

PART 7

RULES FOR ZONES – RURAL PAPA KURA ZONE

## **RULES FOR ZONES**

The rules in this section relate specifically to the particular zone. It is necessary also to read Section Two, Part 8 – *Rules which apply throughout the Rural Area*.

### **7.1 RURAL PAPA KURA ZONE**

#### **7.1.1 Purpose of Zone**

The purpose of the Rural Papakura Zone is primarily:

- (i) to encourage the sustainable use of land for the continuing production of food and primary produce;
- (ii) to provide for the widest variety of rural activities that are compatible with the rural zone while preserving the rural character of the area;
- (iii) to provide for the continuing operation of Ardmore Aerodrome in a manner which provides the best practical means of reducing the impact of effects on surrounding land uses.
- (iv) To maintain and where possible enhance water quality.

To this end the Rural Papakura Zone provides for activities and standards of performance which are considered to be appropriate in terms of the requirement to achieve sustainable management of the area, to retain the rural character, and to provide a variety of rural living opportunities. Sites must be capable of being self sufficient in terms of water supply, sewage treatment and stormwater disposal.

#### **7.1.2 Permitted Activities**

The following activities are permitted activities in the Rural Papakura zone; subject to the controls for Rural Aerodrome Protection Areas as specified in Appendix 2:

- Farming
- Horticulture
- Forestry, provided that no tree which is planted as part of a production forestry operation shall be permitted to exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the tree and the nearest site boundary.
- A single household unit on a lot created prior to 14 April 1997 or on a lot that has no Residential Curtilage Area restriction created pursuant to the provisions of Rule 7.1.5.2 (f) of this Plan.  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
- A single household unit on a lot created since 14 April 1997, pursuant to the subdivision rules of this plan and in particular the provisions of Rule 7.1.5.2(f), provided that the residential unit is located on the residential curtilage identified on the plan of subdivision.  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)

- Buildings which are accessory to any permitted activity on a lot created prior to 14 April 1997 or a lot that has no Residential Curtilage Area restriction created pursuant to the provisions of Rule 7.1.5.2 (f) of this Plan and which are to be used solely as an essential adjunct to such a use provided that a suitable means of stormwater and effluent disposal from any activity is available.
- Buildings which are accessory to any permitted activity (except for buildings which are accessory to household units) on a lot created since 14 April 1997 pursuant to the subdivision rules of this plan and in particular the provisions of Rule 7.1.5.2(f), and which are to be used solely as an essential adjunct to such a use, provided that a suitable means of stormwater and effluent disposal from any activity is available.
- Buildings which are accessory to household units on a lot created since 14 April 1997 that has a Residential Curtilage Area restriction created pursuant to the provisions of Rule 7.1.5.2 (f), provided that any such building is located on the residential curtilage identified on the plan of subdivision.
- A temporary household unit complying with Rule 8.4 (Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
- Home enterprises complying with Rule 8.5
- Farmstay accommodation provided that all activity is in the same dwelling and complying with Rule 8.5 in terms of paragraphs (a), (c), (f), (g), (j), (k) and (l) and provided that the number of fee paying guests does not exceed eight, exclusive of occupiers, family and staff who are accommodated in the same dwelling.  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
- The development or use of land for recreation or reserves in terms of the Reserves Act 1977.
- The use of land for scenery protection or conservation of the natural environment.
- LPG installations having a capacity of not more than 12 tonnes provided that they are associated with a permitted activity.
- Cleanfill and excavation activities involving less than 100 cubic metres of material complying with the special provisions stated in Rules 8.3 and 8.11.
- Plant nurseries subject to Rule 8.16 and 8.24, provided that the plants are grown on the site.
- Buildings, which are accessory to any permitted activity and which are to be used solely as an essential adjunct to such a use provided that a suitable method of effluent disposal from any activity is available.
- Demolition of buildings except as limited by the Schedule of Places and Objects and Significant Natural Areas to be protected.
- Prospecting and exploration as defined in the Crown Minerals Act 1991 and water well drilling, provided that the activity does not involve the removal or excavation of more than 100m<sup>3</sup> of material, does not result in any increase in sediment flows to streams and rivers and does not cause dust nuisance.

### 7.1.3 Controlled Activities

Subject to assessment against the relevant criteria set out in Rule 8.13 and the controls for Rural Aerodrome Protection Areas as specified in Appendix 2.

