

## 12. SUBDIVISION, INFRASTRUCTURE and SERVICES

|  |    |
|--|----|
| 12.1 PURPOSE OF SUBDIVISION PROVISIONS .....                                     | 3  |
| 12.2 Activity Status Rules .....   | 7  |
| 12.3 General (All Zones) .....   | 9  |
| 12.4 Subdivision in Residential Zones .....                                      | 13 |
| 12.5 Residential Zones .....   | 15 |
| 12.6 Subdivision in the Rural-Residential Zone .....                             | 25 |
| 12.7 Rural-Residential Zone .....  | 26 |
| 12.8 Subdivision in the Rural Zones .....  | 32 |
| 12.9 Rural, Greenbelt and Future Urban Zone and Rural Marae Community Zone ..... | 34 |
| 12.10 Subdivision in the Commercial and Industrial Zones .....                   | 38 |
| 12.11 Commercial and Industrial Zone Subdivision .....                           | 39 |
| 12.12 Subdivision within Marae and Papakainga Zones .....                        | 46 |
| 12.13 Ngati Kahu Papakainga Zone – Sub-Zone A & B .....                          | 47 |
| 12.14 PURPOSE OF INFRASTRUCTURE AND SERVICE PROVISION .....                      | 50 |
| 12.15 Activity Status Rules .....  | 52 |
| 12.16 Infrastructure and Services .....  | 53 |
| APPENDIX 12A: PERFORMANCE STANDARD, TRANSPORTATION NETWORK .....                 | 57 |
| APPENDIX 12B: PERFORMANCE STANDARD, STORMWATER .....                             | 58 |
| APPENDIX 12C: THE PLAN PERFORMANCE STANDARD, WASTEWATER .....                    | 58 |
| APPENDIX 12D: PERFORMANCE STANDARD, WATER SUPPLY .....                           | 59 |
| APPENDIX 12E: PERFORMANCE STANDARD, RESERVES .....                               | 61 |
| APPENDIX 12F: SUBDIVISION LAYOUT AND DESIGN .....                                | 62 |



## 12.1 PURPOSE OF SUBDIVISION PROVISIONS

*Subdivision* is recognised as a specific activity under section 11 of the Resource Management Act 1991 (*RMA*) and as such the *Council* must make specific provision within *the Plan* for *subdivision* activities to occur.

The *subdivision* is primarily about creating land parcels that define and redefine property rights and, in most instances, the creation of new parcels of land is accompanied by expectations of associated land use. As such, the *subdivision* process provides a framework to manage the pattern of city growth and ensure the relationships between built form and *site* areas are consistent with the expected environmental outcomes for each zone. This is particularly important in achieving the density yield of 15 dwellings per hectare in greenfield areas as identified by the Regional Policy Statement.

As part of growth management the *subdivision* process also provides the framework of *infrastructure* and *services* provision for land uses that include roading, stormwater, water supply, sewage disposal, energy and telecommunications, in addition to being a mechanism for the provision of land for open space and recreation

The *subdivision* process is also the principal method of providing *esplanade reserves* or *esplanade strips* which help preserve and protect *natural character* and provide opportunities to maintain and enhance public access to water, both of which are matters of national importance under the *RMA*.

The *subdivision* chapter comprises the following sections:

- a) General *Subdivision* Provisions (for *subdivision* that is generally for functional purposes and has limited adverse effects, e.g., cross-lease updates, unit titles etc.);
- b) Residential Zone Provisions;
- c) Rural-Residential Zone Provisions;
- d) Rural Zone Provisions;
- e) Marae and *Papakainga* Provisions;
- f) *Commercial* and *Industrial Zone* Provisions;
- g) Education and Open Space Zones;
- h) *Services* and *Infrastructure*.

Contributions of land and/or cash towards *reserves* and *network infrastructure* can be required by the *Council* either under the *RMA* by way of *the Plan* (refer to *Chapter 11 – Financial Contributions*) or under the Local Government Act 2002 by way of a Development Contributions Policy in the Long Term *Council* Community Plan. The *Council* has decided to establish its Development Contributions Policy within the requirements of the Local Government Act. Accordingly, the *Council's* requirements for land and/or cash for *reserves* and for *network infrastructure*, at the time of both development and/or *subdivision*, are contained in the *Council's* Development Contributions Policy.

## 12.1.1 General Subdivision Objectives and Policies

### 12.1.1.1 Objective: City Form and Efficient Subdivision

*Subdivision* provides for integrated, liveable and sustainable communities that incorporate high-quality urban design, maintain and enhance *landscape character* and amenity, and occur in an efficient and affordable manner with minimum consumption of land.

#### 12.1.1.1.1 Policy: City Form and Efficient Subdivision

By ensuring that *greenfield*, *intensification* and *infill subdivision* (incorporating the provision for subsequent development) occurs in a way that will result in a high-quality urban amenity and form, providing a variety of allotment sizes and types, access to open space and an efficient and sustainable *transport network* while ensuring the efficient provision of *infrastructure* and *services*.

#### 12.1.1.1.2 Policy – Yields in Urban Growth Areas

By requiring a target density of 15 dwellings per hectare for identified stages of *subdivision* of the *greenfield development* areas identified on the Urban Growth Plans included in the *Plan Maps (Part B)*. In particular:

- a) In the Pyes Pa West Urban Growth Area recognising the geotechnical constraints and topography, which traverses grades from RL5.0 to RL62.0 above *Moturiki Datum*;
- b) In the Kennedy Road Urban Growth Area recognising both the significant topographical constraints in a portion of the area and inclusion of that land within the Large Lot Residential Zone, and the transport, landscape and *infrastructure* links to the surrounding development;
- c) In the Hastings Road Urban Growth Area recognising the significant topographical constraints in a portion of that area and inclusion of that land within the Large Lot Residential Zone, and the transport, landscape and *infrastructure* links to the surrounding development, including limitation of access to State Highway 29;
- d) In the North West Bethlehem Urban Growth Area recognising the special relationship of that land to the Wairoa River escarpment, the *landscape character* of the area and relationship of *tangata whenua* to surrounding land.

#### 12.1.1.1.3 Policy – Yield Shortfalls in Urban Growth Areas

By avoiding yield shortfalls of greater than 10% unless the following apply:

- a) The *site* is subject to topographical, geotechnical and landform constraints;
- b) There will be no effect on the overall development densities outlined in *Tables 12.9A – D* and it can be demonstrated to the satisfaction of the *Council* that there is an ability to make up density shortfalls in subsequent future stages of development;
- c) The *Council* is satisfied that the higher yields will not generate any adverse effects on high-quality urban design sought through *Rule 12.5.3 Controlled Activity – Matters of Control and Conditions*;
- d) The shortfall will not compromise the provision of cost-effective and efficient *infrastructure* and *services*;

- e) In particular for Pyes Pa West:
  - i) The options and opportunities for a variety of lot sizes, including opportunities for higher-density development within the Pyes Pa Medium-Rise Policy Area and comprehensive development within the Suburban Residential Zone;
  - ii) Submission of a master plan showing indicative development and the balance of the stage and subsequent stages showing the likely total yield to be achieved.

#### **12.1.1.1.4 Policy – Minimum Allotment Sizes**

By ensuring that the dimensions and areas of allotments sustain *the City's* land resource while enabling the siting and *construction* of *buildings*, private outdoor space, *service areas*, vehicle access and parking in accordance with the permitted activity rules of the relevant zone.

#### **12.1.1.1.5 Policy – Subdivision of Secondary Dwellings**

By preventing the *subdivision* of secondary dwellings to ensure they are not able to be separated from the principal *independent dwelling unit*.

#### **12.1.1.2 Objective – Subdivision Infrastructure and Servicing**

The provision of efficient, effective, functional and sustainable *infrastructure* and *services* through the *subdivision* process.

##### **12.1.1.2.1 Policy – Infrastructure and Services**

By ensuring the *subdivision* process provides a level of *infrastructure* and *services* appropriate for the zone in which they are located.

##### **12.1.1.2.2 Policy – Infrastructure Provision within Urban Growth Areas**

By ensuring the provision of *infrastructure* through the *subdivision* of land in Urban Growth Areas proceeds in a sequence consistent with the relevant Urban Growth Plan while:

- a) Maximising the use of existing *infrastructure* in the vicinity;
- b) Installing new *infrastructure* in a co-ordinated manner.

##### **12.1.1.2.3 Policy – Staged Subdivisions**

By ensuring the sequence of staged *subdivision* does not adversely affect the efficient, effective, functional and sustainable delivery of *infrastructure* and *services*.

#### **12.1.1.3 Objective – Access to the Coastal Environment, Wetlands, Rivers and Streams**

Safe and efficient public access to and along *the City's coastal environment, wetlands, rivers* and streams is maintained and enhanced through the *subdivision* process.

### **12.1.1.3.1 Policy – Access to the Coastal Environment, Wetlands, Rivers and Streams**

By ensuring opportunities for public access to *the City's coastal environment, wetlands, rivers and streams* through the provision of *esplanade reserves* or *esplanade strips* are realised through *subdivision* in a way that is consistent with *Objective 6.2.1.3 - Preservation of the Natural Character of the Coastal Environment, Wetlands, Rivers, and Streams* and *Policy 6.2.1.3.2 – Preservation of the Natural Character of the Coastal Environment, Wetlands, Rivers, and Streams*.

### **12.1.1.4 Objective – Subdivision within Plan Areas**

The adverse effects of *subdivision* are avoided in:

- a) Special Ecological Plan Areas;
- b) *Outstanding Natural Features and Landscapes* Plan Area;
- c) *Important Amenity Landscapes* Plan Area;
- d) Coastal Hazard Erosion Plan Area;
- e) *Flood Hazard Plan Area*.

#### **12.1.1.4.1 Policy – Subdivision within Plan areas**

By managing the potential adverse effects of *subdivision* to ensure:

- a) Protection of Special Ecological Areas (Category 1) and maintenance and enhancement of Special Ecological Areas (Category 2);
- b) Protection of *the City's outstanding natural features and landscapes*;
- c) Maintenance and enhancement of *the City's important amenity landscapes*;
- d) The integrity of the *coastal environment's* natural defences are not compromised;
- e) The risk of flooding is avoided

## 12.2 Activity Status Rules

### 12.2.1 Subdivision Activities

All *subdivision* activities shall have the status identified in *Table 12.2A*. Symbols used in *Table 12.2A* have the meaning described in *Table 1B:Activity Status*

**Table 12.2A – Subdivision Activity Status**

| Use/Activity   | Relevant Rule  | Residential Zones | Rural- Residential | Rural, Greenbelt & Future Urban | Rural Marae Community | Commercial and Industrial | Ngati Kahu Sub-Zone A & B | Education Centre and Open Space |
|--|--|-------------------|--------------------|---------------------------------|-----------------------|---------------------------|---------------------------|---------------------------------|
| <p><i>Subdivision</i> within the following Plan Areas:</p> <ul style="list-style-type: none"> <li>a) Special Ecological Areas;</li> <li>b) <i>Outstanding Natural Features and Landscapes</i>;</li> <li>c) <i>Important Amenity Landscapes</i>;</li> <li>d) <i>CHEPA</i>;</li> <li>e) <i>Flood Hazard Plan Area</i>;</li> <li>f) High-Voltage Transmission Area</li> </ul> | Refer to the relevant rules within <i>Section 12.3 – General Rules</i> |                   |                    |                                 |                       |                           |                           |                                 |
| Cross-lease to freehold <i>subdivision</i>   | 12.3.2.1   | P                 | P                  | P                               | P                     | P                         | P                         | P                               |
| Amendments to a cross-lease, company lease or unit title plan to show additions, alterations or <i>accessory buildings</i>   | 12.3.2.2   | P                 | P                  | P                               | P                     | P                         | P                         | P                               |
| <i>Boundary</i> adjustments, amalgamations and relocations of existing title   | 12.3.3.1.1   | C                 | C                  | C                               | C                     | C                         | C                         | C                               |
| Unit titles and allotments to accommodate <i>network utilities</i>   | 12.3.3.1.2   | C                 | C                  | C                               | C                     | C                         | C                         | C                               |

| Use/Activity   | Relevant Rule      | Residential Zones       | Rural- Residential      | Rural, Greenbelt & Future Urban  | Rural Marae Community   | Commercial and Industrial | Ngati Kahu Sub-Zone A & B | Education Centre and Open Space |
|--|--------------------|-------------------------|-------------------------|--|-------------------------|---------------------------|---------------------------|---------------------------------|
| <i>Subdivision of contaminated land</i>  | (SEE ZONE)         | RD<br>12.5.2            | RD<br>12.7.2            | RD<br>12.9.2   | RD<br>12.9.2            | RD<br>12.11.2             | RD<br>12.13.2             | RD<br>12.3.4                    |
| <i>Subdivision for freehold allotments</i>   | (SEE ZONE)         | C<br><i>Rule 12.5.1</i> | C<br><i>Rule 12.7.1</i> | C<br>(Rural & Greenbelt)<br><i>Rule 12.9.1</i><br>NC<br>(Future Urban)<br><i>Rule 12.9.4</i> | C<br><i>Rule 12.9.1</i> | C<br><i>Rule 12.11.1</i>  | C<br><i>Rule 12.13.1</i>  | D<br><i>Rule 12.3.5</i>         |
| <i>Subdivision for full partitions for papakainga housing</i>                              | (SEE ZONE)         | C<br><i>Rule 12.5.1</i> | D<br><i>Rule 12.7.3</i> | D<br><i>Rule 12.9.3</i>  | C<br><i>Rule 12.9.1</i> | D<br><i>Rule 12.11.3</i>  | C<br><i>Rule 12.13.1</i>  | NC<br><i>Rule 12.3.6</i>        |
| <i>Subdivision of a site containing a item on Appendix 7A.1 Register of Built Heritage</i> | <i>Rule 12.3.4</i> |                         |                         | RD   |                         |                           |                           |                                 |
| <i>Subdivision of a secondary independent dwelling unit</i>                                | (SEE ZONE)         | PR<br>12.5.5            | NC<br>12.7.4            | NC<br>12.9.4   | n/a                     | n/a                       | n/a                       | n/a                             |

## 12.3 General (All Zones)

### 12.3.1 Permitted Activities

The following are permitted activities:

Any activity listed as a Permitted Activity in *Table 12.2A*

### 12.3.2 Permitted Activity Rules

---

*Note: Where an activity does not comply with a Permitted Activity Rule it shall be considered a Restricted Discretionary Activity unless stated otherwise.*

---

#### 12.3.2.1 Cross-Lease to Freehold Subdivision

Activities must comply with the following:

- a) *Services* must be provided in accordance with *Rule 12.16.1.1 – Minimum Service Requirements*;
- b) Appropriate easements must be provided to protect *services* and access;
- c) The extent of any *building* bulk and scale non-compliances shall be shown.

