary

*This section is explanatory only and does not form part of the IPI.*

Consequential amendments to a number of District Wide Matters chapters are proposed as part of enabling papakāinga within the District Plan.

The following is a summary of proposed amendments to the Schedules:

Provision reference	Summary of amendments
CF-Px	A new policy is added to the Community Facilities chapter to provide for community facilities as part of a papakāinga, and also to provide a link to the objectives and policies contained in the Papakāinga chapter.
CF-R2	Standards within the existing rule are amended to provide for community facilities as part of a papakāinga under the rule.
CF-Table 1	Consequential amendment to the table to ensure that community facilities as part of a papakāinga are provided for in Rural Zones.
CF-R3	Consequential amendments to the rule to ensure that community facilities as part of a papakāinga are provided for within the rule.
NOISE-R22	Reference to papakāinga housing is removed from this rule, as proposed amendments to the definition of “noise sensitive activities” ensure that residential activities as part of a papakāinga in the outer control boundary outside the Airport Zone are managed under rule NOISE-R14.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 16.1 Add a new policy to the CF – Community Facilities chapter as follows:

<b>CF-Px</b>	<i>Community Facilities as part of Papakāinga</i>
	<i>Community facilities as part of papakāinga will be enabled where they are consistent with the objective and policies for papakāinga contained in chapter PK – Papakāinga.</i>

#### 16.2 Amend rule CF-R2 in the CF – Community Facilities chapter as follows:

<b>CF-R2</b>	Any new <i>community facilities</i> and extensions to existing community facilities within the <i>building</i> footprint specified in CF-Table 1.  For the purposes of this rule, community facilities include civic offices, community centres, community libraries, display of information to the public, courthouses, and public toilets but does not include land and buildings used by members of the community for recreation and sport.  <i>Measurement criteria</i> apply to activities under this rule.
Permitted Activity	<b>Standards</b>

1. Facilities are not located in any *Rural Zone*, *Natural Open Space Zone* or any *Open Space Zone* (excluding the private recreation and leisure precinct), except marae ~~in the Rural~~ or *community facilities* as part of a *papakāinga* in any *Rural Zone*.
2. *Buildings* (excluding *minor buildings*) used for a *community facility* must be permitted to occupy the maximum *gross floor area* or maximum *building coverage* of a *subject site* listed in CF-Table 1, whichever is the greater.
3. Hours of operation
  - a. *Residential Zones*:
    - i. activities (including service deliveries) associated with a *community facility* in a *Residential Zone*, or within 50 metres of any *subject site* within a *Residential Zone*, must be carried out between 7.30am and 9.00pm other than Church services or those activities that by necessity operate on a 24 hour a day basis; and
  - b. all other *Zones*:
    - i. activities (including service deliveries) associated with a *community facility* must be carried out between 7.30am and 11.00pm other than Church services or those activities that by necessity operate on a 24 hour a day basis.

#### Landscaping

4. Where *community facilities* are in a *Residential Zone*, the site must be landscaped for a minimum depth of 2 metres from the *road boundary*. Any *landscaping* between the public entrance to the facility and any *road* frontage must not exceed 2 metres in *height* (above *original ground level*).

#### Retail activities associated with community facilities

5. There shall be no retail component within a *community facility*, except for in *Centres Zones*. *Retail activities* associated with *community facilities* in *Centres Zones* must be *ancillary* to the *community facility* and not exceed the *zone's* maximum *gross floor area* and *building coverage* retail standards. This standard does not apply to *commercial* or *retail activities* as part of a *papakāinga*.
6. The *commercial* or *retail activity* on a marae must be associated with the customary activities of the marae and not exceed a *gross floor area* of 50m<sup>2</sup>.

#### Measurement Criteria:

When measuring *building coverage*, include:

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

Exclude:

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

When measuring *gross floor area*, include:

- a. covered yards and areas covered by a roof but not enclosed by walls

Exclude:

- a. uncovered stairways;

	<ul style="list-style-type: none"> <li>b. floor space in terraces (open or roofed), external balconies, breezeways or porches;</li> <li>c. roof car parking, lift towers and machinery rooms on the roof having a floor area of not more than 200m<sup>2</sup>;</li> <li>d. car parking areas; and</li> <li>e. floor space of interior balconies and mezzanines not used by the public.</li> </ul>
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**16.3 Amend table CF-Table 1 in the CF – Community Facilities chapter as follows:**

CF-Table 1	Zone	Maximum <i>building coverage</i>	Maximum <i>Gross Floor Area</i>
	<i>Residential Zones</i>	35%	200m <sup>2</sup>
	Within 50 metres of a <i>Residential Zone</i>	35%	400m <sup>2</sup>
	<i>Centres Zone, Hospital Zone and Industrial Zones</i>	100%	No limit
	All other zones (including <i>marae or community facilities as part of a papakāinga</i> in Rural Zones)	35%	400m <sup>2</sup>

**16.4 Amend rule CF-R3 in the CF – Community Facilities chapter as follows:**

<b>CF-R3</b>	<p><i>Community facilities</i> in the <i>residential zones</i> and <i>marae or community facilities as part of a papakāinga</i> in all zones (including the private recreation and leisure precinct but excluding the natural open space zone and other precincts in the <i>open space zone</i>), which exceed the maximum <i>building coverage</i> but comply with all other <i>permitted activity</i> standards under rule CF-R2.</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> <p>For the purposes of this rule, <i>community facilities</i> include civic offices, community centres, community libraries, display of information to the public, courthouses, and public toilets but does not include land and buildings used by members of the community for recreation and sport.</p>	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
	<ol style="list-style-type: none"> <li>1. All <i>buildings</i> (excluding <i>minor buildings</i>) used for a <i>community facility</i> including <i>marae and community facilities as part of a papakāinga</i>, shall be permitted to occupy a maximum <i>building coverage</i> of 40% or the following maximum <i>gross floor area (GFA)</i>, whichever is the</li> </ol>	<ol style="list-style-type: none"> <li>1. Any positive <i>effects</i> to be derived from activity.</li> <li>2. Layout, design and location of proposed <i>buildings</i> (excluding <i>minor buildings</i>) and signs.</li> <li>3. Appropriateness of the proposed use.</li> <li>4. Visual, character and amenity <i>effects</i>.</li> <li>5. Context and surroundings.</li> </ol>

	<p>greater:</p> <ul style="list-style-type: none"> <li>a. In <i>Residential Zones</i> – 300m<sup>2</sup> GFA</li> <li>b. Within 50 metres of a Residential Zone – 300m<sup>2</sup> GFA</li> <li>c. In Centres, Hospital and General Industrial Zones – No limit</li> <li>d. In all other zones (including marae and papakāinga in Rural Zone) – 500m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>6. Degree of compliance with Council’s Subdivision and Development Principles and Requirements, 2012.</li> <li>7. <i>Effects</i> on transport.</li> <li>8. Traffic <i>effects</i>.</li> <li>9. <i>Effects</i> on <i>historic heritage</i>.</li> <li>10. <i>Effects</i> on an <i>ecological site, geological feature, outstanding natural feature and landscape</i>, or area of outstanding or high natural character.</li> <li>11. Natural hazard risk management.</li> <li>12. Location and design of services.</li> <li>13. Suitability of <i>landscaping</i>.</li> <li>14. Public safety.</li> <li>15. Disabled access.</li> <li>16. Noise and lighting <i>effects</i>.</li> <li>17. Adequacy of the methods of mitigation, remediation or ongoing management.</li> </ul>
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**16.5 Amend rule NOISE-R22 in the NOISE – Noise chapter as follows:**

<b>NOISE-R22</b>	<p>The following activities within the <i>outer control boundary</i> outside the Airport Zone as shown on the District Plan Maps:</p> <ul style="list-style-type: none"> <li>a. hospitals;</li> <li>b. rest homes;</li> <li>c. <i>educational facilities</i>;</li> <li><del>d. papakāinga housing;</del></li> <li><u>d.</u> <del>e.</del> <i>community facilities</i>, except for <i>community facilities</i> used for the purpose of recreation or sport;</li> <li><u>e.</u> <del>f.</del> civic offices;</li> <li><u>f.</u> <del>g.</del> community centres;</li> <li><u>g.</u> <del>h.</del> community libraries;</li> <li><u>h.</u> <del>i.</del> display of information to the public;</li> <li><u>i.</u> <del>j.</del> courthouses;</li> <li><u>j.</u> <del>k.</del> public toilets;</li> <li><u>k.</u> <del>l.</del> restaurants;</li> <li><u>l.</u> <del>m.</del> convention centres;</li> <li><u>m.</u> <del>n.</del> motels; and</li> <li><u>n.</u> <del>o.</del> other <i>noise sensitive activities</i> except <i>residential activities</i>.</li> </ul>
Discretionary Activity	

## 17.0 Proposed amendments to the District Plan Appendices

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Appendices contained in Part 4 of the District Plan are proposed. The proposed amendments are consequential to incorporating the MDRS and giving effect to policy 3 of the NPS-UD.

The following is a summary of proposed amendments to the Schedules:

Provision reference	Summary of amendments
APP2	<p>Delete APP2 – Medium Density Housing Design Guide.</p> <p>Deleting this design guide is consequential to deleting the Medium Density Residential Precinct. Refer to the proposed amendments to the General Residential Zone chapter for more information.</p> <p>This design guide is superseded by proposed <u>APPx1 – Residential Design Guide</u>.</p>
APP3	<p>Delete APP3 – Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas: Design Guides.</p> <p>The design guides are deleted as they are generally inconsistent with the level of development provided for by the MDRS as a permitted activity. In lieu of these design guides, amendments to policies GRZ-P4 and GRZ-P5 will provide policy direction on the appropriateness of development that does meet permitted activity standards under GRZ-Rx1 and GRZ-Rx2.</p>
APP4	<p>Delete APP4 – Ferndale Area Precinct Structure Plan and Notations.</p> <p>This appendix is deleted because the Ferndale Area Precinct is deleted from the General Residential Zone. Refer to proposed amendments to the General Residential Zone chapter for more information.</p>
APP5	<p>Delete APP5 – Pekawy Precinct Structure Plan and Notations.</p> <p>This appendix is deleted because the Pekawy Precinct is deleted from the General Residential Zone. Refer to proposed amendments to the General Residential Zone chapter for more information.</p>
APP15	<p>Delete APP15 – Paekākāriki Village Centre Design Guide.</p> <p>The existing design guide is generally inconsistent with the level of development to be enabled within the Local Centre Zone at Paekākāriki under policy 3(c) of the NPS-UD.</p> <p>This design guide is superseded by proposed <u>APPx2 – Centres Design Guide</u>.</p>
APPx1	<p>Add a new appendix <u>APPx1 – Residential Design Guide</u>.</p> <p>This new design guide is referred to in the proposed amendments to the policies and rules of the General Residential Zone. The design guide will typically apply to proposed developments that breach the density standards outlined under rules GRZ-Rx1 and GRZ-Rx2.</p> <p>Refer to Appendix C of this IPI for the proposed Residential Design Guide.</p>
APPx2	<p>Add a new appendix <u>APPx2 – Centres Design Guide</u>.</p> <p>This new design guide is referred to in the proposed amendments to the policies and rules of the Centres and Mixed Use Zones. The design guide will typically apply to proposed developments that breach the permitted activity standards for</p>



	<p>buildings within each of these zones. The design guide incorporates the existing Centres Design Principles (APP20) and Crime Prevention through Environmental Design Guidelines (APP6). Because of this, the Design Guide supersedes these appendices within the Centres and Mixed Use Zones.</p> <p>Refer to Appendix D of this IPI for the proposed Centres Design Guide.</p>
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## Proposed amendments to the District Plan

*This section forms part of the IPI.*

- 17.1 **Delete Appendix APP2 – Medium Density Housing Design Guide.**
- 17.2 **Delete Appendix APP3 – Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas: Design Guides.**
- 17.3 **Delete Appendix APP4 – Ferndale Area Precinct Structure Plan and Notations.**
- 17.4 **Delete Appendix APP5 – Pekawu Precinct Structure Plan and Notations.**
- 17.5 **Delete Appendix APP15 – Paekākāriki Village Centre Design Guide.**
- 17.6 **Add a new appendix APPx1 – Residential Design Guide, as proposed in Appendix C of this IPI.**
- 17.7 **Add a new appendix APPx2 – Centres Design Guide, as proposed in Appendix D of this IPI.**

## 18.0 Proposed amendments to the District Plan Schedules

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the Schedules contained in Part 4 of the District Plan are proposed. The proposed amendments are consequential to incorporating the MDRS and giving effect to policy 3 of the NPS-UD.

