



12.8.29

12.8.29.1

12.8.29.1.1

Issue
12.8.29.1.1.1

Issue
12.8.29.1.1.2

Issue
12.8.29.1.1.3

Issue
12.8.29.1.1.4

Issue
12.8.29.1.1.5

Issue
12.8.29.1.1.6

SPECIAL 29 (HUAPAI NORTH) ZONE

[Amendment 127]

Zone Issues, Objectives, Policies and Description

Issues

Refer to Section 12.2

Refer to Chapter 8 – *Residential*, Section 8.2. The issues in 8.2.1 – 8.2.5 apply.

Development in the Huapai North area needs to be well designed and integrated with the character of development in the existing Huapai residential area.

Huapai North is a significant residential extension to the Huapai and Kumeu township and has the potential to affect the character of these towns.

Development in the Huapai North area needs to be serviced with an appropriate public wastewater system.

Individual septic tank wastewater disposal systems have been shown to be generally inappropriate in rural village situations. Package plants are also a less satisfactory alternative to full reticulated public systems, because of the potential for management and maintenance problems. Full reticulated public systems overcome these potential problems, but for such a system to be viable it is necessary for large greenfields areas such as Huapai North to connect to such a system. Accordingly, urban development should only be made possible subject to connections to a public wastewater system being available.

Poor urban design, including inappropriate scale and siting of the built form and architectural design that does not respond appropriately to the natural environment and other built forms will adversely affect the future amenity values experienced in Huapai North.

Good urban design can achieve higher levels of urban amenity than that traditionally found in many residential areas. Although characteristics of the rural vernacular should be retained. Part of this issue is a consideration of the measures taken within the Plan to achieve good urban design.

There is a need to provide a range of residential site sizes and housing choice options to provide choice for all sectors of the community, whilst recognising the rural township context of Huapai.

Traditionally Huapai and Kumeu have incorporated large site sizes of 1500m² plus, however, there is a need to cater for a range of household makeup's including those families both with and without children and the elderly who



Issue
12.8.29.1.1.7

may wish to have a low maintenance dwelling on a smaller section.

There is a need to retain the natural features of the landscape that play an important part in forming the existing and future character of the Huapai North area, these include the vegetated hill range to the north, the surrounding river and any necessary floodplains and also those key watercourses and overland flow paths through the residential areas.

Although the Huapai North land area does not incorporate any significant hill ranges within it, the backdrop to the area is an important part of its character. The natural landscape contributes to the ecological and conservation values of the environment.

Issue
12.8.29.1.1.8

The Rodney District Council has obligations to provide for additional urban development in terms of the Auckland Regional Growth Strategy and the Northern Sector Agreement.

Under the Auckland Regional Growth Strategy and Northern Sector Agreement the Rodney District Council has agreed to zone land within the District to assist in accommodating population growth.

Issue
12.8.29.1.1.9

Residential areas that are not adequately served by shops and other facilities often lack vitality and convenience.

In newly developed residential areas there is often a lack of shops and other facilities as these sometimes take time to become viable and be established by the private sector. Where such facilities are established in close proximity to or part of residential neighbourhoods they act as neighbourhood centres and can contribute to the quality of living in new neighbourhoods.

Issue
12.8.29.1.1.10

Potential public access to and along waterways, and the conservation values of these areas, as well as to the Huapai Reserve, may be enhanced by subdivision and activities that face onto the natural waterways within the residential area and the Huapai Reserve and provide safe and pleasant public access to these areas.

Public open space can become less used and possibly unsafe if development and subdivision turns its back on the open space rather than facing onto the open space and providing good public access to the open space. Residential development adjacent to greenways and the Huapai Reserve has the potential to enhance these areas.

Issue
12.8.29.1.1.11

The rural area surrounding the Special 29 Zone and part of the area identified as the Physical Limitations Area is subject to flooding and therefore the stormwater runoff within the residential areas must be carefully managed in order to avoid compounding this issue.

The residential areas within the Special 29 Zone are free of the 1 in 100 year flood line. However, due to increased impervious surfaces resulting from urban development stormwater requires careful management.

Issue
12.8.29.1.1.12

Public perception of safety and actual safety (personal and otherwise) is affected by subdivision design, the design of buildings, public places (such as road/footpath corridors, shopping areas and parks) and the interfaces between them.



Issue
12.8.29.1.1.13

The design of public places can have significant effects on the safety and perceived safety of those areas. The District Plan is able to assist in improving levels of safety in urban areas.

Improved levels of safety will assist in making the Huapai North area a more vibrant urban environment and a more pleasant place to live in and visit.

Future development in the Huapai North area has the potential to adversely affect the safety, efficiency and sustainability of State Highway 16.

The future development of Huapai North will place pressure upon State Highway 16. Therefore, development needs to be assessed and managed in a manner that takes into account the safety, efficiency and sustainability of the State Highway.

Issues from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- Chapter 10 – Open Space and Recreation
- Chapter 17 – Cultural Heritage
- Chapter 18 – Urban Land Modification and Vegetation Removal
- Chapter 19 – Utilities
- Chapter 20 – Hazardous Substances and Contaminated Sites
- Chapter 21 – Transportation and Access
- Chapter 22 – Financial Contributions
- Chapter 23 – Subdivision and Servicing

12.8.29.1.2

Objectives

Objective
12.8.29.1.2.1

Refer to Chapter 8 – Residential, Section 8.3 in particular those objectives relating to the Medium Intensity Residential Zone and Township Policy Areas. Objectives 8.3.1 – 8.3.5 apply.

(This objective relates to Issue 12.8.29.1.1.1)

Objective
12.8.29.1.2.2

To provide for an intensity of residential development that is compatible with the existing Huapai and Kumeu residential area and reflects the spacious and open character and landscape of Rural Townships.

(This objective relates to Issue 12.8.29.1.1.3)

Objective
12.8.29.1.2.3

To promote urban development that is in keeping with accepted urban design principles including:

- Clearly defined public and private space.
- Creating attractive and safe streets which encourage walking and cycling.
- Buildings fronting public open space.
- High quality and low impact stormwater design.
- Active street frontages.
- Reducing visual impact of garages.
- Breaking up building mass.
- High quality and effective landscape planting.

(This objective relates to Issue 12.8.29.1.1.5)



Objective
12.8.29.1.2.4

To provide for a variety of housing types, densities and residential site sizes within Huapai North.

(This objective relates to Issue 12.8.29.1.1.6)

Objective
12.8.29.1.2.5

To ensure that those sites with a residential intensity greater than 700m² per site are located around areas of high amenity, within an easy walking distance of Huapai Town Centre and are generally located away from the rural/river edge of the Huapai North area.

(This objective relates to Issue 12.8.29.1.1.6)

Objective
12.8.29.1.2.6

To protect and enhance key natural watercourses, necessary floodplains and overland flowpaths from inappropriate subdivision and development, and enhance natural riparian areas.

(This objective relates to Issue 12.8.29.1.1.7)

Objective
12.8.29.1.2.7

To provide an area of local shops to serve the day to day needs of residents while avoiding, remedying or mitigating the adverse effects of commercial activities on the amenity values of adjoining residential areas.

(This objective relates to Issue 12.8.29.1.1.9)

Objective
12.8.29.1.2.8

To avoid the adverse effects of stormwater runoff during and post development.

(This objective relates to Issue 12.8.29.1.1.11)

Objective
12.8.29.1.2.9

To avoid, remedy or mitigate the adverse effects of residential development and residential activities on the natural environment, including landform and water courses.

(This objective relates to Issue 12.8.29.1.1.10 and 12.8.29.1.1.11)

Objective
12.8.29.1.2.10

To enhance public and personal safety in public places (including parks and streets) through design of buildings and spaces that reduce opportunities for crime to occur.

(This objective relates to Issue 12.8.29.1.1.12)

Objective
12.8.29.1.2.11

To ensure that there is careful integration of land use and transportation infrastructure and ensure that appropriate connections are provided to existing infrastructure.

(This objective relates to Issue 12.8.29.1.1.13)

Objectives from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- Chapter 10 – Open Space and Recreation
- Chapter 13 – Future Development and Structure Plans



	<p>Chapter 14 – Scheduled Activities Chapter 17 – Cultural Heritage Chapter 18 – Urban Land Modification and Vegetation Removal Chapter 19 – Utilities Chapter 20 – Hazardous Substances and Contaminated Sites Chapter 21 – Transportation and Access Chapter 22 – Financial Contributions Chapter 23 – Subdivision and Servicing</p>
12.8.29.1.3	Policies
<i>Policy</i> 12.8.29.1.3.1	All Policies in Chapter 8 – Residential, Section 8.4 shall apply, in particular those policies relating to the Medium Intensity Residential Zone and Township Policy Areas.
<i>Policy</i> 12.8.29.1.3.2	Development within Huapai North should be generally in accordance with the Outline Plan at Appendix 9 to the Planning Maps and for those identified precincts should be achieved through the Development Concept Plan process to ensure that there are no more than minor adverse effects on the amenity values and character of the area and on ecological values. <i>(This policy seeks to achieve objective 12.8.29.1.2.2 - 12.8.29.1.2.6)</i>
<i>Policy</i> 12.8.29.1.3.3	A development concept plan shall be required prior to subdivision for those identified precincts. This plan should indicate where areas for Huapai Park Residential densities, in terms of subdivision/landuse, are to be located within the precinct. <i>(This policy seeks to achieve objective 12.8.29.1.2.2 - 12.8.29.1.2.4)</i>
	Explanation and Reasons <i>This explanation and reasons relate to Policies 12.8.29.1.3. and 12.8.29.1.3.3</i> <i>The Outline Plan for Huapai North seeks to ensure that integrated development occurs in an environmentally sustainable manner and that this integration reflects an overall residential character that is appropriate to the Huapai and Kumeu area. The requirement for Development Concept Plans provides the ability for the 'next layer' of development detail and integration to be considered, in particular with regard to stormwater discharge and residential densities, however, this extends to other matters such as the roading network and form.</i>
<i>Policy</i> 12.8.29.1.3.4	That the design of streets within Huapai North should achieve an integrated and coherent roading/street network and recognise that the underlying determinant of the urban structure and roading pattern is the natural system of watercourses and landform. <i>(This policy seeks to achieve objective 12.8.29.1.2.3 and 12.8.29.1.2.6)</i>
<i>Policy</i> 12.8.29.1.3.5	Roads (including berm landscaping, tree planting and footpath and road finishing etc) should be designed as an integral component of any subdivision and development concept plan in order to create functional traffic routes of high amenity value that motorists and pedestrians find pleasant and enjoyable to travel along.



(This policy seeks to achieve objective 12.8.29.1.2.3)

Explanation and Reasons

This explanation and reasons relate to Policies 12.8.29.1.3.4 and 12.8.29.1.3.5

These policies seek to acknowledge that the roading network is central not only to providing functional traffic routes, but also in contributing to the enhancement of open spaces and the character and amenity of an area. In some instances roads have been linked with 'greenways' which are watercourses and pedestrian connections between the rural edge and the Huapai Reserve which is central to the development.

Policy
12.8.29.1.3.6

Buildings, car parks, public open spaces and road reserves should be sited, designed and managed to ensure that the principles of crime prevention through environmental design have been incorporated, including:

- (a) natural surveillance of public and semi-public spaces from surrounding activities and buildings; and
- (b) a clear distinction between public, semi-public and private areas through the use of design techniques.

(This policy seeks to achieve objective 12.8.29.1.2.10)

Policy
12.8.29.1.3.7

Subdivision and development design should seek to ensure that public open spaces are bounded and fronted by streets, unless topographical and/or natural constraints prohibit this, to provide a clear sense of public ownership, a high level of amenity for the general public, and a safe environment for users.

(This policy seeks to achieve objective 12.8.29.1.2.3)

Policy
12.8.29.1.3.8

Public Open Spaces should be bounded and fronted by streets for no less than 75% for neighbourhood parks and the Huapai Reserve and 50% (at least one side) for 'greenways' which follow watercourses. This will provide a clear sense of public ownership, a high level of amenity for the general public and a safe environment for users.

(This policy seeks to achieve objective 12.8.29.1.2.10)

Explanation and Reasons

This explanation and reasons relate to Policies 12.8.29.1.3.6 - 12.8.29.1.3.8

These policies seek to ensure that open spaces are useable, safe and have high amenity. The location of roads bounding streets for a significant portion of their length also contributes to the open space character of an area and potentially increases the amenity values of the surrounding area.

Policy
12.8.29.1.3.9

The overall residential density within Huapai North should generally be consistent with and reflective of the existing areas of the Huapai and Kumeu townships, and consistent with Huapai's function as a rural township.

(This policy seeks to achieve objective 12.8.29.1.2.2)



Policy
12.8.29.1.3.10

To ensure the maintenance of rural village character and amenity values, to provide a transition to the rural area and to avoid adverse effects of inundation, those sites identified as Huapai Low Intensity Residential Policy Area should not be subdivided to an intensity greater than 1500m² per site and per household unit.

(This policy seeks to achieve objective 12.8.29.1.2.2, 12.8.29.1.2.4 and 12.8.29.1.2.5)

Policy
12.8.29.1.3.11

To ensure the maintenance of rural village character and amenity values and to ensure the sustainable use of the land resource, those sites identified as Huapai Medium Intensity Residential Policy Area should not be subdivided or developed to an intensity greater than one site and household unit per 700m² or an intensity less than 900m² per site and per household unit with the exception of specific areas adjoining areas of open space which may be subdivided and developed to a greater intensity where these areas do not exceed 15% of a Precinct.

(This policy seeks to achieve objective 12.8.29.1.2.2, 12.8.29.1.2.4 and 12.8.29.1.2.5)

Policy
12.8.29.1.3.12

To ensure the maintenance of rural village character and amenity values throughout Huapai North and to ensure the sustainable use of the land resource, those sites identified as Huapai Park Residential Policy Area should not be subdivided or developed to an intensity greater than one site and household unit per 600m² or an intensity less than 450m² per site and per household unit.

(This policy seeks to achieve objective 12.8.29.1.2.2, 12.8.29.1.2.4 and 12.8.29.1.2.5)

Policy
12.8.29.1.3.13

Where possible, taking into account topographical constraints, higher intensity development within the Special 29 Zone, should occur around activity centres (e.g. shops, parks and greenways), adjacent to potential passenger transport routes and places of high amenity value. Higher intensity development should be designed and located in such a way that it helps define the street edge and provides opportunities for informal surveillance, particularly to areas of open space.

(This policy seeks to achieve objective 12.8.29.1.22 - 12.8.29.1.2.5)

Explanation and Reasons

This explanation and reasons relate to Policies 12.8.29.1.3.9 - 12.8.29.1.3.13

The Huapai North Outline Plan clearly identifies those different types of policy areas, being Huapai Low, Huapai, Medium and Huapai Park Residential Policy Areas. The most significant difference between these areas is the residential intensity that they provide for. Huapai North has been designed in an integrated manner to ensure that the overall character is appropriate for the Huapai and Kumeu areas, which providing for a range of densities, with those smaller lots located around areas of amenity. Further subdivision to intensities greater than those permitted should not be provided for as this has the potential to erode the overall intended structure and character of the Huapai North area.