#### 12.3.2.2 Amendments to a Cross-Lease, Company Lease or Unit Title Plan

Activities must comply with the following:

- a) The amendments must be for the purpose of showing additions, alterations or *accessory buildings*;
- b) The addition and/or alteration must be either permitted under the provisions of *the Plan* or otherwise lawfully established.

### 12.3.3 Controlled Activity Rules

The following are Controlled Activities:

- a) *Boundary* adjustments within the 50-year and 100-year ERZ or the CERZ;
- b) Any activity listed as a Controlled Activity for all zones in *Table 12.2A*.

#### 12.3.3.1 Controlled Activity – Standards and Terms

##### 12.3.3.1.1 Boundary Adjustments

Activities must comply with the following:

- a) No additional titles shall be created;
- b) Minimum area requirements shall not apply;
- c) The *boundary* adjustment shall leave an allotment(s) with the same or similar *nett site area*;

- d) The *boundary* adjustment will not lead to, or increase the degree of, non-conformity of any existing lot(s) with the *subdivision* provisions for that zone;
- e) Rules 12.3.3.1.1 c) and d) *Boundary Adjustments* shall not apply to *boundary* adjustments in the City Living Zone that create sites for *comprehensively designed developments*.

### 12.3.3.1.2 Unit Titles and Allotments to Accommodate Network Utilities

Activities must comply with the following:

- a) Rule 12.3.3.1.2 – *Unit Titles and Allotments to Accommodate Network Utilities* does not apply to secondary dwellings;
- b) Allotments may be created to accommodate an activity for which a resource consent has been granted or where the use is not a permitted activity in *the Plan*, but has been otherwise lawfully established;
- c) Allotments shall be designed to ensure that:
  - i) The principal use and all ancillary *buildings* and activities can be accommodated and fully serviced;
  - ii) That the use can comply with the conditions of any land-use consent;
  - iii) In the case of a *network utility*, is of sufficient size to allow any required landscaping or amenity works;
- d) There is no minimum *site* area requirement for an allotment for an existing use;
- e) Any remaining balance area shall comply with the minimum allotment size in the zone in which the *subdivision* is located;
- f) Allotments may be created to accommodate a *network utility* which complies with the relevant rules in *Chapter 10 - Network Utilities and Designations*.

### 12.3.3.2 Controlled Activities – Matters of Control and Conditions

The *Council* reserves control over, and may impose conditions on, the following matters:

- a) The location of boundaries on-site in relation to *buildings* and parking and manoeuvring areas;
- b) The location and provision of *services* and any requirements to upgrade those *services*;
- c) The location and provision of easements.

### 12.3.4 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) *Subdivision*, not including allotments for *network utilities*, located wholly or partly within the 50- or 100-year ERZ;
- b) *Subdivision*, not including allotments for *network utilities*, partly within the CERZ;
- c) *Subdivision*, not including *boundary* adjustments or allotments for *network utilities*, located partly or wholly within a High-Voltage Transmission Plan Area – Sub-Zone B;
- d) *Subdivision* of a *site* containing an item on the *Register of Built Heritage*;

- e) Any activity described as a Permitted Activity or Controlled Activity that does not comply with a Permitted Activity Rule or Controlled Activity Standard and Term;
- f) Any *subdivision* listed as Restricted Discretionary Activity in *Table 12.2A*.

### **12.3.4.1 Restricted Discretionary Activities – Standards and Terms**

Restricted Discretionary Activities shall comply with the following standards and terms.

#### **12.3.4.1.1 Subdivisions Located Wholly or Partly within the 50-year or 100-year ERZ**

*Subdivision* shall ensure that allotments are provided with an *alternative building site*.

#### **12.3.4.1.2 Subdivision located partly within the CERZ**

*Subdivision* shall:

- a) Be provided with an *alternative building site*;
- b) Ensure the land within the CERZ shall be held in the certificate of title of the proposed seaward allotment;
- c) Ensure no *buildings* or *structures* shall be permitted on that part of the land located in the CERZ.

#### **12.3.4.2 Restricted Discretionary Activity – Matters of Discretion and Conditions**

The *Council* restricts the exercise of its discretion to:

##### **12.3.4.2.1 All Subdivision**

- a) The relevant *subdivision* objectives and policies relating to underlying zone;
- b) The objectives, policies and matters of discretion and conditions for contaminated land in Chapter 9 - Hazardous Substances and Contaminated Land;
- c) The provision and location of *services* and any need to upgrade those *services*;
- d) The extent to which the location of boundaries or allotment sizes will create additional off-site effects from an existing activity.

##### **12.3.4.2.2 For Subdivision in the CHEPA**

Those matters over which the *Council* has restricted its discretion are listed under *Rule 8.6.3 – Restricted Discretionary Activity- Matters of Discretion*.

#### **12.3.4.2.1.3 For Subdivision within the High-Voltage Transmission Plan Area – Sub-Zone B**

- a) The identification of *building platforms*;
- b) Whether practical access to the *transmission electric line* and any support *structure* (including, but not limited, to the provision of easements) is provided for;
- c) The nature and location of any proposed *earthworks*;
- d) Whether the location of allotments or any *building platform* will interfere with the safe and efficient operation, maintenance or *minor upgrading* of the *transmission electric line* or support *structure*.

#### **12.3.4.2.4 For Subdivision of a Site Containing an Item on the Built Heritage Register**

- a) The relevant objectives and policies of *Chapter 7 – Heritage*;
- b) The importance of the existing *site* to the heritage values of the item on the *Built Heritage Register* and the degree to which the fragmentation of the *site* will adversely affect these values.

#### **12.3.4.2.5 Controlled Activities that do not Comply with the Controlled Activity Standards and Terms**

In considering any activity described as a Restricted Discretionary Activity in *Rule 12.3.4 e) – Restricted Discretionary Activity Rules*, the *Council* restricts the exercise of its discretion to:

- a) The extent to which the activity complies with the Controlled Activity Standards and Terms in *Rule 12.3.3.1 – Controlled Activity – Standards and Terms*;
- b) The matters over which the *Council* has reserved control in *Rule 12.3.3.2 – Controlled Activities – Matters of Control and Conditions*.

#### **12.3.5 Discretionary Activity Rules**

The following are discretionary activities:

- a) *Subdivision*, not including *boundary* adjustments or allotments for *network utilities* within a Special Ecological Plan Area (Category 2);
- b) *Subdivision*, not including *boundary* adjustments or allotments for *network utilities* within an *Important Amenity Landscape* Plan Area;
- c) Any Restricted Discretionary Activity that does not comply with a Restricted Discretionary Activity standard and term;
- d) Any *subdivision* listed as a Discretionary Activity in *Table 12.2A*.

## 12.3.5.1 Discretionary Activity – Standards and Terms

### 12.3.5.1.1 Special Ecological Plan Areas

Those matters under *Rule 5.5.1 Restricted Discretionary Activity – Standards and Terms*.

### 12.3.5.1.2 Important Amenity Landscape Plan Area

Those matters under *Rule 6.5.1 Restricted Discretionary Activity – Standards and Terms*.

## 12.3.5.2 Assessment of Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the objectives and policies of *the Plan* relating to the relevant Plan Area.

## 12.3.6 Non-Complying Activities

The following are Non-Complying Activities:

- a) *Subdivision*, not including *boundary* adjustments or allotments for *network utilities* within a Special Ecological Plan Area (Category 1);
- b) *Subdivision*, not including *boundary* adjustments or allotments for *network utilities* within an *Outstanding Natural Features and Landscapes* Plan Area;
- c) *Subdivision* within the Coastal Protection Area;
- d) *Subdivision*, not including *boundary* adjustments or allotments for *network utilities*, located partly or wholly within a High-Voltage Transmission Plan Area – Sub-Zone A;
- e) Any Discretionary Activity that does not comply with a Discretionary Activity standard and term;
- f) Any *subdivision* listed as a Discretionary Activity in *Table 12.2A*.

## 12.3.7 Prohibited Activity Rules

The following are prohibited activities:

- a) *Subdivision* wholly within the CERZ;
- b) *Subdivisions* that do not comply with the *Rule 12.3.5.1 Discretionary Activity – Standards and Terms*.

## 12.4 Subdivision in Residential Zones

The Residential Zone provides for a range of infill and greenfield living across *the City*, providing a choice for the community and to accommodate current and future growth.

These opportunities range from:

- a) *High-density* environments located in Mount Maunganui where development is characterised by apartment and unit development at a rate of one *independent dwelling unit* to between 60 and 100m<sup>2</sup> of *site area*. Such *subdivision* is predominantly characterised by amalgamation of parent titles and unit titling of completed *buildings*;
- b) *Medium-density* environments located within the City Living Zones which provide for a range of densities at a minimum of one *independent dwelling unit* to 130m<sup>2</sup> of *site area*. Again, it is anticipated that *subdivision* will involve unit titling of completed *buildings*. Amalgamation of lots to create land parcels of at least 1500m<sup>2</sup> is also encouraged through the provision of density bonuses;
- c) Traditional *low-density* suburban environments characterised by *infill subdivision* that creates freehold allotments to accommodate detached dwellings and associated outdoor living areas. In these areas minimum lot sizes are not expected to be less than 325m<sup>2</sup> , and where *subdivision* in greenfield areas occurs it is expected that a minimum density yield of 15 dwellings a hectare will be achieved.

As part of this *low-density* living specific provision is also made in the Pyes Pa West area for large residential lots where the minimum lot size is 1000m<sup>2</sup>, reflecting topographical constraints.

### 12.4.1 Objectives and Policies for Subdivision in Residential Zones

#### 12.4.1.1 Objective – Subdivision in Residential Zones

*Subdivision* in *Residential Zones* provides for integrated, liveable and sustainable communities that incorporate high-quality urban design while maintaining and enhancing amenity and urban *landscape character* and the sustainable functioning of the *transport network*.

##### 12.4.1.1.1 Policy – Subdivision Design

By ensuring that opportunities for high-quality urban design are incorporated into *subdivision* design having particular regard to:

- a) Providing a safe and efficient road network that effectively integrates with the surrounding area;
- b) Providing for safe and direct movement through and between neighbourhoods for pedestrians, cyclists and vehicles;
- c) Providing for efficient public transport layouts;
- d) Maximising allotment frontage to public roads and *reserves*;
- e) Providing easy access to open space and *reserves*;
- f) Providing good solar orientation of residential allotments, open space and *reserves*;
- g) Providing a variety of allotment sizes;

- h) Retaining and integrating natural features;
- i) Generally avoiding culs-de-sac where these are not associated with topographical constraints.

#### **12.4.1.1.2 Policy – Undersized Allotments outside Urban Growth Areas**

By avoiding *infill subdivision* that creates undersized residential allotments in Suburban, High-Density Urban and City Living Zones to ensure:

- a) *Intensification* does not occur in an ad hoc manner;
- b) The amenity values and urban *landscape character* of those zones is not adversely affected.

#### **12.4.1.1.3 Policy – Undersized Allotments – Greenfield and Urban Growth Areas**

By providing for undersized allotments in greenfield and Urban Growth Areas only where they are developed in accordance with an *outline development plan*.

#### **12.4.1.1.4 Policy – Allotment Sizes in Pyes Pa West**

By providing for large lot *subdivision* to maximise the marginal land resource in this area while:

- a) Recognising the specific servicing requirements;
- b) Maintaining and enhancing the landscape values.

#### **12.4.1.1.5 Policy – New Subdivision and Development in North West Bethlehem – Reverse Sensitivity**

By ensuring that *subdivision* on land zoned for residential purposes and located to the north and west of the Bethlehem Centre mitigate potential adverse reverse sensitivity effects on commercial activities.

