Low Density Residential Zone

Issues

The Low Density Residential Zone (LRZ) provides for low density residential living on the periphery of the *Urban Area* where more intensive residential development is inappropriate. The zone forms a transition between urban density and the rural environment.

The principal focus of the Low Density Residential Zone is *residential activities*. Development patterns will generally be characterised by large un-serviced residential *site*s containing mid to large scale *principal residential unit*s, surrounded by large areas of open space. *Commercial activities* are actively discouraged in the Low Density Residential Zone. However, small scale non-*residential activities* are provided for where they are ancillary to *residential activities*.

Objectives

LRZ-O1 Character

Maintain and enhance the low density and spacious character of the Low Density Residential Zone.

LRZ-O2 Amenity

Subdivision and development maintain on-site amenity and the amenity of adjoining Low Density Residential Zone *site*s.

LRZ-O3 Non-Residential Activities

Residential activities remain the dominant activity in the Low Density Residential Zone and any non-*residential activities* are compatible with residential amenity.

Policies

LRZ-P1 Density and Character

To achieve a low density and spacious character by:

1. Managing the density of *residential activities* and minimum *site* sizes.
2. Managing the height, bulk and form of development.
3. Enabling *residential units* on *site*s of a size consistent with the low-density character of the Zone and that are able to accommodate on-site *wastewater* treatment and disposal.

LRZ-P2 Non-Residential Activities

To protect the predominately residential nature of the zone by managing the establishment of non-*residential activities* and ensuring that any non-*residential activities* are of a nature, design, scale and appearance that is compatible with a residential context.

LRZ-P3 Supported Residential Care and Retirement Villages

To enable a range of appropriate *residential activities* by providing for *supported residential care* and retirement villages where they are designed, located and managed to:

1. Provide a high level of amenity for residents.
2. Ensure any adverse effects on surrounding *Residential Zones* and *Open Space and Recreation Zones* are avoided.
3. Maintain the existing residential character of the surrounding environment.
4. Avoid, remedy or mitigate any adverse effects on infrastructure, including the transport network.

LRZ-P4 Impervious Areas

To restrict *impervious areas* within *site*s in order to:

1. Manage *stormwater* runoff.
2. Protect and enhance *amenity values*.
3. Safeguard esplanade areas and waterfront walkways.

LRZ-P5 Subdivision

To encourage design and layout of *subdivision* which achieves the following:

1. Sites are shaped and sized to allow generous sunlight to living and outdoor spaces, and provide high levels of on-site amenity and privacy.
2. Where possible, sites are located so that they overlook and front the *road* and *Open Space and Recreation Zones*.
3. The creation of multiple *rear sites* is limited, and where practicable avoided.

Rules

LRZ-R1 Any Activity Not Otherwise Listed in This Chapter

Activity Status: Permitted

Where:

1. Resource consent is not required under any rule of the District Plan.
2. The activity is not prohibited under any rule of the District Plan.

LRZ-R2 Minor Buildings

Activity Status: Permitted

Note:

1. *Minor buildings are exempt from rules LRZ-R3 – R6.*

LRZ-R3 Building and Major Structure Height

Activity Status: Permitted

Where:

1. The maximum *building* height and major structure height is 8m above *ground level*.

Activity Status when compliance not achieved: Discretionary

LRZ-R4 Building and Major Structure Setbacks

Activity Status: Permitted

Where:

1. All *buildings* and *major structures* are set back at least:
    a. 4.5m from *road* boundaries.
    b. 3m from side and rear boundaries, allowing for one 2m *setback*.
    c. 27m from Mean High Water Springs and the top of the bank of any *river* that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved with LRZ-R4.1(a) – (b): Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Effects on the streetscape character of the area.
4. Effects on the safety and efficiency of the transport network.

Activity Status when compliance not achieved with LRZ-R4.1(c): Discretionary

LRZ-R5 Building and Major Structure Height in Relation to Boundary

Activity Status: Permitted

Where:

1. All *buildings* and *major structures* do not exceed a height equal to 3m above *ground level* plus the shortest horizontal distance between that part of the *building* or major structure and any *boundary* that is not adjoining a *road*.

Compliance Standard:

1. *Measurements for this rule can be taken from the furthest boundary when adjoining an access lot.*

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining and adjacent properties.

LRZ-R6 Building and Major Structure Coverage

Activity Status: Permitted

Where:

1. The maximum cumulative *building* and major structure coverage is 25% of the *net site area*.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of *buildings* and *major structures* in relation to the *site* and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of *buildings* and *major structures*.