The following is a summary of proposed amendments to the Schedules:

Provision reference	Summary of amendments
SCHED9	<p>Consequential to incorporating the MDRS and giving effect to policy 3 of the NPS-UD, a number of sites within the General Residential Zone are proposed to be added to the schedule of Sites and Areas of Significance to Māori.</p> <p>The following sites are added to the Schedule:</p> <ul style="list-style-type: none"> <li>• Kārewarewa Urupā (Waikanae Beach).</li> </ul> <p>Refer to Appendix B for maps showing the proposed spatial extent of each site.</p>

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 18.1 Amend Schedule 9 – Sites and Areas of Significance to Māori as follows:

District Plan ID	Name	Type	Iwi	Key access and view points	Wāhanga
<u>WTSx1</u>	<u>Kārewarewa Urupā</u>	<u>Urupā</u>	<u>Āti Awa</u>		<u>Tahi</u>
<u>WTSx2</u>	<u>Kārewarewa Urupā</u>	<u>Urupā</u>	<u>Āti Awa</u>		<u>Rua</u>

## 19.0 Proposed amendments to the District Plan Maps

### Summary

*This section is explanatory only and does not form part of the IPI.*

Amendments to the District Plan Maps are proposed. The proposed amendments are consequential to or in support of the range of amendments to the District Plan proposed throughout this IPI.

The following is a summary of proposed amendments to the District Plan Maps:

Map feature reference	Summary of amendments
General Residential Zone	A range of sites are proposed to be added to the General Residential Zone as part of incorporating the MDRS into the District Plan, or giving effect to policy 3 of the NPS-UD. Refer to Appendix A for a description of each site.
<u>PRECx1</u> , <u>PRECx2</u> , <u>PRECx3</u> , <u>PRECx4</u> , <u>PRECx5</u>	Three new precincts are proposed to be added to the General Residential Zone. Refer to section 5.0 Proposed amendments to the General Residential Zone Chapter for further information.
PREC17	The title of the County Road Ōtaki Low Density Precinct is amended to better reflect its purpose.
PREC1, PREC2, PREC7, PREC9, PREC10, PREC11, PREC12, PREC13, PREC14, PREC15	Ten precincts are proposed to be deleted from the General Residential Zone. Refer to section 5.0 Proposed amendments to the General Residential Zone Chapter for further information.
Wāhi tapu	Two new wāhi tapu sites are proposed to be added to the District Plan maps. Refer to section 17.0 Proposed amendments to the District Plan Schedules for further information.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

The following amendments are proposed to the District Plan Maps. These amendments are shown in the proposed amendments to the District Plan maps contained in Appendix E.

**19.1 Amend the “Zones and Precincts” map series to add the sites identified in Appendix A to the General Residential Zone. This includes consequential amendments to remove the existing Zone and Precinct notation for these sites.**

**19.2 Amend the “Zones and Precincts” map series to add the following Precincts:**

- PRECx1 – Residential Intensification Precinct A
- PRECx2 – Residential Intensification Precinct B

- PRECx3 – Coastal Qualifying Matter Precinct (General Residential Zone)
- PRECx4 – Coastal Qualifying Matter Precinct (Town Centre Zone)
- PRECx5 – Coastal Qualifying Matter Precinct (Local Centre Zone)

**19.3 Amend the “Zones and Precincts” map series to amend the following Precinct titles:**

- PREC17 – County Road Ōtaki ~~Low Density~~ Precinct

**19.4 Amend the “Zones and Precincts” map series to delete the following Precincts:**

- ~~PREC1 – Medium Density Housing Precinct~~
- ~~PREC2 – Focussed Infill Precinct~~
- ~~PREC7 – Pekawy Precinct~~
- ~~PREC9 – Forndale Area Precinct~~
- ~~PREC10 – Waikanae Golf Precinct~~
- ~~PREC11 – The Drive Extension Precinct~~
- ~~PREC12 – Panorama Drive Low Density Housing Precinct~~
- ~~PREC13 – Ōtaki Low Density Housing Precinct~~
- ~~PREC14 – Paraparaumu Low Density Housing Precinct~~
- ~~PREC15 – Manu Grove Low Density Housing Precinct~~

**19.5 Amend the “Historical, Cultural, Infrastructure and Districtwide” map series to add the following wāhi tapu sites outlined in amendment 17.1 and identified in Appendix B:**

- WTSx1 – Kārewarewa Urupā (Wāhanga Tahī)
- WTSx2 – Kārewarewa Urupā (Wāhanga Rua)

## 20.0 Proposed amendments to the Definitions Chapter

### Summary

*This section is explanatory only and does not form part of the IPI.*

Consequential additions and amendments to a number of definitions contained within the Definitions chapters are proposed as part of incorporating the MDRS, giving effect to policy 3 of the NPS-UD or providing for papakāinga provisions within the District Plan.

The proposed new or amended definitions are referred to in other amendments proposed throughout this IPI.

### Proposed amendments to the District Plan

*This section forms part of the IPI.*

#### 20.1 Add a new definition of “ACCESS SITE” to the Definitions Chapter as follows:

<b><u>ACCESS SITE</u></b>	means any separate <i>site</i> used primarily for access to a <i>site</i> or to <i>sites</i> having no legal frontage. Excludes <i>sites</i> that are not legally encumbered to prevent the construction of <i>buildings</i> .
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#### 20.2 Add a new definition of “ANCESTRAL LAND” to the Definitions Chapter as follows:

<b><u>ANCESTRAL LAND</u></b>	means <i>land</i> that belonged to <i>tipuna/tupuna</i>
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#### 20.3 Add a new definition of “DRIVEWAY (IN RELATION TO OUTLOOK SPACE)” to the Definitions Chapter as follows:

<b><u>DRIVEWAY (IN RELATION TO OUTLOOK SPACE)</u></b>	means an access way designed and constructed for use by motor vehicles, pedestrians or cyclists
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#### 20.4 Add a new definition of “ENTRANCE STRIP” to the Definitions Chapter as follows:

<b><u>ENTRANCE STRIP</u></b>	has the same meaning as <i>access leg</i>
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#### 20.5 Add a new definition of “GENERAL TITLE LAND (IN RELATION TO PAPA KĀINGA)” to the Definitions Chapter as follows:

<b><u>GENERAL TITLE LAND (IN RELATION TO PAPA KĀINGA)</u></b>	means <i>land</i> that is owned by Māori but which is not held under <b>Te Ture Whenua Māori Act 1993</b>
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**20.6 Delete the definition of “MEDIUM DENSITY HOUSING” from the Definitions Chapter as follows:**

<b>MEDIUM DENSITY HOUSING</b>	refers to any housing type (detached, semi-detached, or terraced) falling within a gross average density range of 350m <sup>2</sup> —250m <sup>2</sup> per unit with a minimum <del>development</del> area of 200m <sup>2</sup> and capable of containing an 8 metre diameter circle, involving four or more units. It does not include conventional ‘infill’ where a <i>residential unit</i> is placed on a single <i>allotment</i> with an existing <i>residential unit</i> .
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**20.7 Add a new definition of “MEDIUM DENSITY RESIDENTIAL STANDARDS or MDRS” to the Definitions Chapter as follows:**

<b>MEDIUM DENSITY RESIDENTIAL STANDARDS or MDRS</b>	has the same meaning as in section 2 of the RMA (as set out below)
	means the requirements, conditions, and permissions as set out in Schedule 3A.

**20.8 Amend definition of “NOISE SENSITIVE ACTIVITY” in the Definitions Chapter as follows:**

<b>NOISE SENSITIVE ACTIVITY</b>	<p>means:</p> <ol style="list-style-type: none"> <li>1. <i>Buildings</i> used for residential activities and includes:             <ol style="list-style-type: none"> <li>a. <i>boarding houses</i>;</li> <li>b. homes for elderly persons;</li> <li>c. retirement villages;</li> <li>d. in-house aged-care facilities, and</li> <li>e. <i>buildings</i> used as temporary accommodation in residentially zoned areas, including hotels, motels, and camping grounds, but excludes other <i>visitor accommodation</i> which is not <i>temporary residential rental accommodation</i>;</li> <li>f. <u><i>buildings</i> used for residential activities as part of a <i>papakāinga</i></u></li> </ol> </li> <li>2. <i>marae buildings</i>;</li> <li>3. spaces within <i>buildings</i> used for overnight patient medical care; and</li> <li>4. teaching areas and sleeping rooms in <i>buildings</i> used as <i>educational facilities</i> including work skills training centres, tertiary institutions, schools, and facilities for the care of children under the age of five including premises licensed under the Education (Early Childhood Services) Regulations 2008 and playgrounds which are part of such facilities and located within 20m of <i>buildings</i> used for teaching purposes.</li> </ol> <p>For the avoidance of doubt <i>Noise Sensitive Activities</i> do not include:</p> <ol style="list-style-type: none"> <li>1. residential accommodation in <i>buildings</i> which predominantly have other uses such as commercial or industrial premises;</li> <li>2. garages and <i>ancillary buildings</i> not containing any <i>habitable room(s)</i>; and</li> <li>3. premises and facilities which are not yet built, other than premises and facilities for which a <i>building</i> consent has been obtained which has not yet lapsed.</li> </ol>
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**20.9 Amend the definition of “PAPAKĀINGA” in the Definitions Chapter as follows:**

<b><u>PAPAKĀINGA AND PAPAKĀINGA HOUSING</u></b>	<p>means communal housing, which occurs on <i>Māori land</i>, often based around a marae and providing housing for members of an extended family.</p> <p>means housing and any <i>ancillary activities</i> (including social, cultural, educational, recreational, and <i>commercial activities</i>) for <i>tangata whenua</i> on their <i>ancestral land</i></p>
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**20.10 Add a new definition of “QUALIFYING MATTER AREA” to the Definitions Chapter as follows:**

<b><u>QUALIFYING MATTER AREA</u></b>	<p>Means any of the following:</p> <ul style="list-style-type: none"> <li>a. <u>The National Grid Yard;</u></li> <li>b. <u>The National Grid Subdivision Corridor;</u></li> <li>c. <u>Land within 10m of the centre-line of a high-pressure gas pipeline designed to operate at or over 2,000kPa;</u></li> <li>d. <u>A flood hazard category area identified in the District Plan Maps, including:</u> <ul style="list-style-type: none"> <li>i. <u>A river corridor;</u></li> <li>ii. <u>A stream corridor;</u></li> <li>iii. <u>An overflow path;</u></li> <li>iv. <u>A residual overflow path;</u></li> <li>v. <u>A ponding area;</u></li> <li>vi. <u>A residual ponding area;</u></li> <li>vii. <u>A shallow surface flow area;</u></li> <li>viii. <u>A flood storage area;</u></li> <li>ix. <u>A fill control area;</u></li> </ul> </li> <li>e. <u>A fault avoidance area;</u></li> <li>f. <u>A scheduled historic building or structure, scheduled historic site or scheduled historic area listed in Schedule 7;</u></li> <li>g. <u>A notable tree listed in Schedule 8;</u></li> <li>h. <u>A place and area of significance to Māori listed in Schedule 9;</u></li> <li>i. <u>An ecological site listed in Schedule 1;</u></li> <li>j. <u>A key indigenous tree or group of trees listed in Schedule 2;</u></li> <li>k. <u>A rare and threatened vegetation species listed in Schedule 3;</u></li> <li>l. <u>An outstanding natural feature and landscape listed in Schedule 4;</u></li> <li>m. <u>Esplanade reserves and esplanade strips;</u></li> <li>n. <u>The General Industrial Zone;</u></li> <li>o. <u>The Airport Zone;</u></li> <li>p. <u>The Open Space Zone;</u></li> <li>q. <u>The Natural Open Space Zone;</u></li> <li>r. <u>The Coastal Qualifying Matter Precinct in the General Residential Zone, Local Centre Zone or Town Centre Zone.</u></li> </ul>
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**20.11 Add a new definition of “RELEVANT RESIDENTIAL ZONE” to the Definitions Chapter as follows:**