## 12.5 Residential Zones

*Note: Subdivisions that do not meet a Controlled Activity Rule will be considered Restricted Discretionary Activities unless identified otherwise.*

*Note: Subdivision that does not comply with minimum lot size requirements in the Suburban Residential and High-Density Urban Residential Zone will be considered a Discretionary Activity.*

*Note: Subdivisions that do not comply with Rule 12.5.2.1 – Minimum Lot Size will be considered Discretionary Activities.*

### 12.5.1 Controlled Activity Rules

The following are Controlled Activities:

- a) Those activities identified as controlled in *Table 12.2A*

#### 12.5.1.1 Controlled Activity – Standards and Terms

##### 12.5.1.1.1 Minimum Allotment Size

- a) *Subdivision* for residential allotments in the Suburban Residential, High-Density Urban and Urban Marae Community Zones shall comply with the following:

|                         |   |  |  |
|-------------------------|---|--|--|
| Minimum allotment size: | Suburban                                | Urban Marae                              | High-Density Urban                       |
|                         | 325m <sup>2</sup> nett <i>site</i> area | 325m <sup>2</sup> gross <i>site</i> area | 100m <sup>2</sup> gross <i>site</i> area |

- b) *Subdivision* for residential allotments in the Pyes Pa Large Lot Zone shall comply with the following:

|                         |   |
|-------------------------|---|
| Minimum allotment size: | 1000m <sup>2</sup> gross <i>site</i> area |
|-------------------------|---|

##### 12.5.1.1.2 Development Intensity and Scale in Urban Growth Areas

In the Urban Growth Areas of Pyes Pa West (as identified on Urban Growth Plan UGP7), Hastings Road (Urban Growth Plan UGP7), North West Bethlehem (Urban Growth Plan UGP1), and Kennedy Road (Urban Growth Plan UGP7) the minimum average yield for *residential activities* in the Residential Zone (including the Pyes Pa West in the Suburban Zone and Suburban Medium-Density Zone) shall be 15 *independent dwelling units* per hectare of *nett developable area*. *Subdivision* in each of these Urban Growth Areas shall be undertaken in accordance with the following:

- a) Pyes Pa West Urban Growth Area

Achievement of 15 dwellings per hectare will be measured as an average over the current and any preceding development stages shown on the identified on *Diagram 7, section 7, Plan Maps (Part B)* and shall be met for the current and any preceding development stages before final *subdivision* consent (by way of a certificate pursuant to Section 224, *RMA*), or land-use consent being granted for any area within a subsequent stage. Development of *residential activities* (whether by land use or *subdivision*) of a subsequent stage may proceed to a consent process when 80% of the preceding stage has been reached. The following table provides a guide to achieving total yield

requirements at each stage of development.

**Table 12.5A: Indicative Tables of Potential Yield and Trigger Levels - Pyes Pa West Urban Growth Area**

| Development Stage | Suburban Residential Zone (ha) | Suburban Residential – Medium-Density Area (ha) | Total Nett Developable Area (ha) | Total Dwellings at 15/ha | Trigger level for development of subsequent stages (80%) (dwellings) |
|-------------------|--------------------------------|---|----------------------------------|--------------------------|--|
| Stage 1           | 15.1                           | 9.5   | 24.6                             | 369                      | 295  |
| Stage 2           | 33.8                           | 9.7   | 43.5                             | 653                      | 522  |
| Stage 3           | 62.9                           | 0   | 62.9                             | 944                      |  |
| Total             | 112                            | 19.2  | 131.1                            | 1966                     |  |

*Note: This shows yield targets based on known constraints at the time of adoption. It is recognised that upon completion of geotechnical investigations as part of the subdivision resource consent process the yield required to be achieved is assessed in accordance with the definition of nett developable area.*

b) Hastings Road, Kennedy Road and North West Bethlehem Urban Growth Areas

Achievement of 15 dwellings per hectare in the Hastings Road, Kennedy Road and North West Bethlehem Urban Growth Areas will be measured on a site-by-site basis, however this rule will not apply to sites that were less than 2000m<sup>2</sup> as at the date the plan becomes operative. Yield may be reduced below 15 dwellings per hectare from the subdivision of a particular site within a stage of subdivision, where that subdivision will complete the achievement of an average of 15 dwellings a hectare, as outlined in Tables 12.5B, Table 12.5C and Table 12.5D below, within that development stage.

**Table 12.5B: Indicative Tables of Potential Yield and Trigger Levels Hastings Road Urban Growth Area**

| Development Stage                              | Total Nett Developable Area (ha) | Total Dwellings at 15/ha |
|--|----------------------------------|--------------------------|
| Applicable to the whole Urban Growth Plan Area | 18.5                             | 277                      |

*Note: This table shows yield targets based on known constraints at the time of adoption. It is recognised that upon completion of geotechnical investigations as part of the subdivision resource consent process the yield required to be achieved is assessed in accordance with the definition of nett developable area.*

**Table 12.5C: Indicative Tables of Potential Yield and Trigger Levels Kennedy Road Urban Growth Area**

| Development Stage  | Total Nett Developable Area (ha) | Total Dwellings at 15/ha |
|--|----------------------------------|--------------------------|
| Applicable to the whole Urban Growth Plan Area   | 47                               | 722                      |
| <p><i>Note: This table shows yield targets based on known constraints at the time of adoption. It is recognised that upon completion of geotechnical investigations as part of the subdivision resource consent process the yield required to be achieved is assessed in accordance with the definition of net developable area.</i></p> |                                  |                          |

**Table 12.5D: Indicative Tables of Potential Yield and Trigger Levels North West Bethlehem Urban Growth Area**

| Development Stage  | Total Nett Developable Area (ha) | Total Dwellings at 15/ha |
|--|----------------------------------|--------------------------|
| Applicable to the whole Urban Growth Plan Area   | 15.01                            | 225                      |
| <p><i>Note: This table shows yield targets based on known constraints at the time of adoption. It is recognised that upon completion of geotechnical investigations as part of the subdivision resource consent process the yield required to be achieved is assessed in accordance with the definition of net developable area.</i></p> |                                  |                          |

a) Comprehensive Development Sites in Urban Growth Areas

In meeting the yield requirements of *Rule 12.5.1.1.2 – Development Intensity and Scale in Urban Growth Areas*, sites for comprehensive medium-density development may be identified at the time of *subdivision*. Approval of these sites is subject to:

- i) Concurrent approval for an *Outline Development Plan* to guide future development;
- ii) The application of a *consent notice*;
- iii) A maximum *site* total allotment size of not more than 3000m<sup>2</sup>.

**12.5.1.1.3 Design Assessment**

Allotments shall be designed to demonstrate that it is possible, in accordance with the underlying zone, to:

- a) Construct *buildings* and *structures* in accordance with:
  - i) *Rule 14.5.1 – Residential and Visitor Accommodation Density*, or *Rule 14.19.1 – Residential Development Density*
  - ii) *Rule 14.5.3 – Streetscape* or *Rule 14.19.3 - Streetscape* ;
  - iii) *Rule 14.5.4 – Setbacks* or *Rule 14.19.4 - Setbacks*;
  - iv) *Rule 14.5.5 – Overshadowing* or *Rule 14.19.5 - Overshadowing*
  - v) *Rule 14.19.6 – Site Coverage* or *Rule 14.19.7 – Site Coverage*
- b) Provide access, parking and manoeuvring areas in accordance with:

- i) *Rule 14.5.6 – Access or Rule 14.19.8 - Access;*
- ii) *Rule 4.2.2.3 On-Site Parking – General;*
- iii) *Rule 4.2.2.4 – On-Site Parking Design;*
- iv) *Rule 4.2.2.5 – On-Site Manoeuvring;*
- v) *Rule 4.2.2.7 – Site Access and Vehicle Crossings.*

#### **12.5.1.1.4 Building Platform Requirements – Pyes Pa West**

*Building platforms shall not be located within 20 metres of an escarpment.*

#### **12.5.1.1.15 Building Platform Requirements – Papamoa**

Subdivision to create freehold title (not including cross-lease to freehold subdivision) between the area from Sunrise Avenue, State Highway 2 and the Kaituna River that is within the City shall ensure allotments have a minimum building platforms of RL5 metres above Moturiki Datum.

#### **12.5.1.1.6 Services**

Every allotment shall be provided with *services* in accordance with *Rule 12.16.1.1 – Minimum Service Requirements*.

#### **12.5.1.1.7 Urban Growth Area Requirements - Infrastructure:**

- a) *Subdivision* within an Urban Growth Area shall provide the level of *infrastructure* defined and shown on the relevant Urban Growth Plan (*Section 8, Part C*) which includes:
  - i) Road connections;
  - ii) *Walkway* and cycleway links;
  - iii) Active and passive recreation areas;
  - iv) Stormwater, *wastewater* and water pipes.
- b) For all *subdivisions* in the Pyes Pa West Urban Growth Area, *infrastructure* for stormwater management shall be designed and constructed to ensure:
  - i) The 50-year AEP flood peaks from each development area are to be no greater than 50% of the pre-development peak run-off rates (i.e., pastoral land use);
  - ii) The 2-year AEP flood peaks shall be reduced to 30% of the pre-development peak run-off rates.
- c) *Infrastructure* shall be provided in accordance with *Rule 12.16.2.1.1 – Infrastructure*.

## 12.5.1.1.8 Urban Growth Area Requirements – Other Requirements

### For Pyes Pa:

- a) Any new *subdivision* adjoining State Highway 29 between Pyes Pa Road and Oropi Road shall provide access to each new allotment by new local or collector roads, and shall provide for a segregation strip along the State Highway frontage of 0.1 metre wide.
- b) Any new *subdivision* adjoining the Takitimu Drive Extension between State Highway 29 and Pyes Pa Road shall provide a segregation strip of 0.1 metre to prevent vehicular access on to Takitimu Drive.
- c) Works to connect the existing formation of Kennedy Road with any new roading in the Pyes Pa West Urban Growth Area shall not be undertaken until:
  - i) *Construction* of the full length of the Route K extension (from State Highway 29 to Pyes Pa Road) has been completed and the road is operational;
  - ii) Kennedy Road (including its intersection with Pyes Pa Road) has been upgraded to collector road status. In the event the Kennedy Road extension is requested to be completed ahead of *Council's* approved roading programme, the cost of the road upgrading works shall be borne fully by the developer requesting *construction* of the extension.

### For Bethlehem:

- a) Any new *subdivision* adjoining State Highway 2 between Bethlehem Road and Carmichael Road shall provide access to each new allotment by new local or collector roads.
- b) Any new *subdivision* within the North West Bethlehem Urban Growth Area adjoining State Highway 2 shall provide for a segregation strip along State Highway frontage of 0.1 metre wide to prevent vehicular access.

---

*Note: Direct vehicle access to the State Highway is a Non-Complying Activity in accordance with Rule 4.2.5 - Non-Complying Activities.*

---

- c) Where any part of the allotment is within 20 metres of the western and northern boundaries of the Bethlehem Commercial Zone, *subdivisions* shall provide for the following:
  - i) A *building* line restriction shown on the survey plan to exclude residential dwellings and educational facilities within 5 metres from the Bethlehem Commercial Zone *boundary* on the north side of State Highway 2;
  - ii) A *consent notice* on certificates of title to make people aware of the legitimate *business activities* and potential service lane noise/disturbance on the nearby Bethlehem Centre site;
  - iii) A *consent notice* on certificates of title to advise potential *building* developers of the acoustic standards that will apply to the *habitable rooms* of any residential dwelling within 20 metres of the western or northern *boundary* of the Bethlehem Commercial Zone (north side of State Highway 2).

## For North West Bethlehem

- a) Any *subdivision* for new allotments within the North West Bethlehem Urban Growth Area shall ensure that the *building setback* line as shown on Urban Growth Plan (UGP7) is provided for on all new certificates of title.

### 12.5.1.1.9 Contaminated Land

The application shall address any contaminated land issues relevant to the site. Refer to the requirements of *Chapter 9 – Hazardous Substances and Contaminated Land*.

### 12.5.1.1.10 Staging

Where staged *subdivision* is proposed the extent of the stages and the order of those stages shall be clearly identified.

### 12.5.1.2 Controlled Activities – Matters of Control and Conditions

The *Council* reserves control over the following matters.

#### 12.5.1.2.1 Topography and Landform

- a) The maintenance of the natural landform and retention of existing natural features that could act as landmarks and assist in providing legibility within the *subdivision*.
- b) The extent of proposed *earthworks* including, but not limited to:
  - i) Change in levels resulting from excavation and fill;
  - ii) Any modification of drainage patterns;
  - iii) The consistency between proposed finished *ground levels* and *ground levels* on adjoining sites;
  - iv) The location, design and suitability of *building platforms* for their intended use.
- c) Geotechnical, natural or man-made hazards on the site.

#### 12.5.1.2.2 Ecology and Open Space

- a) The retention and management of areas of *indigenous* flora and fauna habitats.
- b) The provision and location of landscaping.
- c) The provision and location of recreation *reserves*, *esplanade reserves* or strips that provide interconnected public open space and any vesting that may be required to achieve this.

#### 12.5.1.2.3 Connectivity and Transportation

- a) The proximity of any State Highway and the effects of anticipated vehicle movements associated with the *subdivision*.
- b) The provision of public accessways that link residential areas with public transport *services*, *schools*, recreational spaces, shops and other activity centres.

- c) The layout of *walkway*, cycleways and street patterns and how they connect within and between existing neighbourhoods or undeveloped sites.
- d) Whether street patterns maximise convenient access to the *transport network*, *reserves* and *community facilities*.
- e) Road functions that are consistent with the character of adjacent land uses.
- f) The integration of safe *walkways* and cycleways with road and *reserve* design.
- g) Avoiding a predominance of culs-de-sac to maintain reasonable accessibility and interconnection.
- h) Consideration of the principles illustrated in *Appendix 12F: Subdivision, Layout and Design*.

#### **12.5.1.2.4 Block Size and Allotment Layout**

- a) Blocks of allotments should of a scale and shape that achieve a permeable street layout.
- b) The shape and orientation of proposed allotments should maximise daylight.
- c) Allotments should generally front on to, and be directly accessed from, a legal road.
- d) The provision of a variety of complying allotment sizes.
- e) Consideration of the principles illustrated in *Appendix 12F: Subdivision, Layout and Design*.