LRZ-R7 Impervious Areas

Activity Status: Permitted

Where:

1. The *impervious area* within the *site* does not exceed 35% of the site area.
2. The *impervious area* is set back at least 5m from Mean High Water Springs and the top of the bank of any *river* that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Discretionary

LRZ-R8 Fences

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above *ground level*.
2. The fence is not fortified with broken glass.
3. The fence is not fortified with any form of electrification or barbed wire except for stock exclusion purposes.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

LRZ-R9 Car Parking

Activity Status: Permitted

Where:

1. Formed car parking spaces are located at least 2m from any *road* boundary, excluding any on-street car parking.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects on the safety and efficiency of the transport network.
2. Effects on pedestrian and cyclist safety and navigability.

3. Effects on streetscape character and amenity.

LRZ-R10 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance of indigenous vegetation either:
    a. Does not exceed 500m2 per site within each 10-year period from 15 July 2020; and
    b. Is not within 20m of a water body; OR
2. Is within a single *urban environment allotment*; OR
3. Is associated with:
    a. Routine maintenance within 7.5m of the *eaves* of existing *buildings*:
        i. Including the removal of any tree where any part of the trunk is within the 7.5m distance.
        ii. Excluding damage to the roots or removal of any tree where the trunk is outside the 7.5m distance.
    b. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities
    c. Pest plant removal and biosecurity works.
    d. Vegetation removal for customary rights.
    e. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

LRZ-R11 Outdoor Areas of Storage or Stockpiles

Activity Status: Permitted

Where:

1. The outdoor area of *storage* or stockpile:
    a. Complies with rule LRZ-R3.
    b. Complies with rules LRZ-R4 – R6.

c. Is screened from view from adjacent *public places* and surrounding *sites*, except for construction materials to be used on-site for a maximum period of 12 months within each 10-year period from 15 July 2020.

Activity Status when compliance with LRZ-R11.1(b) – (c) not achieved: Restricted Discretionary

Matters of discretion:

1. Effects in relation to *dust* and odour.
2. Visual amenity effects.
3. The matters of discretion in LRZ-R4 – R6.

Activity Status when compliance with LRZ-R11.1(a) not achieved: Discretionary

LRZ-R12 Farming

Activity Status: Permitted

LRZ-R13 Supported Residential Care

Activity Status: Permitted

Where:

1. The activity generates less than 25 *traffic movements* per *site*, per *day*.

Activity Status when compliance not achieved: Discretionary

LRZ-R14 Retirement Village

Activity Status: Permitted

Where:

1. The activity generates less than 25 *traffic movements* per *site*, per *day*.

Activity Status when compliance not achieved: Discretionary

LRZ-R15 Principal Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 *principal residential unit* per 2,000m^2 *net site area*, provided that 1 *principal residential unit* is permitted on a *site* of any size.

Activity Status when compliance not achieved: Discretionary

LRZ-R16 Minor Residential Unit

Activity Status: Permitted

Where:

1. The maximum density is 1 *minor residential unit* per *principal residential unit* on the *site*.
2. The nearest distance between the *minor residential unit* and the *principal residential unit*, excluding any *accessory building*s and detached *garage*s associated with either *residential unit*, does not exceed 15m.
3. The combined area of the minor residential unit *building* coverage (including *accessory building*s, *garage*s, and associated decking) is not larger than 90m^2.

Activity Status when compliance not achieved: Discretionary

LRZ-R17 Retail Activity

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and
2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and
3. The activity generates less than 20 *traffic movements* per *site*, per *day*; and
4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and
5. The activity is carried out inside a *building* and does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance is not achieved: Non-Complying

LRZ-R18 Commercial Services

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and

2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and

3. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

5. The activity is carried out inside a *building* and does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance not achieved: Non-Complying

LRZ-R19 Food and Beverage Activity

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and

2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and

3. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

5. The activity is carried out inside a *building* and does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance is not achieved: Non-Complying

LRZ-R20 Care Centre

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and

2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and

3. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

5. The activity is carried out inside a *building* and does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*.

Activity Status when compliance not achieved: Non-Complying

LRZ-R21 Visitor Accommodation

Activity Status: Permitted

Where:

1. The activity is undertaken in an existing lawfully established *residential unit*, provided that the maximum visitor occupancy, in addition to any permanent residents on the *site*, is no more than six tariff-paid visitors at any given time; OR

2. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and

3. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers (except visitors checking into accommodation) or the loading or unloading of vehicles; and

4. The activity generates less than 20 *traffic movements* per *site*, per *day*; and

5. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

6. The *visitor accommodation* is provided inside a *building* and does not exceed the use of 15% of the total *gross floor area* of all *buildings* on the *site*; and

7. Each *visitor accommodation* unit provides an *outdoor living court* of at least $6m^2$ and at least 1.8m depth.

Activity Status when compliance not achieved: Non-Complying

LRZ-R22 Artisan Industrial Activity

Activity Status: Permitted

Where:

1. The principal operator of the activity lives on the *site* for at least 183 *day*s out of every 365-*day* period; and

2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles; and

3. The activity generates less than 20 *traffic movement*s per *site*, per *day*; and

4. In addition to the principal operator, the activity has no more than two other persons engaged in providing the activity; and

5. The activity is carried out inside a *building* and does not exceed the use of 15% of the total *gross floor area* of all *building*s on the *site*.

Activity Status when compliance not achieved: Non-Complying.

LRZ-R23 Show Homes

Activity Status: Permitted

Where:

1. The activity generates less than 25 traffic movements per *site*, per *day*.

2. The activity does not include, before 08:00 or after 18:00 on any *day*, the operation of machinery, receiving customers or the loading or unloading of vehicles.

3. The use of the residential *building* and land as a *show home* ceases within 36 months from the time of first use as a *show home*.

Activity Status where compliance not achieved: Non-Complying

LRZ-R24 Place of Assembly

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R25 Educational Facilities

Activity Status: Discretionary

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R26 Entertainment Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R27 Service Stations

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R28 Funeral Home

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R29 Recreational Facilities

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R30 Emergency Services

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R31 Hospital

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R32 General Commercial

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R33 General Community

Activity Status: Non-Complying

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R34 Plantation Forestry

Activity Status: Prohibited

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R35 Intensive Livestock Farming

Activity Status: Prohibited

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R36 Farm Quarrying

Activity Status: Prohibited

Where:

1. The activity is a primary activity or *ancillary activity*.

LRZ-R37 Industrial Activities (Excluding Artisan Industrial Activities)

Activity Status: Prohibited

Where:

1. The activity is a primary activity or *ancillary activity*.

Parihaka Environmental Benefit Precinct (PREC12)

Issues

The Parihaka Environmental Benefit Precinct considers opportunities for *subdivision* resulting in *site*s below the minimum *site* size in the Low Density Residential Zone where:

- Positive ecological outcomes are achieved; and

- Development is designed to minimise the risks of *natural hazards*.

Subdivision in the Parihaka Environmental Benefit Precinct may be undertaken using either:

a. The Parihaka Environmental Benefit Precinct *subdivision* rules; or

b. The underlying Low Density Residential Zone *subdivision* rules in the Subdivision Chapter.

All relevant district-wide provisions apply.

All relevant underlying Low Density Residential Zone provisions apply, except that the more permissive bulk and location rules in PREC12-R2 – R6 apply to *site*s that have been created under PREC12-R8.

Objectives

PREC12-O1 Subdivision

Have particular regard to opportunities for increased residential density where adverse effects are appropriately managed and existing ecological and biodiversity values are protected.

PREC12-O2 Infrastructure

Adverse effects on the *reticulated* water supply network are minimised.

PREC12-O3 Natural Hazards

Subdivision and future land uses are managed to minimise the risks from *natural hazards*.

PREC12-O4 Ecology and Biodiversity

Subdivision, land use and development are managed to enhance and permanently protect ecological and biodiversity values.

Policies

PREC12-P1 Residential Subdivision

To provide for a range of *site* sizes by enabling *subdivision* below the Low Density Residential Zone minimum *site* size where the existing ecological and biodiversity values within the *site* are enhanced and permanently protected.

PREC12-P2 Water Supply Infrastructure

To ensure that *subdivision* and future land uses are well integrated with the *reticulated* water supply network by:

1. Ensuring that sufficient capacity exists within the network to accommodate the proposed development; or

2. Requiring any upgrades which are needed to service the development to an appropriate level of service.

PREC12-P3 Natural Hazards

To manage *subdivision* and future land uses to:

1. Avoid locating activities and development in areas with a high risk of land instability hazard events.
2. Locate and design *subdivision* and future land uses to minimise risks and adverse effects on people, property and the environment.
3. Ensure that any adverse effects and the existing and *residual risk*s do not endanger human life and are not likely to cause material damage to property or the environment.