<b><u>RELEVANT RESIDENTIAL ZONE</u></b>	<p>means the General Residential Zone</p>
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**20.12 Amend the definition of “TINO RANGATIRATANGA” in the Definitions Chapter as follows:**

<b>TINO RANGATIRATANGA</b>	means chieftainship, chiefly authority, full authority. means self-determination, sovereignty, self-government, Māori governance by Māori over Māori affairs
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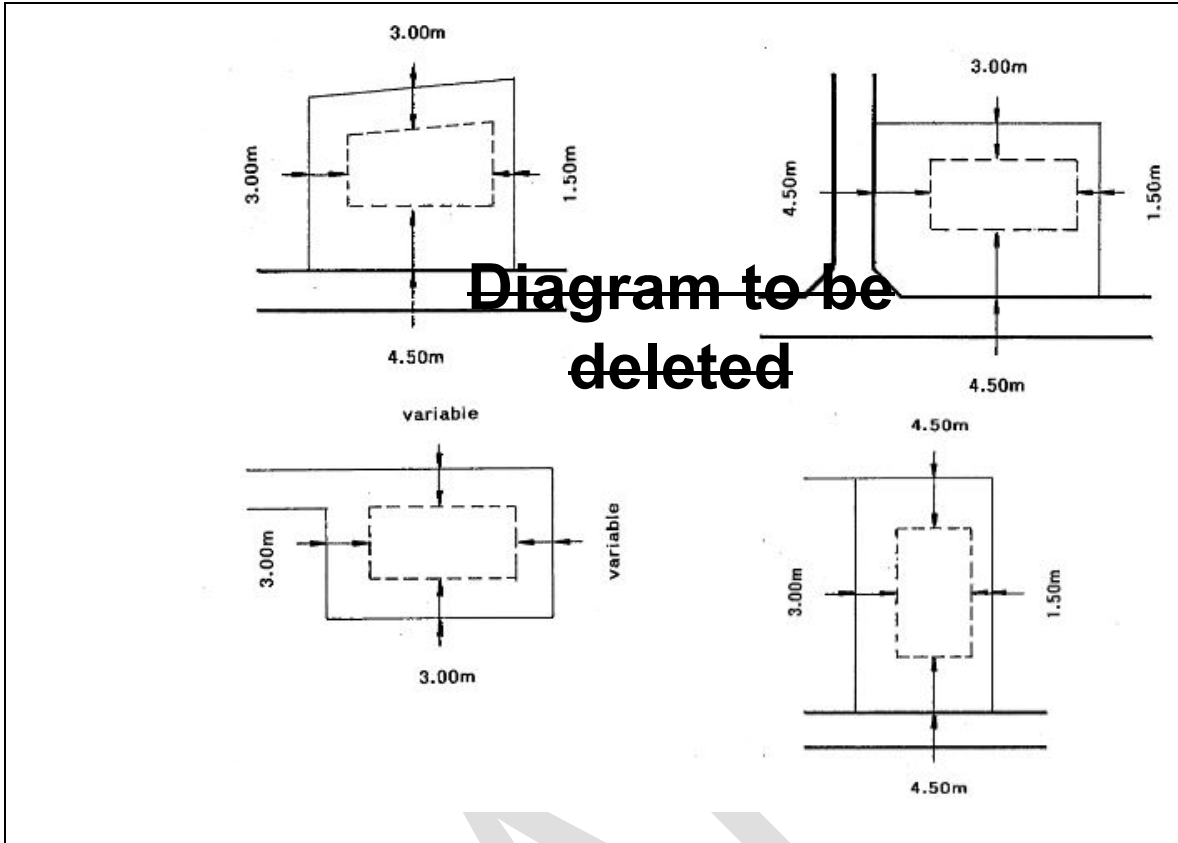
**20.13 Add a new definition of “TIPUNA/TUPUNA” to the Definitions Chapter as follows:**

<b>TIPUNA/TUPUNA</b>	means ancestors
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**20.14 Amend the definition of “YARD” in the Definitions Chapter as follows:**

<b>YARD</b>	<p>means a part of a <i>site</i> which is required by this Plan to be unoccupied and unobstructed by <i>buildings</i> (excluding <i>minor buildings</i>) from the ground upwards, except as otherwise provided by this Plan.</p> <ol style="list-style-type: none"> <li>1. coastal yard means a <i>yard</i> between the seaward title boundary or the toe of the foredune, seaward edge of the vegetation line or foreshore protection works where these are within the title and a line parallel extending across the full width of the <i>allotment</i>;</li> <li>2. front yard means a <i>yard</i> between the front <i>boundary</i> of the <i>site</i> and a line parallel and extending across the full width of the <i>site</i>;</li> <li>3. rear yard means a <i>yard</i> between the rear <i>boundary</i> of the <i>site</i> and a line extending parallel thereto extending across the full width of the <i>site</i>;</li> <li>4. side yard means a <i>yard</i> between a side <i>boundary</i> of the <i>site</i> and a line parallel, extending: <ol style="list-style-type: none"> <li>a. from the front <i>yard</i> to the rear <i>yard</i>;</li> <li>b. if there is no front <i>yard</i>, from the front <i>boundary</i> of the <i>property</i> to the rear <i>yard</i>; and</li> <li>c. if there is no rear <i>yard</i>, from the front <i>yard</i> or <i>boundary</i> as the case may be to the rear <i>boundary</i> of the <i>property</i>.</li> </ol> </li> </ol>
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## 21.0 Notification of operative rules relevant to Existing Qualifying Matters

### Summary

*This section is explanatory only and does not form part of the IPI.*

Sections 77K and 77Q of the Act provide an alternative process for evaluating qualifying matters that are already operative in a District Plan. These are referred to as “existing qualifying matters”. Where this process is used, the Council must notify the relevant provisions associated with the existing qualifying matter in the IPI.

An “existing qualifying matter”<sup>32</sup> is taken to mean any rule in the Operative District Plan that would have the effect of making the requirements set out in Schedule 3A or Policy 3 of the NPS-UD less enabling of development in relation to an area. This includes:

- Rules that would have the effect of precluding the construction of 1, 2 or 3 residential units as a permitted activity in the General Residential Zone;
- Rules that would have the effect of altering the density standards for residential units to be less enabling of development than required by the density standards in Schedule 3A;
- Subdivision rules that would have the effect of precluding the subdivision of land for the purposes of the construction and use of residential units as a controlled activity in the General Residential Zone;
- Subdivision rules that would have the effect of applying an allotment size or shape requirement in the General Residential Zone contrary to clause 8 of Schedule 3A.

The following table summarises the existing qualifying matters provided for under this section:

Existing qualifying matter	Relevant operative rules	Spatial reference
The National Grid	INF-MENU-R30, INF-MENU-R31, INF-MENU-R38, SUB-DW-R14, SUB-DW-R22	District Plan Map Layer – National Grid Lines
The High Pressure Gas Pipeline	SUB-DW-R12	District Plan Map Layer – Natural Gas
Flood hazard category areas	NH-FLOOD-R2, NH-FLOOD-R3, NH-FLOOD-R4, NH-FLOOD-R8, NH-FLOOD-R10, NH-FLOOD-R11, NH-FLOOD-R12, NH-FLOOD-R15, NH-FLOOD-R16, NH-FLOOD-R17, SUB-DW-R7, SUB-DW-R16, SUB-DW-R17, SUB-DW-R20	District Plan Map Layer – Flood Hazard
Fault avoidance areas	NH-EQ-R12, NH-EQ-R22, NH-EQ-Table 2, NH-EQ-Table 3, SUB-DW-R8, SUB-DW-R18	District Plan Map Layer – Fault Avoidance Areas
Scheduled historic buildings, structures, sites or areas	HH-R6, HH-R8, HH-R9, HH-R10, HH-R11, SUB-DW-R10	District Plan Map Layer – Historic Heritage Places District Plan Map Layer – Historic Heritage Area

<sup>32</sup> Refer ss77K(3) and 77Q(3).

Existing qualifying matter	Relevant operative rules	Spatial reference
		District Plan Schedule 7
Scheduled notable trees	TREE-R4, TREE-R5, SUB-DW-R10	District Plan Map Layer – Notable Trees District Plan Map Layer – Notable Trees Area District Plan Schedule 8
Scheduled places and areas of significance to Māori	SASM-R3, SASM-R4, SASM-R5, SASM-R7, SASM-R10, SASM-R11, SASM-R12, SASM-R13, SASM-R16, SASM-R18, SUB-DW-R10, SUB-DW-R21	District Plan Map Layer – Waahi Tapu District Plan Schedule 9
Scheduled ecological sites	ECO-R7, ECO-R13, EW-R8, SUB-DW-R6	District Plan Map Layer – Ecological Sites District Plan Schedule 1
Scheduled key indigenous trees	ECO-R7	District Plan Map Layer – Key Indigenous Trees District Plan Schedule 2
Scheduled rare and threatened vegetation species	ECO-R7	District Plan Schedule 3
Scheduled outstanding natural features and landscapes	NFL-R2, NFL-R3, EW-R4, EW-R9, SUB-DW-R6	District Plan Map Layer – Outstanding Natural Features and Landscapes District Plan Schedule 4
Esplanade reserves and esplanade strips	SUB-DW-Table 1	Within the proximity of the Coastal Marine Area, the bank of a river or the margin of a lake as provided for in SUB-DW-Table 1

This section provides for the notification of provisions relevant to these existing qualifying matters. **The IPI does not propose any amendments to the rules associated with these existing qualifying matters.**

### Notification of operative rules relevant to existing qualifying matters

*This section forms part of the IPI.*

The following operative rules are notified in accordance with ss77K(1)(e) and 77Q(1)(e) of the Act:

#### 21.1 The following operative rules relevant to the National Grid are notified as an existing qualifying matter:

<b>INF-MENU-R30</b>	Activities, <i>buildings</i> and <i>structures</i> located within the <i>National Grid Yard</i> , identified as a <i>permitted activity</i> under the rules in INF-MENU-R30 to INF-MENU-R34.
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Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li><i>Buildings</i> and <i>structures</i> within any National Grid Yard shall demonstrate compliance with the requirements of NZECP34:2001.</li> </ol> <p><b>Notes:</b> Please contact Transpower or a suitably qualified engineer for assistance with clearance requirements in NZECP 34:2001.</p> <p>Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including <i>buildings</i>, <i>structures</i>, <i>earthworks</i> and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.</p> <p>Vegetation to be planted within the <i>National Grid Yard</i> as shown on the District Plan Maps should be selected or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support <i>structures</i>. To discuss works, including tree planting near any electricity <i>line</i> especially works within the <i>transmission corridor</i>, contact the relevant <i>network utility operator</i>.</p>
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INF-MENU-R31	<p>Within the <i>National Grid Yard</i> on any <i>subject site</i> and within any <i>zone</i>:</p> <ol style="list-style-type: none"> <li><i>network Utilities</i>;</li> <li>fences;</li> <li>internal <i>alterations</i> and <i>additions</i> to existing <i>buildings</i> for <i>sensitive activities</i>;</li> <li>uninhabitable farm <i>buildings</i> and <i>structures</i> for <i>farming</i> activities, including stockyards; and</li> <li>horticultural <i>structures</i> including artificial crop <i>structures</i> and crop support <i>structures</i></li> </ol> <p>located more than 12 metres from a <i>National Grid</i> support <i>structure</i> foundation or stay wire.</p>
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Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>Network Utilities:             <ol style="list-style-type: none"> <li>must be within the <i>road</i> reserve or a railway corridor; or</li> <li>that form part of electricity <i>Infrastructure</i>, must connect to the <i>National Grid</i> utility</li> </ol> </li> <li>Fences must be no more than 2.5 metres in <i>height</i> (above <i>original ground level</i>).</li> <li>Internal alterations and additions to existing <i>buildings</i> for sensitive activities must not involve an increase in the <i>building</i> envelope or floor space.</li> </ol>
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INF-MENU-R38	<p>The following activities, <i>buildings</i> or <i>structures</i> within any part of the <i>National Grid Yard</i> on any <i>subject site</i>:</p> <ol style="list-style-type: none"> <li>any new <i>building</i> for a <i>sensitive activity</i> or addition to a lawfully established <i>building</i> that involves an increase in the <i>building</i> envelope or <i>height</i> for a <i>sensitive activity</i>;</li> <li>a change of use from a non-sensitive to a <i>sensitive activity</i> or the establishment of a new <i>sensitive activity</i>;</li> </ol>
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	<ol style="list-style-type: none"> <li>3. any milking shed (excluding <i>accessory buildings and structures</i>), commercial greenhouse, <i>protective canopies</i> or other <i>building</i> (excluding <i>minor buildings</i>) used for the keeping of animals;</li> <li>4. any activity, <i>building</i> or <i>structure</i> provided for under INF-MENU-R30, INF-MENU-R31 or INF-MENU-R33 that does not comply with the associated <i>permitted activity</i> standards; or</li> <li>5. any <i>building</i> or <i>structure</i> within the <i>National Grid Yard</i> that is not a <i>permitted activity</i> under INF-MENU-R32.</li> </ol>
Non-Complying Activity	