#### **12.5.1.2.5 Infrastructure and Services**

- a) The provision and location of *infrastructure* and *services* to, and within, the *subdivision*.
- b) The requirement for Development Plan Approval to ensure that *infrastructure* to be vested meets the minimum *construction* and technical specification requirements of *the City*.
- c) The provision, location and type of easements.
- d) The extent and sequence of proposed staging.
- e) The management of *construction* works.
- f) The design, layout and *construction* of *infrastructure* in relation to Urban Growth Plans (in *Section 8, Plan Maps (Part B)*).
- g) The location of any proposed pump station in proximity to residential allotments.
- h) The provision of a bond for the purpose of remedial, restoration or maintenance work of existing *Council* assets or assets proposed to be vested in *Council*.

#### **12.5.1.2.6 Heritage**

The identification, management or protection of *archaeological sites* or sites of significance to tangata whenua.

#### **12.5.1.2.7 Consent Notices**

Consent notices will be required where appropriate including, but not limited to:

- a) For engineering; geotechnical and hazard purposes;
- b) For *infrastructure* or *services*;

- c) For the planting and maintenance of escarpments or *wetland*;
- d) To limit the future development of comprehensive medium-density development in new Urban Growth Areas (to be in accordance with any *Outline Development Plan* adopted for that *site* under the provisions of Rule 14.20.3.1 - *Medium Rise Plan Area and Large Sites in Urban Growth Areas* and Rule 14.20.3.2 - *Medium Density Sites in the Suburban Residential Zone Urban Growth Areas* rules in the *Residential Zones* chapter).

## 12.5.2 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) *Subdivision* within an Urban Growth Area where the target yield of 15 *independent dwelling units* per hectare of *nett developable area* has a shortfall of 10% or less of the *nett yield* in any one stage/*subdivision*, or the current preceding stages/*subdivision* cumulatively have a shortfall of less than 5% of *nett yield*, as set out in *Tables 12.5A – D*;
- b) Any activity described as a Controlled Activity that does not comply with a Controlled Activity standard and term;
- c) Any activity listed as Restricted Discretionary in *Table 12.2A*.

### 12.5.2.1. Restricted Discretionary Activity – Standards and Terms

Restricted Discretionary Activities shall comply with the following standards and terms.

#### 12.5.2.1.1 Yield Shortfalls in Urban Growth Areas

An assessment shall be provided with an application for resource consent which confirms:

- a) The topographical, geotechnical and land form constraints of the subject *site* that make it unreasonable to achieve the yields required in *Tables 12.5A – D*;
- b) That any target density shortfall is no more than 10% of the proposed yield; or the current and preceding stages/*subdivisions* cumulatively have a shortfall of less than 5% of the *nett yield*;
- c) The density target shortfalls can be accommodated in subsequent stages/*subdivisions*;
- d) How higher yields will be able to achieve high-quality urban design sought through *Rule 12.5.1.2 – Controlled Activities – Matters of Control and Conditions*;
- e) In particular for Pyes Pa West:
  - i) The options and opportunities for a variety of lot sizes, including opportunities for higher-density development within the Pyes Pa Medium-Rise Policy Area and comprehensive development within the Suburban Residential Zone;
  - ii)
  - iii) Submission of a master plan showing indicative development and the balance of the stage and subsequent stages showing the likely total yield to be achieved.

## 12.5.2.2. Restricted Discretionary Activities – Matters of Discretion and Conditions

The *Council* restricts the exercise of its discretion to the following matters:

- a) Consistency with the relevant *subdivision* objectives and policies and the objectives and policies of *Chapter 14 – Residential Zones*;
- b) The objectives, policies and matters of discretion and conditions for contaminated land in *Chapter 9 - Hazardous Substances and Contaminated Land*;
- c) The extent to which future *buildings* and *structures* will have an adverse effect on the amenity values within the proposed allotment;
- d) The extent to which access, parking and manoeuvring can still be provided in a safe and efficient manner;
- e) The extent to which *building platforms* will be suitable for their intended use;
- f) The extent to which the provision of *infrastructure* will adversely affect the capacity or intended capacity for *infrastructure* within an Urban Growth Area;
- g) Adverse effects existing and/or future *infrastructure* service capability may cause upstream and downstream of the *subdivision* or within the site.

### 12.5.2.2.1 Controlled Activities that do not Comply with the Controlled Activity Standards and Terms

In considering any activity described as a Restricted Discretionary Activity in *Rule 12.5.2 b) – Restricted Discretionary Activity Rules*, the *Council* restricts the exercise of its discretion to:

- a) The extent to which the activity complies with the Controlled Activity standards and terms in *Rule 12.5.2 – Restricted Discretionary Activity Rules*;
- b) The matters over which the *Council* has reserved control in *Rule 12.5.1.2 – Controlled Activities – Matters of Control and Conditions*.

### 12.5.3 Discretionary Activity Rules

The following are Discretionary Activities:

- a) *Subdivision* that does not meet the minimum allotment size in the Suburban Residential and High-Density Urban Residential Zone;
- b) *Subdivision* within an Urban Growth Area where the target yield of 15 *independent dwelling units* a hectare of *nett developable area*, which has a shortfall of more than 11% of the *nett yield* in any one stage, or the current and preceding stages/*subdivisions* cumulatively have a shortfall of more than 6% of *nett yield*, as set out in *Tables 12.5A – D*;
- c) *Subdivision* not listed as a Controlled, Restricted Discretionary or Non-Complying Activity;
- d) Any *subdivision* listed as a Discretionary Activity in *Table 12.2A*.

### **12.5.3.1 Assessment of Discretionary Activities**

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* shall pay particular regard to the relevant objectives and policies of *the Plan*.

### **12.5.4 Non-Complying Activity Rules**

The following is a Non-complying Activity:

- a) *Subdivision* for residential allotments (other than *boundary* adjustments or relocation of existing title) that will not be connected to a *Council-owned* reticulated *wastewater* system.

### **12.5.5 Prohibited Activity Rules**

The following is a Prohibited Activity:

- a) *Subdivision* of a *secondary independent dwelling unit*.

## 12.6 Subdivision in the Rural-Residential Zone

The Rural-Residential Zone provides part of the range of residential opportunities within *the City*. Land zoned rural-residential is considered unsuitable for conventional urban development principally due to its topography, and this is reflected in the minimum lot size requirements in this zone. The anticipated low-intensity development of this zone also makes the provision of *services* economically unsustainable. Although this zone provides for residential living, it is not the intention that it become a "stepping stone" to full suburban or urban development and the expected level of *services* reinforces this approach.

The location of the Rural-Residential Zone on the periphery of *the City's* suburban area provides a visual backdrop to urban areas. As such there is a requirement for *subdivisions* to provide visual assessments that consider the sensitivity of the *environment* and look at opportunities to mitigate the impacts of future development.

### 12.6.1 Objectives and Policies for Rural-Residential Zone Subdivision

#### 12.6.1.1 Objective – Pattern of Subdivision

*Subdivision* maintains and enhances the semi-rural character of the zone.

##### 12.6.1.1.1 Policies – Pattern of Subdivision

By ensuring *subdivision* in Rural-Residential Zones is not provided with the level of *infrastructure* and *services* that would facilitate and support urban or suburban development opportunities.

##### 12.6.1.1.2 Policy – Effects on Rural-Residential Landscape Character

By ensuring the effects of *subdivision* on the rural-residential *landscape character* are assessed through landscape assessments, completed by a suitably qualified person, which have particular regard to:

- a) Eastern side of Cambridge Road;
- b) Western side of Cambridge Road and Moffat Road;
- c) Oropi Road;
- d) Ohauti, Kaitemako and Waikite Roads.

## 12.7 Rural-Residential Zone

*Note: Subdivisions that do not meet a Controlled Activity rule will be considered Restricted Discretionary Activities unless identified otherwise.*

*Note: Subdivisions that do not meet the minimum lot size rule in the Rural-Residential Zone will be considered as a Discretionary Activity unless identified otherwise.*

*Note: Subdivision that creates allotments to be serviced by a reticulated wastewater disposal system in the Rural-Residential Zone will be considered a Non-Complying Activity.*

### 12.7.1 Controlled Activity Rules

The following are Controlled Activities:

- a) Those activities listed as Controlled Activities in *Table 12.2A*.

#### 12.7.1.1 Controlled Activity – Standards and Terms

Controlled Activities shall comply with the following standards and terms.

##### 12.7.1.1.1 Minimum Allotment Size

*Subdivision* for rural-residential allotments shall comply with the following:

|   |                                  |
|---|----------------------------------|
| Minimum gross allotment area:   | 3000m <sup>2</sup>               |
| Average gross allotment area for Rural-residential <i>subdivision</i> : | Not less than 4000m <sup>2</sup> |

##### 12.7.1.1.2 Design Assessments

Allotments shall be designed to demonstrate that it is possible to:

- a) Construct *buildings* and *structures* in accordance with:
  - i) *Rule 15.3.1 –Development Density and Scale*;
  - ii) *Rule 15.3.3 – Streetscape*;
  - iii) *Rule 15.3.4 – Setbacks*;
  - iv) *Rule 15.3.6 – Site Coverage*.
- b) Provide access, parking and manoeuvring areas in accordance with:
  - i) *Rule 15.3.7 – Access*;
  - ii) *Rule 4.2.2.3 On-Site Parking – General*;
  - iii) *Rule 4.2.2.4 – On-Site Parking Design*;
  - iv) *Rule 4.2.2.5 – On-Site Manoeuvring*;
  - v) *Rule 4.2.2.7 – Site Access and Vehicle Crossings*.

### 12.7.1.1.3 Landscape Assessment

Landscape assessments shall be submitted with all subdivision applications which shall:

For all subdivisions:

- a) Describe the *site* in context with the surrounding *environment*;
- b) Identify landscape features within the *site* and areas of *indigenous* flora and fauna habitats and describe how these will be retained now and in the future;
- c) Identify any *archaeological sites* or sites of significance to tangata whenua (whether listed in *the Plan* or not) and describe how these will be managed through the *subdivision* process;
- d) The extent of proposed *earthworks* and how this will change the existing *landscape character* of the site;
- e) Identify the location of *building platforms*;
- f) Identify how the *subdivision* will mitigate adverse effects or provide positive effects on the *landscape character* through:
  - i) Controls on the siting, bulk, location and colours of future *buildings* and *structures*;
  - ii) The provision of planting and landscaping on public and private lands;
  - iii) The location and design of any roads and accessways and associated *services*;
  - iv) The location and design of fencing to be consistent with the rural-residential landscape.

In addition for subdivision on the Eastern Side of Cambridge Road:

- g) Identify how the creation of allotments and future *buildings* and *structures*, particularly dwellings, when viewed from the eastern banks of the Kopurererua Stream will maintain the *landscape character* of the zone and its context within the Kopurererua Valley.

In addition for subdivision on the Western Side of Cambridge Road and Moffat Road:

- h) Identify how the *landscape character* of the zone will be maintained when viewed from the eastern bank of the Wairoa River, taking into consideration the need to maintain the open space of the Wairoa Valley.
- i) Identify whether future *buildings* and *structures* constructed on allotments are likely to be visible from the eastern bank of the Wairoa River. Where *buildings* and *structures* are likely to be visible the location of *building platforms* shall take into account:
  - i) The proximity of the allotment to the eastern bank of the Wairoa River;
  - ii) The elevation of the allotment in relation to the eastern bank of the Wairoa River;
  - iii) The extent to which planting and landscaping will screen or mitigate the visual effects of *buildings* on the river's landscape; ,
  - iv) The backdrop against which *buildings* and *structures* will be seen when viewed from the eastern bank of the Wairoa River.

In addition for subdivision within the Oropi Road area:

- j) Provide for a minimum 10-metre wide *indigenous* planting on the outside of the *esplanade reserve* streams.
- k) Provide for *indigenous* planting to a width of 2 metres around any stormwater ponds and drains.

In addition for subdivision within the Ohauti Road, Kaitemako Road and Waikite Road areas:

- l) Identify how the location of *building platforms* will ensure that *construction* will maintain the transition of the *landscape character* between the Rural-Residential and Rural Zones.

#### **12.7.1.1.4 Landscaping – Tara Road**

*Subdivision* applications shall demonstrate how they will incorporate and provide for the landscaped swale and noise buffer between the *site* and the state highway.

#### **12.7.1.1.5 Walkway and Cycleway Links – Oropi Road**

*Subdivision* within the Oropi Road Rural-Residential Zone shall provide pedestrian and bicycle accessways that provide links, and in particular provide access from Phillips Drive to Wood Road, and Phillips Drive to the Waiorohi Stream *Esplanade Reserve*.

#### **12.7.1.1.6 Infrastructure**

Infrastructure constructed to vest in the *Council* shall comply with *Rule 12.16.2.1.1 – Infrastructure*

#### **12.7.1.1.7 Services**

Every allotment shall be provided with *services* in accordance with *Rule 12.16.1.1 – Minimum Service Requirements*.

#### **12.7.1.1.8 Contaminated Land**

The *subdivision* application shall address any contaminated land issues relevant to the site. Refer to the requirements of *Chapter 9 – Hazardous Substances and Contaminated Land*.

#### **12.7.1.1.9 Staging**

Where staged *subdivision* is proposed the extent of the stages and their order shall be clearly identified.

#### **12.7.1.2 Controlled Activity – Matters of Control and Conditions**

The *Council* reserves control over the following matters.