PREC12-P4 Ecology and Biodiversity

To ensure that *subdivision*, land use and development:

1. Enhance and permanently protect the area of *indigenous vegetation* identified in Figure PREC12 2.
2. Locate *accessway*s outside of the area of *indigenous vegetation* identified in Figure PREC12 2 unless:
    a. There is a *functional need* to locate *accessway*s within that area of *indigenous vegetation*; and
    b. Adverse effects on ecological and biodiversity values within that area of *indigenous vegetation* will be no more than minor.

Rules

PREC12-R1 Minor Buildings

Activity Status: Permitted

Note:

1. Minor buildings are exempt from rule PREC12-R2.

PREC12-R2 Building and Major Structure Setbacks in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. All *buildings* and *major structures* are set back at least:
    a. 4.5 from *road* boundaries.
    b. 3m from side and rear boundaries, allowing for one 1.5m *setback*.
    c. 20m from Mean High Water Springs or the top of the bank of any *river* that has a width exceeding 3m (excluding bridges, culverts and fences).
2. Except that non-habitable *major structures* and *buildings*, and non-*habitable rooms* of *building*s, may be set back 0m for a maximum length of 7.5m on a single side or rear *boundary* and a maximum total length of 10.5m on all side and rear boundaries, provided they are *setback* at least 2.5m from *habitable rooms* on any other *site*.

Activity Status when compliance not achieved with PREC12-R2.1(a) – (b) or R4.2: Restricted Discretionary

Matters of discretion:

1. The outlook and privacy of adjoining and adjacent properties.
2. Effects of shading and visual dominance on adjoining properties.
3. Impacts on the amenity of any adjacent public walkway.
4. Where PREC12-R2.1(a) is infringed, the effects on the:
    a. Streetscape character anticipated within the Parihaka Environmental Benefit Precinct.
    b. Safety and efficiency of the transport network.

Activity Status when compliance not achieved with PREC12-R2.1(c): Restricted Discretionary

Matters of discretion:

1. The effectiveness of the proposed method for controlling *stormwater* runoff.
2. That the proposal will maintain and enhance the *amenity values* of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.
4. The potential to establish an *esplanade reserve*.

PREC12-R3 Outdoor Living Court in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. Every *principal residential unit*:
    a. With 1 or more *habitable rooms* at ground floor level provides an *outdoor living court* of which at least 20m^2 has a minimum depth of 4m.
    b. With all *habitable rooms* above ground floor provides an *outdoor living court* of which at least 8m^2 has a minimum depth of 2m.
2. Every *minor residential unit*:
    a. With 1 or more *habitable rooms* at ground floor level provides an *outdoor living court* of which at least 10m^2 has a minimum depth of 2.4m.
    b. With all *habitable rooms* above ground floor provides an *outdoor living court* of which at least 6m^2 has a minimum depth of 1.8m.
3. The *outdoor living court* is able to receive direct sunlight for at least 5 hours on the winter solstice over at least 50% of the minimum space required under PREC12-R3.1 – 2.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Appropriate privacy and amenity of the occupants on-site.
2. Sufficient sunlight access to *outdoor living space*s within the *site*.
3. The proximity of the *site* to communal or public open space that has the potential to mitigate any lack of private *outdoor living space*.

Notification:

Any restricted discretionary activity under PREC12-R3 shall not require the written consent of affected persons and shall not be notified or limited-notified unless Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

PREC12-R4 Impervious Areas in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The *impervious area* within the *site* does not exceed 60% of the site area.
2. The *impervious area* is set back at least 5m from Mean High Water Springs and the top of the bank of any *river* that has a width exceeding 3m (excluding bridges, culverts and fences).

Activity Status when compliance not achieved: Restricted Discretionary

Matters of Discretion:

1. The effectiveness of the proposed method for controlling *stormwater* runoff.
2. That the proposal will maintain and enhance the *amenity values* of the area.
3. That esplanade areas and waterfront walkways are appropriately safeguarded.

PREC12-R5 Building and Major Structure Coverage in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The maximum cumulative *building* and major structure coverage is 40% of the *net site area*.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. The scale and bulk of *buildings* and *major structures* in relation to the *site* and the existing built density of the locality.
2. The outlook and privacy of adjoining and adjacent properties.
3. Visual dominance of *buildings* and *major structures*.