- Cleanfill and excavation activities involving between 100 and 500 cubic metres of material complying with Rules 8.3 and 8.11.
- Stalls, not exceeding 15 m<sup>2</sup> in floor area, for the sale of produce grown on the farm or holding on which the stall is located, subject also to Rule 8.17.
- Papakainga housing on Maori land up to a maximum of 4 dwelling units at a density of not more than 1 unit per hectare complying with the special provisions stated in Rule 8.6.

(Proviso – on land in the Aggregate Resource Protection Area shown on the Planning Maps A3 series C9, D8, D9, E8, E9, E10, F8, F9, F10, G8, G9, H8, 17, 18, 19, J7, and J8. This is a discretionary activity)

- Horse riding clubs and riding schools on sites larger than 2 hectares.
- Changes to the location of a Residential Curtilage Area created pursuant to the provisions of Rule 7.1.5.2 (f) of this Plan, provided that any such Residential Curtilage Area is no more than 2000m<sup>2</sup> in area, contains all existing residential development, is located so as not to compromise the productive potential of the rural area and complies with the provisions of Rule 7.1.5.2 (f).

(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)

### 7.1.4 Discretionary Activities

Subject to assessment against the relevant criteria set out in Rule 8.14 and the controls for Rural Aerodrome Protection Areas as specified in Appendix 2.

- Stalls not exceeding 25 m<sup>2</sup> for the sale of produce grown on the farm or holding on which the stall is located or on nearby properties.
- Factory farming
- Establishments for breeding or boarding domestic pets (excluding dogs) and for boarding, breeding and training dogs on sites greater than 2,000 m<sup>2</sup> in area provided that no accommodation for the boarding of dogs shall be located within 500 metres of any land zoned residential or any existing residential activity.
- Household units on an operating independent farm unit which are needed for and to be used by persons working full time on the farm, provided that:
  - (i) where the farm unit is comprised in more than one Certificate of Title, and more than one household unit is required on one Title, the Council may require that separate Titles be held together by legal agreement if the Council considers that the effects of not doing so may be to affect adversely the rural character of the area or the productive capacity of the land.
  - (ii) The number of household units permitted on any Certificate of Title shall not exceed a rate of one unit for every 4 hectares.
- One household unit ancillary to the use of land or buildings for the following permitted activities:
  - (i) Veterinary clinics;

- (ii) Establishments for breeding or boarding domestic pets and breeding and training dogs.
- Veterinary clinics
  - Animal parks, model farms and zoological gardens and one ancillary household unit.
  - The use of land and buildings including one ancillary household unit for outdoor recreation.
  - Camping grounds and group recreational camps and one ancillary household unit.
  - Tearooms and an ancillary household unit
  - Travellers' accommodation and including conference centres, restaurants, recreation facilities, shops and other amenities, which are an ancillary part of travellers' accommodation complying with the provisions of Rule 8.12.
  - The use of land and buildings for horse and dog racing.
  - LPG installation of 12 tonnes and over provided that they incorporate a system of fixed water sprays capable of delivering water at a rate of 600 litres per square metre an hour to the whole surface of the tank.
  - Tourism activities.
  - Papakainga housing on Maori land up to a maximum of 8 dwelling units at a density of not more than 1 unit per hectare complying with the special provisions stated in Rule 8.6.
  - Churches or church halls serving the local rural community and an ancillary household unit.
  - Educational facilities which are not directly associated with and ancillary to farming activity, provided that such institutions are not permitted on land which has a classification in terms of the NZ Land Resource Inventory Capability Classification I, II or III.
  - Educational facilities, charitable, religious and philanthropic institutions including ancillary residential buildings, where such uses are directly associated with and ancillary to the farming activity.
  - Marae
  - Cemeteries and Urupa
  - The use of land and buildings including ancillary residential buildings for the processing of farm and forest products of the District and its immediate environs, or the provision of rural services.
  - The winning and processing (other than the manufacture or production of bituminous products) on the site of materials excluding topsoil, occurring naturally.
  - Cleanfill and excavation activities involving more than 500 cubic metres of material complying with the provisions of Rules 8.3 and 8.11.
  - Exhibition Centre on Lot 1 DP 88397, being the site currently occupied by the New Zealand Kennel Club.
  - Residential Farm Parks, provided that any application is accompanied by a site development plan which shall show the following:
    - (a) site boundaries;