### 12.7.1.2.1 Topography and Landform

- a) The maintenance of the natural landform and retention of existing natural features that will maintain the *landscape character* of the zone.
- b) The extent of proposed *earthworks* including, but not limited to:
  - i) Change in levels resulting from excavation and fill;
  - ii) Any modification of drainage patterns;
  - iii) The consistency between proposed finished *ground levels* and *ground levels* on adjoining sites;
  - iv) The location, design and suitability of *building platforms* for their intended use.
- c) Geotechnical, natural or man-made hazards on the site.

### 12.7.1.2.2 Landscape Character

- a) The recommendations contained within a landscape assessment.
- b) The location of *building platforms* and the effects of *buildings* and *structures* on *landscape character*.
- c) The location of fencing and whether its design is consistent with the rural-residential *landscape character*.

### 12.7.1.2.3 Ecology and Open Space

- a) The retention and management of areas of *indigenous* flora and fauna habitats.
- b) The provision and location of landscaping within the *subdivision*.
- c) The provision and location of recreation *reserves*, *esplanade reserves* or strips that provide interconnected public open space, and any vesting that may be required to achieve this.

### 12.7.1.2.4 Infrastructure and Services

- a) The provision and location of *infrastructure* and *services* to, and within, the *subdivision*.
- b) The requirement for Development Plan Approval to ensure that any *infrastructure* to be vested meets the minimum *construction* and technical specification requirements of the *Council*
- c) The provision, location and type of easements.
- d) The extent and sequence of proposed staging.
- e) The management of *construction* works.

### 12.7.1.2.5 Consent Notices

*Consent notices* will be imposed where appropriate including, but not limited to:

- a) The location of *building platforms* and *building* locations, bulk and scale and colours (in the interests of *landscape character*);
- b) The planting and maintenance of vegetation and landscaping (*landscape character*).

## 12.7.2 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any activity described as a Controlled Activity that does not comply with a Controlled Activity standard and term

### 12.7.2.1 Restricted Discretionary Activities – Matters of Discretion and Conditions

In determining whether to grant or refuse consent and what conditions, if any, to impose the *Council* will have regard to the following:

- a) Consistency with the relevant *subdivision* objectives and policies and the objectives and policies of *Chapter 15 – Rural Residential Zones*;
- b) The objectives, policies and matters of discretion and conditions for contaminated land in *Chapter 9 - Hazardous Substances and Contaminated Land*;
- c) The extent to which *building platforms* and future *buildings* and *structures* will have an adverse effect on the *landscape character* of the zone and surrounding rural zones;
- d) The management of hazards and *landscape character* effects through the use of *consent notices*.

#### 12.7.2.1.1 Controlled Activities that do not Comply with the Controlled Activity Standards and Terms

In considering any activity described as a Restricted Discretionary Activity in *Rule 12.7.2 a)- Restricted Discretionary Activity Rules* the *Council* restricts the exercise of its discretion to:

- a) The extent to which the activity complies with *Rule 12.7.1.1 – Controlled Activity Standards and Terms*;
- b) The matters over which the *Council* has reserved control in *Rule 12.7.1.2 – Controlled Activity – Matters of Control and Conditions*.

## 12.7.3 Discretionary Activity Rules

The following are Discretionary Activities:

- a) *Subdivision* with allotments that do not comply with the minimum allotment sizes in the Rural-Residential Zone;
- b) *Subdivision* or full partitions for *papakāinga* housing;
- c) *Subdivision* listed as a Discretionary Activity in *Table 12.2A*;
- d) Any activity which is not a Permitted, Controlled, Restricted Discretionary, Non-Complying or Prohibited Activity.

### 12.7.3.1 Assessment of Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. *The Council* shall pay particular regard to the relevant objectives and policies of *the Plan*.

## 12.7.4 Non – Complying Activity Rules

The following are Non - Complying Activities:

- a) *Subdivision* that will excise a secondary dwelling;
- b) *Subdivision* that creates allotments to be serviced by a reticulated *wastewater* disposal system.

## 12.8 Subdivision in the Rural Zones

The *subdivision* provisions in the Rural Zone provide for rural activities while maintaining the productivity of rural land. These provisions also recognise that this zone forms a rural backdrop to *the City* which adds to its *landscape character*. There is particular emphasis on *subdivision* not compromising the production capability and capacity of this land.

Because rural-zoned land (including the Future Urban Zone – Wairakei) is also identified for future urban growth through the Regional Policy Statement, *subdivision* will be managed to ensure the cumulative effects of any fragmentation of rural land will not compromise the ability to provide effective and efficient urban development in the long term.

The *subdivision* provisions in the Greenbelt Zone recognise its role in the provision of rural amenity, stormwater management, open space and green corridor links and in the protection of *natural character* and ecological values.

### 12.8.1 Objectives and Policies for Rural Zone Subdivision

#### 12.8.1.1 Objective – Sustainable Management of the Rural Land Resource

*Subdivision* of rural land protects the productive potential of this finite land resource and maintains rural *landscape character*.

##### 12.8.1.1.1 Policy – Sustainable Management of the Rural Land Resource

By avoiding the fragmentation, or likelihood of further fragmentation, of existing productive rural land through *subdivision*, which would adversely affect the potential of the land to be used predominantly for a range of rural production activities.

##### 12.8.1.1.2 Policy – Greenbelt Subdivision

By ensuring the *subdivision* of existing Greenbelt Zoned areas (or the creation of new Greenbelt Zones) has particular regard to:

- a) Providing for green corridor areas along the major gully systems leading to Tauranga Harbour;
- b) Maintenance of visual separation between developed areas;
- c) The retention, maintenance or enhancement of the general elements of rural character and amenity, such as separation distances between *buildings*, *low density* and low *height of building*, large-scale vegetation, presence of wildlife habitats (including aquatic habitats), open spaces and a predominance of natural edges;
- d) Maintenance or enhancement of *natural character*, ecological and heritage values;
- e) Where possible, allowing for *walkway* and cycleway links.

### **12.8.1.2 Objective – Interim Subdivision of Land in Identified Growth Areas**

*Subdivision* of land identified in the Regional Policy Statement as being required for a growth area recognises its rural use and preserves all practicable options relating to its efficient and orderly development for future urban purposes.

#### **12.8.1.2.1 Policy – Interim Subdivision of Land in Identified Growth Areas**

By ensuring that *subdivision* of land identified in the Regional Policy Statement as a future growth area is not fragmented by *subdivision* other than that connected with or which will support rural production activities or other activities provided for in the Rural Zone.

#### **12.8.1.2.2 Policy – Interim Subdivision in the Future Urban Zone – Wairakei**

By ensuring that land within the Future Urban Zone – Wairakei east of Parton Road is not fragmented by *subdivision* until Plan Change 44 (to the operative plan) is adopted and incorporated into *the Plan* (review).

#### **12.8.1.2.3 Policy – Interim Subdivision in Future Urban Zone –Te Tumu**

By ensuring that *subdivision* of land within the Future Urban Zone – Te Tumu identified in the Regional Policy Statement as a growth area in the medium term, is not fragmented by *subdivision* other than *subdivision* which is connected with or will support rural production activities or other activities provided for in the Zone.

## 12.9 Rural, Greenbelt and Future Urban Zone and Rural Marae Community Zone

*Note: Subdivisions that do not meet a Controlled Activity Rule will be considered a Restricted Discretionary Activity unless identified otherwise.*

### 12.9.1 Controlled Activity Rules

The following are Controlled Activities:

- a) Those activities listed as controlled in *Table 12.2A*.

#### 12.9.1.1 Controlled Activity – Standards and Terms

Controlled Activities shall comply with the following standards and terms.

##### 12.9.1.1.1 Minimum Allotment Size Requirements – Rural and Greenbelt Zone

For rural allotments in the Rural Zone and Greenbelt Zone:

|   |     |
|---|-----|
| Average allotment size  | 4ha |
| Minimum allotment size  | 2ha |
| Minimum <i>legal width</i> of any access lot, right-of-way or private way | 6m  |

*Note: Subdivisions that do not meet this rule will be considered a Discretionary Activity.*

##### 12.9.1.1.2 Allotment Requirements – Rural Marae Community Zone

- a) Minimum allotment sizes shall not be less than 800m<sup>2</sup>.
- b) Allotments may be created for up to 10 *independent dwelling units* within the zone, except as provided by *Rule 12.9.1.1.2.c)* and *d) – Allotment Requirements – Rural Marae Community Zone*.
- c) Allotments may be created for up to 50 *independent dwelling units* within the Hunghungatoroa Rural Marae Community Zone.
- d) Allotments may be created for up to 50 *independent dwelling units* within the Waikari Rural Marae Community Zone.

##### 12.9.1.1.3 Infrastructure

*Infrastructure* constructed to vest in the *Council* shall comply with *Rule 12.6.2.1.1 – Infrastructure*.

##### 12.9.1.1.4 Services

Every allotment shall be provided with services in accordance with *Rule 12.16.1.1 – Minimum Service Requirements*.

### 12.9.1.1.5 Landscape Requirements

Landscape assessments shall be submitted in the following instances and include:

For the Wairoa River Valley (between State Highway 2 and the Tauranga District boundary at Tauriko):

- a) Describe the *site* in context with any adjoining *outstanding natural features and landscapes*, and *important amenity landscapes*;
- b) Recommend any conditions necessary to mitigate adverse effects or provide positive effects on the rural *landscape character* including:
  - i) Controls on the siting, bulk, location and colours of future *buildings and structures*;
  - ii) The provision of planting and landscaping on public and private lands;
  - iii) The location and design of any roads and accessways and associated *services*;
  - iv) The location and design of fencing to be consistent with the rural-residential *landscape character*.

For the Western Side of Moffat Road-Cambridge Road:

- c) Identify how the rural *landscape character* will be maintained when viewed from the eastern bank of the Wairoa River, taking into consideration the need to maintain the open space of the Wairoa Valley;
- d) Identify whether future *buildings and structures* are likely to be visible from the eastern bank of the Wairoa River. Where *buildings and structures* are likely to be visible the location of *building platforms* shall take into account:
  - i) The proximity of the allotment to the eastern bank of the Wairoa River;
  - ii) The elevation of the allotment in relation to the eastern bank of the Wairoa River;
  - iii) The extent to which planting and landscaping will screen or mitigate the visual effects of the built form on the river's *landscape character*;
  - iv) The backdrop against which *buildings and structures* will be seen when viewed from the eastern bank of the Wairoa River.

### 12.9.1.1.6 Contaminated Land

The application shall address any contaminated land issues relevant to the site. Refer to the requirements of *Chapter 9 – Hazardous Substances and Contaminated Land*.

### 12.9.1.2 Controlled Activities – Matters of Control and Conditions

The *Council* reserves control over the following matters.

#### 12.9.1.2.1 General

- a) The configuration of allotments.
- b) The location of *services*.
- c) The provision, location and type of easements.

- d) The identification, management or protection of *archaeological sites* or sites of significance to tangata whenua.
- e) The extent of proposed *earthworks* including, but not limited to:
  - i) Change in levels resulting from excavation and fill;
  - ii) Any modification of drainage patterns;
  - iii) The location, design and suitability of *building platforms* for their intended use;
  - iv) The retention and management of areas of *indigenous* flora and fauna habitats.
- f) Geotechnical, natural or man-made hazards on the site.
- g) Any *consent notice* requirements.

### **12.9.1.2.2 Additional Matters for the Greenbelt Zone:**

- a) The avoidance of the disruption of existing green corridors and stormwater management systems, and maintaining or enhancing the visual, ecological and physical links along the gully systems.
- b) Protecting natural features, including landforms, *indigenous* vegetation, *wetlands*, and estuarine, stream and river habitats.
- c) Avoiding the introduction of non-rural landscape elements.

### **12.9.2 Restricted Discretionary Activity Rules**

The following are Restricted Discretionary Activities:

- a) Any activity described as a Controlled Activity that does not comply with a Controlled Activity standard and term (unless stated otherwise);
- b) *Subdivision* for more than 10, but less than 30, *papakāinga* and/or residential *dwelling unit equivalents* within the Rural Marae Community Zone (unless stated otherwise);
- c) For the Ngati Hangarau Marae Zone *subdivision* for more than 10, but less than 30, *papakāinga* and/or residential *dwelling unit equivalents* within the Rural Marae Community Zone.

#### **12.9.2.1 Restricted Discretionary Activity – Matters of Discretion and Conditions**

In determining whether to grant or refuse consent and what conditions, if any, to impose the *Council* will have regard to the following:

- a) Consistency with the relevant *subdivision* objectives and policies and the objectives and policies of *Chapter 16 – Rural Residential Zones*;
- b) The objectives, policies and matters of discretion and conditions for contaminated land in *Chapter 9 - Hazardous Substances and Contaminated Land*;
- c) The extent to which *building platforms* and future *buildings* and *structures* will have an adverse effect on the *landscape character* of the zone;
- d) The management of hazards and *landscape character* effects through the use of *consent notices*.

### 12.9.2.1.1 Controlled Activities that do not comply with the Controlled Activity Standards and Terms

In considering any activity described as a Restricted Discretionary Activity in *Rule 12.9.2 a) – Restricted Discretionary Activity Rules*, the *Council* restricts the exercise of its discretion to:

- a) The extent to which the activity complies with the *Rule 12.9.1.1 – Controlled Activity Standards and Terms*;
- b) The matters over which the *Council* has reserved control in *Rule 12.9.1.2 – Controlled Activities – Matter of Control and Conditions*.