PREC12-R6 Fences in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The fence has a maximum height of 2m above *ground level*.
2. Fencing within 3m of a *road* boundary is at least 50% visually permeable for any portion above 1m high.
3. Fencing along a *boundary* shared with an Open Space and Recreation Zone is at least 50% visually permeable for any portion above 1.5m high.
4. The fence is not fortified with broken glass.
5. The fence is not fortified with or any form of electrification or barbed wire except for stock exclusion purposes.

Activity Status when compliance not achieved: Restricted Discretionary

Matters of discretion:

1. Effects of shading and visual dominance on adjoining properties.
2. Urban design and passive surveillance.
3. Effects on streetscape character and amenity.
4. Health and safety effects.

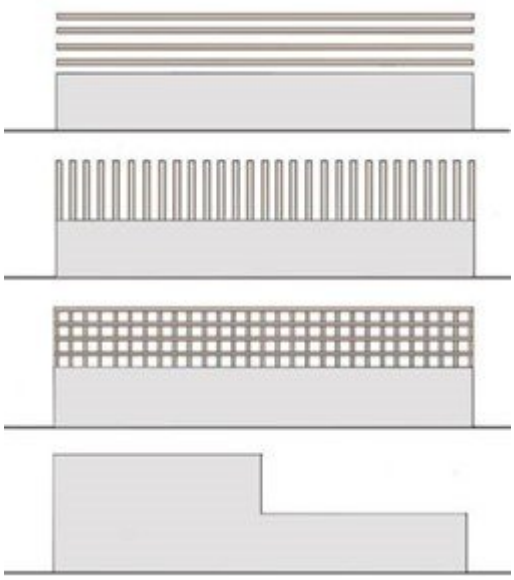


Figure PREC12 1. Examples of fences solid up to 1m and 50% visually permeable between 1m and 2m

PREC12-R7 Principal Residential Unit in any Site Created Under PREC12-R8

Activity Status: Permitted

Where:

1. The maximum density is 1 *principal residential unit* per 400m^2 *net site area* provided that 1 *principal residential unit* is permitted on a *site* of any size.
2. Every *principal residential unit* is separated by at least 3m from any other detached *residential unit* (excluding any ancillary *minor residential unit*).
3. Every *principal residential unit* is separated by at least 6m from any other detached *residential unit* where there is an *outdoor living court* between the *residential units* (excluding any ancillary *minor residential unit*).
4. Every *residential unit* provides a *living area* that can receive direct sunlight for at least 5 hours on the winter solstice.
5. There is a separation distance of at least 6m from any window in a *habitable room* to a window of a habitable room in a separate *residential unit* (excluding any ancillary *minor residential unit*) where there is a direct line of sight between the windows.

Activity Status when compliance not achieved: Discretionary

Note:

1. *Any application shall comply with information requirement rule PREC12-REQ4.*

PREC12-R8 Subdivision

Activity Status: Restricted Discretionary

Where:

1. Every *site* can contain a rectangle of at least 8m by 15m.
2. Every vacant *site* contains an identified *building* area of at least 100m^2 within which a *residential unit* can be built so that there is compliance as a permitted activity with the relevant rules in the District Plan.
3. Every *site* has a minimum *net site area* of at least 400m^2.
4. The area of *indigenous vegetation* identified on Figure PREC12 2 is proposed to be legally protected in perpetuity in its entirety and managed on an on-going basis in accordance with an Ecological Management Plan, except that 1 internal *accessway* may be provided within the area of *indigenous vegetation* identified on Figure PREC12 2.

Matters of discretion:

1. The matters over which control is reserved in SUB-R5.
2. Effects on the existing *reticulated* water supply network, including effects on the water pressure available to the proposed *site*s and existing *site*s in the area.
3. Whether the servicing needs of the proposal require upgrades to the existing *reticulated* water supply network.
4. Effects on the ecological and biodiversity values within the *site* and within mapped features in the surrounding area that are greater than effects enabled by the underlying Low Density Residential Zone.
5. The location and design of *accessway*s within the area of *indigenous vegetation* identified on Figure PREC12 2 and alternative route options for *accessway*s outside of that area of *indigenous vegetation*.
6. Effects on the stability of land or any existing or future *structures*, and the potential to create new or exacerbate existing land instability hazards.
7. Effects of remediating the land instability hazard.
8. The intend use of the land and its vulnerability to the potential effects of land instability.

9. The design and location of any infrastructure and on-site services and their susceptibility to adverse effects from land instability hazards and potential risks to public health and the environment.