- (b) existing and any proposed changes to topography;
  - (c) existing areas of large trees or bush or topographical features to be conserved;
  - (d) location of existing buildings to remain;
  - (e) location and size of proposed residential units;
  - (f) vehicular access for all residential units;
  - (g) proposed landscaping concept;
  - (h) proposed separation of residential units from common farm area;
  - (i) location of uses which are accessory to residential uses and which are located outside residential units;
  - (j) proposed stormwater and sanitary drainage systems and water supply;
  - (k) location of all existing neighbouring houses which are within 50 metres of the site boundary;
  - (l) proposed farm development in respect of fencing, shelter belts, buildings and access sufficient to assess the impact of residential development on farm utilisation
- Plant nurseries not complying as a permitted activity, subject to Rules 8.14, 8.6 and 8.24.
  - Any activity listed as a permitted or controlled activity which is annotated: “On land in an Aggregate Resource Protection Area this is a discretionary activity”.
  - Prospecting and exploration as defined in the Crown Minerals Act 1991 and water well drilling which do not comply with the requirements for a permitted activity.

### **7.1.5 Subdivision**

The subdivision rules which are set out for the Rural Papakura Zone include a subset which apply only in the Drury area. In this area the existing settlement pattern and character of the area justifies a variation of the subdivision rules which apply elsewhere in the zone.

#### **7.1.5.1 Permitted Activities**

Minor boundary adjustments to lots which existed at 14 April 1997, where the adjustment sought will change the area of the individual lots involved by no more than 10%.

#### **7.1.5.2 Discretionary Activities**

- Boundary adjustments which are not permitted activities, subject to assessment against the relevant criteria set out in Rule 8.14.
- Subdivision of lots which existed at or prior to 1 May 1993, and subdivision of any lot which is amalgamated from titles which existed at or prior to 1 May 1993, subject to assessment against the relevant criteria set out in Rule 8.14 provided that:
  - (a) the minimum area of the parent lot prior to subdivision shall be 14 hectares, except as provided in (d) below.
  - (b) There shall be no more than one extra lot created by subdivision of the parent lot, except as provided in (d) below.

- (c) The minimum size of any new lot to be subdivided from the parent lot shall be 2 hectares of useable land and the balance lot shall be at least 12 hectares of useable land.
- (d) In respect of the Drury subdivision area shown on the A3 1:5000 Planning Maps F3, G3, G5, G6, H4, H5, H6, I4, I5, I6, J5, J6 and J7, every proposed subdivision shall comply with the following criteria:
- A minimum total area of the parent lot of 16 hectares, and
  - At least one site of 12 hectares minimum size of useable land, and
  - An average size for the proposed lots in the subdivision of 3 hectares of useable land, and
  - No more than 15% of the land area in any subdivision shall be held in 2-3 hectare lots, and
  - No more than 3 lots of less than 3 hectares of useable land shall be clustered so that they share a common boundary with one or more of the other lots in the cluster.
- (e) For the purpose of this rule “useable land” and “useable area” will be defined in terms of the following criteria. Where land complies with some but not all of the criteria the Council will decide whether, on balance, and in the light of the available evidence, land should be regarded as useable or not. However, the “useable land” and “useable area” criteria do not apply to the hill subdivision area of the Rural Papakura Zone as shown on the A3 1:5000 Planning Maps C9, D8, D9, E8, E9, E10, F8, F9, F10, G8, G9, H8, 17, 18, 19, J7, and J8.

In determining what is “useable land” and “useable area” the Council will have regard to the extent to which:

- the land has significant impediments to rural activities which are permitted or controlled in terms of Rules 7.1.2 and 7.1.3, such as may be caused by rivers or streams, esplanade reserves or strips, unstable land, poor physical access, and whether it complies with the requirements of Rule 8.18 for the conservation of landscape, roads, driveways/accessways, shape or dimensions of the land;
- the land has slopes and/or aspects which would significantly limit the potential of the land to be used for agricultural purposes;
- the land has versatile soils, i.e soils having a classification of 1, 2 or 3 in the NZ Land Resource Inventory Worksheets;
- the land has any major limitations to agricultural production created by being situated in a flood hazard area;
- the land has access to an adequate water supply
- the land is adequately sheltered from prevailing wind.

In the hill area any application for subdivision will be considered in relation to its likely effects (beneficial and adverse) on the environment and in particular to the degree to which the subdivision would:

- prevent or mitigate erosion;
- maintain or enhance land stability;

- result in the protection or enhancement of bush;
- maintain or enhance the watercourse environment;
- preserve and enhance habitats of indigenous species;
- maintain the overall rural character;
- ensure stormwater flows are similar to or less than pre-development levels;
- result in extra traffic;
- enable historic, archaeological and cultural sites to be protected.