<b>SUB-DW-R14</b>	<p><i>Subdivision of land</i> in any zone where all of, or part of the <i>subject site</i> is within the <i>National Grid Subdivision Corridor</i>.</p> <p><b>Criteria for Notification:</b> Where an activity requires <i>resource consent</i> solely because it is within the <i>National Grid Subdivision Corridor</i> public notification of the application is precluded. However, any application under this rule will be served on Transpower, unless the written approval from Transpower is provided at the time the application is lodged.</p>
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Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The <i>subdivision</i> shall identify a complying nominal <i>building</i> platform for each new <i>allotment</i>, which is fully located outside the <i>National Grid Yard</i>.</li> </ol> <p><b>Advice Note:</b> Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including <i>buildings, structures, earthworks</i> and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.</p> <p>Vegetation to be planted within the <i>National Grid Yard</i> as shown on the District Plan Maps should be selected and/or managed to ensure that the vegetation will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support <i>structures</i>. To discuss works, including <i>tree</i> planting near any electricity <i>line</i> especially works within the transmission corridor; contact the relevant <i>network utility operator</i>.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the design, construction and layout of any <i>subdivision</i> demonstrates that a suitable <i>building</i> platform(s) can be located outside of the <i>National Grid Yard</i> for each new <i>allotment</i>.</li> <li>2. The provision for the on-going operation, maintenance (including access) and planned upgrade of existing <i>transmission lines</i>.</li> <li>3. The risk to the structural integrity of the <i>National Grid</i>.</li> <li>4. The extent to which the <i>subdivision</i> design and consequential <i>development</i> will minimise the risk of injury and/or property damage from such <i>lines</i>.</li> <li>5. The extent to which the <i>subdivision</i> design and consequential <i>development</i> will minimise the potential <i>reverse sensitivity</i> on and amenity and <i>nuisance effects</i> of the transmission asset.</li> <li>6. The extent to which the design and construction of any <i>subdivision</i> allow for <i>earthworks, buildings and structures</i> to comply with the safe separation distances in the New Zealand Electrical Code of Practice for</li> </ol>
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		<p>Electrical Safe Distances 34:2001.</p> <p>7. The nature and location of any proposed vegetation to be planted in the vicinity of the <i>National Grid</i>.</p>
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<b>SUB-DW-R22</b>	Any <i>subdivision of land</i> in any zone where all of or part of the <i>subject site</i> is within the <i>National Grid Subdivision Corridor</i> , which does not comply with the <i>restricted discretionary activity</i> standard under SUB-DW-R14.
Non-Complying Activity	

**21.2 The following operative rule relevant to the High Pressure Gas Pipeline is notified as an existing qualifying matter:**

<b>SUB-DW-R12</b>	<p><i>Subdivision of land</i> in any zone within 10 metres either side of the centre-line of high pressure gas pipeline designed to operate at or over 2000kPa, unless the <i>subdivision</i> is for a <i>boundary adjustment</i> in the Rural Zone and complies with the standards under the SUB-DW-R2.</p> <p><b>Criteria for Notification:</b> The written approval of persons will not be required other than the pipeline owner and/or operator and applications under this rule will not be served on any persons other than the pipeline owner and/or operator or notified.</p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <p>1. The <i>subdivision</i> must comply with all other relevant <i>subdivision</i> standards applicable to the zone.</p> <p><i>Boundary adjustment qualifying criteria:</i></p> <p>1. The adjustment of <i>boundaries</i> is for the rationalisation of existing <i>boundaries</i> to improve the practicality of <i>existing allotments</i>.</p>	<p><b>Matters of Discretion</b></p> <p>1. The extent to which the <i>subdivision</i> design avoids or mitigates conflict with existing pipelines.</p> <p>2. The ability for maintenance and inspection of transmission pipelines including ensuring access to the pipelines.</p> <p>3. Consent notices on titles to ensure on-going compliance with AS2885 Pipelines – Gas and Liquid Petroleum – Parts 1 to 3.</p> <p>4. The outcome of any consultation with the affected <i>network utility operator</i>.</p>

**21.3 The following operative rules relevant to the flood hazard category areas are notified as an existing qualifying matter:**

<b>NH-FLOOD-R2</b>	Any <i>building or structure</i> in any zone.
Permitted Activity	<p><b>Standards</b></p> <p>1. Separation from <i>waterbodies</i></p>

	<p>a. <i>Buildings</i> (excluding <i>minor buildings</i>) shall not be sited within the <i>river corridor</i> or <i>stream corridor</i> (unless they are <i>permitted activities</i> under NH-FLOOD-R7):</p> <ul style="list-style-type: none"> <li>i. For the <i>stream corridor</i> and other <i>waterbodies</i>, including ephemeral and intermittent rivers or streams (except lakes) the minimum setback for any <i>building</i> or <i>structure</i> (other than a bridge or culvert <i>structure</i> for which a <i>resource consent</i> is required from the Regional Council) from the natural banks of any <i>waterbody</i> greater than 3 metres wide shall be 10 metres;</li> <li>ii. For streams/<i>drains</i> less than 3 metres wide, the minimum setback must be 5 metres where the average width of the stream or <i>waterbody</i> is measured as an average within the <i>site</i>.</li> </ul> <p>2. <i>Buildings</i> (excluding <i>minor buildings</i>) must not be sited within 5 metres of a lake.</p>
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<b>NH-FLOOD-R3</b>	New or relocated <i>buildings</i> (excluding <i>minor buildings</i> ) in <i>ponding</i> , <i>residual ponding</i> and <i>shallow surface flow areas</i> .
Permitted Activity	<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>1. The <i>building floor level</i> of any new or relocated <i>building</i> (excluding <i>minor buildings</i>) in the <i>ponding</i>, <i>shallow surface flow</i> or <i>residual ponding area</i> shall be constructed above the <i>1% AEP</i> flood event level.</li> </ul>

<b>NH-FLOOD-R4</b>	<p><b>Earthworks</b> except where associated with the matters listed below:</p> <ul style="list-style-type: none"> <li>1. the maintenance of a watercourse or stormwater control;</li> <li>2. activities permitted under NH-FLOOD-R6;</li> <li>3. maintenance activities within the <i>legal road</i>;</li> <li>4. private <i>farm tracks</i> which are <i>ancillary</i> to permitted <i>farming</i> activities and are not within an <i>outstanding natural features and landscapes</i>;</li> <li>5. <i>residual ponding areas</i> where the <i>earthworks permitted activity</i> standards for the relevant zone are complied with (see EW-Earthworks for rules on <i>earthworks</i>);</li> <li>6. <i>earthworks</i> subject to NH-FLOOD-R8 (i.e. within a <i>flood storage</i> or <i>fill control area</i>);</li> <li>7. <i>extractive industries</i> (see NH-FLOOD-R7);</li> <li>8. the removal or replacement of underground fuel storage tanks; and</li> <li>9. "earthworks" as defined in and regulated by the NESPF.</li> </ul>
Permitted Activity	<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>1. In an <i>overflow path</i> or <i>residual overflow path</i> (excluding fill which is addressed in NH-FLOOD-R10), <i>earthworks</i>: <ul style="list-style-type: none"> <li>a. shall not involve the disturbance of more than 10m<sup>3</sup> of <i>land</i> in any 10 year period;</li> <li>b. shall not alter the <i>original ground level</i> by more than 0.5 metres, measured vertically; and</li> <li>c. shall not impede the flow of floodwaters.</li> </ul> </li> <li>2. In <i>ponding areas</i> (excluding <i>residual ponding areas</i>) and <i>shallow surface flow areas</i>, <i>earthworks</i>: <ul style="list-style-type: none"> <li>a. shall not involve the disturbance of more than 20m<sup>3</sup> (volume) of <i>land</i> in any 10 year period; and</li> </ul> </li> </ul>

	<p>b. shall not alter the <i>original ground level</i> by more than 1.0 metre, measured vertically.</p> <p>3. In a <i>Stream corridor</i> or <i>River corridor</i> (excluding fill which is addressed in NH-FLOOD-R15), <i>earthworks</i>:</p> <p>a. shall not exceed 10m<sup>3</sup> in any 10 year period. This standard applies whether in relation to a particular work or as a total or cumulative; and</p> <p>b. must be carried out by Wellington Regional Council, Kāpiti Coast District Council, the Department of Conservation or their nominated contractors.</p> <p><b>Note:</b> Any works carried out within the <i>bed</i> of lakes and rivers are within the jurisdiction of Wellington Regional Council and are not covered in this District Plan.</p>
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<b>NH-FLOOD-R8</b>	<p><i>Development and earthworks within any flood storage or fill control area.</i></p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• earthworks managed under the NESPF</li> <li>• <i>extractive industries</i> (see EW-EXT)</li> <li>• earthworks associated with the removal and replacement of underground fuel storage tanks.</li> </ul>
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Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Equivalent compensatory storage or another solution to achieve <i>hydraulic neutrality</i> shall be created.</li> <li>2. <i>Development</i> proposals shall be accompanied by sufficient hydraulic modelling of relevant streams to fully test consequences of the activity.</li> <li>3. The <i>building floor level</i> of any new or relocated <i>building</i> (excluding <i>minor buildings</i>) shall be constructed above the <i>1% AEP</i> flood event level.</li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. Future management of the <i>flood storage</i> or <i>fill control area</i>.</li> <li>2. <i>Natural hazard effects</i>.</li> <li>3. <i>Nuisance effects</i> including <i>dust</i>.</li> <li>4. Location and design of <i>buildings</i> and <i>structures</i>.</li> <li>5. Suitability of access.</li> </ol>
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<b>NH-FLOOD-R10</b>	<p>In an <i>overflow path</i>, or <i>residual overflow path</i>, fill <i>earthworks</i>, or <i>earthworks</i> which do not comply with one or more of the <i>permitted activity</i> standards under NH-FLOOD-R4.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• earthworks managed under the NESPF</li> <li>• <i>extractive industries</i> (see EW-EXT)</li> <li>• earthworks associated with the removal and replacement of underground fuel storage tanks.</li> </ul>
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Restricted Discretionary Activity	<p><b>Standards</b></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The <i>effect</i> of the <i>earthworks</i> on the effective functioning of the <i>overflow path</i>, <i>residual overflow</i></li> </ol>
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		<p><i>path or ponding or shallow surface flow area.</i></p> <p>2. The avoidance or mitigation of adverse <i>effects</i> on the effective functioning of the <i>overflow path, residual overflow path or ponding or shallow surface flow.</i></p>
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<b>NH-FLOOD-R11</b>	<p>In a <i>ponding or shallow surface flow area</i>, <i>earthworks</i> which do not comply with one or more of the <i>permitted activity</i> standards under NH-FLOOD-R4.</p> <p>The following are excluded from this rule:</p> <ul style="list-style-type: none"> <li>• <i>earthworks</i> managed under the NESPF</li> <li>• <i>extractive industries</i> (see EW-EXT)</li> <li>• <i>earthworks</i> associated with the removal and replacement of underground fuel storage tanks.</li> </ul>	
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Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
		<ol style="list-style-type: none"> <li>1. The <i>effect</i> of the <i>earthworks</i> on the effective functioning of the <i>overflow path, residual overflow path or ponding or shallow surface flow.</i></li> <li>2. The avoidance or mitigation of adverse <i>effects</i> on the effective functioning of the <i>overflow path, residual overflow path or ponding or shallow surface flow.</i></li> </ol>