Policy
12.8.29.1.3.14

Shops within the Local Shops Policy Area should be of a small scale with high levels of urban and pedestrian amenity.

(This policy seeks to achieve objective 12.8.29.1.2.7)

Policy
12.8.29.1.3.15

Development in the Local Shops Policy Area shall not generate more than minor adverse effects on nearby land uses.

(This policy seeks to achieve objective 12.8.29.1.2.7)

Explanation and Reasons

This explanation and reasons relate to Policies 12.8.29.1.3.14 and 12.8.29.1.3.15

The provision of an area of Local Shops within the Huapai North area will provide a central neighbourhood 'hub' close to the Huapai Reserve and will reduce some vehicle movements in favour of pedestrian activity due to the location convenience of this area. However, this area of local shops should not be developed at the cost of adverse effects on nearby residential areas. It is anticipated that shops will be small scale and that the level of effects from activities will need to be no more than minor in order to be appropriate for the surrounding residential area.

Policy
12.8.29.1.3.16

To protect and enhance those identified waterways (greenways) so as to maintain and enhance the character, environmental values and amenity of the area.

(This policy seeks to achieve objective 12.8.29.1.2.6)

Policy
12.8.29.1.3.17

Land disturbing activities which may result in the generation and discharge of elevated levels of sediment will be required to employ methods which avoid, remedy or mitigate adverse effects on the quality of water in waterbodies.

(This policy seeks to achieve objective 12.8.29.1.2.8)

Policy
12.8.29.1.3.18

Subdivision and land use activities should be carried out in a manner which avoids the adverse effects of stormwater runoff on receiving environments. This can be achieved through the use of practices such as:

- (a) The incorporation of a high level of pervious surfaces on sites.
- (b) The use of inert building materials
- (c) The use of natural contours (creases in the land) for stormwater discharge.
- (d) The use of wetland ponds to slow the runoff and beautify the area.
- (e) The maintenance of a natural flow regime.
- (f) The use of swales, filter strips, wetlands for stormwater treatment and attenuation.
- (g) Implementation of an Integrated Catchment Management Plan.
- (h) The establishment of WAI care programmes and community monitoring groups.

This policy seeks to achieve objective 12.8.29.1.2.6, 12.8.29.1.2.8 and 12.8.29.1.2.9



Explanation and Reasons

This explanation and reasons relate to Policies 12.8.29.1.3.16 - 12.8.29.1.3.18

Development of the Huapai North area has the potential to adversely affect watercourses due to sediment and contaminant runoff during the construction and earthworks phase as well as post development. The above policies seek to protect those existing watercourses within the area through a range of possible mechanisms.

Policy
12.8.29.1.3.19

Future development should be managed to ensure the on-going sustainable operation and efficiency of State Highway 16 and the provision of the required roading infrastructure to service growth.

(This policy seeks to achieve objective 12.8.29.1.2.11)

Policies from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- Chapter 10 – Open Space and Recreation
- Chapter 13 – Future Development and Structure Plans
- Chapter 14 – Scheduled Activities
- Chapter 17 – Cultural Heritage
- Chapter 18 – Urban Land Modification and Vegetation Removal
- Chapter 19 – Utilities
- Chapter 20 – Hazardous Substances and Contaminated Sites
- Chapter 21 – Transportation and Access
- Chapter 22 – Financial Contributions
- Chapter 23 – Subdivision and Servicing

12.8.29.1.4

Description of Zone

12.8.29.1.4.1

Huapai North Area

The Zone applies to the Huapai North area bounded by the Kumeu River to the east and north and a natural waterway to the west known as Coopers Creek. It does **not** include the existing developed area north west of Orah Road, including the southern portions of Tapu and Matua Roads.

The Zone includes three policy areas which denote different residential densities and a Local Shops Policy Area. The three residential policy areas include the Huapai Low Intensity Residential Policy Area, Huapai Medium Intensity Residential Policy Area and the Huapai Park Residential Policy Area. There area also includes a Physical Limitations Policy Overlay.

The provisions of the Special 29 Zone are intended to enable contained residential expansion within the area and the application of urban design principles to all development to achieve community and environmental outcomes. The development of the area is intended to respect and reflect key elements of the area’s former rural character and to recognise Huapai’s function as a rural town. A key principle underpinning the planning and development of Huapai’s residential area is the notion of sustainability. Whilst the term means different things in different contexts, in relation to the



growing community of Huapai this means that its growth is in tune with the social, cultural, economic and environmental values to sustain its future community.

An Outline Plan for the Special 29 (Huapai North) Zone has been compiled to ensure that the development of Huapai North will be carried out in an “integrated” way (refer to Appendix 9 Figure 1). The outline plan sets out the location of each of the policy areas, proposed reserves and proposed roads.

The roading pattern and layout are crucial to achieving the intended outcomes for the area. Therefore a number of roads have been shown as indicative roads on the planning maps. Also key to the character of the Huapai North area will be the finished cross sections of the roads, landscaping, pedestrian and cycle ways, bridleways etc and their relationship with site layout and buildings.

Urban Design Guidelines for buildings, public and private spaces and roads in Huapai North have been compiled and appended to the zone provisions.

The zone includes three levels of density with the lower density applied closer to the rural and river extremities of the zone, with the medium density more centrally located, and the higher density limited to very defined areas around the Huapai Reserve and a greenway/reserve within walking distance of the Huapai Town Centre. Other local community needs will also be met by the application of a local shops policy area catering for 3 or 4 daily service type shops such as a dairy and a café etc.

In addition to any neighbourhood reserves, the key indicative reserves are greenway links between the Huapai Reserve and the River. In part these incorporate stormwater utility reserves and where possible emphasis has been made to encourage walkways nearby stormwater ponds which can be enhanced through additional planting. These linear reserves will link (in the future) with esplanade reserves adjoining the Kumeu River and Coopers Creek where these are vested, providing an extensive walkway and close connection with the River.

It is considered that the proposed land uses will meet the objectives for the area, taking into account the area’s development constraints and working with the unique opportunities that the area offers.

12.8.29.1.4.2

Huapai Low Intensity Residential Policy Area Description

The Huapai Low Intensity Residential Policy Area is applied to land located adjacent to the rural and predominately flood prone land which extends to the river. The minimum site size of 1500m² reflects the fact that this is the community site size in the older parts of Kumeu, Huapai and nearby areas such as Waimauku and Riverhead. These spacious residential sites have ample room for private outdoor living, mature trees and enable a sense of open rural village character to be retained. The application of this Policy Area to the fringes of the Huapai North area will also reduce any potential reverse sensitivity effects with regard to the adjoining rural land and provide an ease of transition between the greater residential intensities closer to the Huapai Reserve.



12.8.29.1.4.3

Huapai Medium Intensity Residential Policy Area Description

The Huapai Medium Intensity Residential Policy Area applies to the majority of land identified for residential purposes in Huapai North. The site size will be limited to 700m² - 900m², which will reflect the older residential areas in Kumeu-Huapai and provide a more spacious rural village character than the standard 600m² medium intensity site size. This site size is also consistent with the 800m² for Township Policy Areas. However, some additional development of between 450m² and 600m² has been provided for in this Policy Area where within those Precincts identified in Appendix 9 Figure 2 to the Planning Maps and where the land is adjacent to areas of amenity such as open space.

Emphasis has been placed on the roading cross sections and their landscaping in order to create a residential area with a spacious feel and careful consideration has been given to incorporating relevant urban design elements within the development controls including those that will retain the essence and character of Huapai North, as single household units will not require resource consent where compliance with the development controls is achieved.

12.8.29.1.4.4

Huapai Park Residential Policy Area Description

The Huapai Park Residential Policy Area completes the range of sections sizes for Huapai North and will result in a range of housing types being able to be provided to meet the needs of future residents within the Huapai North Area. This Policy area is 40 metres wide (which should be one section width) and provides for a higher density than other Policy Areas due to the high amenity that these areas enjoy through being located directly around public open space. The site sizes range from 450m² – 600m² and where possible a road is proposed to be located between these sites and the area of open space for safety, passive surveillance and to open these areas up to the public.

12.8.29.1.4.5

Huapai North Local Shops Policy Area Description

The Huapai North Local Shops Policy Area is located in the centre of the Huapai North area, adjacent to the Huapai Reserve. This area will provide a central point for residents in the neighbourhood. The Policy Area provides for small scale development of approximately 3-4 shops, being a significantly smaller scale than the Huapai and Kumeu commercial areas.

The Local Shops Policy Area land area provided for is 4302m² excluding that portion identified as indicative road. The rules provide for the sites to be used for residential purposes on the upper storey and commercial below. Only a limited range of activities is provided for to ensure that the shops provide for the day to day needs of residents rather than commercial activities that would be more appropriately located in the Huapai or Kumeu town centres.

There will be a reduced requirement for activities in this Policy Area to provide off-street customer carparking. This will enable the land around the buildings to be developed as far as possible in a similar way to any adjoining residential development. However, the urban design guidelines do provide



12.8.29.1.4.6

some guidance for car parking in the local shops area.

Process

The diagram below sets out the process provided in the Special 29 (Huapai North) Zone within two precincts identified as '1', '2', '3' and '4'.

The Council requires that all applications for resource consents for activities that involve earthworks, subdivision or the erection of buildings are required to comply with a Development Concept Plan (DCP) covering the precinct in which the site is located.

Where the resource consent application is for the first activity on the land (earthworks, building or subdivision), a DCP is to be included with the application and the adequacy of the DCP will be assessed as part of that resource consent application. The resource consent will require the development of the property to be in general accordance with the DCP provided.

Where the resource consent application is for a subsequent activity, the application will be required to demonstrate that the activity applied for is in accordance with the DCP applying to the property. Alternatively, the applicant may choose to lodge a new DCP updating the original. Where more than one DCP has been approved for a property, the Council will require compliance with the most recent DCP.

Where the application is for a subdivision consent, future compliance with the DCP will be required by way of a consent notice applied to each lot created by the subdivision, including any balance lot.

Where an application is made for an activity that is listed as a discretionary activity (unrestricted) the Council will consider the extent to which the activity complies with an approved DCP. Where no DCP has been approved, or no DCP is approved as part of the application, the application will be classified as a non-complying activity.

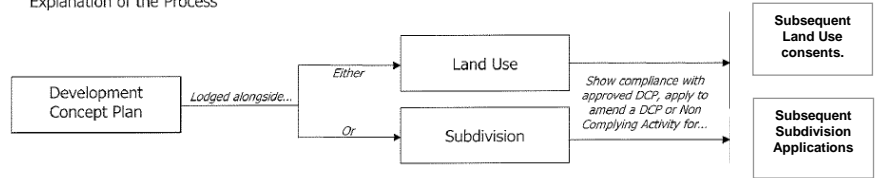
Any application for an activity that is required by the rules to provide a DCP and which fails to do so will be treated as a non-complying activity.

The process is based on land owners / developers preparing a development concept plan (DCP) that sets out how each part of the precinct is proposed to be developed. Once this is approved by the Council all development shall be in accordance with the DCP.



The Council is committed to working with land owners / developers in a collaborative manner in the development of a DCP prior to lodgement to assist this process which relates only to Precincts '1', '2', '3' and '4' within Huapai North and can be demonstrated by the following flow chart.

Explanation of the Process





12.8.29.2

Rule 12.8.29.2.1

Activity Rules

All activities within the Special 29 Zone shall comply with the following:

- (a) All Permitted Activities in the Activity Table in Rule 12.8.29.2.2 shall comply with Rule 12.8.29.3 Development Controls, and any other relevant Rule in the District Plan.
- (b) All Controlled Activities in the Activity Table in Rule 12.8.29.2.2 shall comply with Rule 12.8.29.3 Development Controls, and any other relevant Rule in the District Plan. All Controlled Activities shall be assessed against the criteria in Rule 12.8.29.55.
- (c) All Restricted Discretionary Activities in the Activity Table in Rule 12.8.29.2.2 shall comply with Rule 12.8.29.3 Development Controls and Performance Standards and shall be assessed against those matters over which discretion is retained as set out in Rule 12.8.29.66.
- (d) All Discretionary Activities in the Activity Table in Rule 12.8.29.2.2 shall be assessed against the criteria set out in 12.8.29.77 Discretionary Activities: Assessment Criteria for Residential Activities, any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters in section 104 of the Act.
- (e) All Non-complying Activities in the Activity Table in Rule 12.8.29.2.2 shall be assessed in terms of Section 104 of the Act.
- (f) Where an activity is marked * the activity must demonstrate compliance with an approved Development Concept Plan or provide a Development Concept Plan as part of the application.
- (g) Development Concept Plan applications, which must be lodged with an associated land use or subdivision consent, shall be assessed against the criteria set out in Rule 12.8.29.4 *Development Concept Plan: Assessment Criteria*.
- (h) All activities shall comply with Rule 12.8.29.3.10 - *Wastewater Servicing*. Any activity not complying with the standards in Rule 12.8.29.3.10 – *Wastewater Servicing* shall be a prohibited activity.



12.8.29.2.2

Activity Table

In the following table:

- P = Permitted Activity**
- C = Controlled Activity**
- RD = Restricted Discretionary Activity**
- D = Discretionary Activity**
- NC = Non-complying Activity**
- PRO = Prohibited Activity**
- NA = Not Applicable**

Note: Words in capitals are defined in *Chapter 3 – Definitions*.