10. Recommendations and proposed conditions and remediation or mitigation measures of the site suitability report and any further information provided through the consent process.

11. The extent to which *site* boundaries reflect natural and physical boundaries, including mapped district-wide resources.

Notes:

1. *Any application shall comply with information requirement rules PREC12-REQ1 – REQ3.*

2. *All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC12-R8 except for SUB-R4.*

3. *PREC12-R8 may be used as an alternative to the Low Density Zone subdivision rules in SUB-R4.*

Activity Status when compliance is not achieved with PREC12-R8.1 – R8.2: Discretionary

Activity Status when compliance is not achieved with PREC12-R8.3 – R8.4: Non-Complying



Figure PREC12 2. Lot 1 DP 310956 Indigenous Vegetation to be Protected

Information Requirement Rules

PREC12-REQ1 Ecological Report and Ecological Management Plan

1. Any application under rule PREC12-R8 must include an ecological report prepared by a suitably qualified and experienced ecologist which shall address the following matters:

    a. An assessment of the effects of the potential development on the *indigenous vegetation* identified on Figure PREC12 2, including but not limited to:

        i. Location and proximity of proposed *site*s and *building* platforms to that *indigenous vegetation*.

        ii. Orientation of light, noise, reflective sources to minimise impact on resident fauna.

        iii. *Building* platforms.

        iv. Access, in particular *accessway*s through that *indigenous vegetation* and consideration of alternative routes outside of that indigenous vegetation.

        v. Earthworks.

        vi. Services, including *stormwater*, *wastewater*, water supply, *telecommunications* networks, and energy (electricity or gas) networks.

        vii. Pets, farmed animals, pests, weeds, garden escapes and green waste dumping.

    b. An Ecological Management Plan that specifies the protection measures proposed to ensure that the *indigenous vegetation* identified on Figure PREC12 2 remains protected in perpetuity, that includes how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:

        i. The establishment of secure stock exclusion.

        ii. Methods of animal and plant pest control.

        iii. Identification of any indigenous taxa within the *site* and surrounding area that are listed as threatened or at risk in the NZ Threat classification system lists.

        iv. An assessment of the effects of the potential development on any identified specifies in information requirement rule PREC12-REQ1.1(b)(iii) and the methods proposed to protect the species and monitoring on-going effects after *subdivision*.

        v. Any additional protection and on-going management methods including but not limited to methods of weed and pest management and any measures to control cats, dogs, rabbits, rats, mustelids and possums.

PREC12-REQ2 Connection to Public Reticulated Water Supply Network

1. Any application under rule PREC12-R8 must include an assessment detailing:

    a. Information from Council as to whether the existing *reticulated* water supply network can service the proposed development with sufficient water pressure.

    b. Any upgrades and/or extensions to existing public *reticulated* water supply network that are proposed or necessary.

    c. Where sufficient pressure is not available within the *reticulated* water supply network:

        i. Upgrades proposed by the developer that are necessary to increase the network's pressure to accommodate the development; or

        ii. The proposed timing and staging of development to ensure that it is coordinated with any planned Long Term Plan upgrades identified by Council which will provide adequate pressure.

    d. Land and infrastructure to be vested in the Council.

PREC12-REQ3 Land Instability Hazards

1. Any application under rule PREC12-R8 must provide a site suitability report for the entire area of Lot 1 DP 310956 prepared by a suitably qualified and experienced geotechnical professional (e.g. Chartered Professional Engineer) which includes (but is not limited to) the following:

    a. Topographic Survey (if not already available).

    b. A description of the geology and geomorphology of the *site* and immediate surrounding areas.

    c. Definition of the nature and continuity of the strata over the *site* to a depth below which slipping is most likely, by means of test pits and/or continuous recovery core drilling (unless existing exposures are adequate).

    d. Determination of the peak and residual shear strength parameters (either from laboratory tests or back analysis of relevant slope failures) and the sensitivity of the soil in each stratum in which, or interface on which, sliding is practicable.

    e. Assessment of groundwater levels and piezometric pressures in the strata during extreme infiltration conditions.

    f. Analysis of practicable failure mechanisms, relevant to the specific geology and geomorphology of the *site* using effective stresses.

    g. The geo-professional's opinion as to the stability of the ground and the preventative (or remedial) measures to be incorporated in the development.

h. The geo-professional's opinion as to the stability of the whole slope (upon which the development *site* may form only part of) and the effects of the development (such as excavation, filling, removal of vegetation, disposal of *stormwater* or effluent *wastewater* into or over the area) on the whole slope.

i. The geo-professional's opinion as to the suitability of the proposed *subdivision* and future land uses (including the nature, scale, density and location of future *residential units* and associated services that may be developed through the Parihaka Environmental Benefit Precinct rules) within the *site*.

j. Definite conclusions and recommendations on any development restrictions, specifically addressing Section 106 of the Resource Management Act 1991 for any *subdivision*.