**Note:** *The effect of this exclusion is that subdivision on the hill area (which comprises land of relatively low quality) in accordance with Rule 7.1.5.3 does not have to be assessed to determine whether it contains useable land.*

- (f) Every subdivision application must include plans which show the proposed location of or a practical location for any new driveway/accessways, and the site of any new house/s and ancillary buildings and facilities. The maximum area to be occupied by new driveways/accessways and buildings is 2,000m<sup>2</sup>. This area is to be shown in the plan as the residential curtilage and the Council will require that this curtilage is registered in the title or as a consent notice appended to the title. Any proposal which involves a greater curtilage area than the maximum of 2000m<sup>2</sup> will be regarded as non complying unless the Council determines that a greater area is acceptable because it enables a greater area of useable land to be retained for possible agricultural use. For the purposes of this rule “building” includes any structure, hard stand, or paved area which is to be used primarily for residential purposes or for purposes directly linked to residential use such as garages for private vehicles and swimming pools but does not include gardens or lawn tennis courts. The location of new driveways and buildings is to be chosen so that it can be demonstrated to the Council that these facilities will not significantly affect the rural character of the area and that they will not have a significant adverse effect on the potential of the land to be managed sustainably for rural purposes. In assessing whether the driveway and buildings proposed in any application affect the sustainable management of land, the Council will have regard to the permitted and controlled activities set out in Rules 7.1.2 and 7.1.3 of this Section of the Plan.
- (g) In addition to the other provisions which apply to subdivision under Rules 7.1.5.2 the Council may approve further subdivision in the Rural Papakura Zone where horticulture has been established on a permanent and a sustainable basis. In addition to the requirements of section 88 of the Resource Management Act 1991, any application for subdivision under this part of the Rule must be accompanied by a plan showing the location of the proposed boundaries of the subdivision, the location and details of existing development in the property, the proposed location of driveways/accessways, houses and ancillary buildings in terms of clause (f) of this Rule, and a management plan shall include details of the existing horticulture and associated development including details of structures, control systems (e.g for irrigation, fertilisers, climate control, pests, disease etc) management systems (e.g for replacement of plants and other stock items, marketing, dispatch of produce), availability of services (such as gas, electricity and water supply), waste disposal, traffic generation, odour, noise, visual effects.

The management plan shall include, in respect of any covered structure such as a greenhouse, details of the covered cropping area. The area of covered cropping should be a minimum of 1500 square metres and include an internal heating system and other appropriate electronic and mechanical control systems. The plan should also show the extent to which the proposed lot contains sufficient space for any likely expansion of the intensive use. The plan should also contain details of past and projected financial performance and these details must be verified by an appropriately qualified person such as an accountant. The Council requires to be satisfied by the production of these plans and any further information which may be relevant, that the activity is permanent and sustainable and that the proposed subdivision will not have significant adverse effects on the environment. For the purposes of this rule the test of permanence will include, amongst other factors, the extent to which capital has been invested in the establishment of the activity.

#### 7.1.5.2.1 Lots and Dwelling for Conservation Purposes

The Council may consent to the creation of a lot(s) and the erection of a dwelling on a site containing stands of native bush or other areas of biological or scientific importance only where the feature does not have permanent legal protection. Consent is subject to the physical and legal protection of those areas and the following performance standards and assessment criteria being met.

##### Performance Standards

1. Compliance with general subdivisional requirements as set out in Rule 8.2.
2. The stand of native bush or area of biological or scientific importance (the feature) that is to be physically and legally protected must be at least 0.5 hectares, unless it contains special features as identified in part 8.2.B of this rule (see below).
3. The area and extent of the feature being protected.

Where the feature is between 0.5 hectares and 8.9 hectares in area and the whole of the feature is being protected on the parent lot, one conservation lot is permitted.