ACTIVITIES	POLICY AREAS			
	Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
Any activity not listed in the Activity Table	NC	NC	NC	NC
Any Permitted or Controlled Activity in this activity table not complying with the Development Controls and Performance Standards that meet the circumstances set out in Rule 12.8.29.6 <i>Restricted Discretionary Activities</i> ; with the exception of those not complying with Rule 12.8.29.3.12.1 <i>Size of Shops</i> , Rule 12.8.29.3.12.2 <i>Appearance of Sites</i> , Rule 12.8.29.3.12.4 <i>Verandahs</i> , Rules 12.8.29.3.13.1.1 to 12.8.29.3.13.1.4 – <i>Development Concept Plans</i> , Rule 12.8.29.3.13.2 <i>Increased site density within Huapai Medium Intensity Residential Policy Area</i> , Rule 12.8.29.3.12.3 <i>Household Units</i> , Rule 12.8.29.3.12.6 <i>Street Paving</i> and Rule 12.8.29.3.13.7 <i>Activities not to occupy ground floor</i> .	RD	RD	RD	RD
Any Permitted or Controlled Activity in this activity table not complying with the Development Controls and Performance Standards that does not meet the circumstances set out in Rule 12.8.29.6 <i>Restricted Discretionary Activities</i> , with the exception of those not complying with Rule 12.8.29.3.12.1 <i>Size of Shops</i> , Rule 12.8.29.3.13.2 <i>Appearance of Sites</i> , Rule 12.8.29.3.12.4 <i>Verandahs</i> , Rules 12.8.29.3.14.1.1 to 12.8.29.3.13.1.4 – <i>Development Concept Plans</i> , Rule 12.8.29.3.13.2 <i>Increased site density within Huapai Medium Intensity Residential Policy Area</i> , Rule 12.8.29.3.12.3 <i>Household Units</i> , Rule 12.8.29.3.12.6 <i>Street Paving</i> and Rule 12.8.29.3.12.7 <i>Activities not to occupy ground floor</i> .	NC	NC	NC	NC



ACTIVITIES	POLICY AREAS			
	Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
Any activity not complying with Rule 12.8.29.3.10 <i>Wastewater Servicing</i> .	PRO	PRO	PRO	PRO
Any activity not complying with Rule 12.8.29.3.11 <i>Water Servicing</i> .	D	D	D	D
Any activity which meets the standards in Rule 8.9.4 of Chapter 8 – <i>Residential</i> .	D	D	D	D
Any Activity in this activity table not complying with Rule 12.8.29.3.12.1 <i>Size of Shops</i> .	NA	NA	NA	NC
Any Activity in this activity table not complying with Rule 12.8.29.3.12.3 <i>Household Units</i> , Rule 12.8.29.3.12.2 <i>Appearance of Sites</i> , Rule 12.8.29.3.12.4 <i>Verandahs</i> and Rule 12.8.29.3.12.6 <i>Street Paving</i> .	NA	NA	NA	D
The establishment or commencement of any activity within Precincts '1', '2', '3' or '4' (refer to Appendix 9, Figure 2), other than the grazing of animals, where no Development Concept Plan has been approved for the land or submitted with a resource consent for activities on the land.	NA	NC	NC	NC
Any activity that does not comply with the Development Controls and Performance Standards in Rules 12.8.29.3.13.1.1 to 12.8.29.3.13.1.4 – <i>Development Concept Plans</i> , Rule 12.8.29.3.13.2 <i>Increased site density within Huapai Medium Intensity Residential Policy Area</i> and Rule 12.8.29.3.12.7 <i>Activities not to occupy ground floor</i> .	NA	NC	NC	NC
ACCESSORY BUILDINGS for permitted and controlled activities.	P	P	RD	RD
ACCESSORY BUILDINGS for restricted discretionary activities.	RD	RD	RD	RD
BOARDINGHOUSES, accommodating not more than 10 persons inclusive of owner family and staff. (Note: this is an activity rule only and does not cover buildings associated with this activity).	P	P	P	P



ACTIVITIES		POLICY AREAS			
		Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
Buildings	BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT on a SITE with an area of 600m ² or greater.	P	P	NA	RD
	BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT on a SITE with an area of greater than 450m ² and not exceeding 700m ² .	NA	N/A	P*	RD*
	BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT on a SITE with an area between 450m ² and 600m ² in Precinct 1, 2, 3 and 4 where Rules 12.8.29.3.13.1.1 to 12.8.29.3.13.1.4 – <i>Development Concept Plans</i> and Rule 12.8.29.3.13.2 <i>Increased site density within Huapai Medium Intensity Residential Policy Area</i> apply.	N/A	P*	N/A	N/A
	BUILDINGS; The erection, addition to or external alteration addition to and/or relocation of BUILDINGS for any permitted, controlled or restricted discretionary activity in the Local Shops Policy Area.	NA	NA	NA	RD*
	BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT on a SITE that is a balance lot for a staged subdivision.	PRO	PRO	PRO	PRO



ACTIVITIES		POLICY AREAS			
		Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
	BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS not otherwise listed in this table.	D*	D*	D*	D*
	BUILDINGS; The demolition of BUILDINGS except where listed in Appendix 17A or B.	P	P	P	P
CHILDCARE FACILITIES, and after school care for school age children, for not more than 10 children at any one time based on an existing household unit or existing ACCESSORY BUILDING(S), subject to the site containing not less than 600m ² net site area.		P	P	NA	P
CHILDCARE FACILITIES, and after school care for school age children, for not more than 10 children at any one time subject to the site containing not less than 600m ² net site area (Note: this is an activity rule only and does not cover buildings associated with this activity).		D	D	D	D
DAIRIES		NC	NC	NC	P
EDUCATIONAL FACILITIES.		D*	D*	D*	D*
FIRE SERVICE EMERGENCY SERVICES		D	D	NC	NC
HOMES FOR THE AGED and DAY-CARE FACILITIES FOR THE ELDERLY AND DISABLED, accommodating not more than 10 persons inclusive of owner family and staff based on an existing household unit or existing accessory BUILDING(S).		P	P	P	P
HOMES FOR THE AGED, Retirement Villages, and day-care facilities for the elderly, accommodating more than 10 persons.		D*	D*	D*	NC
Grazing of animals on sites greater than 2000m ² net site area.		P	P	P	P
HOMESTAY, accommodating not more than 10 persons		P	P	P	P



ACTIVITIES		POLICY AREAS			
		Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
inclusive of owner family and staff (Note: this is an activity rule only and does not cover buildings associated with this activity).					
HOME OCCUPATIONS that comply with rule 16.8.		P	P	P	P
Hostels and PRIVATE HOTELS accommodating not more than 10 persons inclusive of owner family and staff based on an existing household unit or existing accessory BUILDINGS subject to the site containing not less than 600m ² net site area (Note: this is an activity rule only and does not cover buildings associated with this activity).		P	P	P	P
Household Units Densities	SINGLE HOUSEHOLD UNIT per SITE not exceeding 1 unit per SITE. (Note this is a density rule. A resource consent may be needed to erect BUILDING(s) for use as a HOUSEHOLD UNIT).	P	P	P	P
MINOR HOUSEHOLD UNIT (note this is a density and building rule) (a) on a SITE that is 600m ² or greater, and (b) at a density of one per site, and (c) where the development complies with the standard in Rule 8.9.6.1 of Chapter 8 – Residential and the Development Controls and Performance Standards in Rule 12.8.29.3.		C	C	C	C
MINOR HOUSEHOLD UNIT (note this is a density and building rule) (a) on a SITE that is 600m ² or greater, and (b) at a density of one per site, and (c) where the development complies with the standard in Rule 8.9.6.2 of Chapter 8 – Residential and the Development Controls and Performance Standards in Rule 12.8.29.3.		RD	RD	RD	RD
OFFICES ancillary to a Permitted, Restricted Discretionary or Discretionary Activity.		NA	NA	NA	P
OFFICES at or above first floor level which are not ancillary to a Permitted, Restricted Discretionary or Discretionary Activity.		NC	NC	NC	P



ACTIVITIES	POLICY AREAS			
	Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
PLACES OF ASSEMBLY	NC	D*	D*	NC
Public Reserves	P	P	P	P
RESTAURANTS (excluding DRIVE-THROUGH ACTIVITIES)	NC	NC	NC	D
SHOPS complying with Rule 12.8.29.3.12.1 <i>Size of Shops</i> ; except SHOPS for the sale of Builders', Tradesmen's, Engineers', Farmers' and Handymen's Supplies, or Motor Vehicle and Machinery Parts and Tools or SHOPS with OUTDOOR DISPLAY or storage areas.	NC	NC	NC	P
TAKEAWAY FOOD BARS except DRIVE-THROUGH ACTIVITIES	NC	NC	NC	P
WORKROOMS (including kitchens) provided that each WORKROOM is incidental to a shop of which it forms a part and serves that shop only.	NC	NC	NC	P
District Wide Activities	Refer to Chapter 16 – General Rules			
EARTHWORKS, VEGETATION REMOVAL and importation of CLEAN FILL including excavation	Refer to Chapter 18 – Urban Land Modification and Vegetation Protection			
Transportation Activities	Refer to Chapter 21 – Transportation and Access			
Use and storage of HAZARDOUS SUBSTANCES	Refer to Chapter 20 – Hazardous Substances and Contaminated Sites			
UTILITIES	Refer to Chapter –19 Utilities			

Rule 12.8.29.3

Rule 12.8.29.3.1 Yards

Development Controls and Performance Standards

Yards



Rule 12.8.29.3.1.1

Huapai Low Intensity and Medium Intensity Residential Policy Areas

The minimum yards for sites are as follows:

- (a) Front yard: 5 metres
- (b) Side yards: One yard of 1 metre and one yard of 3 metres; except where the building is being constructed adjacent to a site with an existing dwelling constructed prior to 1 January 2009, in which case the 1 metre side yard shall increase to 1.2 metres
- (c) Rear yards: 6 metres

Rule 12.8.29.3.1.2

Huapai Park Residential Policy Area

The minimum yards for sites are as follows:

- (a) Front yard: 3 metres; provided that the siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.
- (b) Side yards: One yard of 1 metre and one yard of 3 metres.
- (c) Rear yards: 6 metres

Rule 12.8.29.3.1.3

Huapai Local Shops Policy Area

The yards for sites are as follows:

- (a) Front yard: Buildings shall have a maximum setback of 1m from the front boundary.
- (b) Side yards: 3 metres minimum where any site adjoins a Residential Policy Area, Open Space Zone or Reserve, otherwise nil.
- (c) Rear yards: 6 metres minimum where any site adjoins a Residential Policy Area, Open Space Zone or Reserve, otherwise nil.

Rule 12.8.29.3.1.4

Other Yards

- (a) Shoreline Yard: 23 metres
- (b) Rear sites: 3 metres minimum (note: on rear sites every yard is a rear yard.) Where the boundary of any rear site abuts Open Space Zone or Reserve, the rear yard on that boundary shall be 6 metres minimum.

Rule 12.8.29.3.1.5

Yards to Remain Unobstructed by Buildings

- (a) All minimum yards shall remain unobstructed by buildings except as provided for below:



The following can be built in all yards:

- (i) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.6 metres provided they do not prevent vehicular access to a required parking space.
- (ii) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sun blinds provided they do not encroach into the yard by more than 0.3 metres.
- (iii) Within the Local Shops Policy Area parking, access and manoeuvring areas may occur in those parts of yards not required for landscape planting in Rule 12.8.29.3.12.8.

(b) In addition to that listed above in (a) the following may also be built in a front yard in the Huapai Park Residential Policy Area:

- (i) Bay windows, steps, verandahs, porches and balconies may protrude into the maximum front yard but shall not be closer than 1.5m to the front boundary.

Rule 12.8.29.3.1.6

Structures in the Front Yard and/or on any yard adjoining an area of open space zone or reserve

- (i) No fence, wall or screen located within the front yard and/or on any yard adjoining an area of open space zone or reserve shall exceed a height of 1.2m and that portion of the fence, wall or screen between 1.0m and 1.2m shall be visually permeable.
- (ii) No boundary planting in the first three metres of the side or rear yard as it extends from the boundary adjoining an area of open space zone or reserve shall exceed 1.2m in height except that boundary planting comprising individual trees spaced a minimum of 5 metres apart shall be permitted.

Explanation and reasons

This explanation and reasons relate to Rule 12.8.29.3.1.1 to Rule 12.8.29.3.1.6.

Yards or buildings set backs allow for open space between buildings for site access, building maintenance, privacy, noise reduction and the like. Side yards in particular provide practical access to the building wall and to the rear of the site.

The shoreline yard makes provision for any future 20 metre wide esplanade reserve and a 3 metre wide yard.

The set back of dwellings from the street influences the streetscape character, residents' privacy and the size of the private outdoor space at the rear. A site can therefore be used more efficiently if the minimum set back from the front street boundary is less than usually required, however this results in a different street character and therefore yard set backs have only been minimised for the Huapai Park Residential Policy Area. In the interests of the safety of residents and pedestrians and cyclists using the public street space, front



Rule 12.8.29.3.2
Garage Setback

yards should ensure that a high degree of mutual surveillance takes places between the street and the dwelling frontages. Front yards therefore should not be screened with a boundary fence or wall in excess of 1.2 metres in height. The provision for the various permitted intrusions into the front yard are intended to encourage variety in street front elevations and opportunities to increase passive surveillance of the street.

Orientation of Household Units and Garage Setback

(a) A household unit and its front entrance shall be orientated to the front boundary of the site to address the road. This means that the front elevation of a household unit and the front entrance shall face and be parallel to the front boundary of the site.

(b) The following applies to the Huapai Low, Medium and Park Residential Policy Areas:

Where garage doors face the front boundary or shared access, the front façade of a garage, shall be:

- (i) set back a minimum of 5.5.m from the front boundary,
- (ii) set back 2m from the front wall of a household unit, and
- (iii) shall occupy a maximum of 35% of the active building frontage or 7m, whichever is the greater.

The active building frontage is defined as;
The front façade of a dwelling including any attached or detached garage that faces the street but excludes;

- Any vertical faces that are located more than 3m to the rear of the garage door
- Any roof.



Explanation and Reasons

Household units and front entrances should be designed to address the street in order to provide a level of passive surveillance and connection between private residential properties and the street/public space. Garages should be



Rule 12.8.29.3.3
Maximum Site Coverage

Rule 12.8.29.3.3.1

designed and positioned so that they do not dominate the street.

Maximum Site Coverage

The maximum building coverage of a site shall be:

- (a) Low Intensity and Medium Intensity Policy Areas - 35% of net site area.
- (b) Park Residential Policy Area and Medium Intensity Residential Policy Areas in Precinct 1, 2, 3 or 4 that comply with Rules 12.8.29.3.13.1.1 to 12.8.29.3.13.1.4 – Development Concept Plans and Rule 12.8.29.3.13.2 Increased site density within Huapai Medium Intensity Residential Policy Area - 50% of net site area.
- (c) Local Shops Policy Area - 60% of net site area.

Explanation and Reasons

Residential areas in Rodney and in particular the rural villages with Rodney, are characterised by spaciousness and green open space around buildings. These Rules are intended to ensure that these characteristics are retained. Open space also plays an important part in providing space for the planting of trees, stormwater drainage, and ensuring a high level of amenity values on residential sites.

The site coverage rule in the Low and Medium Intensity Residential Policy Areas more restrictive to reflect the larger sites compared with the Park Residential and Local Shops Policy Areas.

Rule 12.8.29.3.4
Maximum Height

Rule 12.8.29.3.4.1

Maximum Building Height

Park Residential Policy Area

- (a) The maximum height of any building with a roof pitch of less than 20% shall be 9 metres.
- (b) The maximum height of any building with a roof pitch of 20% or more shall be 9 metres plus an additional non habitable roof space of 2 metres (total 11 metres).

Rule 12.8.29.3.4.2

All Other Policy Areas

The maximum height of any residential building shall be 9 metres.

Explanation and Reasons

This Rule is intended to limit the effects of buildings on neighbours and to ensure a relatively low rise residential environment.