PREC12-REQ4 Urban Design and Density

1. All applications for resource consent pursuant to PREC12-R7 shall include an urban design assessment prepared by a suitably qualified and experienced professional which details:

    a. An analysis of the *site* in relation to its context, including:

        i. The key characteristics of the local area, including the character and scale of surrounding development including any cultural relationships or historic heritage features and clearly recording any matters which particularly contribute to the character of the area, that detract from the area.

        ii. The landform and topography of the *site* and surrounding environment.

        iii. The ecology and habitat of the *site* and surrounding environment.

        iv. Access to public and active *transport infrastructure*.

    b. An assessment of how the proposal contributes to the planned suburban environment of the area and is consistent with best practice urban design, including:

        i. Effects on the character of the area and neighbourhood, residential amenity and pedestrian and vehicular movements.

        ii. The relationship of the proposed development to *public place*s and how the proposal responds to any issues or characteristics identified in the site analysis.

        iii. Any proposed measures to avoid or mitigate adverse effects on adjacent *public place*s and residential *site*s.

        iv. Any proposed measures to incorporate Māori design elements.

        v. Any proposed measures to facilitate active and public transport.

c. Any consultation undertaken as part of any pre-application meetings with Council and any mitigation measures that were recommended by Council.

d. Any consultation undertaken with *mana whenua* and a summary of the results of that consultation.

Note:

1. *Acceptable means of compliance and best practice urban design guidance is contained within Whangārei District Council's Urban Design Guidelines.*

O'Shea Road Environmental Benefit Precinct (PREC17)

Issues

The O'Shea Road Environmental Benefit Precinct enables development consistent with the Low Density Residential Zone where:

- Development is designed to minimise the risks of land instability *natural hazards*; and
- Positive ecological outcomes are achieved.

All relevant district-wide and underlying Low Density Residential Zone provisions apply in addition to the PREC17 provisions.

Objectives

PREC17-O1 Natural Hazards

Subdivision and future land uses are managed to minimise the risks from land instability *natural hazards*.

PREC17-O2 Ecology and Biodiversity

Subdivision, land use and development are managed to enhance and permanently protect ecological and biodiversity values.

Policies

PREC17-P1 Natural Hazards

To manage *subdivision* and future land uses to:

1. Avoid locating activities and development in areas with a high *residual risk* of land instability hazard events.
2. Locate and design *subdivision* and future land uses to minimise risks and adverse effects on people, property and the environment.

3. Ensure that any adverse effects and the existing and *residual risk*s of *natural hazards* do not endanger human life and are not likely to cause material damage to property or the environment.

PREC17-P2 Ecology and Biodiversity

To ensure that *subdivision*, land use and development enhance and permanently protect the areas of *indigenous vegetation* identified in Figure PREC17 1.

Rules

PREC17-R1 Indigenous Vegetation Clearance

Activity Status: Permitted

Where:

1. The clearance is permitted under LRZ-R10; and
2. The clearance is either:
    a. Outside of the areas of *indigenous vegetation* identified on Figure PREC17 1; or
    b. Within the areas of *indigenous vegetation* identified on Figure PREC17 1 and is associated with:
        i. Operation, maintenance and repair of existing tracks, fences and drains; or
        ii. Pest plant removal and biosecurity works; or
        iii. Conservation planting, including planting for ecological restoration purposes.

Activity Status when compliance not achieved: Discretionary

PREC17-R2 Subdivision

Activity Status: Controlled

Where:

1. The areas of *indigenous vegetation* identified on Figure PREC17 1 are:
    a. Proposed to be legally protected in perpetuity in their entirety.
    b. Managed on an on-going basis in accordance with an Ecological Management Plan.

Matters of control:

1. The matters over which control is reserved in SUB-R4.

2. Effects on the ecological and biodiversity values within the *site*.

3. Effects on the stability of land or any existing or future *structures*, and the potential to create new or exacerbate existing land instability hazards.

4. Effects of remediating the land instability hazard.

5. The intended use of the land and its vulnerability to the potential effects of land instability.

6. The design and location of any infrastructure and on-site services and their susceptibility to adverse effects from land instability hazards and potential risks to public health and the environment.