<b>NH-FLOOD-R12</b>	<p><i>Additions to existing buildings (excluding minor buildings) in any overflow path or residual overflow path.</i></p>	
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Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
		<ol style="list-style-type: none"> <li>1. The <i>effect</i> of the <i>addition</i> on the effective functioning of the <i>overflow path or residual overflow path.</i></li> <li>2. The ability of the design, placement and construction of the <i>addition</i> to achieve <i>hydraulic neutrality.</i></li> <li>3. The avoidance or mitigation of adverse <i>effects</i> on the effective functioning of the <i>overflow path or residual overflow.</i></li> <li>4. Whether the potential <i>risk</i> to the health and safety of people, and property from <i>flood hazards</i> can be avoided or mitigated.</li> </ol>

<b>NH-FLOOD-R15</b>	<p>In any a stream corridor, or river corridor, fill <i>earthworks</i>, or <i>earthworks</i> that do not comply with one or more of the permitted activity standards in NH-FLOOD-R4.</p> <p>The following are excluded from this rule:</p>	
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	<ul style="list-style-type: none"> <li>• earthworks managed under the NESPF</li> <li>• <i>extractive industries</i> (see EW-EXT)</li> <li>• earthworks associated with the removal and replacement of underground fuel storage tanks.</li> </ul>
Discretionary Activity	

<b>NH-FLOOD-R16</b>	<p>New or relocated <i>building</i> (excluding <i>minor buildings</i>) in any <i>overflow path</i> or <i>residual overflow path</i>.</p> <p><b>Note:</b> This does not apply to additions to existing <i>habitable buildings</i> which are <i>restricted discretionary activity</i> under NH-FLOOD-R12 or <i>structures</i> permitted under NH-FLOOD-R6.</p> <p><b>Note 2:</b> Assessment of sites where <i>earthworks</i> have occurred that have redefined the flood hazards on the site will consider the latest information available in addition to the Flood Hazard Maps.</p>
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Non-Complying Activity	
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<b>NH-FLOOD-R17</b>	<p>The construction, placement or erection of any <i>building</i> (excluding <i>minor buildings</i>) in the <i>river corridor</i> or <i>stream corridor</i> except where related to gravel extraction activities and permitted by NH-FLOOD-R7 or provided for as a <i>restricted discretionary activity</i> under NH-FLOOD-R13, or <b>structures</b> permitted under NH-FLOOD-R6.</p>
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Non-Complying Activity	
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<b>SUB-DW-R7</b>	<i>Subdivision</i> where any part of the <i>land</i> contains <i>flood storage, ponding, residual ponding</i> or <i>shallow surface flow areas</i> .	
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Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
	<ol style="list-style-type: none"> <li>1. Each <i>allotment</i> shall have a <i>building</i> area located outside any <i>river</i> or <i>stream corridor, overflow path</i> or <i>residual overflow path</i>.</li> <li>2. Each <i>building</i> area shall be located above the estimated 1% AEP flood event level.</li> <li>3. <i>Formed vehicle access</i> does not adversely affect the 1% AEP flood hazard <i>risk</i> on other <i>properties</i> in the same flood catchment.</li> <li>4. Compliance with all other relevant <i>subdivision</i> rules and standards in other chapters.</li> </ol>	<ol style="list-style-type: none"> <li>1. The design and layout of the <i>subdivision</i>.</li> <li>2. <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</li> <li>3. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>4. The location of any <i>building</i> platform or area relative to the <i>natural hazards, historic heritage features, ecological sites, outstanding natural features and landscapes, and geological sites</i>.</li> <li>5. The location and design of any servicing of the <i>subdivision</i>.</li> <li>6. The extent and <i>effects</i> of <i>earthworks</i>.</li> </ol>

<b>SUB-DW-R16</b>	<i>Subdivision where any part of the land contains an <b>overflow path</b> or <b>residual overflow path</b>.</i>
Discretionary Activity	
<b>SUB-DW-R17</b>	<i>Subdivision of land located partly within the <b>River Corridor</b> or <b>Stream Corridor</b> where each <b>allotment</b> has <b>building areas</b> which are:</i> <ol style="list-style-type: none"> <li>1. <i>located outside any <b>river</b> or <b>stream corridor</b>, <b>overflow path</b> or <b>residual overflow path</b>; and</i></li> <li>2. <i>located above the estimated <b>1% AEP</b> flood event level.</i></li> <li>3. <i><b>formed vehicle access</b> which does not adversely affect the flood hazard risk on other properties in the same flood catchment.</i></li> </ol>
Discretionary Activity	
<b>SUB-DW-R20</b>	<i>Subdivision of land located wholly within the <b>stream corridor</b> or <b>river corridor</b>.</i>
Non-Complying Activity	

**21.4 The following operative rules relevant to fault avoidance areas are notified as an existing qualifying matter:**

<b>NH-EQ-R21</b>	<i>Buildings (excluding <b>minor buildings</b>) within <b>Fault Avoidance Areas</b>.</i>  <b>Note:</b> Refer to NH-EQ-Table 2 - Building Importance Category and NH-EQ-Table 3 - Risk Based Matrix
Permitted Activities	<b>Standards</b> <ol style="list-style-type: none"> <li>1. <i>Within <b>Well-Defined</b> and <b>Well Defined Extension</b> areas for Ohariu and Northern Ohariu faults: <b>Buildings</b> that are defined as <b>Building Importance Category (BIC) Type 1</b>; that comply with the <i>permitted activity</i> standards for the zone.</i></li> <li>2. <i>Within <b>Well-Defined</b> and <b>Well Defined Extension</b> areas for the Gibbs and Ōtaki Forks faults: <b>Structures</b> that are defined as <b>BIC Type 1 and 2a</b>; that comply with the <i>permitted activity</i> standards for the zone.</i></li> <li>3. <i>Within <b>Well-Defined</b> and <b>Well Defined Extension</b> areas for the Southeast Reikorangi Fault: <b>Structures</b> that are defined as <b>BIC Type 1, 2a and 2b</b>; that comply with the <i>permitted activity</i> standards for the zone.</i></li> <li>4. <i>Within <b>Distributed, Uncertain-Constrained</b> and <b>Uncertain-Poorly Constrained</b> areas for the Ohariu and Northern Ohariu faults: <b>Structures</b> that are defined as <b>BIC Type 1 and 2a</b>.</i></li> <li>5. <i>Within <b>Distributed, Uncertain-Constrained</b> and <b>Uncertain-Poorly Constrained</b> areas for the Gibbs, Ōtaki Forks and Southeast Reikorangi faults: <b>Structures</b> that are defined as <b>BIC Type 1, 2a and 2b</b>.</i></li> </ol>
<b>NH-EQ-R22</b>	<i>Buildings (excluding <b>minor buildings</b>) within <b>Fault Avoidance Areas</b> that:</i> <ol style="list-style-type: none"> <li>1. <i>do not comply with the <i>permitted activity</i> standards; or</i></li> </ol>

	2. are identified as a <i>restricted discretionary activity</i> in NH-EQ-Table 3 - Risk Based Matrix and NH-EQ-Table 2 - Building Importance Category.	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Geotechnical information must be provided by a suitably qualified person demonstrating that the <i>building</i> is not located on a fault trace or fault trace deformation. The information shall identify the location and depth of the Fault Trace in respect of any <i>building</i> platform. The information must be recorded using Geographical Positioning Satellite (GPS) Information System.</li> <li>2. Within <i>Well-Defined</i> and <i>Well-Defined Extension Areas</i> for the Ohariu and Northern Ohariu faults: <i>structures</i> that are defined as <i>BIC Type 2a</i> and <i>2b</i>.</li> <li>3. Within <i>Well-Defined</i> and <i>Well-Defined Extension Areas</i> for the Gibbs and Ōtaki Forks faults: <i>structures</i> that are defined as <i>BIC Type 2b</i>.</li> <li>4. Within <i>Distributed, Uncertain-Constrained</i> and <i>Uncertain-Poorly Constrained Areas</i> for Ohariu and Northern Ohariu faults: <i>structures</i> that are defined as <i>BIC Type 2b</i>.</li> <li>5. Within all <i>Fault Avoidance Areas</i> for all faults: <i>structures</i> that are defined as <i>BIC Type 2c</i>.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The location of any <i>building</i> area relative to the location and depth of fault traces.</li> <li>2. The location and design of <i>buildings</i> to mitigate <i>effects</i> from a fault rupture hazard.</li> <li>3. The level of <i>risk</i> posed by the fault trace rupturing.</li> <li>4. The manner in which the topography, <i>land</i> features of the <i>subject site</i> and access to <i>infrastructure</i> affect the ability to locate the <i>building</i> area.</li> <li>5. In respect to <i>BIC Type 2c buildings</i>; the nature, scale and use of those <i>buildings</i>.</li> </ol>

NH-EQ-Table 2 - Building Importance Category (BIC) and Representative Examples	Building Importance Category (BIC)	Description	Examples
	1	<b>Temporary and/or non-habitable structures and additions to existing dwellings</b> with low hazard to life and other properties (provided those <i>additions</i> do not increase the number of dwellings on the <i>site</i> ).	<ul style="list-style-type: none"> <li>• Non-habitable stand-alone <i>structures</i></li> <li>• <i>Accessory Buildings</i> (excluding minor buildings)</li> <li>• Farm <i>buildings</i>, fences</li> <li>• Towers in rural situations</li> <li>• Additions to any dwelling type, including <i>additions</i> to <i>existing</i> two-storey dwellings</li> </ul>
	2a	<b>Timber-Framed</b> single-storey residential construction <300m <sup>2</sup> .	<ul style="list-style-type: none"> <li>• Timber framed single-storey dwellings &lt;300m<sup>2</sup></li> </ul>

			<ul style="list-style-type: none"> <li>• <i>Minor residential units</i></li> </ul>
	2b	<b>Other Residential Buildings</b> including timber-framed residential construction with a floor area greater than 300m <sup>2</sup> and/or with multiple storeys, and specific other residential construction.	<ul style="list-style-type: none"> <li>• Timber framed with multiple storeys</li> <li>• Timber framed houses with area &gt; 300m<sup>2</sup></li> <li>• Houses outside the scope of NZS 3604 “Timber Framed Buildings”</li> </ul>
	2c	<b>Normal Structures</b> (including <i>structures</i> not in other categories).	<ul style="list-style-type: none"> <li>• Multi-occupancy residential, commercial and industrial <i>buildings</i></li> </ul>
	3	<b>Important Structures</b> that may contain people in crowds or contents of high value to the community or pose <i>risks</i> to people in crowds.	<ul style="list-style-type: none"> <li>• Public assembly <i>buildings</i>.</li> <li>• Theatres and cinemas &lt;1000m<sup>2</sup></li> <li>• Car parking <i>buildings</i></li> <li>• Emergency medical and other emergency facilities not designated as critical post disaster facilities</li> <li>• Airport terminals, railway stations, schools</li> <li>• Museums and art galleries</li> <li>• Municipal <i>buildings</i></li> <li>• Grandstands</li> <li>• <i>Service Stations</i></li> <li>• Hazardous facilities</li> </ul>
	4	<b>Critical Structures</b> with special post disaster functions.	<ul style="list-style-type: none"> <li>• Major <i>infrastructure</i> facilities</li> <li>• Air traffic control installations</li> <li>• Designated civilian emergency centres, medical emergency facilities, emergency vehicle garages, fire and police stations</li> </ul>
	<b>Note:</b> <ul style="list-style-type: none"> <li>• <i>Subdivisions</i> located within a <i>Fault Avoidance Area</i> are controlled by separate rules. Where a <i>subdivision</i> has occurred within a <i>Fault Avoidance Area</i> and consent notices control the location of or define a <i>building</i> area – the directions of the consent notices are to be given primacy over these provisions.</li> <li>• The <i>Building Importance Categories</i> of Type 1, 2a, 2b, 3 and 4 are adapted from GNS Science, “Earthquake Fault Trace Survey Kāpiti Coast District,” 2003.</li> </ul>		