For the Huapai Local Shops Policy Area, height of buildings can adversely affect the amenity values of adjoining non business areas by overshadowing and overlooking. The restricted height in the Local Shops Policy Area reflects the desire to retain a pedestrian related scale to development. It will help ensure that buildings do not have an overbearing effect which could diminish the amenity values of the retail areas.

Rule 12.8.29.3.5



Maximum Height in Relation to Boundary

Rule 12.8.29.3.5.1

Rule 12.8.29.3.5.2

Rule 12.8.29.3.5.3

Rule 12.8.29.3.6
Maximum Bulk in Relation to Boundary

Maximum Height in Relation to Boundary

Local Shops Policy Area

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary adjoining a Residential Policy Area, Open Space Zone or Reserve.

Low Intensity and Medium Intensity and Park Residential Policy Areas

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any boundary of the site on which the building is to be located, except a front boundary; **provided that for sites within the Park Residential Policy Area only**, on side boundaries within 14 metres of the road frontage the maximum height of a building shall not exceed a height equal to 5 metres plus the horizontal distance between that part of the building and the side boundary.

Rule 12.8.29.3.5.1 and 12.8.29.3.5.2 shall not apply to the following:

- (a) chimneys, radio and television aerials, domestic satellite dishes less than 1 metre in diameter;
- (b) the apex of any roof or gable end not exceeding 1m² in area;
- (c) dormers not exceeding 2 metres in width (not more than two per building facing the same boundary);
- (d) those parts of buildings that share a common wall on a site boundary.

Explanation and Reasons

This rule assists in preventing over dominance of neighbouring sites and allows daylight into sites by requiring higher buildings to be located further from the boundary. For the Park Residential Policy Area a higher building is permitted near the front of the site so that rear yards used for outdoor recreation are protected more from over dominance than the front of the site which will more often contain buildings. There is no height to boundary requirement between two sites zoned Huapai Local Shops Policy Area.

The height in relation to boundary Rules complement the height Rules and will help maintain the admission of direct sunlight to adjoining non-business sites.

Maximum Bulk in Relation to Boundary

The following Rule shall apply to the Huapai Low and Medium Intensity Residential Policy Areas; and any boundary of a site zoned Huapai Local Shops Policy Area or Park Residential Policy Area which adjoins a Residential Policy Area, an Open Space Zone or Reserve:

- (a) Any part of a proposed building that is greater than 3.5 metres above

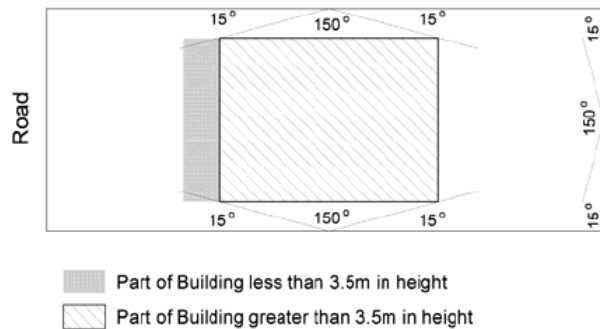


the ground level of the site boundary adjacent to the building, must be confined within the arms of a single 150 degree angle formed by two lines intersecting at a common point on the site boundary, such that each line forms an angle of 15 degrees with that boundary.

This Rule shall not apply:

- (i) To any part of a building located 4 or more metres from the site boundary to which the Rule applies.
- (ii) On a front boundary.

Diagram One - Bulk in Relation to Boundary



Explanation and Reasons

This Rule requires long buildings to be set back from boundaries in proportion to their length. This results in more open space being located around larger buildings, so that their effect on the spaciousness of the residential environment is reduced and allows daylight to penetrate around buildings.

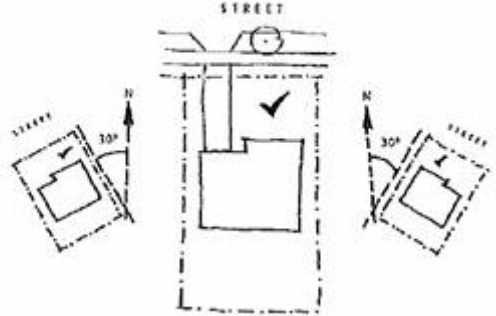
**Rule 12.8.29.3.7
Outdoor Living Space**

Outdoor Living Space

Huapai Low Intensity, Medium Intensity Residential, Park Residential Policy Areas

- (a) An outdoor living space shall be provided at the rear or side of each household unit, except for circumstances set out in (b), sufficient to accommodate a minimum area of 80m² provided that no dimension is less than 4m and no single area is less than 40m². An outdoor living space at the front of the household unit shall not be obstructed by driveways, vehicle manoeuvring and parking areas.
- (b) Outdoor living space may only be located at the front of a household unit (i.e. not the side or the rear) on north facing sites, which have a long axis within 30 degrees West or East of North are permitted to have an outdoor living space at the front of the household unit as shown on the diagram below. An outdoor living space at the front of the household unit shall not be obstructed by driveways, vehicle manoeuvring and parking areas.

Diagram Two: Outdoor Living Space on North Facing Sites



Explanation and Reasons

Private outdoor living areas are important for amenity reasons as well as the health and wellbeing of the occupants. These should be located in a position where they have the ability to be appropriately screened from the passers-by using a road, shared access lane and/or neighbouring properties. The Yards Development Controls and Performance Standards encourage passive surveillance from household units onto the road by limiting fence heights and planting in the front yard, which reduces the ability to provide a “private” outdoor living space at the front of a household unit. Private outdoor living areas should therefore be located to the side or rear of a household unit where appropriate screening can be erected to provide an appropriate level of privacy. These areas also have the ability to add to residential character if larger trees are planted.

It is acknowledged that for certain north facing residential lots it may be preferable to locate the outdoor living space within the front yard. Restrictions have been placed on fence and planting height to ensure there is no impact on passive surveillance in this cases.

**Rule 12.8.29.3.8
Maximum Impervious Surfaces**

Maximum Impervious Surfaces

Rule 12.8.29.3.8.1

Huapai Low Intensity and Medium Intensity Residential Policy Areas

Not more than 50% of the net site area of any site (post subdivision and not including roads or reserves) may be covered in an impervious surface.

Rule 12.8.29.3.8.2

Park Residential Policy Area and Medium Intensity Residential Policy Areas in Precinct 1, 2, 3 or 4 that comply with Rules 12.8.29.3.13.1.1 to 12.8.29.3.13.1.4 – Development Concept Plans and Rule 12.8.29.3.13.2 Increased site density within Huapai Medium Intensity Residential Policy Area

Not more than 60% of the new site area of any site (post subdivision and not including roads or reserves) may be covered in an impervious surface.

Rule 12.8.29.3.8.3

Huapai Local Shops Policy Area

Not more than 85% of the new site area of any site (post subdivision and not including roads or reserves) may be covered in an impervious surface.



Rule 12.8.29.3.9
Roof Types

Explanation and Reasons

This rule assists in limiting the amount of stormwater runoff by limiting impermeable surfaces. In addition, by limiting paved surfaces more open space is available for planting and landscaping. This contributes to the Rural Village amenity values in Huapai North.

Roof Types

All roofs shall be made of materials other than uncoated galvanized material or uncoated zinc-alum.

Explanation and Reasons

The run-off from galvanized and uncoated zinc-alum roofs has the potential to cause harm to eco-systems within streams and other receiving waters.

Rule 12.8.29.3.10
Wastewater Servicing

Wastewater Servicing

All activities requiring wastewater servicing shall be connected to a public reticulated sewerage system.

Explanation and Reasons

A public wastewater system is proposed by Council to serve the whole of Huapai North. It is important to ensure the efficient use and viability of that system and the avoidance of adverse effects, including effects on water quality that could arise from inferior systems.

Rule 12.8.29.3.11
Water Servicing

Water Servicing

All activities requiring water supply shall be connected to a public reticulated water supply network.

Explanation and Reasons

A public water system is proposed by Council to serve the whole of Huapai/Kumeu. It is important to ensure efficient use and viability of that system.

Rule 12.8.29.3.11
Additional Development Controls for Minor Household Units

Additional Development Controls for Minor Household Units

Refer to Rule 8.10.6.2 of Chapter 8 – Residential.

Rule 12.8.29.3.12
Additional Development Controls for Shops in Local Shops Policy Area

Additional Development Controls for Shops in Local Shops Policy Area

Rule 12.8.29.3.12.1

Size of Shops



Size of Shops

- (a) The gross leasable area of individual ground floor tenancies or units shall not exceed 200m².
- (b) Shops shall not occupy any level of any building except the ground floor level.

Explanation and Reasons

By creating limits on the size of tenancies at ground floor level the Council can control the scale of shops that establish. The standard is concerned with the size of shops and similar activities which are most likely to locate at ground floor level as it is the size of the individual shops that determine the effects of the activity. The provision of shops on upper floor levels may result in an over supply of commercial premises in the Huapai North area and as a result have an adverse economic effect on the Huapai and Kumeu Town Centre.

Rule 12.8.29.3.12.2 Appearance of Sites

Appearance of Sites

- (a) Any storage or service areas (including mechanical, electrical and utility equipment, refuse and recycling activities) not enclosed within a building, shall be fully enclosed or screened from public view by solid walls not less than 1.8 metres in height constructed on concrete, brick or stone.
- (b) Rubbish stored within any building or on any part of a site shall be contained within a purpose made container with a secure cover, which shall be screened by a wall or fence or hedge not less than 1.8m high from any adjoining Residential Policy Area, Open Space Zone, Reserve or other public place (including roads).
- (c) On the construction or substantial reconstruction of business floor space, a suitable area to be used only for the storage of rubbish shall be provided and thereafter used for that purpose.

Explanation and Reasons

The physical appearance of a site can have an adverse visual impact on adjacent residential and open space areas and can adversely impact on the amenity values of such sites. The rules are intended to minimise the adverse visual effects of business activities on adjoining activities by screening along boundaries and areas used for rubbish storage. The rules will also help minimise the effects of noise, dust and litter on adjoining sites.

Rule 12.8.29.3.12.3 Household Units

Household Units

- (a) No household unit shall occupy the ground floor level of any building except for an entry lobby or access to parking.
- (b) Each household unit shall provide an area of open space comprising either an unenclosed balcony, deck, garden or terrace which shall:
 - (i) be a minimum area of 6m² and a minimum dimension of 2 metres;
 - (ii) be provided in the form of individual balconies and decks directly adjacent to, accessible from, and for the sole use of an individual



- household unit;
- (iii) not be obstructed by buildings, parking spaces, shared vehicle access or manoeuvring areas.

(c) No more than one household unit may be established on each site.

Explanation and Reasons

The Council envisages housing located above shops and other commercial activities in the local shops area. This form of housing often appeals to individuals who do not wish the maintenance responsibilities associated with traditional single family homes and outdoor living areas. The prime amenity values for these individuals is proximity to shops, community services, public transport, and recreational features. For this reason, the Rules require only a minimum amount of outdoor living space, in essence an area equivalent to a large balcony.

At the same time there will be some occupants, including families who require a greater area of outdoor living space. These outdoor living spaces are to be free of buildings and vehicles since these would diminish the very amenity values these areas are intended to provide.

**Rule 12.8.29.3.12.4
Verandahs**

Verandahs

- (a) Each Site shall provide a verandah along the full extent of the buildings frontage. The verandah shall:
 - (i) Be so related to neighbouring buildings as to provide continuous pedestrian cover;
 - (ii) Have a minimum height of 3m and a maximum height of 4m above the footpath immediately below; and shall be set no further back than 600mm in plan from the kerbline.

Explanation and Reasons

This Rule is intended to ensure that pedestrians visiting the Local Shops area have adequate shelter from the elements.

**Rule 12.8.29.3.12.5
Car Parking**

Car Parking

- (a) Notwithstanding Rules 21.9.2.1, 21.9.2.2, 21.10.2 and 21.10.3 within Chapter 21 *Transportation and Access* relating to the provision of on-site carparking and loading spaces, non residential activities in the Local Shops Policy Area shall not provide more than 4 on site carparks per individual business premises and no loading spaces shall be provided. It is intended that the normal parking calculation be undertaken in accordance with the Rules in Chapter 21 and that if the parking spaces required exceed 4 for those non residential activities, then only 4 per individual business premises plus those for the residential activity, need to be provided.

Explanation and Reasons

This Rule is intended to enable the land around the buildings to be developed in a similar way to the land in the adjoining Residential Policy Areas and to



avoid this Policy Area being taken up with large expanses of carparking, when it is intended that other modes of transport will also be used due to the local nature of this small shopping area. The provision of carparks in excess of four for non-residential activities per individual business premises is considered to be in non compliance with this rule.

Rule 12.8.29.3.12.6
Street Paving

Street Paving

- (a) Where any building is set back from the street frontage, the area of the site between the building and the street shall be paved with paving consistent with that on the immediate adjoining footpath.

Explanation and Reasons

To ensure a high level of amenity within the Huapai Local Shops area it is necessary to ensure consistent paving that extends to the building.

Rule 12.8.29.3.12.7
Activities not to occupy ground floor

Activities not to occupy ground floor

- (a) The following activities shall not occupy the ground floor level of any building except for an entry lobby or access to parking:
- (i) BOARDINGHOUSES;
 - (ii) CHILDCARE FACILITIES;
 - (iii) EDUCATIONAL FACILITIES;
 - (iv) HOMES FOR THE AGED;
 - (v) DAY-CARE FACILITIES FOR THE ELDERLY AND DISABLED;
 - (vi) HOMESTAYS;
 - (vii) PRIVATE HOTELS; and
 - (viii) MINOR HOUSEHOLD UNITS

Explanation and Reasons

If the above activities were to locate within the ground floor of the Huapai Local Shops Policy Area, then the purpose of the Policy Area, to serve the local day to day needs of residents, would not be achieved. There is very limited floor area for this Policy Area and as such it is essential that in appropriate activities on the ground floor are discouraged.

Rule 12.8.29.3.12.8
Landscaping in Yards

Landscaping in Yards

- (a) Side and rear yards adjoining any Residential Policy Area, Open Space Zone or Reserve, shall include a 2m strip planted with trees, shrubs and grass.
- (b) Any landscape planting required by these rules shall be maintained, and if diseased, or damaged, shall be repaired and if dead shall be replaced.
- (c) Any trees required under this rule shall be located within a planting protection area around each tree, with a minimum dimension or diameter of 1.5 metres.
- (d) No more than 10% of any required landscape area shall be covered with impervious surfaces.
- (e) Required landscape areas and landscaping adjacent to a road boundary, access or manoeuvring area, or adjacent to a car parking



area shall be provided with well stop barriers to prevent damage from vehicles. Such wheel stop barriers shall be located at least 1m from the trunk of any tree.