### 12.9.3 Discretionary Activities

The following are discretionary activities:

- a) *Subdivision* to create allotments that do not comply with the minimum allotment size requirements in *Rule 12.9.1.1.1 – Minimum Allotment Size Requirements – Rural and Greenbelt Zone* or *12.9.1.1.2 – Allotment Requirements – Rural Marae Community Zone*;
- b) *Subdivision* listed as a Discretionary Activity in *Table 12.2A*;
- c) Any activity which is not a Permitted, Controlled, Restricted Discretionary, Non-Complying or Prohibited Activity.

#### 12.9.3.1 Discretionary Activities – Matter of Discretion and Conditions

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the objectives and policies of *the Plan*.

### 12.9.4 Non-Complying Activity Rules

The following are Non-Complying Activities:

- a) Any *subdivision* in the Greenbelt Zone that is not a Controlled Activity;
- b) *Subdivision* for the purpose of creating an allotment around a secondary dwelling;
- c) *Subdivision* for 31 or more *papakainga* and/or *independent dwelling units* within a Rural Marae Community Zone;
- d) *Subdivision* for 51 or more *papakainga* and/or *independent dwelling units* within the Ngati Hangarau Rural Marae Community Zone;
- e) *Subdivision* for 51 or more *papakainga* and/or *independent dwelling units* within the Hunghungatoroa Rural Marae Community Zone;
- f) *Subdivision* for 51 or more *papakainga* and/or *independent dwelling units* within the Waikari Rural Marae Community Zone;
- g) Any *subdivision*, other than *boundary* adjustments, within the Future Urban Zone – Te Tumu.

## 12.10 Subdivision in the Commercial and Industrial Zones

*Subdivision* provisions for the *Commercial* and *Industrial Zones* recognise the role *subdivision* plays in development, i.e., it is about defining space for the practical operation of *business activities* and *industrial activities*. While *subdivision* in these zones is not subject to minimum lot sizes there is still a requirement to demonstrate, on allotments of 1500m<sup>2</sup> or less, that potential adverse effects can be managed on-site in accordance with Permitted Activity rules.

The industrial and commercial *subdivision* provisions also provide consistency with the requirements of the *Outline Development Plans* for the commercial plan areas identified for:

- a) Poike Road;
- b) Gravatt Road;
- c) Parton Road North and Parton Road South;
- d) Bethlehem;
- e) Tauriko.

### 12.10.1 Objectives and Policies for Commercial and Industrial Subdivision

#### 12.10.1.1 Objective – Commercial and Industrial Zone Subdivision

*Subdivision* within *Commercial* and *Industrial Zones* provides for a range of business and *industrial activities* in an integrated and sustainable manner.

##### 12.10.1.1.1 Policy – Commercial and Industrial Zone Subdivision

By ensuring *subdivision* within *Commercial* and *Industrial Zones* creates functional allotment sizes that:

- a) Meet the anticipated demands of activities on-site (e.g., access, parking, etc.);
- b) Do not adversely affect the ability of development to occur in accordance with Commercial Business Plan Areas.

## 12.11 Commercial and Industrial Zone Subdivision

---

*Note: Activities that do not meet a Controlled Activity rule will be considered as a Restricted Discretionary Activity unless identified otherwise.*

---

### 12.11.1 Controlled Activity Rules

The following are Controlled Activities:

- a) Those activities listed as Controlled Activities in *Table 12.7A*.

#### 12.11.1.1 Controlled Subdivision Activity – Standards and Terms

##### 12.11.1.1.1 Design Assessments

Where allotments of 1500m<sup>2</sup> or less are proposed in a Commercial or Industrial Zone (not including the Port Industry Zone) a design assessment shall be provided to demonstrate that it is possible, where applicable, to:

- a) Construct *buildings and structures* in accordance with:
  - i) *Rule 17.4.2 – Pedestrian Environment Streets;*
  - ii) *Rule 17.4.3 – Streetscape;*
  - iii) *Rule 17.4.6 – Boundaries of the Commercial Zones and a Sensitive Zone;*
  - iv) *Rule 18.4.2 – Visual Amenity Streetscape;*
  - v) *Rule 18.4.3 – Industrial Zones and Sensitive Zone Boundaries.*
- b) Provide access, parking and manoeuvring areas in accordance with:
  - i) *Rule 4.2.2.3 – On-Site Parking – General;*
  - ii) *Rule 4.2.2.4 – On-Site Parking Design;*
  - iii) *Rule 4.2.2.5 – On-Site Manoeuvring;*
  - iv) *Rule 4.2.2.7 – Site Access and Vehicle Crossings.*

##### 12.11.1.1.2 Outline Development Plans – Commercial Zones

*Subdivision* of land within a Commercial Plan Area shall demonstrate, where relevant, how future development will comply with *Rule 17.4.11 – Commercial Plan Areas*.

##### 12.11.1.1.3 Access – Courtney Road Commercial Business Zone

On further *subdivision* of Lot 5 DPS 89767, no new allotments created shall be able to gain access from the existing right of way between Lot 4 DPS 89767 and Lot 1 DPS 71873.

#### 12.11.1.1.4 Earthworks

The extent of all *earthworks* proposed as part of the *subdivision* shall be shown including, but not limited to:

- a) Areas of cut and fill;
- b) Existing and finished *ground levels*;
- c) Location of *building platforms*.

#### 12.11.1.1.5 Contaminated Land

The application shall address any contaminated land issues relevant to the site. Refer to the requirements of *Chapter 9 – Hazardous Substances and Contaminated Land*.

#### 12.11.1.1.6 Services

Every allotment shall be provided with services in accordance with *Rule 12.16.1.1 – Minimum Service Requirements*.

#### 12.11.1.1.7 Staging

Where staged *subdivision* is proposed the extent of the stages and their order shall be clearly identified.

#### 12.11.1.1.8 Subdivision along Water Margins in the Port Industry Zone

Any *subdivision* of a *site* in the Port Industry Zone that adjoins *mean high water springs* need not set aside any *esplanade reserve* in accordance with section 230 of the Resource Management Act.

#### 12.11.1.1.9 Subdivision within the Tauriko Business Estate

- a) Any application shall demonstrate how the *subdivision* will be developed in a manner that is consistent with:
  - i) Tauriko Business Estate Urban Design Plan;
  - ii) Tauriko Business Estate Staging Plan;
  - iii) V9P8 Tauriko Business Estate Urban Growth Plan;
  - iv) Mitigation and Landscaping Specifications;
  - v) Mitigation, Landscaping Features and Buffer Zone Diagrams;
  - vi) Typical Road Plans and Cross Sections;
  - vii) *Rule 18.4.2 – Visual Amenity Streetscape*.
- b) A Landscape Concept Plan shall be submitted specifying the work required to achieve the requirements set out in a) above including, but not limited to:
  - i) Streetscape for spine road and green connectors;
  - ii) Visual extension of green connector;

- iii) Walkways and cycleway links;
  - iv) Stormwater management area;
  - v) Escarpment area;
  - vi) Visual mitigation buffer;
  - vii) Zone interface 10 metre planted buffer strip and 80 metre separation area;
  - viii) Planted buffer;
  - ix) Landmark entry features;
  - x) A design theme, including location, for any composite sign within a Landmark Entry Treatment area;
  - xi) Convenience centres;
  - xii) Escarpment area – Gargan Road.
- c) Any application shall demonstrate how the provisions of the Cultural Heritage Plan for the *Tauriko Business Estate* have been given effect, including:
- i) Provision for cultural gateway *structures* and historical panels within the defined Landmark Entry Treatment Areas;
  - ii) Naming of streets, parks and other public amenities;
  - iii) Riparian protection and native planting alongside Kopurererua Stream and stormwater ponds;
  - iv) *Archaeological site* monitoring and protection.
- d) Any application shall demonstrate how the recommendations of the archaeological assessments prepared for the *Tauriko Business Estate* (Mathew Campbell - June, November and December 2004) have been given effect.
- e) Management of the quantity and quality of stormwater to be discharged shall be in accordance with the criteria provided in *Appendix 28F: Tauriko Business Estate Stormwater Management Criteria* including:
- i) The 50-year ARI flood peaks from each stormwater catchment as shown on *Urban Growth Plan UGP8* shall not be greater than 50% of predevelopment peak run-off rates (i.e., pastoral land use);
  - ii) The 2-year ARI flood peaks shall be reduced to 30% of pre-development peak run-off rates;
  - iii) Sediment and contaminants shall be removed in accordance with best practice with particular regard to the removal of industrial and commercial surface and chemical contaminants within the discharge;
  - iv) Stormwater ponds shall be provided with all-weather access that will enable maintenance to be carried out.
- f) A report shall be provided by a Category 1 Geotechnical Practitioner to demonstrate that consideration has been given to geotechnical aspects, including:
- i) Earth filling and peat deposits;
  - ii) *Earthworks* excavations;
  - iii) Slope stability.

- g) Notwithstanding compliance with the Sequencing Schedule in accordance with section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule* section 224 Certification shall not be allowed for more than 500 household unit equivalents (19 units per hectare for water supply) in the *Tauriko Business Estate* before a *site* for a water reservoir is secured and the double end-fed water supply operational via the Kennedy Road link route, provided that this standard and term shall not apply to that area of development adjacent to the intersection of Cambridge Rd and State Highway 29 (approximately 5 hectares) as described in the *Services Strategy Statement*.
- h) Notwithstanding compliance with the Sequencing Schedule in accordance with section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule* Section 224 Certification shall not be allowed for more than 1,100 household unit equivalents (19 units per hectare for *wastewater*) in the *Tauriko Business Estate* before *construction* of a pipeline (the Southern Pipeline) to redirect *wastewater* catchments in Tauranga South to the Te Maunga *Wastewater Treatment Plant* as described in the *Services Strategy Statement*.
- i) Notwithstanding compliance with the Sequencing Schedule in accordance with section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule* the following additional requirements shall apply in respect of Stormwater Ponds B1 and C:
  - i) Before a section 224(c) certificate is issued for the *subdivision* of any land within the catchment of Stormwater Pond B1, or for Stormwater Pond B1 itself, the pond shall be fully constructed in accordance with engineering drawings approved by *Council*, and a value for the land involved shall have been determined in accordance with the *Council's* Development Contributions Policy;
  - ii) Before a section 224(c) certificate is issued for the *subdivision* of any land within Stages 3A and 3B, or for Stormwater Pond C itself, Stormwater Pond C shall be fully constructed in accordance with engineering drawings approved by *Council*, and a value for the land involved shall have been determined in accordance with the *Council's* Development Contributions Policy.
- j) Public transport routes and facilities shall be provided within the development.
- k) The location of the following features shall, where relevant to the *subdivision*, be delineated on the plan of *subdivision* and identified in a *consent notice*:
  - i) *Boundary* between the Industrial Business and Commercial Business 1 Zones with the Rural Zone;
  - ii) *Boundary* between the Industrial Business and Commercial Business 1 Zones with the Greenbelt Zone;
  - iii) Escarpment area;
  - iv) Landmark Entry Treatment Area;
  - v) Convenience centre;
  - vi) Special *Height* Control Area;
  - vii) Visual mitigation buffer;
  - viii) Visual extension of green connector;
  - ix) Zone interface 10 metre buffer strip and 80 metre separation area (Belk Road).

- l) Where *subdivision* of any land includes any part of any road, escarpment, Stormwater Management Area, buffer strip, or visual mitigation buffer, provision shall be made for planting that area in accordance with *Appendix 18D: Tauriko Business Estate Mitigation, Landscape Features and Buffer Zones, Appendix 18C: Industrial Streetscene Rule Plan and Typical Cross Section* and *Appendix 18E: Tauriko Business Estate Mitigation and Landscape Features; Species List*.
- m) Provision shall be made for a fence of wire mesh (or other visually permeable material) fence or other physical barrier generally no greater than 1.2 metres in *height* to be erected at the time of *subdivision* and maintained to prevent any encroachment of any activity into any escarpment area, visual mitigation buffer, Stormwater Management Area or 5-metre or 10-metre buffer strip in accordance with *Appendix 18I: Tauriko Business Estate Mitigation and Landscaping Specification*.
- n) The Stormwater Management Area, visual mitigation buffer and 10-metre planted buffer strip shall be vested in the *Council*.
- o) Provision shall be made for practical access and servicing of any land adjacent to the *subdivision* to ensure that adjacent land parcels are able to be developed for their zoned purpose.
- p) The 10-metre planted buffer strip shall be established at a *ground level* that maximises its screening effect in relation to permitted *buildings* on adjacent industrial land.

### 12.11.1.2 Controlled Activity – Matters of Control and Conditions

The *Council* reserves control over the following matters.

#### 12.11.1.2.1 General

- a) The extent and sequence of any proposed staging and how this may affect any Commercial Business Policy Area requirements.
- b) Any relevant matters to which a design assessment is required to have regard to under *Rule 12.11.1.1.1 – Design Assessments*.
- c) The location of *services*.
- d) The provision, location and type of easements.
- e) The identification, management or protection of *archaeological sites* or sites of significance to tangata whenua.
- f) The extent of proposed *earthworks* including, but not limited to:
  - i) Change in levels resulting from excavation and fill;
  - ii) Any modification of drainage patterns;
  - iii) The location, design and suitability of *building platforms* for their intended use;
  - iv) The retention and management of areas of *indigenous* flora and fauna habitats.
- g) Geotechnical, natural or man-made hazards on the site.
- h) Any *consent notice* requirements.