<b>NH-EQ-Table 3 - Risk Based Matrix</b>	<b>Fault Complexity</b>	<b>Recurrence Interval Class II</b>	<b>Recurrence Interval Class III</b>	<b>Recurrence Interval Class IV</b>
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Table for Fault Hazard for Development only for Ohariu, Northern Ohariu, Gibbs, South-East Reikorangi and Ōtaki Faults		Ohariu Fault and Northern Ohariu Fault >2000yrs - ≤ 3500yrs	Gibbs Fault and Ōtaki Forks Fault > 3500yrs - ≤5000yrs	South-East Reikorangi Fault >5000yrs - ≤10000yrs	
	<b>RESIDENTIAL ZONES</b>				
	<b>Well Defined and Well Defined Extension</b>	Type 1: Permitted Type 2a & 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1 & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	
	<b>Distributed Uncertain-Constrained Uncertain-Poorly Constrained</b>	Type 1 & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	
	<b>RURAL ZONES</b>				
	<b>Well Defined and Well Defined Extension</b>	Type 1: Permitted Type 2a & 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1 & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	
	<b>Distributed Uncertain-Constrained Uncertain-Poorly Constrained</b>	Type 1: & 2a: Permitted Type 2b & 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	Type 1, 2a & 2b: Permitted Type 2c: Restricted Discretionary Type 3 & 4: Non-Complying	
	<b>Note:</b>				
	<ul style="list-style-type: none"> <li>• <i>Subdivisions</i> located within a <i>Fault Avoidance Area</i> are controlled by separate rules. Where a <i>subdivision</i> has occurred within a <i>Fault Avoidance Area</i> and consent notices control the location of a or define a <i>building area</i> – the directions of the consent notices are to be given primacy over these provisions</li> <li>• The information has been modified from table prepared by GNS Science, “Earthquake Fault Trace Survey, Kāpiti Coast District” 2003.</li> <li>• The <i>Building Importance Categories</i> of Type 1, 2a, 2b, 3 and 4 are defined in NH-EQ-Table 2 and are taken from GNS Science, “Earthquake Fault Trace Survey Kāpiti Coast District”, 2003.</li> <li>• The <i>resource consent</i> category applies only to the <i>development</i> of <i>buildings</i>, not to <i>subdivision</i>.</li> </ul>				

<b>SUB-DW-R8</b>	<i>Subdivision</i> proposing additional developable <i>allotments</i> where any part of the <i>land</i> is in the <i>Fault Avoidance Area</i> .
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<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>		
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. Each <i>allotment</i> must be capable of providing a 200m<sup>2</sup> <i>building area</i>, which has a minimum horizontal dimension of 12 metres in any direction, clear of the identified <i>Fault Avoidance Area</i>, where the <i>allotment</i> is not a reserve or access <i>allotment</i>.</li> <li>2. <i>Building areas</i> do not have to be clear of the <i>Fault Avoidance Areas</i> within the <i>Distributed, Uncertain-Constrained, and Uncertain-Poorly Constrained Areas</i> of the Gibbs and Ōtaki Forks faults and no geotechnical information will be required.</li> <li>3. The entire Southeast Reikorangi Fault, is excluded from this provision. (i.e. <i>zone provisions</i> apply).</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The design and layout of the <i>subdivision, earthworks</i> and the location of any <i>building area</i>, relative to the <i>Fault Avoidance Area</i>.</li> <li>2. Council's Subdivision and Development Principles and Requirements 2012.</li> <li>3. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>4. <i>Vehicle access</i> onto legal road including the <i>State Highway Network</i> and any effects on the <i>transport network</i>.</li> </ol>

<p><b>SUB-DW-R18</b></p>	<p><i>Subdivision</i> where any part of the <i>land</i> is within the <i>Fault Avoidance Area</i> for all of the Ohariu and Northern Ohariu faults, or within the <i>Well-Defined and Well-Defined Extension Areas</i> for the Gibbs and Ōtaki Forks faults (see District Plan Maps for detail) and where a <i>building area</i>, which has a minimum dimension of 12 metres, is not provided clear of the identified <i>Fault Avoidance Area</i> and where the <i>subdivision</i> would otherwise be a <i>restricted discretionary activity</i> under SUB-DW-R8.</p> <p><b>Note:</b> Refer to NH-EQ-Table 2 <i>Building Importance Category</i> and NH-EQ-Table 3 Risk Based Matrix.</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>	
<p>Discretionary Activity</p>		

**21.5 The following operative rules relevant scheduled historic buildings, structures, sites or areas are notified as an existing qualifying matter:**

<p><b>HH-R6</b></p>	<p><i>Alterations or additions to scheduled historic building or structure, scheduled historic site, or scheduled historic area, including:</i></p> <ol style="list-style-type: none"> <li>1. construction of new <i>buildings or structures</i>;</li> <li>2. work that does not meet the definition of <i>repair and maintenance</i>;</li> <li>3. internal and external <i>alterations and additions</i> to a <i>scheduled historic building</i>; and</li> </ol>	
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	4. earthquake strengthening activities that do not comply with one or more <i>controlled activity</i> standards in HH-R4.	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b> <ol style="list-style-type: none"> <li>1. <i>Effects on historic heritage values.</i></li> <li>2. <i>Effects on landscape and amenity.</i></li> <li>3. Layout, design and location of proposed <i>building</i> (excluding <i>minor buildings</i>).</li> <li>4. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Historic Heritage.</i></li> <li>5. The matters within HH-P6.</li> </ol>
<b>HH-R8</b>	<i>Relocation of historic heritage as a scheduled historic building or structure, scheduled historic site, or scheduled historic area (except where specified in this District Plan to be a Non-Complying activity).</i>	
Discretionary Activity		
<b>HH-R9</b>	<i>Partial demolition, demolition or destruction of a scheduled historic building or structure, scheduled historic site, or scheduled historic area (except where specified in this District Plan to be a Non-Complying activity).</i>	
Discretionary Activity		
<b>HH-R10</b>	<i>Partial demolition, demolition or destruction of Heritage New Zealand Category 1 or 2 historic heritage identified scheduled historic buildings or structures, scheduled historic sites, or scheduled historic areas.</i>	
Non-Complying Activity		
<b>HH-R11</b>	<i>Relocation of Heritage New Zealand Category 1 historic heritage identified scheduled heritage buildings and structures, scheduled historic sites, or scheduled historic areas.</i>	
Non-Complying Activity		
<b>SUB-DW-R10</b>	<i>Subdivision of any land or site containing a scheduled historic building or structure, a scheduled historic site, a notable tree, or a scheduled historic area, waahi tapu and other places and areas of significance to Māori except as provided for in Rules SASM-R14 and SASM-R20.</i>	



<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The <i>historic heritage</i> feature must be contained within one <i>allotment</i> or where the feature is contained within more than one <i>allotment</i> the number of <i>allotments</i> containing the feature will not be increased.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>2. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012 (or <i>structure plan</i> or guideline).</li> <li>3. <i>Effects on historic heritage values</i>.</li> <li>4. Layout of the <i>subdivision</i>.</li> <li>5. <i>Effect</i> on context and surroundings.</li> <li>6. <i>Effects on landscape and amenity values</i>.</li> <li>7. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Historic Heritage Schedule 7.</i></li> </ol>
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**21.6 The following operative rules relevant to scheduled notable trees are notified as an existing qualifying matter:**

<p><b>TREE-R4</b></p>	<p><i>Trimming of notable trees</i> which do not comply with TREE-R2 or the standards in TREE-R3, or <i>modification of notable trees</i> by any <i>network utility operator</i> to ensure the safety and integrity of any <i>network utility</i> or to maintain access to the <i>network utility</i>.</p>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects on historic heritage values</i>.</li> <li>2. <i>Effects on landscape and amenity</i>.</li> <li>3. The matters listed in TREE-P2.</li> <li>4. <i>Effects on context and surroundings</i>.</li> </ol>
<p><b>TREE-R5</b></p>	<p>Any activity affecting a <i>historic heritage</i> feature, which does not comply with one or more of the <i>permitted</i> or <i>controlled activity</i> standards, unless otherwise specified.</p>	
<p>Restricted Discretionary Activity</p>	<p><b>Standards</b></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Consideration of the <i>effects</i> of the standard not met.</li> <li>2. <i>Effects on historic heritage values</i>.</li> <li>3. Measures to avoid, remedy or mitigate adverse <i>effects</i>.</li> <li>4. Cumulative <i>effects</i>.</li> </ol>
<p><b>SUB-DW-R10</b></p>	<p><i>Subdivision of any land or site containing a scheduled historic building or structure, a scheduled historic site, a notable tree, or a scheduled historic area, waahi tapu and other places and areas of significance to Māori except as provided for in Rules SASM-R14 and SASM-R20.</i></p>	

Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The <i>historic heritage</i> feature must be contained within one <i>allotment</i> or where the feature is contained within more than one <i>allotment</i> the number of <i>allotments</i> containing the feature will not be increased.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>2. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012 (or <i>structure plan</i> or guideline).</li> <li>3. <i>Effects on historic heritage values.</i></li> <li>4. Layout of the <i>subdivision</i>.</li> <li>5. <i>Effect on context and surroundings.</i></li> <li>6. <i>Effects on landscape and amenity values.</i></li> <li>7. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Historic Heritage Schedule 7.</i></li> </ol>
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**21.7 The following operative rules relevant to scheduled places and areas of significance to Māori are notified as an existing qualifying matter:**

<b>SASM-R3</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Rua</i>:</p> <ol style="list-style-type: none"> <li>1. <i>land disturbance</i>;</li> <li>2. <i>earthworks</i>;</li> <li>3. the alteration and disturbance of <i>land</i> associated with gardening and cultivation;</li> <li>4. <i>alterations and additions to existing buildings (excluding minor buildings)</i>;</li> <li>5. fencing;</li> <li>6. <i>new buildings (excluding minor buildings); ancillary to lawfully established uses in the waahi tapu</i>;</li> <li>7. <i>relocation of existing buildings (excluding minor buildings)</i>;</li> <li>8. tree planting and removal.</li> </ol>	
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The maximum extent of <i>land disturbance, earthworks</i> and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> must not exceed 10m<sup>3</sup> per calendar year.</li> <li>2. <i>Alterations and additions to buildings</i> must not include basements or in-ground swimming pools.</li> <li>3. Fencing must be along the perimeter of the <i>waahi tapu</i> or along the <i>site boundary</i>.</li> <li>4. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	
<b>SASM-R4</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Toru</i>:</p> <ol style="list-style-type: none"> <li>1. <i>land disturbance</i>;</li> </ol>	

	<ol style="list-style-type: none"> <li>2. <i>earthworks</i>;</li> <li>3. the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i>;</li> <li>4. <i>additions</i> and <i>alterations</i> to <i>existing buildings</i> (excluding <i>minor buildings</i>);</li> <li>5. fencing;</li> <li>6. <i>relocation</i> of lawfully established <i>buildings</i> (excluding <i>minor buildings</i>); and</li> <li>7. tree planting and removal.</li> </ol>	
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The total volume of <i>land disturbance</i>, <i>earthworks</i> and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> must not exceed 10m<sup>3</sup> per calendar year.</li> <li>2. <i>Additions</i> and <i>alterations</i> to <i>buildings</i> must not include basements or in-ground swimming pools.</li> <li>3. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	
<b>SASM-R5</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori –Wāhanga Wha</i>:</p> <ol style="list-style-type: none"> <li>1. <i>land disturbance</i>;</li> <li>2. <i>earthworks</i>;</li> <li>3. the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts;</li> <li>4. new <i>buildings</i> (excluding <i>minor buildings</i>) associated with lawfully established <i>buildings</i> and uses;</li> <li>5. <i>alterations</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>);</li> <li>6. <i>relocation</i> of lawfully established <i>buildings</i> (excluding <i>minor buildings</i>); and</li> <li>7. tree planting and removal.</li> </ol>	
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <i>Additions</i> and <i>alterations</i> to <i>buildings</i> must not include basements or in-ground swimming pools.</li> <li>2. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	
<b>SASM-R7</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Toru</i>:</p> <ol style="list-style-type: none"> <li>1. new <i>buildings</i> (excluding <i>minor buildings</i>).</li> </ol>	
Controlled Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <i>Buildings</i> must be ancillary to lawfully established <i>buildings</i>.</li> <li>2. The total volume of heritage site <i>land disturbance</i> and <i>earthworks</i> and must not exceed 10m<sup>3</sup> per calendar year.</li> <li>3. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	<p><b>Matters of Control</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on <i>historic heritage</i> values.</li> <li>2. <i>Effects</i> on landscape and amenity.</li> <li>3. Layout, design and location of proposed <i>buildings</i>.</li> <li>4. <i>Effects</i> on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.</li> </ol>