Explanation and Reasons

Landscaping is required to provide and maintain the amenity values of business areas particularly adjoining Residential Policy Areas and public Open Spaces. Front yard planting has not been required as it is expected that buildings will front the street. Rules are also included to ensure the ongoing maintenance and protection of required planting.

**Rule 12.8.29.3.13
Additional Development
Controls for Precincts 1
and 2**

Additional Development Controls for Precincts 1, 2, 3 and 4

Note: The following Rules apply only to Precincts 1, 2, 3 and 4 as shown in Appendix 9, Figure 2 to the District Plan Maps.

**Rule 12.8.29.3.13.1
Development Concept Plans**

Development Concept Plans

12.8.29.3.13.1.1

Subdivision and those activities marked with a ‘*’ in activity table 12.8.29.2.2 shall only take place in accordance with an approved Development Concept Plan (DCP). For ‘new buildings’ this includes the erection of new buildings and accessory buildings and the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings.

12.8.29.3.13.1.2

Any application for an activity identified in the Activity Table in Rule 12.8.29.2.2 with an * and any application for subdivision; shall either:

- (i) include a Development Concept Plan (DCP) for the precinct where no DCP has been approved at the time of lodgement; or
- (ii) include a request to change an existing approved Development Concept Plan; or
- (ii) demonstrate that the activity applied for is in accordance with the most recently approved Development Concept Plan applying to the land affected.

The Development Concept Plan shall cover the whole of the precinct in which the site is located and show in detail the information outlined below in respect of the entire precinct whether or not that land is owned by the applicant.

12.8.29.3.13.1.3

The written approval of, or evidence of consultation with, all landowners within the precinct shall be provided when a DCP is being assessed initially or any changes to a DCP are being assessed.

The written approval of, or evidence of consultation with, all landowners within the Precinct is to demonstrate that the applicant has given appropriate consideration to the interface (i.e. layout of the road and stormwater network) between the boundaries of privately owned properties within the precinct. Evidence of consultation should be



12.8.29.3.13.1.4

provided where attempts to consult with all landowners within the precinct have failed and written approval cannot reasonably be obtained.

For the purposes of this zone, the Development Concept Plan means in relation to a site, or group of sites, the preparation of a plan or plans with appropriate explanatory notes and reports, to demonstrate the total expected development for that site or group of sites (even if the development is to proceed in stages) so as to identify the potential integration of all parts of the proposal within itself and with adjacent properties. Such plan(s), explanatory notes and reports will include the following information:

- (a) Existing site boundaries.
- (b) Road network for entire precinct and widths of all proposed streets including those shown in Huapai North Outline Plan in Appendix 9 to the Planning Maps) and the developable blocks created by this roading network.
- (c) The distribution of various densities / site sizes throughout the precinct including those proposed under Rule 12.8.29.3.13.2 Increased site density within Huapai Medium Intensity Residential Policy Area.
- (d) Typical cross sections of different types of road.
- (e) Pedestrian and cycle network.
- (f) Location and dimension of public reserves.
- (g) Landscaping Concept – general species, general locations i.e. around pond, streets, on site, within Indicative Reserves etc.
- (h) Proposals for stormwater disposal, including any major overland flow path, stormwater treatment areas and integration with public areas where appropriate.
- (i) Proposed location for servicing infrastructure.
- (j) General footprints of buildings on sites which do not comply with Rule 12.8.29.9.2 Access/Frontage.
- (k) Sites for non-residential activities where these are known.
- (l) Any protected trees and the location of existing significant vegetation.
- (m) Typical design of street furniture, paving and street lighting.
- (n) General earthworks concepts so that it is able to be determined whether finished works will avoid significant land modification, provide for stormwater management and in particular whether indicative reserves are retained generally in their natural contour and including permanent (Category 1 and Perennial) streams.
- (o) Likely staging of development i.e. which areas are likely to be developed and occur before others.



(p) The location of any permanent (Category 1 and Perennial) streams.

(q) The development Concept Plan shall also show compliance with (so far as it can be known at this stage) Rule 12.8.29.9 (subdivision standards).

For the avoidance of doubt, it is **not** anticipated that the following information would be required as a part of a Development Concept Plan, however, it may be required for subsequent or concurrent Land Use or Subdivision applications:

- All proposed site boundaries.
- Detailed road designs.
- A landscaping plan including, a full list of species pb size, exact location and maintenance schedules.
- Stormwater details and design for individual sites.
- Land use activities and their location.
- Sediment Management Plan,
- Details of earthworks.

12.8.29.3.13.1.5

The Council shall use the Development Concept Plan to assess subsequent resource consent applications, for both subdivision and land use consents, and will as necessary or appropriate require compliance with the Development Concept Plan through conditions of consent and consent notices. If consent has not been granted for a Development Concept Plan then any application for land use or subdivision consent will be a non complying activity.

12.8.29.3.13.1.6

For avoidance of doubt, approval of a Development Concept Plan will not fetter Council's ability to grant or refuse consent for future application for use or development of land.

Rule 12.8.29.3.13.2

**Increased site density within
Huapai Medium Intensity
Residential Policy Area**

**Increased site density within Huapai Medium Intensity Residential
Policy Area**

12.8.29.3.13.2.1

Within Precincts 1, 2, 3 and 4 a maximum of 15% of the land identified within each precinct as Huapai Medium Intensity Residential Policy Area may be subdivided to a site size of between 450m² – 600m²; subject to the following:

- (i) The Rules of the Huapai Medium Intensity Residential Policy Area shall still apply except the averaging provision in 12.9.29.9.1.2(a); and
- (ii) The sites must be identified and approved through the Development Concept Plan process under Rule 12.8.29.3.13.1; and
- (iii) Any application to utilise this rule must include the offer of a consent notice to confirm this additional density entitlement; and
- (iv) The finished lot layout must adjoin or be located adjacent to an area of future reserve or public open space. For the purposes of this rule, a road will not constitute an area of public open space.

This rule is deemed to be complied with when either:



12.8.29.3.14
Rules in Other Chapters of the Plan

12.8.29.3.14.1

- any application for a DCP which does not exceed the 15% per precinct noted above and which complies with Rules (i) – (iv) above; or
- any proposal which is consistent with an approved DCP in terms of the location and number of sites to be utilised under this rule.

Rules in Other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with:

- Chapter 5 – Natural Hazards*
- Chapter 16 – General Rules*
- Chapter 17 – Cultural Heritage*
- Chapter 18 – Urban Land Modification and Vegetation Protection*
- Chapter 19 – Utilities*
- Chapter 20 – Hazardous Substances and Contaminated sites*
- Chapter 21 – Transportation and Access*
- Chapter 22 – Financial Contributions and Works*

The rules within Chapter 23 – Subdivision and Servicing apply (except that should any rules in Chapter 23 conflict with Rule 12.8.29.9 – Subdivision Standards, then Rule 12.8.29.9 shall apply).

Rule 12.8.29.4

Rule 12.8.29.4.1
Development Concept Plan

12.8.29.4.1.2
Assessment Criteria

Development Concept Plan : Assessment Criteria

Development Concept Plan

Assessment Criteria

When considering any application that requires the provision of a Development Concept Plan the Council will have regard to the following criteria:

- (a) Whether the indicated subdivision concept (so far as is can be known at this stage) complies with the subdivision standards in Rule 12.8.29.9.
- (b) Whether any sites with a site area of between 450m² and 600m² proposed to be located within the Huapai Medium Intensity Policy Area are located around areas of proposed or existing reserve, greenways, community facilities or retail areas.
- (c) Whether the development concept plan is consistent with the Objectives and Policies of the Special 29 (Huapai North) Zone and the relevant individual Policy Area.
- (d) Whether the sites proposed for 450m² to 600m² sites within the Huapai Medium Intensity Policy Area are suitable for such



- development. Such sites shall have sufficient street frontage (more than 45 metres) to allow dwellings to face the street. Long narrow sites with small street frontages will not be granted consent unless they contain a public street network within the site.
- (e) Whether the street network is permeable, legible and well connected to nearby existing or proposed roads and avoids the construction of cul-de-sacs and private shared accessways.
 - (f) Whether the street pattern has been designed to closely reflect the natural landform/topography where practicable.
 - (g) Whether the landscape concept is appropriate to the context of Huapai and Kumeu settlements, and creates a cohesive street theme.
 - (h) Whether any significant natural and heritage features are retained and incorporated into new development.
 - (i) Whether non-residential activities are likely to be compatible with the rural residential environment desired in Huapai North.
 - (j) Whether the amount of earthworks required to implement the Development Concept Plan is minimised.
 - (k) Whether services are provided in accordance with the Standards for Engineering Design and Construction.
 - (l) Whether the management of stormwater flows is consistent with the Kumeu-Kaipara Catchment Management Plan and whether, more specifically, an integrated approach has been taken towards the provision of stormwater management giving consideration to the entire Precinct and whether any stormwater pond is able to have capacity to serve residential areas within the drainage sub-catchment.
 - (m) Whether the Development Concept Plan complies with the Huapai North Outline Plan in Appendix 9 to the Planning Maps.
 - (n) Whether the subdivision and/or likely development following subdivision avoids the degradation of natural permanent(Category 1 and Perennial) watercourses and does not destroy or reduce their ability to support riparian or in-stream vegetation and fauna.
 - (o) Whether any proposed residential development adjacent to State Highway 16 will create reverse sensitivity issues.
 - (p) Whether traffic will adversely affect the safety and efficiency of the roading network, including connections to State Highway 16.
 - (q) Whether the design and layout will facilitate walking and cycling and the use of public transport.
 - (s) Whether the existing character of the streetscape will be retained or is generally consistent with the urban design guidelines in Appendix 12Y.



Rule 12.8.29.5

Controlled Activities : Matters for Control and Assessment Criteria

In accordance with section 77B the Council will restrict its control to the matters listed against each specified activity when considering resource consent applications for Controlled Activities. Applications for Controlled Activities under this Rule need not be notified or served and the written approvals of affected parties will not be required.

Rule 12.8.29.5.1 Minor Household Units

Minor Household Units Complying with Rule 8.9.6.1 of Chapter 8 - Residential As Stated in Activity Table 12.9.29.2

12.8.29.5.1.1 Matters For Control

Matters For Control

The Council will restrict its control to the following matters:

- (a) Those matters for control in Rule 8.11.2.1 of Chapter 8 – Residential.

12.8.29.5.1.2 Assessment Criteria

Assessment Criteria

When considering an application the Council will have regard to the following criteria;

- (a) The assessment criteria in Rule 8.11.2.2 of Chapter 8 - Residential.

Rule 12.8.29.6

Restricted Discretionary Activities : Matters for Control and Assessment Criteria

In accordance with sections 77B and 104C of the Act the Council will restrict its discretion to the matters listed against each specified activity when considering resource consents applications for Restricted Discretionary Activities.

Rule 12.8.29.6.1 Non-compliance With Development Controls

Non-compliance With Development Controls

12.8.29.6.1.1 Certain Activities – Restricted Discretionary

Certain Activities – Restricted Discretionary Activities

- (a) Where the Development Controls in Rule 12.8.29.3 are not met, the



Rule 12.8.29.6.1.1.1
Yards and Garage Setback

following are deemed to be Restricted Discretionary Activities. Restricted Discretionary Activity status applies only where the **circumstances** specified in each Rule are met.

- (b) In all other cases non-compliance with the Development Controls is deemed to be a Non-complying Activity.

Rule 12.8.29.6.1.1.1.1
Circumstance

Activities not complying with Rule 12.8.29.3.1 Yards and Rule 12.8.29.3.2 Orientation of Household Units and Garage Setback.

Circumstance

- (a) All circumstances.

Rule 12.8.29.6.1.1.1.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application
- (b) The approval of affected site owners.
- (c) Scale siting and design of buildings and structures.
- (d) Landscaping.
- (e) Urban Design

12.8.29.6.1.1.1.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to - any Development Concept Plan included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria;

- (a) Whether the affected site owners have granted their approval to the infringement.
- (b) Whether adjoining sites are adversely affected, particularly with regard to shading, visual and aural privacy and visual and physical impact.
- (c) Whether the bulk and shape of buildings will generally remain in character with the buildings in the neighbourhood, and addresses the street to provide a connection between private and public space and provide a level of passive surveillance.
- (d) Whether the existing character of the streetscape will be retained or is consistent with the urban design guidelines in Appendix 12Y.
- (e) Whether the building design and bulk have any adverse effects on the public enjoyment of public open space including the street.
- (f) Whether the building is consistent with the urban design guidelines



in Appendix 12Y.

- (g) Whether building design and bulk have any adverse effects on the provision of landscaping on the site, on neighbouring sites or on the street.
- (h) Whether the location of buildings or fences results in adverse effects on the safety or people in the street.
- (i) Whether garage(s) dominate the street frontage.
- (j) Whether there is variety in street front elevations.
- (k) Whether the layout of buildings and garages discourages cars from parking across the footpath or verge.
- (l) Whether adequate provision is made for visitor car parking.
- (m) Whether any encroachment into the yard will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no additional expense than would normally be the case.
- (n) Whether any encroachment into the yard will adversely affect safety and operation of the road including pedestrian safety (such as sight lines).

Rule 12.8.29.6.1.1.2
Maximum Site Coverage
Rule 12.8.29.6.1.1.2.1
Circumstances

Activities not complying with Rule 12.8.29.3.3 *Maximum Site Coverage*

Circumstances

- (a) In all cases

Rule 12.8.29.6.1.1.2.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Scale, siting and design of buildings, and structures.
- (c) Landscaping.
- (d) Drainage and stormwater generation.

12.8.29.6.1.1.2.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria;



- (a) Whether the additional coverage will adversely affect the residential scale and the Residential or Local Shops character of the site and surrounding area.
- (b) Whether the additional coverage will adversely affect overall residential amenity values in terms of open space provision, vegetation cover and privacy.
- (c) Whether the additional coverage will adversely affect the stormwater drainage system, flooding, overland flow paths and stormwater quality.
- (d) Whether where there is any additional stormwater generated over a complying situation the effects are mitigated so as to be equivalent to a complying situation.
- (e) Whether the building is consistent with the urban design guidelines in Appendix 12Y.

Rule 12.8.29.6.1.1.3
Maximum Building Height

Activities not complying with Rule 12.8.29.3.4 Maximum Building Height

Rule 12.8.29.6.1.1.3.1
Circumstances

Circumstances

- (a) Any infringement of the Rule where the non-compliance is less than 1 metre measured vertically.

Rule 12.8.29.6.1.1.3.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application
- (b) Scale, siting and design of buildings, structures and landscaping.
- (c) Height of buildings.

12.8.29.6.1.1.3.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to will have regard any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether significant viewing corridors from public and private places will be adversely affected.
- (b) Whether significant additional open space will be provided around buildings to compensate for the added height.
- (c) Whether the building will have adverse effects on neighbouring sites or buildings in terms of privacy, shadow, being overbearing and in terms of neighbourhood scale.