### 12.11.1.2.2 Business Zone Policy Areas

- a) The extent to which the *subdivision* and future development on any proposed allotment will be consistent the relevant Policy Plan.
- b) Any particular access, landscaping or fencing requirements that are specific to a Commercial Business Policy Plan.
- c) For Poike Road the outcomes of any consultation with Waimapu Marae about on-site landscaping, view shaft and *residential activities* associated with any development.

### 12.11.1.2.3 Tauriko Business Estate

- a) The establishment and maintenance of landscaping on land with specific requirement for:
  - i) A minimum 2-year maintenance programme for landscaping on land to be vested in *Council*;
  - ii) A minimum 3-year maintenance programme for landscaping within the visual mitigation buffer.
- b) Earth filling and excavations, *building* and *infrastructure setback* distances from the crest and toe of escarpment slopes, debris retention measures, and batter slope design.
- c) The completion of relevant works listed in the Sequencing Schedule in accordance with Section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule*.

### 12.11.2 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any activity described as a Controlled Activity that does not comply with a Controlled Activity standard and term (unless stated otherwise)

#### 12.11.2.1 Restricted Discretionary Activities – Matters of Discretion and Conditions

In determining whether to grant or refuse consent and what conditions, if any, to impose the *Council* will have regard to the following:

- a) Consistency with the relevant *subdivision* objectives and policies and the objectives and policies of *Chapter 17 – Commercial Zones* or *Chapter 18 – Industrial Zones*;
- b) The objectives, policies and matters of discretion and conditions for contaminated land in *Chapter 9 - Hazardous Substances and Contaminated Land*;
- c) Whether the requirements of a Commercial Plan Policy Area can be met through conditions;
- d) The extent to which future *buildings* and *structures* will have an adverse effect on a *sensitive zone*;
- e) The extent to which access, parking and manoeuvring can still be provided in a safe and efficient manner;
- f) The extent to which *building platforms* will be suitable for their intended use.

### 12.11.3 Discretionary Activities

The following are Discretionary activities:

- a) Any *subdivision* within any stage of the *Tauriko Business Estate* as identified in *Diagram 9, Section 7, Plan Maps (Part B)* where the requirements set out in:
  - i) Column 2 of the Sequencing Schedule Table, in accordance with Section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule* in relation to that stage have not been completed;
  - ii) Column 3 of the Sequencing Schedule table in accordance with Section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule* in relation to that stage have not been completed, unless the application for *subdivision* consent specifically undertakes that those prerequisites will be completed before a section 224(c) *RMA* Certificate being issued in respect of the *subdivision*;
  - iii) Column 3 of the Sequencing Schedule table in accordance with Section 7 of *Appendix 18G: Tauriko Business Estate Services Strategy Statement and Sequencing Schedule* in relation to that stage have not been completed unless the land use concerned requires resource consent under some other rule in this *Plan* and an application for resource consent for that land use specifically undertakes that those prerequisites will be completed before the activity starts;.
- b) *Subdivision* listed as a Discretionary Activity in *Table 12.2A*;
- c) Any activity which is not a Permitted, Controlled, Restricted Discretionary, Non-Complying or Prohibited Activity.

#### 12.11.3.1 Discretionary Activities – Matters of Discretion and Conditions

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* shall pay particular regard to the objectives and policies of *the Plan*.

### 12.11.4 Non-Complying Activity Rules

The following are Non-complying Activities:

- a) *Subdivision* listed as a Non-Complying Activity in *Table 12.2A*.

## 12.12 Subdivision within Marae and Papakainga Zones

The *subdivision* provisions for these zones recognise that marae are the focal point for *iwi* and *hapu* and that their development occurs in a unique and evolving manner. These provisions also reflect specific agreements between *Council* and *iwi/hapu* and recognise the servicing issues associated with the location of the land.

### 12.12.1 Objectives and Polices for Rural and Urban Marae Zones

#### 12.12.1.1 Objective – Maori Community Development

*Subdivision* enables the use and development of marae to meet the needs of *iwi*, *hapu* and *whanau*.

#### 12.12.1.1.1 Policy – Subdivision or Partition within Marae Zones

By ensuring *subdivision* or full partition applications have regard to any special Marae Concept Development Plans or *Hapu* Management Plans lodged with the *Council*.

#### 12.12.1.1.2 Policy – Ngati Hangarau Marae

By ensuring *subdivision* or full partition applications recognise the short-term housing needs of the *hapu*.

#### 12.12.1.1.3 Policy – Ngati Kahu Papakainga Zone

By ensuring *subdivision* or full partition applications within this zone facilitate development and provide flexibility in relation to timing and scope of their implementation.

## 12.13 Ngati Kahu Papakainga Zone – Sub-Zone A & B

---

*Note: Subdivisions that do not meet a Controlled Activity rule will be considered Restricted Discretionary Activities unless identified otherwise.*

---

### 12.13.1 Controlled Activity Rules

Those activities listed as Controlled Activities in *Table 12.2A* are deemed to be Controlled Activities.

#### 12.13.1.1 Controlled Activity – Standards and Terms

##### 12.13.1.1.1 Design Assessment:

Allotments shall be designed to demonstrate that it is possible to:

- a) Construct *buildings* and *structures* in accordance with:
  - i) *Rule 14.5.1 – Residential and Visitor Accommodation Density;*
  - ii) *Rule 14.5.3 – Streetscape;*
  - iii) *Rule 14.5.4 – Setbacks;*
  - iv) *Rule 14.5.5 – Overshadowing;*
- b) Provide access, parking and manoeuvring areas in accordance with:
  - i) *Rule 14.5.6 – Access;*
  - ii) *Rule 4.2.2.3 On-Site Parking – General;*
  - iii) *Rule 4.2.2.4 – On-Site Parking Design;*
  - iv) *Rule 4.2.2.5 – On-Site Manoeuvring;*
  - v) *Rule 4.2.2.7 – Site Access and Vehicle Crossings.*

##### 12.13.1.1.2 Services

Every allotment shall be provided with *services* in accordance with *Rule 12.16.1.1 – Minimum Service Requirements*.

##### 12.13.1.1.3 Urban Growth Structure Plans

*Subdivision* or partitions applications shall provide for the level of *infrastructure* defined on *Urban Growth Plan UGP1*.

##### 12.13.1.1.4 Contaminated Land

The application shall address any contaminated land issues relevant to the site. Refer to the requirements of *Chapter 9 – Hazardous Substances and Contaminated Land*.

### 12.13.1.2 Controlled Activities – Matters of Control and Conditions

The *Council* reserves control over those relevant matters under *Rule 12.5.1.2 – Controlled Activities – Matters of Control and Conditions*.

### 12.13.2 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Applications for *subdivision* or partition for *papakāinga* housing that do not meet a Controlled Activity standard and term (unless stated otherwise).

#### 12.13.2.1 Restricted Discretionary Activities – Matters of Discretion and Conditions

In determining whether to grant or refuse consent and what conditions, if any, to impose the *Council* will have regard to:

- a) Consistency with the relevant *subdivision* objectives and policies and the objectives and policies of *Chapter 16 – Residential Zones*;
- b) The objectives, policies and matters of discretion and conditions for contaminated land in *Chapter 9 - Hazardous Substances and Contaminated Land*;
- c) The extent to which future *buildings* and *structures* will have an adverse effect on the amenity values within the proposed allotment;
- d) The extent to which access, parking and manoeuvring can still be provided in a safe and efficient manner;
- e) The extent to which *building platforms* will be suitable for their intended use;
- f) The extent to which the provision of *infrastructure* will adversely affect the capacity or intended capacity for *infrastructure* within an Urban Growth Area;
- g) Adverse effects of existing and/or future *infrastructure* service capability upstream and downstream of the *subdivision* or within the site.

### 12.13.3 Discretionary Activity Rules

The following are Discretionary Activities:

- a) Any *subdivision* listed as a Discretionary Activity in *Table 12.2A*;
- b) Any activity not listed as a Controlled, Restricted Discretionary or Non-Complying Activity.

#### 12.13.3.1 Considering Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the objectives and policies of *the Plan*.

## 12.14 PURPOSE OF INFRASTRUCTURE AND SERVICE PROVISION

The purpose of the *infrastructure* and service provisions is to:

- a) Identify the *Council's infrastructure performance standards* for the delivery of assets;
- b) Identify the accepted levels of service for development in each respective zone.

The function of the performance standards is to identify 'what needs to be achieved for assets and service connections that will be vested in *Council* and to provide the ability to link to the *Council's Infrastructure Development Code* through conditions of consent.

Minimum levels of service requirements are identified for each zone to ensure that on-site service provision meets the *Council's* anticipated level of demand and capacity, and to ensure that those levels of service are consistent with the character and amenity of the underlying zone.

### 12.14.1 Objectives and Policies for Infrastructure and Services

#### 12.14.1.1 Objective – Infrastructure and Services

The provision of effective, efficient, functional, safe and sustainable *infrastructure* and *services* throughout *the City*.

##### 12.14.1.1.1 Policy – Infrastructure and Services

By ensuring that *infrastructure* and *services* constructed in conjunction with the *subdivision*, use and development of land:

- a) Meet the performance standards required by the *Council*;
- b) Are not inconsistent with the level of service identified on Urban Growth Plans or *Outline Development Plans*;
- c) Do not provide a level of service that is economically unsustainable for the *Council*;
- d) Do not provide a level of service that could be used as leverage to encourage *subdivision*, use and development that is and inconsistent with the character and purpose of the zone.

##### 12.14.1.1.2 Policy – Infrastructure and Services - Tauriko

By ensuring the timing of *infrastructure* and *services* follow the staging shown on the *Tauriko Business Estate Staging Plan* and associated staging requirements set out in the *subdivision* rules unless:

- a) Unforeseen circumstances result in a need to amend the sequence;
- b) The amended sequence does not adversely affect *infrastructure* performance;
- c) Any increase in costs is borne by the developer.

#### 12.14.1.2 Objective – Transport Network

The safe and efficient movement of people, vehicles and goods on to and within the *transport network*.

### **12.14.1.2.1 Policy – Transport Network**

By ensuring that the width, alignment, *structure* and formation of vehicle crossings, *walkways*, cycleways and roads are appropriate for their intended capacity.

### **12.14.1.2.2 Policy – Streetscape**

By ensuring that the *streetscape* contributes to the urban *landscape character* through the inclusion of soft and hard landscaping in a way that helps define the *boundary* between public and private space without compromising the safe and efficient functioning of the *transport network*.

### **12.14.1.2.3 Policy – Streetlighting**

By ensuring that streetlighting provides for the safe and secure movement of people, vehicles and goods.

### **12.14.1.3 Objective – Stormwater**

People, property, and *infrastructure* are safeguarded from the adverse effects of flooding and inundation associated with stormwater discharge.

#### **12.14.1.3.1 Policy – Stormwater**

By ensuring the location and design of stormwater systems:

- a) Minimise flooding effects associated with stormwater discharge;
- b) Minimise pollutant loads as far as practicable;
- c) Minimise run-off and maximise localised infiltration where possible;
- d) Contribute positively to amenity and provide pedestrian connections where possible.

#### **12.14.1.4 Objective – Water Supply**

The efficient, effective and sustainable water supply for human consumption, hygiene and firefighting purposes.

##### **12.14.1.4.1 Policy – Water Supply**

By ensuring the standard of water supply to *subdivision* and land-use activities will meet the required consumption, hygiene and firefighting requirements.

#### **12.14.1.5 Objective – Wastewater**

The safe and hygienic treatment and disposal of *wastewater* from land-use activities.

##### **12.14.1.5.1 Policy – Wastewater**

By ensuring that *wastewater* is treated and disposed of from a *site* in a way that minimises adverse effects on public health and the *environment*.

## 12.14.1.6 Objective – Reserves

The provision of accessible and safe *reserves* that meet the recreational demands of residents.

### 12.14.1.6.1 Policy – Reserves

By ensuring the location and design of *reserves* has regard to:

- a) Purpose – the form of the *reserve* will reflect its intended function;
- b) Location – prominent locations that maximise street frontage, access to public transport;
- c) Landform and orientation;
- d) Proportion – *reserves* are designed for their intended function;
- e) Access and connectivity;
- f) Visibility;
- g) Adaptability;
- h) Ecology.

## 12.14.1.7 Objective – Energy and Telecommunications

Utility connections adequately meet the energy and telecommunication demands for land-use activities across *the City*.

### 12.14.1.7.1 Policy – Energy and Telecommunications

By ensuring the road *reserve* can provide for the energy and telecommunication demands of land-use activities.

### 12.14.1.7.2 Policy – Broadband

By ensuring that *greenfield subdivision* provides ducting suitable for broadband fibre optic cable.