<b>SASM-R10</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Tahī</i>:</p> <ol style="list-style-type: none"> <li>1. <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, and tree planting and removal not meeting the <i>permitted activity</i> standards;</li> <li>2. <i>additions and alterations</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>);</li> <li>3. fencing (not meeting the <i>permitted activity</i> standards); and</li> <li>4. <i>roads and network utilities</i>.</li> </ol> <p><b>Note:</b> <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>
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Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects on historic heritage values.</i></li> <li>2. <i>Effects on landscape and amenity.</i></li> <li>3. Layout, design and location of proposed <i>building</i>.</li> <li>4. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.</i></li> </ol>
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<b>SASM-R11</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Rua</i>:</p> <ol style="list-style-type: none"> <li>1. <i>alterations and additions</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>) which do not comply with the <i>permitted activity</i> standards;</li> <li>2. <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, planting and removal of trees, and the installation of fence posts which does not comply with the <i>permitted activity</i> standards;</li> <li>3. new <i>buildings</i> (excluding <i>minor buildings</i>) which do not comply with the <i>permitted activity</i> standards; and</li> <li>4. <i>roads and network infrastructure</i>.</li> </ol> <p><b>Note:</b> <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>
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Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects on historic heritage values.</i></li> <li>2. <i>Effects on landscape and amenity.</i></li> <li>3. Layout, design and location of proposed <i>building</i>.</li> <li>4. <i>Effects on context and surroundings including any</i></li> </ol>
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		<p><i>effects</i> on ‘key access and view points’ listed in the Schedule of Sites and Areas of Significance to Māori.</p>
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<b>SASM-R12</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Toru</i>:</p> <ol style="list-style-type: none"> <li>1. <i>alterations</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>) which do not comply with the <i>permitted activity</i> standards;</li> <li>2. <i>roads</i> and <i>network utilities</i>;</li> <li>3. <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, and planting and removal of trees not meeting the <i>permitted activity</i> standards;</li> <li>4. clearance of karaka at Mataihuka Pā (WTS0216); and</li> <li>5. new <i>buildings</i> (excluding <i>minor buildings</i>) which do not comply with the <i>controlled activity</i> standards.</li> </ol> <p><b>Note:</b> <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>
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Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The Accidental Discovery Protocol, set out in {Link, 15287,HH-Table 1, must be followed.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on <i>historic heritage</i> values.</li> <li>2. <i>Effects</i> on landscape and amenity.</li> <li>3. Layout, design and location of proposed <i>building</i>.</li> <li>4. <i>Effects</i> on context and surroundings including any <i>effects</i> on ‘key access and view points’ listed in the Schedule of Sites and Areas of Significance to Māori.</li> </ol>
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<b>SASM-R13</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Wha</i>:</p> <ol style="list-style-type: none"> <li>1. <i>scheduled historic site land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, planting and removal of trees, and the installation of fence posts not meeting the <i>permitted activity</i> standards;</li> <li>2. new <i>buildings</i> (excluding <i>minor buildings</i>) and <i>alterations</i> which do not comply with the <i>permitted activity</i> standards;</li> <li>3. any <i>building</i> or <i>structure</i> that obstructs views or <i>existing</i> access between ‘key access and view points’ listed in the Schedule of Sites and Areas of Significance to Māori; <i>and</i></li> <li>4. <i>roads</i> and <i>network utilities</i>.</li> </ol> <p><b>Note:</b> <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>
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Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects on historic heritage values.</i></li> <li>2. <i>Effects on landscape and amenity.</i></li> <li>3. Layout, design and location of proposed <i>building</i>.</li> <li>4. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.</i></li> </ol>
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<b>SASM-R16</b>	<p><i>Partial demolition, demolition or destruction of waahi tapu and Other Places and Areas of Significance to Māori. For the avoidance of doubt land disturbance, earthworks, and the alteration and disturbance of land associated with gardening, cultivation, planting and removal of trees, and the installation of fence posts which do not comply with the restricted discretionary activity standards under SASM-R10, SASM-R11, SASM-R12, SASM-R13 and SASM-R14 is deemed destruction under this Rule.</i></p>	
Non-Complying Activity		

<b>SASM-R18</b>	<p>The following activities in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Māori – Wāhanga Tahī</i>:</p> <ol style="list-style-type: none"> <li>1. <i>new buildings (excluding minor buildings); and</i></li> <li>2. <i>intensive farming.</i></li> </ol>	
Non-Complying Activity		

<b>SUB-DW-R10</b>	<p><i>Subdivision of any land or site containing a scheduled historic building or structure, a scheduled historic site, a notable tree, or a scheduled historic area, waahi tapu and other places and areas of significance to Māori except as provided for in Rules SASM-R14 and SASM-R20.</i></p>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. The <i>historic heritage</i> feature must be contained within one <i>allotment</i> or where the feature is contained within more than one <i>allotment</i> the number of <i>allotments</i> containing the feature will not be increased.</li> </ol>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. Imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>2. Degree of compliance with Council's Subdivision and Development Principles and Requirements, 2012 (or <i>structure plan</i> or guideline).</li> <li>3. <i>Effects on historic heritage values.</i></li> <li>4. Layout of the <i>subdivision</i>.</li> </ol>

		<p>5. <i>Effect</i> on context and surroundings.</p> <p>6. <i>Effects</i> on landscape and <i>amenity values</i>.</p> <p>7. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of Historic Heritage Schedule 7.</p>
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<b>SUB-DW-R21</b>	<p><i>Subdivision</i> in an area scheduled as <i>waahi tapu and Other Places and Areas of Significance to Iwi – Wahanga Toru</i> where the number of <i>allotments</i> the Scheduled item is contained within is increased.</p> <p><b>Criteria for notification:</b> any application under this Rule shall either be publicly notified or notice served on relevant <i>iwi authority</i> and Heritage New Zealand as affected parties.</p>	
Non-Complying Activity		

**21.8 The following operative rules relevant to scheduled ecological sites are notified as an existing qualifying matter:**

<b>ECO-R7</b>	<p><i>Trimming or modification of any indigenous vegetation that:</i></p> <ol style="list-style-type: none"> <li>a. is within an <i>ecological site</i> (Schedule 1);</li> <li>b. a <i>key indigenous tree</i> (ECO-Table 1) (excluding <i>trees</i> planted by humans);</li> <li>c. is a <i>key indigenous tree</i> (Schedule 2);</li> <li>d. is a <i>rare and threatened vegetation species</i> (Schedule 3);</li> <li>e. is in or within 20 metres of a <i>waterbody</i> or the coastal marine area where is it not within an <i>urban environment</i> (excluding planted vegetation);</li> </ol> <p>and does not meet the <i>permitted activity</i> standards in ECO-R3, and is not a <i>controlled activity</i> under ECO-R6, is a <i>restricted discretionary activity</i> within the following <i>zones</i> and precincts:</p> <ul style="list-style-type: none"> <li>• <i>General Residential Zone</i></li> <li>• <i>Ngārara Development Area</i></li> <li>• <i>Waikanae North Development Area</i></li> <li>• <i>Airport Zone</i></li> <li>• <i>Town Centre Zone</i></li> <li>• <i>Metropolitan Centre Zone</i></li> <li>• <i>Hospital Zone</i></li> <li>• <i>General Industrial Zone</i></li> <li>• <i>Local Centre Zone</i></li> <li>• <i>Mixed Use Zone</i></li> <li>• <i>Rural Lifestyle Zone</i></li> <li>• <i>Rural Eco-Hamlet Precinct</i></li> <li>• <i>Future Urban Zone</i></li> <li>• <i>Open Space Zone</i></li> </ul>	
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Restricted Discretionary Activity	<p><b>Standards</b></p> <p><b>Note:</b> For <i>trees</i> listed as a <i>notable tree</i> in Schedule 8 see TREE-R2, TREE-R3, and TREE-R4.</p>	<p><b>Matters of Discretion</b></p> <p>1. <i>Effects</i> on:</p> <ul style="list-style-type: none"> <li>a. biodiversity values;</li> <li>b. visual, urban character and <i>amenity values</i>;</li> <li>c. the <i>natural character</i> of the <i>coastal environment</i>;</li> <li>d. public safety;</li> <li>e. any vegetation loss.</li> <li>f. <i>Tāngata whenua</i> values.</li> </ul>
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<b>ECO-R13</b>	<i>Buildings</i> (excluding <i>minor buildings</i> ) in and within 5 metres of an <i>ecological site</i> which are not a <i>restricted discretionary activity</i> under ECO-R8.	
Discretionary Activity		

<b>EW-R8</b>	<i>Earthworks</i> in a <i>geological feature</i> listed in Schedule 6 and <i>ecological sites</i> listed in Schedule 1.	
Discretionary Activity		

<b>SUB-DW-R6</b>	<i>Subdivision of land</i> within <i>outstanding natural features and landscapes</i> and on <i>land</i> which contains <i>ecological sites</i> or <i>geological features</i> .	
Restricted Discretionary Activity	<p><b>Standards</b></p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. The location of <i>building</i> areas and <i>allotment</i> boundaries relative to <i>ecological sites</i> and <i>geological features</i>.</li> <li>2. Potential adverse or positive <i>effects</i> of subsequent <i>development</i> on <i>ecological sites</i> and <i>geological features</i> and on the values of <i>outstanding natural features and landscapes</i> identified in Schedule 4.</li> <li>3. The design and layout of the <i>subdivision</i> including <i>earthworks</i>.</li> <li>4. <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</li> <li>5. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>6. The imposition of <i>conditions</i> in accordance with sections 108 and 220 of the Resource Management Act.</li> </ol>



**21.9 The following operative rule relevant to scheduled key indigenous trees and scheduled rare and threatened vegetation species IS notified as an existing qualifying matter:**

<b>ECO-R7</b>	<p><i>Trimming or modification of any indigenous vegetation that:</i></p> <ol style="list-style-type: none"> <li>a. is within an <i>ecological site</i> (Schedule 1);</li> <li>b. a <i>key indigenous tree</i> (ECO-Table 1) (excluding <i>trees</i> planted by humans);</li> <li>c. is a <i>key indigenous tree</i> (Schedule 2);</li> <li>d. is a <i>rare and threatened vegetation species</i> (Schedule 3);</li> <li>e. is in or within 20 metres of a <i>waterbody</i> or the coastal marine area where it is not within an <i>urban environment</i> (excluding planted vegetation);</li> </ol> <p>and does not meet the <i>permitted activity</i> standards in ECO-R3, and is not a <i>controlled activity</i> under ECO-R6, is a <i>restricted discretionary activity</i> within the following <i>zones</i> and <i>precincts</i>:</p> <ul style="list-style-type: none"> <li>• <i>General Residential Zone</i></li> <li>• <i>Ngārara Development Area</i></li> <li>• <i>Waikanae North Development Area</i></li> <li>• <i>Airport Zone</i></li> <li>• <i>Town Centre Zone</i></li> <li>• <i>Metropolitan Centre Zone</i></li> <li>• <i>Hospital Zone</i></li> <li>• <i>General Industrial Zone</i></li> <li>• <i>Local Centre Zone</i></li> <li>• <i>Mixed Use Zone</i></li> <li>• <i>Rural Lifestyle Zone</i></li> <li>• <i>Rural Eco-Hamlet Precinct</i></li> <li>• <i>Future Urban Zone</i></li> <li>• <i>Open Space Zone</i></li> </ul>	
Restricted Discretionary Activity	<p><b>Standards</b></p> <p><b>Note:</b> For <i>trees</i> listed as a <i>notable tree</i> in Schedule 8 see TREE-R2, TREE-R3, and TREE-R4.</p>	<p><b>Matters of Discretion</b></p> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on:             <ol style="list-style-type: none"> <li>a. biodiversity values;</li> <li>b. visual, urban character and <i>amenity values</i>;</li> <li>c. the <i>natural character</i> of the <i>coastal environment</i>;</li> <li>d. public safety;</li> <li>e. any vegetation loss.</li> <li>f. <i>Tāngata whenua</i> values.</li> </ol> </li> </ol>

**21.10 The following operative rules relevant to outstanding natural features and landscapes are notified as an existing qualifying matter:**

<b>NFL-R2</b>	Buildings in outstanding natural features and landscapes.	
Permitted Activity	<p><b>Standards</b></p> <ol style="list-style-type: none"> <li>1. <i>Buildings</i> must have a <i>gross floor area</i> no greater than 60m<sup>2</sup>.</li> </ol> <p>When measuring <i>gross floor area</i>, include:</p> <ul style="list-style-type: none"> <li>• covered yards and areas covered by a roof but not enclosed by walls.</li> </ul> <p>Exclude:</p>	

	<ul style="list-style-type: none"> <li>• uncovered stairways;</li> <li>• floor space in terraces (open or roofed), external balconies, breezeways or porches;</li> <li>• roof car parking, lift towers and machinery rooms on the roof having a floor area of not more than 200m<sup>2</sup>;</li> <li>• car parking areas; and</li> <li>• floor space of interior balconies and mezzanines not used by the public.</li> </ul> <p>2. <i>Buildings</i> must have a height no greater than 6 metres, as measured by the <i>height measurement criteria</i>.</p> <p>3. <i>Building</i> colours and materials (excluding glazing) must be non-reflective and <i>recessive</i>.</p>
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Note: also see EW-R4 farm tracks in Outstanding Natural Features and Landscapes.