Rule 12.8.29.6.1.1.4
Maximum Height in Relation to Boundary
Rule 12.8.29.6.1.1.4.1
Circumstances

- (d) Whether the building will have adverse effects on the character of the Huapai Residential area and the rural village character.
- (e) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Activities not complying with Rule 12.8.29.3.5 Maximum Height in Relation to Boundary

Circumstances

- (a) Where the boundary adjoins a public reserve, accessway or similar area of permanent open space; or
- (b) Where an addition is proposed to that part of an existing building that currently does not comply with the Rule; or
- (c) Any infringement of the Rule where the non-compliance is less than 1 metre measured vertically.

Rule 12.8.29.6.1.1.4.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Scale, siting and design of buildings and structures.
- (c) Landscaping.

12.8.29.6.1.1.4.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether the bulk and shape of the building will generally remain in character with the buildings in the neighbourhood.
- (b) Whether the existing character of the streetscape will be retained.
- (c) Whether the building is consistent with the urban design guidelines in Appendix 12Y.
- (d) Whether the level of daylight on adjacent sites will be sufficient to enable normal household activities to be undertaken without the need to use artificial lighting during daylight hours.
- (e) Whether the extent of any overbearing or dominating effects on adjoining properties will not be more than minor.



Rule 12.8.29.6.1.1.5
Maximum Bulk in Relation to Boundary
Rule 12.8.29.6.1.1.5.1
Circumstances

- (f) Whether the building will have adverse effects on privacy.
- (g) The effect on the usefulness of any reserve or other land.

Activities not complying with Rule 12.8.29.3.6 Maximum Bulk in Relation to Boundary

Circumstances

- (a) Where an addition is proposed to an existing building, that does not comply with the Rule; or
- (b) Where the boundary adjoins a public reserve, accessway or similar area of permanent open space.

Rule 12.8.29.6.1.1.5.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Scale, siting and design of buildings and structures.
- (c) Landscaping.

12.8.29.6.1.1.5.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether the building will become overbearing for adjacent sites and public open spaces.
- (b) Whether the building will have adverse effects on neighbouring sites and buildings in terms of shadow and in terms of neighbourhood scale.
- (c) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Rule 12.8.29.6.1.1.6
Outdoor Living Spaces
Rule 12.8.29.6.1.1.6.1
Circumstances

Activities not complying with Rule 12.8.29.3.7 Outdoor Living Spaces

Circumstances

- (a) All circumstances.

Rule 12.8.29.6.1.1.6.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:



12.8.29.6.1.1.6.3
Assessment Criteria

- (a) Any Development Concept Plan provided with the application.
- (b) Scale, siting and design of buildings and structures.
- (c) Landscaping.
- (d) Drainage.
- (e) Location of outdoor living space.

Assessment Criteria

When assessing an application for this activity the Council will have regard to will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether an alternative area of private open space is suitable for use and outlook by the occupants of the subject site.
- (b) Whether any reduction in open space will adversely effect the sanitary or stormwater drainage system including receiving waters.
- (c) Whether the arrangement of buildings and spaces on the site is such that suitable spaces for the likely day to day outdoor activities of residents are available.

Rule 12.8.29.6.1.1.7
Impervious Surfaces

Activities not complying with Rule 12.8.29.3.8 Impervious Surfaces

These applications will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

Rule 12.8.29.6.1.1.7.1
Circumstances

Circumstances

- (a) Where the total area of impervious surfaces on a site is no more than 60% and this area is able to be mitigated to a 50% equivalent.

Rule 12.8.29.6.1.1.7.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) The nature and extent of stormwater generated from a site.
- (c) The nature of any mitigating measures.
- (d) The area of impervious surface.

12.8.29.6.1.1.7.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the



Rule 12.8.29.6.1.1.8
Roof Types

assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether the amount of stormwater produced from the site is similar to a complying situation through the use of mitigation and reduction measures.
- (b) Whether the adverse effects of stormwater generation are avoided, remedied or mitigated.
- (c) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Rule 12.8.29.6.1.1.8.1
Circumstances

Activities not complying with Rule 12.8.29.3.9 Roof Types

These applications will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

Circumstances

- (a) All circumstances.

Rule 12.8.29.6.1.1.8.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) The effects of water runoff on the stormwater disposal system and receiving waters.
- (c) The nature of any roofing material.

12.8.29.6.1.1.8.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12Y, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether treatment of stormwater is provided on site to remove adverse effects on receiving waters.

Rule 12.8.29.6.1.1.9
Carparking

Activities not complying with Rule 12.8.29.3.12.5 Carparking

Rule 12.8.29.6.1.1.9.1
Circumstances

Circumstances



Rule 12.8.29.6.1.1.9.2
Matters for Discretion

- (a) All circumstances.

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Car park scale, number of carparks, siting and design.
- (c) Screening from residential areas.
- (d) Landscaping.
- (e) Traffic Management and Safety.

12.8.29.6.1.1.9.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether the carparks have an adverse effect on the residential character of the area and amenity values enjoyed by adjoining properties.
- (b) Whether large expanses of carpark have been broken up with landscaping or located within a building.
- (c) Whether the carparks are screened or filtered from view of residential properties through the use of landscaping, fences or other mechanisms.
- (d) Whether the carparks are necessary to avoid adverse effects on traffic safety and the efficiency of the road network.
- (e) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Rule 12.8.29.6.1.1.10
Landscaping in Yards
Rule 12.8.29.6.1.1.10.1
Circumstances

Activities not complying with Rule 12.8.29.3.12.8 Landscaping in Yards.

Circumstances

- (a) All circumstances.

Rule 12.8.29.6.1.1.10.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Design and location of buildings, car parking areas and impervious surfaces.



12.8.29.6.1.1.10.3
Assessment Criteria

- (c) The nature, type, area and dimensions of landscaping provided, including any earthworks proposed as a component of the landscaping.

Assessment Criteria

When assessing an application for this activity the Council will have regard to any the urban design guidelines in Appendix 12Y, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether the proposed landscaping mitigates any potential adverse effects on the amenity values and the visual character of adjacent sites and public spaces.
- (b) Whether the reduction in landscaping will have any adverse effects on stormwater disposal.
- (c) Whether the proposed reduction in landscaping is offset by other proposals to ensure there is no reduction of amenity values of adjoining residential sites.
- (e) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Explanation and Reasons

This explanation and reasons relate to Rules 12.8.29.6.1.1.1 to 12.8.29.6.1.1.10.

It is recognised by the Council that compliance with the development rules may not be possible or appropriate in every individual case. These Restricted Discretionary Activities and assessment criteria are intended to allow deviation from the Rules on unusual sites or in unusual circumstances or where the non-compliance is likely to have a low level of adverse effects.

Rule 12.8.29.6.2
**ACCESSORY BUILDINGS
for permitted and
controlled activities**

ACCESSORY BUILDINGS for permitted and controlled activities.

Rule 12.8.29.6.2.1
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) The scale of the accessory building including building height.
- (c) The use of the accessory building.
- (d) The location of the accessory building.



12.8.29.6.2.1.2
Assessment Criteria

- (e) The design and external appearance of the accessory building.

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12Y, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) Whether there is an existing house on, or proposed on, the site or another activity that the proposed building is accessory to.
- (b) Whether the proposed building appears to be of a lesser scale to the main building on the site.
- (c) Whether, if the proposed building is a garage, it dominates the frontage of the site.
- (d) Whether the main outdoor living areas on the site are not compromised by the proposed building.
- (e) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Rule 12.8.29.6.3
**ACCESSORY BUILDINGS
for permitted and
controlled activities**

The erection, addition to or external alteration addition to and/or relocation of BUILDINGS for any permitted, controlled or restricted discretionary activity in the Local Shops Policy Area.

Rule 12.8.29.6.3.1
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Scale, siting, design and external appearance of buildings.
- (c) Roading and parking layout.
- (d) Pedestrian connections and facilities.
- (e) Landscaping.
- (f) Urban design elements.
- (g) Fencing.

12.8.29.6.3.2
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the



assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site.
- (b) The extent to which the proposal integrates with existing and proposed development elsewhere on the same site and on adjoining sites.
- (c) Whether the external appearance of buildings enhances the amenity values of the area and is consistent with the objectives and policies for the Policy Area.
- (d) Whether the proposal incorporates any residential and commercial activities into one building to provide a more residential feel to the development and to minimise the overall footprint and dominance of buildings on the site.
- (e) For accessory buildings also refer to the criteria in Rule 12.8.29.6.2.1.2.
- (f) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.

Rule 12.8.29.6.4
**BUILDINGS associated
with a SINGLE HOUSEHOLD
UNIT**

**BUILDINGS; the erection, addition to or external alteration to
and/or relocation of BUILDINGS associated with a SINGLE
HOUSEHOLD UNIT on a SITE.**

Rule 12.8.29.6.4.1
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application.
- (b) Building form and design.
- (c) Building height.
- (d) Building materials.
- (e) Landscaping and screening.
- (f) Location and design of roading, access, vehicle parking and circulation.
- (g) Scale, siting and design of buildings and structures.
- (h) Outdoor living space.
- (i) Impervious surfaces.
- (j) The location of front entrances, pathways and fences.
- (k) Urban Design Guidelines in Appendix 12Y.



12.8.29.6.4.2

Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, and the following assessment criteria:

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site.
- (b) Whether the proposal is in general accordance with the urban design guidelines in Appendix 12Y.
- (c) Whether the bulk and shape of the building will generally remain in character with the buildings in the neighbourhood and reflect to some extent the Huapai North rural village character.
- (d) Whether the existing character of the streetscape will be retained or is consistent with the urban design guidelines.
- (e) Whether the level of daylight reaching adjacent sites or on site will be sufficient to enable normal household activities to be undertaken without the need to use artificial lighting during daylight hours.
- (f) Whether the extent of any overbearing effects of the building on neighbouring properties will be not more than minor.
- (g) Whether the building design and bulk have any adverse effects on the public enjoyment of public open space including the street.
- (h) Whether building design and bulk have any adverse effects on the provision of landscaping on the site, on neighbouring sites or on the street.
- (i) Whether the 'rural village characteristics' of the site and neighbourhood are able to be retained including the ability to plant trees and provide outdoor living in sunny areas.
- (j) Whether the location of buildings results in significant shading effects.
- (k) Whether the location of buildings results in significant loss of or reduction in visual and/or aural privacy.
- (l) Whether the location of buildings results in significant adverse visual impacts.
- (m) Whether the location of buildings or fences results in adverse effects on the safety of people in the street.
- (n) Whether the location of buildings will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no significant additional expense.



- (o) Whether the usefulness and privacy of rear yards for outdoor living are maintained.
- (p) Whether the location of buildings adversely affect practical access to the rear of the site.
- (q) Whether the location of buildings or fences on the site has adverse effects on the rural village character of the area.
- (r) Whether garage(s) dominate the street frontage.
- (s) Whether there is variety in street front elevations.
- (t) Whether the layout of buildings and garages discourages cars from parking across the footpath or verge.
- (u) Whether the location of existing or proposed buildings precludes informal surveillance.
- (v) Whether adequate provision is made for visitor car parking.

Explanation and Reasons

It is recognised by the Council that smaller site sizes require more careful development which takes into account the constraints and opportunities of the site and the development on surrounding sites. The criteria above seek to ensure a high level of urban design in each development and the avoidance of adverse effects on adjoining sites and public spaces.

**Rule 12.8.29.6.5
Minor Household Units**

Minor Household Units complying with the standard in Rule 8.9.6.6 of Chapter 8 – Residential as Stated in Activity table 12.9.2.2

**12.8.29.6.5.1
Matters For Control**

Matters For Control

The Council will restrict its control to the following matters:

- (a) Those matters for control in Rule 8.12.3.1 of Chapter 8 – *Residential*.

**12.8.29.6.5.2
Assessment Criteria**

Assessment Criteria

When considering an application the Council will have regard to the following criteria;

- (a) The assessment criteria in Rule 8.12.3.2 of Chapter 8 - *Residential*.



Rule 12.8.29.7

12.8.29.7.1 General Assessment Criteria - All Discretionary Activities

12.8.29.7.1.1 Effects on the Natural Environment

Discretionary Activities : Assessment Criteria

General Assessment Criteria - All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Special 29 Zone (other than those applications requiring solely a subdivision consent) when assessing an application the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, the following assessment criteria, other relevant provisions of the Plan and the relevant matters set out in section 104 of the Act:

The Council will generally have to be satisfied that a proposal is on balance positive or neutral in respect of all relevant criteria before it will grant consent.

Effects on the Natural Environment

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site.
- (b) Whether any discharges to land, water or air (including dust, smoke, fumes and odour) or the presence of hazardous substances will result in any significant reduction in the quality of the physical environment or detract from the amenity values of the area.
- (c) Whether the public utility and servicing requirements of the proposed activity, including water requirements, the provision for waste and stormwater disposal and facilities for preventing pollution will place undue pressure on the capacity of utilities and services, and whether the development incorporates works or other proposals that mitigate any such pressures.
- (d) Whether the modification of significant wildlife habitats is avoided, or any modification is mitigated.
- (e) Whether any adverse effects from the removal of vegetation are avoided, remedied or mitigated.
- (f) Whether the Rural Village Residential character will be adversely affected by the arrangement and layout of buildings, access drives and other development.
- (g) Whether the proposal will be able to avoid, remedy or mitigate any adverse effects of land instability, the presence of swampy land, erosion, or stormwater disposal, or will exacerbate the adverse effects of these (including cumulative effects) on other sites or on receiving waters.



12.8.29.7.1.2

Effects on the Neighbourhood

- (h) Whether development avoids the degradation of natural permanent (Category 1 and Perennial) watercourses and does not destroy or reduce their ability to support in-stream vegetation and fauna.

Effects on the Neighbourhood

- (i) Whether the scale, design, layout, external appearance and landscaping of buildings and sites are compatible with or will enhance the Rural Village character and amenity values expected in the relevant Policy Area.
- (j) Whether in the case of non-residential activities, the character of the activity and its effects are compatible with the residential character and amenity values expected in Residential Policy Areas.
- (k) Whether non-residential activities break up residential communities and leave residents without close neighbours.
- (l) Whether the activity will have adverse effects on the efficient provision of infrastructure.
- (m) Whether any commercial activities in the Local Shops Policy Area are screened in such a way that the amenity values of adjacent or adjoining Residential areas or public open space zones are not diminished by effects such as the glare from vehicle lights or noise from vehicles stopping and starting.
- (n) Whether for the Local Shops Policy Area the proposed hours of operation for commercial activities has the potential create a nuisance for nearby Residential Policy Areas from noise and the movement of people entering and leaving the site.