## 12.15 Activity Status Rules

### 12.15.1 Activities Providing Infrastructure and Services

All activities that provide *infrastructure* shall have the status identified in *Table.12.15A*. Symbols used in *Table12.15A* have the meaning described in *Table 1B:Activity Status*

**Table 12.15A: Infrastructure Provision Activity Status**

| Use/Activity   | Relevant Rule | All Zones |
|--|---------------|-----------|
| Provision of <i>services</i>                                     |               | P         |
| Provision of <i>infrastructure</i> to vest in the <i>Council</i> |               | C         |

## 12.16 Infrastructure and Services

---

*Note: Activities that do not meet a Permitted Activity or Controlled Activity rule will be considered as a Restricted Discretionary Activity.*

---

### 12.16.1 Permitted Activity Rules

---

*Note: Where an activity does not comply with a Permitted Activity rule it shall be considered a Restricted Discretionary Activity unless stated otherwise.*

---

#### 12.16.1.1 Minimum Service Requirements

Permanent land-use activities shall be provided with the following minimum *services*, dependent on the zone within which they are located:

- a) For Open Space, Residential, *Commercial*, and *Industrial Zones*:
  - i) Individual connections to a *Council*-owned *wastewater* system;
  - ii) Individual connections to a *Council*-owned water system;
  - iii) Individual connections to a *Council*-owned stormwater system
  - iv) Vehicular access to the *transport network*.
- b) For Rural-Residential Zones:
  - i) Adequate provision for on-site treatment and disposal of *wastewater* in accordance with Bay of Plenty Regional Council requirements;
  - ii) Individual connections to a *Council*-owned water system;
  - iii) Adequate provision for on-site stormwater disposal;
  - iv) Vehicular access to the *transport network*.
- c) For Rural Zones:
  - i) Adequate provision for on-site treatment and disposal of *wastewater* in accordance with Bay of Plenty Regional Council requirements;
  - ii) Adequate provision for an on-site water supply system that provides potable water and adequate water flow for firefighting purposes;
  - iii) Adequate provision for on-site stormwater disposal;
  - iv) Vehicular access to the *transport network*.
- d) Education Centre Zones:
  - i) The provision of *services* consistent with the zone surrounding the Education Centre Zone.
- e) All Zones:
  - i) Adequate ability to connect to energy and telecommunications networks.

## 12.16.2 Controlled Activity Rules

The following are controlled activities:

- a) Those activities listed as Controlled Activities in *Table 12.15A*.

### 12.16.2.1 Controlled Activities – Standards and Terms

Controlled Activities shall comply with the following standards and terms.

#### 12.16.2.1.1 Infrastructure

*Subdivision*, use and development that constructs *infrastructure* to vest in the *Council* shall comply with the relevant performance standards in accordance with *Appendix 12.15A, B, C, D and E*.

#### 12.16.2.1.2 Multi Unit Development

Where multiple units are being constructed on-site prior to a *subdivision* the system designed to cater for stormwater, *wastewater* and *water services* shall comply with the relevant performance standards in accordance with *Appendix 12.15B, C and D*.

#### 12.16.2.1.3 Broadband Ducting

*Subdivision* within greenfield areas or an Urban Growth Plan area shall install ducting for broadband fibre optic cable within the road *reserve*;

### 12.16.2.2 Controlled Activities – Matters of Control and Conditions

In assessing a resource consent for a Controlled Activity, provided they comply with *Rule 12.16.2.1- Controlled Activities – Standards and Terms* in, whether to grant consent and what conditions, the *Council* may assess the activity and impose conditions on the following matters:

- a) The requirement for Development Plan Approval to ensure that *infrastructure* to be vested meets the minimum *construction* and technical specification requirements of the *Council*;
- b) The location and design of broadband ducting.

## 12.16.3 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any activity described as a Controlled Activity that does not comply with a Controlled Activity standard and term.

### 12.16.3.1 Non-Notification

Any application for a resource consent made under *Rule 12.16.3 a) – Restricted Discretionary Activity Rules* does not need to be notified, or served on affected persons.

## 12.16.3.2 Restricted Discretionary Activity – Matters of Discretion and Conditions

In determining whether to grant or refuse consent and what conditions, if any, to impose the *Council* will have regard to the following:

- a) Consistency with the relevant *infrastructure* and *services* objectives and policies and the objectives and policies of *Chapter 12 – Subdivision*;
- b) The location and design of the *infrastructure* for servicing and maintenance;
- c) The whole-of-life costs of alternative methods of *infrastructure* and *service construction*;
- d) The extent to which the capacity, efficiency and sustainability of upstream and downstream *infrastructure* will be comprised.

### 12.16.3.2.1 Controlled Activities that do not Comply with the Controlled Activity Standards and Terms

In considering any activity described as a Restricted Discretionary Activity in *Rule 12.16.3 a) – Restricted Discretionary Activity Rules*, the *Council* restricts the exercise of its discretion to:

- a) The extent to which the activity complies with *Rule 12.16.2.1- Controlled Activities – Standards and Terms*;
- b) The matters over which the *Council* has reserved control in *Rule 12.16.2.2 – Controlled Activities – Matters of Control and Conditions*.

## APPENDIX 12A: PERFORMANCE STANDARD, TRANSPORTATION NETWORK

### Design

1. The transportation network shall be designed and constructed to ensure:
  - a) Roads are designed to meet the requirements of their hierarchy, function and design speed;
  - b) The design life for new road pavements shall provide an asset life of at least 25 years (excluding wearing course or surface treatment);
  - c) The reticulation, conveyance and temporary ponding functions of the stormwater management system for the associated catchment can be accommodated;
  - d) Sumps shall be installed to allow surface water to enter the stormwater management system;
  - e) New carriageways to be vested in Council shall be sealed using bitumen as the primary surface sealant;
  - f) Footpaths shall be provided for all zones on both sides of the carriageway except:
    - i) Where the carriageway width is less than 9 metres then footpaths may be provided on one side;
    - ii) In the Rural-Residential and Rural Zone where footpaths are not required;
  - g) Where street-to-street pedestrian links are required clear lines of sight between entry and exit points shall be provided.

### Streetscape

2. The areas of Road Zone not covered by the carriageway or footpath network shall be finished with grassed surface unless provided otherwise by another performance standard.
3. The design life for street furniture shall provide an asset life of at least 15 years.
4. Entrance features shall be located wholly within private lots.
5. Street gardens shall be provided only at intersections between collector, secondary and primary arterial roads.
6. Roundabouts of less than 10 metres in diameter may have one single trunked specimen tree planted centrally in the roundabout.
7. Street trees shall be located within the berms and/or roundabouts of local or collector roads serving Residential, Rural-Residential, Commercial or Industrial Zones.

### Public Lighting

8. All new roads shall be provided with street lighting.
9. Streetlighting shall be positioned at both ends of all pedestrian/cycle accessways.

### Utilities

10. The design life for network utilities installed within the Road Zone shall provide an asset life of at least 20 years.
11. Any part of the utility infrastructure or equipment that is required to be located above ground within the road reserve shall be located in positions clear of the path of footpaths, cycleways and accessways.

## APPENDIX 12B: PERFORMANCE STANDARD, STORMWATER

### Design

1. All stormwater management systems shall be designed and constructed to ensure:
  - a) It is consistent with any relevant structure plan;
  - b) The design of the stormwater network shall provide an asset life of at least 50 years;
  - c) Gravity is used as the main method of reticulation;
  - d) The upstream catchment is provided for and the downstream receiving network has the capacity to cater for the design condition;
  - e) The overall stormwater management system generally comprises primary and secondary flow conveyance methods, treatment and discharge components;
  - f) The overall stormwater management system shall be designed to accommodate flows from a 50-year return period storm event (2%AEP);
  - g) The primary conveyance method of the overall stormwater management system shall accommodate flows from a 10-year return period storm event (10%AEP);
  - h) The post-development run-off rates shall be no greater than pre-development run-off rates;
  - i) Ponding areas are provided for only on public roads and public land;
  - j) Temporary overland flowpaths across private property shall be protected by an easement in favour of the Council.

### Conveyance

2. Reticulation and trunk mains shall have a minimum internal diameter of 200mm.
3. Laterals and connections shall have a minimum internal diameter of 100mm.
4. For rigid pipes (i.e., uPVC, concrete, steel, etc) manholes shall be placed at all changes in direction and grade.

### Treatment and Detention

5. Any proposed stormwater treatment or detention pond shall be located on land owned by, or to be vested in, Council.

### Discharge

6. The design of any discharge structure shall include an energy dissipation device to minimise the effect of erosion on the receiving environment.

### Connections

7. Any individual lot connection shall be designed and located to provide for the existing or proposed development of the site.

### Access

8. Safe and reasonable access shall be provided to the stormwater management system for maintenance

## APPENDIX 12C: THE PLAN PERFORMANCE STANDARD, WASTEWATER

### Design

1. All wastewater management systems shall be designed and constructed to ensure:
  - a) Consistency with any relevant structure plan;
  - b) The wastewater network has an asset life of at least 50 years.(except as specified for pump stations);
  - c) Gravity is used as the main method of reticulation;
  - d) The upstream catchment is provided for and the downstream receiving network has the function and capacity to cater for the design requirements (N.B., For the purpose of assessing this provision the downstream point shall be the nearest trunk sewer main or receiving manhole of a pump station);
  - e) The wastewater management system uses a network of underground pipes and pump stations as its primary method of conveyance;
  - f) Surface and ground water is inhibited from entering the system;
  - g) Maximum gradients and design flows do not surcharge the system;
  - h) Minimum gradients and design flow velocities enable reticulation to be self-cleansing.

### Conveyance

2. Reticulation and trunk mains have a minimum internal diameter of 150mm.
3. Laterals and connections have a minimum internal diameter of 100mm.
4. For rigid pipes (i.e., uPVC, concrete, steel, etc.) manholes shall be placed at all changes in direction and grade.

### Connections

5. Any individual lot connection shall be designed and located to suit the existing or proposed development for the site.

### Pump Stations

6. Wastewater pump stations shall be used only where gravity reticulation cannot optimally serve the entire catchment.
7. The pump station shall be located on a separate lot specific for that purpose. That lot shall:
  - i) Be vested in Council;
  - j) Be provided with access of not less than 3 metres wide;
  - k) Include a clear area of 5 metres x 5 metres to enable installation of a biofilter.

### Access

8. Access shall be provided to the wastewater management system for maintenance.

## APPENDIX 12D: PERFORMANCE STANDARD, WATER SUPPLY

### Design

1. All water supply systems shall be designed and constructed to ensure:
  - a) Consistency with any relevant structure plan;
  - b) The water supply network has an asset life of at least 50 years;
  - c) The upstream and downstream function and capacity requirements of the wider catchment are not compromised;
  - d) The following operating pressures can be achieved:

| Allowable Operating Pressure (head) | Residential, Commercial & Industrial (measured at the building platform) | Firefighting (measured at the hydrant) |
|-------------------------------------|--|--|
| Maximum                             | 800 kpa(80m)   | 800kpa(80m)                            |
| Minimum                             | 300kpa (30m)   | 100kpa (10m)                           |

- a) The following use parameters will be met:

| Type of Development   | Consumption (peak hourly flow) |
|---|--------------------------------|
| Residential dwellings (excluding the High-Density Urban and Rural Zones)  | 0.64l/ sec/ha                  |
| Schools (0 – 300 pupils and staff)<br>Hospitals (0 – 50 beds)<br>Rest Homes (0 – 50 beds)<br>Shopping Centres (0 – 10 premises)   | 1 l/sec/ha                     |
| Industrial & Commercial (0 – 10 lots/premises)<br>High-Density Urban<br>Dwellings in the Rural Zone<br>Schools (300-plus pupils and staff)<br>Hospitals (50-plus beds)<br>Rest Homes (50-plus beds) | 1.5l/sec/ha                    |
| Commercial & Industrial (10 plus lots or premises)  | 2l/sec/ha                      |

*Note: Where the Plan sets a different minimum or maximum density of lots per hectare, the design capacity shall be modified to reflect that density per hectare.*

- a) The water supply network shall provide firefighting coverage.

### Conveyance

1. The water supply network shall, excluding road crossings, generally be located within the road berm and be separated from any other infrastructure services laid parallel to it.
2. Provide a water supply network capable of serving the development and provide safe and reasonable access for maintenance.
3. Be compatible with the existing water supply network

## APPENDIX 12E: PERFORMANCE STANDARD, RESERVES

### General

1. Where any land proposed to be vested in Council as a reserve, that land shall be designed and constructed to ensure:

a) The completed reserve will meet the following:

i) For areas maintained by mowing using tractor mounted equipment:

| General                   | Sports fields             |
|---------------------------|---------------------------|
| Minimum – 1 in 80 (1.25%) | Minimum – 1 in 120 (0.8%) |
| Maximum – 1 in 5 (20%)    | Maximum – 1 in 50 (2%)    |

i) For areas maintained by vegetation planting, mulch and/or weedeating:

|                           |
|---------------------------|
| Minimum – 1 in 80 (1.25%) |
| Maximum – 1 in 2.5 (2%)   |

ii) For gardens:

|                           |
|---------------------------|
| Minimum – 1 in 120 (0.8%) |
| Maximum – 1 in 10 (10%)   |

iii) For paths/walkways used by the public:

|   |
|---|
| Minimum – 1 in 120 (0.8%)                         |
| Maximum – 1 in 8 (12.5%)                          |
| Crossfall – between 1 in 25 (4%) and 1 in 50 (2%) |

iv) For accessways for reserve maintenance:

|  |
|--|
| Minimum – 1 in 120 (0.8%)  |
| Maximum – 1 in 5 (20%) for all-weather access<br>1 in 8 (12.5%) for other accesses |

- a) Any locations where the minimum grades cannot be achieved and are adjacent to a watercourse the area shall be finished with riparian planting;
- b) All landscape planting and/or reserve furniture has been or can be completed / constructed;
- c) All-weather access for maintenance is provided;
- d) That mowable areas are presented in established amenity turf grass.

2. Where the reserve will also convey stormwater as part of a stormwater management system, management of that stormwater may be provided by the use of dry swales, piped reticulation or open channels in compliance with the relevant stormwater performance standards.

3. Where stormwater services cross any reserve other than a stormwater reserve easements shall be required.



4. Park furniture and play equipment shall be provided only where it meets the intended use of the reserve and specified level of service.

5. Where the reserve being created has its primary use as a pedestrian link (walkway) it shall be designed to provide clear sight lines between both entry and exit points of the walkway.

## APPENDIX 12F: SUBDIVISION LAYOUT AND DESIGN