7. Recommendations and proposed conditions and remediation or mitigation measures of the site suitability report and any further information provided through the consent process.

8. The extent to which *site* boundaries take account of natural and physical boundaries, including mapped district-wide resources and overlays.

Notes:

1. *Any application shall comply with information requirement rules PREC17-REQ1 – REQ2.*

2. *All relevant District-Wide and Overlay subdivision objectives, policies and rules apply in addition to PREC17-R2.*

Activity Status when compliance is not achieved: Discretionary



Figure PREC17 1. Areas of Indigenous Vegetation to be Protected (shown in Yellow Hatching)

Information Requirement Rules

PREC17-REQ1 Ecological Report and Ecological Management Plan

1. Any application under rule PREC17-R2 must include an ecological report prepared by a suitably qualified and experienced ecologist which shall address the following matters:

    a. An assessment of the effects of the potential development on the *indigenous vegetation* identified on Figure PREC17 Map 1, including but not limited to:

        i. Location and proximity of proposed *site*s to that *indigenous vegetation*.

        ii. Orientation of light, noise, reflective sources to minimise impact on resident fauna.

        iii. *Building* platforms.

        iv. *Accessway*s.

        v. Earthworks.

        vi. Services, including *stormwater*, *wastewater*, water supply, *telecommunications* networks, and energy (electricity or gas) networks.

        vii. Pets, farmed animals, pests, weeds, garden escapes and green waste dumping.

        viii. The location of *site* boundaries, any adverse effects which may arise from the *boundary* location proposed (including where applicable any adverse effects which may arise as a result of fragmentation of contiguous *indigenous vegetation* if it is not held within a single *site*), and how the vegetation will be appropriately managed on an on-going basis.

        ix. The mechanisms to ensure that the management plan required under information requirement rule PREC17-REQ1.1(b) applies to and binds future owners.

    b. An Ecological Management Plan that specifies the protection measures proposed to ensure that the *indigenous vegetation* identified on Figure PREC17 Map 1 remains protected in perpetuity, including how all of the following matters will be implemented prior to the Council issuing section 224(c) certificate:

        i. The establishment of secure stock exclusion.

        ii. Methods of animal and plant pest control.

        iii. Identification of any indigenous taxa within the *site* and surrounding area that are listed as threatened or at risk in the NZ Threat classification system lists.

iv. An assessment of the effects of the potential development on any identified specifies in information requirement rule PREC17-REQ1.1(b)(iii) and the methods proposed to protect the species and monitoring on-going effects after *subdivision*.

v. Any additional protection and on-going management methods including but not limited to methods of weed and pest management and any measures to control cats, dogs, rabbits, rats, mustelids and possums.

PREC17-REQ2 Land Instability Hazards

1. Any application under rule PREC17-R2 must provide a site suitability report for the entire area of PREC17 prepared by a suitably qualified and experienced geotechnical professional (e.g. Chartered Professional Engineer) which includes (but is not limited to) the following:

    a. Topographic Survey (if not already available).

    b. A description of the geology and geomorphology of the *site* and immediate surrounding areas.

    c. Definition of the nature and continuity of the strata over the *site* to a depth below which slipping is most likely, by means of test pits and/or continuous recovery core drilling (unless existing exposures are adequate).

    d. Determination of the peak and residual shear strength parameters (either from laboratory tests or back analysis of relevant slope failures) and the sensitivity of the soil in each stratum in which, or interface on which, sliding is practicable.

    e. Assessment of groundwater levels and piezometric pressures in the strata during extreme infiltration conditions.

    f. Analysis of practicable failure mechanisms, relevant to the specific geology and geomorphology of the *site* using effective stresses.

    g. The geo-professional's opinion as to the stability of the ground and the preventative (or remedial) measures to be incorporated in the development.

    h. The geo-professional's opinion as to the stability of the whole slope (upon which the development *site* may form only part of) and the effects of the development (such as excavation, filling, removal of vegetation, disposal of *stormwater* or effluent *wastewater* into or over the area) on the whole slope.

    i. The geo-professional's opinion as to the suitability of the proposed *subdivision* and future land uses (including the nature, scale, density and location of future *residential units* and associated services that may be developed through the Low Density Residential Zone rules) within the *site*.

j. Definite conclusions and recommendations on any development restrictions, specifically addressing Section 106 of the Resource Management Act 1991 for any *subdivision*.