12.8.29.7.1.3

Effects on Neighbouring Sites

Effects on Neighbouring Sites

- (o) Whether the activity is designed and carried out in a way that avoids or mitigates the adverse effects of noise, vibration, electrical interference, visual intrusion and light overspill onto adjacent sites. Particular consideration will be given to maintaining a quiet night time environment, and to minimising risk to people's health and safety.
- (p) Whether the activity is designed and carried out in a way that preserves the privacy of adjacent residential sites.
- (q) Whether the site has a frontage and access to a formed public road of sufficient width so that the activity can be accessed from the street without causing adverse effects on neighbouring sites.
- (r) Whether the activity generally complies with the Development Controls contained in Rule 12.8.29.3 so that the effects of buildings are similar to those of permitted buildings.

12.8.29.7.1.4

Effects on the Transportation

Effects on the Transportation Network



Network

- (s) Whether the vehicular traffic generated by the activity, including cars parked on roads, can be accommodated without a more than minor effect on safety or efficiency of the road network, and without loss of residential amenity.
- (t) Whether the design of the proposal is such that ease of direct movement, by both pedestrians and vehicles is provided for.
- (u) Where the site is located near intended public transport routes or planned significant community focal points, whether the proposal is likely to have positive implications for the provision of public transport.
- (v) Whether in the case of educational facilities a travel management plan has been provided.
- (w) Whether any development will have adverse effects on the character of Greenways/Reserves and roads as an open space element.
- (x) Whether traffic generated by the activity will adversely affect the safety and efficiency of State Highway 16.

12.8.29.7.1.5

Cumulative Effects

Cumulative Effects

- (y) In considering any actual or potential cumulative effects arising from an activity, the Council will have regard to the following:
 - (i) the effects of the proposed activity adding to or acting together with those of existing -activities located in the area;
 - (ii) The effects of new activities that may establish in the future which will ad to or act together with the proposed activity.
- (z) In considering the likelihood that activities resulting in cumulative effects may establish in the future, the Council will consider (but will not be limited to) the following:
 - (i) the nature of land in the vicinity of the subject site;
 - (ii) the attractiveness of the land in the vicinity of the site for being used for similar, complementary, or competitive purposes;
 - (iii) the historic pattern of the establishment of activities in the area;
 - (iv) the provision of infrastructure in the area, including roading and in ground services.

12.8.29.7.1.6

Appendix 12Y

Appendix 12Y

- (aa) Whether the proposal is generally consistent with the urban design guidelines within Appendix 12Y.

12.8.29.7.1.7

Water Supply

Water Supply

- (ab) Whether the alternative method of water supply will undermine the viability of public water reticulation for the Huapai/Kumeu/Riverhead areas and surrounds.



- (ac) Whether the alternative provision of water supply is adequate to provide a reliable supply of potable water for the proposed activity.
- (ad) Whether the an appropriate legal agreement has been included with the subdivision application for inclusion in any new certificate of title created requiring that every site be connected to public water reticulation supplies within 3 months of the public system becoming operational. This includes those sites where it is proposed to install tanks initially.

Explanation and Reasons

All activities locating in residential areas should be constructed and operated in a way that does not detract from the environmental qualities of residential areas. These criteria are designed to assist the Council in determining how non-residential activities affect residential environments.





Rule 12.8.29.8

Rule 12.8.29.8.1 Subdivision in the Special 29 Zone, All Policy Areas.

Rule 12.8.29.8.2 Subdivision Table

Subdivision

Subdivision in the Special 29 Zone, All Policy Areas.

Subdivision in the Special 29 Zone shall comply with the following:

- (a) All Restricted Discretionary Activities in the Subdivision Table shall be assessed against the criteria in Rule 12.8.29.10.
- (b) All Discretionary Activities in the Subdivision Table shall be assessed against the criteria set out in 12.8.29.10.1.3 Assessment Criteria and 12.8.29.11 Discretionary Activities Assessment Criteria for Subdivision, and the relevant matters in section 104 of the Act.
- (c) Any Subdivision not listed in the Subdivision Table is a Non-complying Activity and will be assessed against the relevant matters in section 104 of the Act.
- (d) Development Concept Plan applications, which must be lodged with an associated land use or subdivision consent, shall be assessed against the criteria set out in Rule 12.8.29.4 *Development Concept Plan: Assessment Criteria*.

Subdivision Table

In the following table:

- P = Permitted Activity
- RD = Restricted Discretionary Activity
- D = Discretionary
- NC = Non-complying Activity
- PRO= Prohibited Activity
- NA= Not Applicable

ACTIVITY	POLICY AREAS			
	Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
Sites that comply with the Subdivision Standards in Rule 12.8.29.9	RD	RD	RD	RD
Subdivision applications for sites that do not comply with Rules 12.8.29.9.1 <i>Site Size</i> ; 12.8.29.9.3	RD	RD	RD	RD



ACTIVITY	POLICY AREAS			
	Huapai Low Intensity Residential	Huapai Medium Intensity Residential	Huapai Park Residential	Huapai North Local Shops
– <i>Cul-de-sacs and Shared Access</i> , 12.8.29.9.2 – <i>Access/Frontage</i> , 12.8.29.9.4 – <i>Street Trees</i> and 12.8.29.9.5 – <i>Public Street Network</i> shall be a restricted discretionary activity provided that they meet any relevant circumstances set out in Rule 12.8.29.10 <i>Restricted Discretionary Activities</i> .				
Creation of new sites that do not comply with Rule 12.8.29.9.1 <i>Site Size</i> or the circumstances in 12.8.29.10 <i>Restricted Discretionary Activities</i> .	PRO	NC	D	D
Subdivision applications for sites that do not comply with Rule 12.8.29.9.2 – <i>Access/Frontage</i> and/or Rule 12.8.29.9.4 – <i>Street Trees</i> ; or the circumstances in Rule 12.8.29.10 <i>Restricted Discretionary Activities</i> ; shall be a discretionary activity.	D	D	D	D
Subdivision applications for sites that do not comply with Rule 12.8.29.9.9 <i>Development Concept Plans</i> shall be a non complying activity.	NA	NC	NC	NC
Subdivision applications for sites that do not comply with Rule 12.8.29.9.6 – <i>Wastewater Servicing</i> shall be a prohibited activity.	PRO	PRO	PRO	PRO
Subdivision applications for sites that do not comply with Rule 12.8.29.9.7 – <i>Water Servicing</i> shall be a discretionary activity.	D	D	D	D
Subdivision applications for sites that do not comply with Rule 12.8.29.9.8 <i>Fencing and Planting Restrictions</i> shall be a non complying activity.	NC	NC	NC	NC
Any subdivision of a Minor Household Unit from a Principal Household Unit.	PRO	PRO	PRO	PRO



Rule 12.8.29.9

Rule 12.8.29.9.1 Site Size

Rule 12.8.29.9.1.1 Huapai Low Intensity Residential Policy Area

Rule 12.8.29.9.1.2 Huapai Medium Intensity Residential Policy Area

Rule 12.8.29.9.1.3 Site Area Exception - Huapai Low and Medium Intensity Residential Policy Areas

Rule 12.8.29.9.1.4 Huapai Park Residential Policy Area

Subdivision Standards

Site Size

The minimum and maximum site sizes shall be as follows (all site areas specified are net site areas unless otherwise stated).

Huapai Low Intensity Residential Policy Area

- (a) Minimum area of 1,500m² capable of containing a square for building purposes measuring 15 metres x 15 metres.

Huapai Medium Intensity Residential Policy Area

- (a) Minimum area of 600m² and maximum area of 900 m² with an average site size of 700m² capable of containing a square for building purposes measuring 15 metres x 15 metres.
- (b) A maximum of 15% of the land area in any Precinct may include sites with a minimum area of 450m² and maximum area of 600 m² capable of containing a square for building purposes measuring 10 metres x 15 metres. These areas must be identified on an approved Development Concept Plan or be identified on a Development Concept Plan included with the subdivision consent. The averaging provision in (a) above shall not apply to this rule.

For the avoidance of doubt; where a total of 15% of the land areas in a precinct has been approved via Development Concept Plan, any additional applications for sites between 450m² and 600m² will result in non compliance with this rule. The 15% shall be net site area plus any accessways and exclude roads and reserves.

Site Area Exception - Huapai Low and Medium Intensity Residential Policy Areas

- (a) Where a lot contains land which is partly within the Huapai Low or Medium Intensity Residential Policy Area and part within the General Rural zone, the overall lot size (including the rural component) may be greater than the lot size outlined in Rule 12.8.29.9.1.1 and 12.8.29.9.1.2 provided that the area of land within the Huapai Low or Medium Intensity Residential Policy Area meets Rule 23.8.16.

Huapai Park Residential Policy Area and Huapai Local Shops Policy Area

- (a) Minimum area of 450m² and maximum area of 600m² capable of containing a square for building purposes measuring 10 metres x 15 metres.
- (b) Sites shall comply with the site sizes shown in the relevant consented Development Concept Plan.



Rule 12.8.29.9.1.5
Site Area Exception – Existing Buildings in Huapai Medium Intensity Policy Area and Park Residential Policy Area

Explanation and Reasons

Minimum site size is the basic rule determining the future intensity of development in residential areas. The site sizes provided for reflect the intentions of each policy area and the specific type of intensity of development expected in each Policy Area.

Site Area Exception for Existing Household Units – Huapai Medium Intensity Policy Area and Park Residential Policy Area

- (a) A maximum lot size of 2000m² shall apply to any lot containing an existing household unit, which due to its location within the subdivision and/or site constraints cannot comply with the density for the underlying Policy Area.

Explanation and Reasons

This rule recognizes that flexibility is required for sites with an existing household unit, which due to its location or site constraints cannot reasonably be subdivided to comply with the density for the underlying Policy Area.

Rule 12.8.29.9.1.6
Site Area Exception for Balance Lots – All Huapai Policy Areas

All Huapai Policy Areas for Balance Lots

- (a) There is no maximum lot size for a proposed 'balance' lot required as part of a staged subdivision.

Explanation and Reasons

This rule recognises that flexibility is required to provide for staged subdivisions where a balance lot may be required.

Rule 12.8.29.9.2
Access/Frontage

Access/Frontage

Huapai Low Intensity and Huapai Medium Intensity Residential Policy Areas

- (a) The minimum site access/frontage on any site (other than in (c) below) shall be 17 metres; and
- (b) The maximum site access/frontage on any site within the Huapai Medium Intensity Residential Policy Area shall be 23 metres,
- (c) The minimum site access/frontage for a shared access servicing no more than 2 sites shall be 6m.

Except that corner sites shall only be required to comply with (a) and (b) on one of the two frontages of the site. Where the corner site is chamfered for road design, the frontage shall be measured as if there were no chamfer.

Park Residential Policy Area and Huapai Local Shops Policy Area

- (a) The minimum site access/frontage on any site shall be 11 metres.

Explanation and Reasons

Minimum site frontages are specified to ensure that sites are designed in order to front the street, provide surveillance, have an appropriate shape to provide



for private outdoor living and the placement of buildings on the site with appropriate access.

Rule 12.8.29.9.3
Cul-de-sacs and Shared Access.

Cul-de-sacs and Shared Access.

- (a) No lots may be served by a cul-de-sac, and
- (b) No jointly owned access lot or similar shared access may serve more than 2 sites.

Explanation and Reasons

A connected street pattern is encouraged to provide for permeability, legibility and a residential rural village character. Rear lots are also discouraged.

Rule 12.8.29.9.4
Street Trees

Street Trees

Street trees shall be planted in the road berm at regular intervals so that there is one tree in the road berm outside each site no greater than 17m intervals. They shall be of good health and planted and maintained in accordance with good horticultural practice. They shall be at a grade of Pb150 or greater and have a minimum in-ground height of 2.0 metres at the time of planting. The tree species shall be selected that are appropriate for the soils, microclimate and the street environment, be capable of reaching a minimum height of 4 metres after 5 years and co-coordinated as to species along individual street.

Rule 12.8.29.9.5
Public Street Network

Public Street Network

- (a) Roads shall be in general accordance with the cross sections outlined in the urban design guidelines in Appendix 12Y. These cross sections apply to all roads within Huapai North, however, the location to which these cross sections apply are outlined in Appendix 9, Figure 3 to the Planning Maps.
- (b) Where public parks and reserves are provided they shall be bounded by public streets for 75% of their entire perimeter, this excludes those walkways provided within the General Rural Zone.

Explanation and Reasons for rules 12.8.29.9.4 and 12.8.29.9.5

Street trees within the road reserve have a significant impact on the look and feel of an area, where sites are smaller they provide an appropriate location for larger trees to mature and be protected.

A passive, low impact design is encouraged for streets fronting greenways where practicable, with the intention of providing for a rural village feel, rather than a residential suburban character.

A minimum street frontage is required for public parks and reserves to enhance an open space character and to encourage safe use of public areas of open space.

Rule 12.8.29.9.6



Wastewater Servicing

Wastewater Servicing

All sites shall be connected to a public reticulated sewerage system.

Explanation and Reasons

A public wastewater system is proposed by Council to serve the whole of Kumeu and Huapai. It is important to ensure efficient use and viability of that system and the avoidance of adverse effects that could arise from inferior systems, including effects on water quality.

Rule 12.8.29.9.7 Water Servicing

Water Servicing

All sites shall be connected to a public reticulated water supply network.

Explanation and Reasons

A public water system is proposed by Council to serve the whole of Kumeu and Huapai. It is important to ensure the efficient use and viability of that system.

Rule 12.8.29.9.8 Fencing and Planting Restrictions

Fencing and Planting Restrictions

An appropriate legal agreement shall be included with the subdivision application for inclusion in any new certificate of title created requiring compliance with the restrictions on fencing and planting adjacent to an area of open space or reserve that are outlined in Rule 12.8.29.3.1.6.

Rule 12.8.29.9.9 Development Concept Plans

Development Concept Plans

Subdivision within Precincts 1, 2, 3 or 4 shown on Appendix 9 Figure 2 of the Planning Maps shall comply with Rule 12.8.29.3.13.1 *Development Concept Plans*.

Rule 12.8.29.9.10 Cross Lease, Unit Titles and Company Leases

Cross Lease, Unit Titles and Company Leases

In all Policy Areas the standards for cross lease, unit titles and company leases shall be:

- (a) The subdivision shall be for a development that complies with this Plan; or a resource consent which has been granted for the development which is the subject of proposed subdivision.
- (b) The subdivision shall be for development that complies with section 46(4) of the Building Act 1991.
- (c) Where the land proposed to be subdivided is occupied by one or more existing buildings that has obtained a resource consent or is a Permitted Activity, any proposed covenant, unit or accessory unit



boundary shall be consistent with all relevant development controls of the policy area in the case of a permitted activity or the conditions of any resource consent granted.