<b>NFL-R3</b>	<i>Buildings</i> (excluding <i>minor buildings</i> ) in <i>outstanding natural features and landscapes</i> which exceed one or more of the <i>permitted activity</i> standards in NFL-R2.	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b> <ol style="list-style-type: none"> <li>1. The location of any <i>building</i> area relative to the boundaries of <i>outstanding natural features and landscapes</i> listed in Natural Environment Schedule 4 and shown on the District Plan Maps of this Plan, and relative to existing <i>buildings</i> (excluding <i>minor buildings</i>) on the <i>building</i> area.</li> <li>2. The design, scale, and location of the <i>building</i>, including associated <i>earthworks</i>.</li> <li>3. Visual and amenity <i>effects</i>.</li> <li>4. <i>Effects</i> on the values of <i>outstanding natural features and landscapes</i> areas identified in Natural Environment Schedule 4 of this Plan.</li> </ol>

<b>EW-R4</b>	<i>Earthworks</i> (excluding <i>farm tracks</i> for permitted <i>farming</i> activities) within <i>outstanding natural features and landscapes</i> not permitted under EW-R3 standards 1-4 or 6.	
	<b>Note:</b> See EW-R3 for earthworks to maintain <i>farm tracks</i> and EW-R6 to establish, or upgrade <i>farm</i> or <i>forestry</i> tracks on land within <i>outstanding natural features and landscapes</i> .	
Controlled Activity	<b>Standards</b> <ol style="list-style-type: none"> <li>1. <i>Earthworks</i> must not be undertaken:             <ol style="list-style-type: none"> <li>a. on slopes of more than 28 degrees; or</li> </ol> </li> </ol>	<b>Matters of Control</b> <ol style="list-style-type: none"> <li>1. <i>Effects</i> on landscape values and visual amenity.</li> <li>2. The <i>effects</i> on water collection areas.</li> </ol>

	<p>b. within 20 metres of a <i>waterbody</i>, including <i>wetlands</i> and <i>coastal water</i>.</p> <p>2. <i>Earthworks</i> must not result in a vertical change (cut or fill) that exceeds 1 metre.</p> <p>3. Volume of <i>earthworks</i> must not exceed 50m<sup>3</sup> per <i>site</i> within a 5 year period in <i>residential zones</i>, the natural open space zone and <i>open space zones</i> (excluding the Private Recreation and Leisure Precinct), and 100m<sup>3</sup> per <i>site</i> within a 5 year period in rural zones. This standard applies whether in relation to a particular earthwork or as a total of cumulative <i>earthworks</i> within the specified period.</p> <p>4. Standards 1-3 under this Rule do not apply to:</p> <p>a. planting <i>trees</i>;</p> <p>b. drilling <i>bores</i>;</p> <p>c. installing and maintaining services such as water pipes and troughs; or where a more specific <i>earthworks</i> provision is provided for in the <i>zone</i> or precinct methods.</p> <p>5. Any <i>earthworks</i> must ensure that:</p> <p>a. surface runoff from the <i>subject site</i> is isolated from other <i>subject sites</i> and existing <i>infrastructure</i>; and</p> <p>b. surface runoff from the <i>subject site</i> containing silt and sediment is prevented from entering the stormwater system or <i>waterbodies</i>; and</p> <p>c. erosion and sediment control measures are installed and maintained for the duration of the construction period, where necessary.</p> <p>6. Accidental Discovery Protocol to be followed for any accidental discovery of a <i>waahi tapu</i> or other cultural site.</p>	
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	<p>a. Accidental Discovery Protocol – should a <i>waahi tapu</i> or other cultural site be unearthed during <i>earthworks</i> the contractor and/or owner must:</p> <ul style="list-style-type: none"> <li>i. cease operations;</li> <li>ii. inform local iwi;</li> <li>iii. inform Heritage New Zealand and apply for the appropriate authority if required;</li> <li>iv. take appropriate action, after discussion with Heritage New Zealand, the <i>Council</i> and <i>Iwi</i> to remedy damage and/or restore the site.</li> </ul>	
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<b>EW-R9</b>	<i>Earthworks</i> within <i>outstanding natural features and landscapes</i> that do not comply with one or more standards in EW-R4 or EW-R6.	
Discretionary Activity		

<b>SUB-DW-R6</b>	<i>Subdivision of land</i> within <i>outstanding natural features and landscapes</i> and on <i>land</i> which contains <i>ecological sites</i> or <i>geological features</i> .	
Restricted Discretionary Activity	<b>Standards</b>	<b>Matters of Discretion</b>
		<ol style="list-style-type: none"> <li>1. The location of <i>building areas</i> and <i>allotment</i> boundaries relative to <i>ecological sites</i> and <i>geological features</i>.</li> <li>2. Potential adverse or positive <i>effects</i> of subsequent <i>development</i> on <i>ecological sites</i> and <i>geological features</i> and on the values of <i>outstanding natural features and landscapes</i> identified in Schedule 4.</li> <li>3. The design and layout of the <i>subdivision</i> including <i>earthworks</i>.</li> <li>4. <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</li> <li>5. The imposition of financial contributions in accordance with the Financial Contributions chapter.</li> <li>6. The imposition of <i>conditions</i> in accordance with sections 108 and 220 of the Resource Management Act.</li> </ol>

**21.11 The following operative rule relevant to esplanade reserves and esplanade strips is notified as an existing qualifying matter:**

<b>SUB-DW- Table 1 - Esplanade Reserves / Strips</b>	<b>Requirements</b>			
	<b>Coastal Margins</b>	A 50 metre wide <i>Esplanade Reserve</i> in the Rural Zone and 20 metres in all other zones, measured from the line of the Mean High Water Spring Tide (MHWS), shall be required along the coast when <i>subdivision</i> occurs, creating <i>allotments</i> of less than 4ha, excluding <i>boundary adjustment</i> subdivisions. These reserves shall be fenced with a 7 wire post and wire fence or equivalent.		
	<b>Lakes (with a bed of 8 hectares or more)</b>	A 20 metre wide <i>Esplanade Reserve</i> shall be required along lakes of more than 8 hectares when <i>subdivision</i> occurs creating <i>allotments</i> of less than 4ha, excluding <i>boundary adjustment</i> subdivisions. These reserves shall be fenced with a 7 wire post and wire fence or equivalent.		
	<b>Rivers and Streams (river bed with average width of 3 metres or more)</b>	Table 1 below is a list of widths required for <i>subdivision</i> , creating <i>allotments</i> of less than 4 ha, excluding <i>boundary adjustment</i> subdivisions. The priorities are indicated for each recommended width. There are also areas which are considered to be high priority where Council may wish to negotiate with the landowner for public access through an <i>Esplanade Strip</i> .		
	<b>TABLE 1 - MAXIMUM WIDTH OF ESPLANADE RESERVE/STRIP</b>			
		<b>Water Body</b>	<b>Width of Esplanade Reserve</b>	<b>Width of Esplanade Strip</b>
	<b>Waitohu Stream</b>			
		Upstream of Water Treatment Plant	-	20 metres (E)
		Downstream of Water Treatment Plant	-	5 metre (A, H) - Greater widths may be required within 500 metres of MHWS (Waitohu Stream mouth)
	<b>Ōtaki River</b>			
	Upstream of SH1 Bridge	-	20 metres (E,A,H)	
	Downstream of SH1 Bridge	20 metres A,H	-	
<b>Mangaone Stream</b>				
	Upstream of Hautere Plain	-	20 metres (E)	
	On the Hautere Plain	-	5 metres (A, H)	

	<b>Waikanae River</b>		
	Upstream of Old SH1 Bridge		20 metres (A & E)
	Downstream of Old SH1 Bridge	20 metres A,H,E - Greater widths may be required within 1000 metres of the Waikanae River Mouth (as shown on the District Plan Maps)	3-5 metres (A) - If no <i>subdivision</i> occurs and negotiated with landowner
	<b>Ngatiawa, Rangiora, Reikorangi Streams</b>	-	20 metres Rural (E)
	<b>Tikotu, Wharemauku, Mazengarb Streams (part only)</b>	20 metres Urban (A, H)	20 metres Rural (E)
	Priority for Reserve/Strip	E: Ecological, Water Quality A: Access, Recreational H: Natural Hazard Mitigation	
<b>Considerations</b>	Consideration will be given to providing larger areas around the Waikanae River and Waitohu Stream Estuaries where the areas are of considerable ecological value. Other agencies, e.g. Department of Conservation or Wellington Regional Council, may be interested in acquiring greater buffer areas around future <i>residential activities</i> . As more than 20-metre <i>Esplanade Reserves</i> in the Estuary may be sought, financial compensation to the landowner will be required.		
<b>Reductions and Waivers</b>	<p>The Council may reduce or waive <i>Esplanade Reserves</i> or <i>Strips</i> where it is demonstrated to the satisfaction of Council that circumstances make the required width impracticable. This includes difficult topography and existing permitted <i>buildings</i> or in recognition of other reserves given for public access. A reduction could also be given where there is an absence of natural values and need for public access. Council will also have regard to all objectives in the PDP.</p> <p>Applicants for reduction or waiver may be required to consult with the Department of Conservation and the Wellington Regional Council and produce evidence of the outcome of these consultations.</p>		
<b>Fencing</b>	All <i>Esplanade Strips</i> upstream of the Waitohu and Waikanae Water Supply Treatment Plants in the Rural Zone and all <i>Esplanade Reserves</i> and <i>Strips</i> within urban areas shall be fenced by a 7 wire post and wire fence or equivalent. Stiles over fences or other devices may also be required to improve public access.		
<b>Access Strips</b>	Council may negotiate to acquire <i>access strips</i> to <i>Esplanade Reserves</i> or <i>Esplanade Strips</i> . Generally <i>access strips</i> shall, in the Rural Zone, be fenced with a 7 wire post and wire fence or equivalent and in urban areas a 1.5 metre close boarded fence or equivalent. The <i>access strips</i> shall be at least 3 metres wide and shall include boardwalks where erosion to sand dunes by pedestrians is likely. Any <i>structures</i> on dune systems (including		

		boardwalks) shall be designed so as to avoid deflecting or accelerating erosion. However, the conditions of access, fencing requirements and the provision of boardwalks will be negotiated when <i>Council</i> purchases the easement.
	<b>Bed of River, Lake or Coastal Marine Area</b>	<p>Where <i>subdivision</i> includes a river, stream or lake the bed of the river, stream or lake shall vest in <i>Council</i>.</p> <p>Where <i>subdivision</i> includes the Coastal Marine Area, the bed of the Coastal Marine Area shall vest in the Crown.</p>

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## Appendix A. Proposed new areas of General Residential Zone

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## Appendix B. Proposed new wāhi tapu areas

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## Appendix C. Proposed Residential Design Guide

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## Appendix D. Proposed Centres Design Guide

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## Appendix E. Proposed amendments to the District Plan maps

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## Appendix F. Tracked-changes versions of General Residential Zone and Subdivision in Residential Zones chapters

The General Residential Zone and Subdivision in Residential Zones chapters of the District Plan are proposed to include a significant number of alterations as part of this IPI. The purpose of this appendix is to provide tracked-changes versions of the full extent of these chapters, so that the proposed amendments can be seen in context.

As outlined in the IPI, there are a range of other chapters that will be subject to proposed amendments. Refer to the Operative District Plan [e-Plan](#) for the existing provisions related to all other chapters covered by this IPI.

This appendix is provided for information only, and does not form part of the IPI.