- (d) Where any building included in the application for subdivision consent has not been constructed at the time of granting consent, the Council will not approve the survey plan under section 223 of the Act, until the building is completely framed up to and including the roof level, and the Council is satisfied that it has been built in accordance with the Plan or any resource consent granted. The Council may require the height of the building and its position in relation to boundaries of the site to be confirmed by a certificate from a registered surveyor.
- (e) A staged unit title or cross lease subdivision shall have sufficient area for further complying development which shall be free from inundation and slippage and capable of adequate servicing. The Council may require any application to show details of compliance with this Rule.

Explanation and Reasons

Where residential development is permitted or has been granted the provision of cross lease, unit title or company lease titles is appropriate and the Plan makes provision for this.

**12.8.29.9.11
Rules in Other Chapters of the Plan**

Rules in Other Chapters of the Plan

Rules in Chapter 23 - Subdivision and Servicing shall also apply.

12.8.29.10

SUBDIVISION: RESTRICTED DISCRETIONARY ACTIVITIES, MATTERS FOR DISCRETION AND ASSESSMENT CRITERIA

In accordance with sections 77B and 104C of the Act the Council will restrict its discretion to the matters listed in addition to the matters set out in Chapter 23 – *Subdivision and Servicing* when considering resource consent applications for the subdivision of land.

**Rule 12.8.29.10.1
Subdivision in All Policy Areas**

Subdivision in All Policy Areas

**Rule 12.8.29.10.1.1
Matters for Discretion**

Matters for Discretion

The Council will restrict its discretion to the following matters.



12.8.29.10.1.2
Assessment Criteria

- (a) Any Development Concept Plan provided with the application.
- (b) Site size, shape and orientation.
- (c) Site contour.
- (d) Site access and frontage.
- (e) Reserve provision.
- (f) The layout and width of streets and sites
- (g) The orientation of sites.
- (h) The provision of street trees.
- (i) The relationship of buildings to sites where relevant.
- (j) Servicing and infrastructure including overland flow paths.
- (k) Urban Design Guidelines in Appendix 12Y.

Assessment Criteria

When assessing an application for this activity the Council will have regard to Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in 12.8.29.4, and the following assessment criteria:

- (a) Whether the subdivision is consistent with a Development Concept Plan that has been granted consent.
- (b) Whether streets in the street network are well connected including linkages of proposed streets to existing streets and future streets.
- (c) Whether the street pattern has been designed to closely reflect the natural landform/topography where.
- (d) Whether the street layout pattern is legible, easy to understand, continuous and generally consistent with the primary street pattern shown on the Huapai North Outline Plan in Appendix 9, Figure 1 to the Planning Maps.
- (e) Whether the number of culs-de-sacs and the length of any cul-de-sac is minimised.
- (f) Whether footpaths and bridle/cycle ways are located within the public street space, and have been designed to ensure the personal safety and security of users and residents i.e. through passive surveillance and the avoidance of narrow pathways.
- (g) Whether the number of rear sites is minimised.
- (h) Whether the number of sites with a northern orientation to the public street is minimised.
- (i) Whether bridle/cycle ways are located within the road.
- (j) Whether pedestrian walkways to provide public access to rivers and the coastal margin have been provided.
- (k) Whether where a bridle / cycle / pedestrian – only link is unavoidable, or the benefits are significant are:



- The link is visible from public streets for its entire length.
 - The link does not exceed 20m in length unless bounded by significant public open space.
 - The link is well lit.
- (l) Whether any existing safe and healthy trees are retained and incorporated into the pattern and alignment of the street network creating a functional safe and attractive street network.
- (m) Whether street trees are to be planted in the berm between the footpath and the kerb and whether the trees are of a species and that when mature does not obscure informal surveillance of the street from within the residential properties fronting onto the street.
- (n) Whether tree species are appropriate to urban context and the proposed landscape theme.
- (o) Whether all bus stops, pedestrian crossings, (if known) sign posts and road intersections will remain clearly visible and are not obscured by street trees or planting.
- (p) Whether the subdivision includes the provision of all services, infrastructure and utilities necessary to manage the environmental effects of the subdivision.
- (q) Whether consideration has been given to the use of low impact stormwater techniques such as swales and whether the activity will have an adverse effect on water quality, flood levels, flood storage, or any existing stormwater infrastructure.
- (r) Whether the natural environment particularly the river margins and Category 1 stream margins, are protected from the potential adverse effects of urban development and whether degradation of these watercourses is avoided so that their ability to support in stream vegetation and fauna is not destroyed or reduced.
- (s) Whether the management of stormwater flows is consistent with the Huapai Catchment Management Plan and whether, more specifically, an integrated approach has been taken towards the provision of stormwater management giving consideration to a number of neighbouring and nearby sites utilising one catchment management pond, rather than the provision of individual on site stormwater mechanisms.
- (t) Whether the proposal is generally consistent with the urban design guidelines in Appendix 12Y.
- (u) Whether any proposed residential development adjacent to State Highway 16 will create reverse sensitivity issues.
- (v) Whether traffic will adversely affect the safety and efficiency of the roading network, including connections to State Highway 16.
- (w) Whether the design and layout will facilitate walking and cycling and



the use of public transport.

**Rule 12.8.29.10.2
Additional Assessment
Criteria for Development
Concept Plans**

Additional Assessment Criteria for Development Concept Plans

The Development Concept Plan shall cover the whole of the Precinct (either 1–2, 3 or 4) in which the site is located and show in detail the following information in respect of the entire Precinct whether or not that land is owned by the applicant.

12.8.29.10.2.1
**Assessment Criteria -
Development Concept Plan**

Assessment Criteria - Development Concept Plan

When considering any application that requires the provision of a Development Concept Plan the Council will have regard to the criteria in Rule 12.8.29.4 Development Concept Plan: Assessment Criteria.

**Rule 12.8.29.10.3
Subdivision not complying
with Rule 12.8.29.9.1 Site
Size.**

Subdivision not complying with Rule 12.8.29.9.1 Site Size.

Rule 12.8.29.10.3.1
Circumstances

Circumstances

- (a) Where the proposed site size varies no more than 15% above or below the site size for the policy area stated in Rule 12.8.29.9.1 - *Site Size*.

Rule 12.8.29.10.3.2
Matters for Discretion

Matters for Discretion

The Council will restrict its discretion to the following matters.

- (a) Any Development Concept Plan provided with the application
- (b) The ability of a site to accommodate a complying building.
- (c) Site, size, shape and orientation.
- (d) Site contour.
- (e) Site access and frontage.
- (f) Urban design guidelines in Appendix 12Y.

12.8.29.10.3.3
Assessment Criteria

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, the criteria set out in 12.8.29.10.1.2 and the following assessment criteria:

- (a) Whether there are physical constraints which require a variation in site size to result in a practical subdivision layout.
- (b) Whether the variation in site size will adversely affect the character



Rule 12.8.29.10.4
**Subdivision not complying
with Rule 12.8.19.29.9.2
Access/Frontage**

Rule 12.8.29.10.4.1
Circumstances

Rule 12.8.29.10.4.2
Matters for Discretion

12.8.29.10.4.3
Assessment Criteria

and amenity of the area.

- (c) Whether the proposed lot layout will have an adverse effect on the amenity values of adjoining sites.
- (d) Whether consideration has been given to alternative lot arrangements to meet the required site size.
- (e) Whether the proposal is generally consistent with the urban design guidelines in Appendix 12Y.

Subdivision not complying with Rule 12.8.29.9.2 Access/Frontage

Circumstances

- (a) In the Huapai Low and Medium Intensity Residential Policy Areas: Where the proposed access/frontage is no less than 15 metres and no more than 30 metres.
- (b) In the Huapai Low and Medium Intensity Residential Policy Areas: Where the proposed access/frontage is between 10-15 metres for up to 5% of the lots within a subdivision of 20 lots or more.
- (c) In the Huapai Park Residential and Huapai Local Shops Policy Area: Where the proposed access/frontage is no less than 9 metres.

Matters for Discretion

- (a) Any Development Concept Plan provided with the application.
- (b) The ability of a site to accommodate a complying building.
- (c) Site, size, shape and orientation.
- (d) Site contour.
- (e) Site access and frontage
- (f) Urban design guidelines in Appendix 12Y.

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, the criteria set out in 12.8.29.10.1.2 and the following assessment criteria:

- (a) Whether the topography of the land or natural features such as waterways, makes compliance with the rule impracticable. Particular regard will be had to whether earthworks are minimised.
- (b) Whether the street pattern is such that compliance is impracticable (for example where a curve in a street reduces access/frontage on the outside of the curve.)



**Rule 12.8.29.10.5
Subdivisions not
complying with Rule
12.8.29.9.3 Cul-de-sacs**

**Rule 12.8.29.10.5.1
Circumstance**

**Rule 12.8.29.10.5.2
Matters for Discretion**

**12.8.29.10.5.3
Assessment Criteria**

- (c) Whether there are urban design considerations that warrant a reduction or increase in the width on any site, while also ensuring that the predominant pattern of narrower and deeper sites is promoted.
- (d) Whether the subdivision avoids the grouping of sites with reduced frontage widths and/or shared accesses.
- (e) Whether the proposal is generally consistent with the urban design guidelines in Appendix 12Y.

**Subdivisions not complying with Rule 12.8.29.9.3 (a)
Cul-de-sacs.**

Circumstance

- (a) Cul-de-sacs no greater than 120 metres in length.
- (b) Shared access serving no more than four sites.

Matters for Discretion

- (a) Any Development Concept Plan approved for the Precinct.
- (b) The layout of streets, private accesses and sites.
- (c) Urban design guidelines in Appendix 12Y.

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, the criteria set out in 12.8.29.10.1.2 and the following assessment criteria:

- (a) Whether the street layout proposals are consistent with a Development Concept Plan that has been approved for the Precinct.
- (b) Whether there are physical constraints or other design constraints that prevent streets connecting.
- (c) Whether the proposed street pattern will provide a well connected, permeable and legible roading network.
- (d) Whether the character of Huapai and Kumeu's existing roading network is reflected in the proposed street layout.
- (e) Whether the proposed layout will have an adverse effect on the amenity values or rural village character of the area.
- (f) Whether the number of shared accesses and number of lots served by shared accesses has been minimized in a subdivision and



**Rule 12.8.29.10.6
Subdivision not complying
with Rule 12.8.29.9.5 Public
Street Network**

**Rule 12.8.29.10.6.1
Matters for Discretion**

**12.8.29.10.6.2
Assessment Criteria**

neighborhood.

- (g) Whether the proposal is generally consistent with the urban design guidelines in Appendix 12Y.

Subdivision not complying with Rule 12.8.29.9.5 Public Street Network

Matters for Discretion

The Council will restrict its discretion to the following matters.

- (a) Any Development Concept Plan provided with the application.
- (b) Site access and frontage.
- (c) Reserve provision.
- (d) The layout of streets and sites.
- (e) Urban design guidelines in Appendix 12Y.

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, the criteria set out in 12.8.29.10.1.2 and the following assessment criteria:

- (a) Whether the topography of the land makes compliance with the rule unreasonable or impracticable. Particular regard will be had to whether earthworks are minimised.
- (b) Whether the development/ subdivision is consistent with any Development Concept Plan that has been approved for the precinct.
- (c) Whether the street network is provides high levels of through access for pedestrians, cyclists and motorists.
- (d) Whether reserves are highly visible from the street and appear to be significantly bounded by streets.
- (e) Whether there are any constraints resulting from servicing and infrastructure including overland flow paths.
- (f) Whether the layout of streets provides a clear hierarchy or residential streets and through roads to encourage traffic through wider streets.
- (g) Whether lanes and streets have incorporated adjacent green space into the road design and considered multi-use of this space for pedestrians and or bridle and cycle paths.
- (h) Whether the resulting road layout will contribute to the rural village



**Rule 12.8.29.10.7
Subdivisions not complying
with Rule 12.8.29.9.4 Tree
Planting**

**Rule 12.8.29.10.7.1
Circumstance**

**Rule 12.8.29.10.7.2
Matters for Discretion**

**12.8.29.10.7.3
Assessment Criteria**

character of the Huapai North area.

- (i) Any other relevant criteria in Chapter 23 – Subdivision and Servicing.
- (j) Whether the proposal is generally consistent with the urban design guidelines in Appendix 12Y.

Subdivisions not complying with Rule 12.8.29.9.4 Tree Planting

Circumstance

- (a) Where trees are planted at intervals no greater than 20 metres.
- (a) Where the trees have a minimum in-ground height of 1.5 metres at the time of planting.

Matters for Discretion

- (a) Any Development Concept Plan provided with the application.
- (b) The layout of streets and sites.
- (c) Servicing and infrastructure including overland flow paths.
- (d) Landscape.
- (e) Urban design guidelines in Appendix 12Y.

Assessment Criteria

When assessing an application for this activity the Council will have regard to any Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, the criteria set out in 12.8.29.10.1.2 and the following assessment criteria:

- (a) Whether the tree planting is consistent with a Development Concept Plan that has been granted approval.
- (b) Whether there are physical constraints or other design constraints that prevent the planting of trees as required by rule 12.8.29.9.4.
- (c) Whether alternative planting is provided elsewhere.
- (d) Whether a well treed environment is retained in the street.
- (e) Whether the proposal is generally consistent with the urban design guidelines in Appendix 12Y.



Rule 12.8.29.11

12.8.29.11.1 General Assessment Criteria – All Discretionary Activities

Rule 12.8.29.11.1.1 Non-compliance with Development Control Rule 12.8.29.7 – Water Servicing.

12.8.29.11.1.2

Rule 12.8.29.11.1.2 Non-compliance with Development Control Rule 12.8.29.10.3 – Subdivision not complying with Rule 12.8.29.9.1 Site Size.

Discretionary Activities : Assessment Criteria for Subdivision

General Assessment Criteria – All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Special 29 Zone, the Council will have regard to the urban design guidelines in Appendix 12Y, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.29.4, any relevant assessment criteria set out in Rule 12.8.29.10, the following additional assessment criteria and other relevant provisions of the Plan, and the relevant matters set out in Section 104 of the Act.

In applying the assessment criteria the Council will generally have to be satisfied that the proposal is positive or neutral in respect of all relevant criteria before it will grant consent.

Non-compliance with Development Control Rule 12.8.29.7 – Water Servicing.

The following additional assessment criteria shall apply to activities not complying with Rule 12.8.29.7:

- (a) Whether the alternative method of water supply will undermine the viability of public water reticulation for the Huapai/Kumeu/Riverhead areas and surrounds.
 - (b) Whether the alternative provision of water supply is adequate to provide a reliable supply of potable water for the proposed activity.
 - (c) Whether the an appropriate legal agreement has been included with the subdivision application for inclusion in any new certificate of title created requiring that every site be connected to public water reticulation supplies within 3 months of the public system becoming operational. This includes those sites where it is proposed to install tanks initially.
-
- (a) Whether the public utility and servicing requirements of the proposed activity, including water requirements, the provision for waste and stormwater disposal and facilities for preventing pollution will place undue pressure on the capacity of utilities and services, and whether the development incorporates works or other proposals that mitigate any such pressures.