As an incentive additional conservation lots may be permitted as follows:

Where the feature is in excess of 8.9 hectares and all of the feature is being protected additional lots may be permitted as follows:

TOTAL AREA OF FEATURE PROTECTED	ADDITIONAL LOTS	TOTAL LOTS
9.0 – 15.0 ha	1	2
In excess of 15.0 ha	2 (exclusive of balance lot)	3

4. The whole of the feature is to be protected.



5. Where a dwelling for permanent accommodation is permitted in conjunction with the subdivision, an area of at least 1500m<sup>2</sup> exclusive of the area being protected shall be available to accommodate a dwelling and associated effluent disposal fields.
6. An agreement regarding an encumbrance or covenant must be entered into before the issue of the section 222 Certificate under the Resource Management Act 1991.
7. A Memorandum of Encumbrance or Covenant in perpetuity under the provisions of the Reserves Act 1977 or Queen Elizabeth II National Trust Act 1977 shall be registered on the title of each lot created by the subdivision to the effect that the stand of native bush or area of biological or scientific importance be fenced with a stock proof fence, kept free of livestock, be protected in perpetuity and include enforcement provisions and penalties. Where a Memorandum of Encumbrance is used, it is to be prepared by the Council Solicitor at the Applicant's expense. In this Rule "encumbered area" means the area affected by a Memorandum of Encumbrance or a Covenant (as the case may be) under this clause.

8. Assessment Criteria

In considering applications for a conservation lot the following matters will be assessed:

1. The general assessment criteria.
2. The significance of the area being protected. The following criteria will be used as a guide:
  - A. Whether the native bush:
    - (i) consists of a coherent well-developed canopy of native species;
    - (ii) contains a significant percentage (at least 25%) of native trees in excess of 6 metres in height;
    - (iii) consists of a diverse range of native species;
    - (iv) represents a significant landscape feature.
  - B. Area of biological or scientific importance includes:
    - (i) the habitat of threatened (as defined by IUCN criteria) species;
    - (ii) freshwater wetland;
    - (iii) uncommon indigenous vegetation community;
    - (iv) an area of wildlife significance;
    - (v) a significant geological feature.

A report from a recognised and qualified person shall describe the subject feature in terms of this criteria.

3. The size of the proposed Conservation Lot(s) (exclusive of the protected area).

There shall be no maximum size. As a guide the area exclusive of the protected area should be no larger than 3000m<sup>2</sup>. In assessing whether this should be larger the Council shall use the following as a guide:

The inclusion of the additional land does not adversely affect the useability of the balance lot,

*and*

From a farm management view the land is better included in the conservation lot.

#### 4. Location of Conservation Lots

In assessing the location of the lot the effect that a dwelling will have on the protected feature will be considered. For example, dwellings will not be permitted where there may be adverse effects on areas of wildlife value. Where there is deemed to be an adverse effect the Council may require that the lot be located so as to avoid, mitigate, remedy and/or minimise any effect.

Where the protected feature is not attached to the lot containing the proposed house site the following shall also apply;

The subdivision shall be designed so as to:

- Minimise the loss of productive land;
- Not adversely affect the useability of the parent property;
- Result in a development that is complementary to the landscape features of the area.

**7.1.5.3** The reasons for these rules are that the Council wishes to retain rural production in the area, while at the same time maintaining the rural character and providing for a variety of rural activities and lifestyles. The Council accepts as inevitable that change will occur in the rural area but considers that the subdivision provisions will allow change to occur in a controlled and incremental manner while preserving as far as is reasonable the productive potential of the rural area.

## **7.2 RURAL TAKANINI/DRURY ZONE**

### **7.2.1 Purpose of Zone**

The main purpose of the Rural Takanini/Drury Zone is to make specific provision for the horse training industry, which is an important part of rural Papakura, and for part-time hobby farming. The zone recognises that the horse industry and part-time farming operations both require relatively small areas of land and that the existing subdivision pattern in this area is already highly fragmented. The zone therefore reflects, to a large degree, the existing settlement and subdivision pattern but contains rules which are designed to maintain the rural character of the area and to provide for a range of rural lifestyles. Sites must be capable of being self sufficient in terms of water supply, sewage treatment, and stormwater disposal.

### **7.2.2 Permitted Activities**

- Farming including the sale of thoroughbred race horses provided that this sales activity is ancillary to the training and/or breeding of race horses.
- Forestry provided that no tree which is planted as part of a forestry operation shall be permitted to exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the tree and the nearest site boundary.
- Farming activities which require a greenhouse or similar structure
- Horticulture
- Staff quarters where they are ancillary to and essential for the operation of a horse training establishment
- Stalls, not exceeding 15m<sup>2</sup> in floor area, for the sale of produce grown on the farm or holding on which the stall is located.
- A temporary household unit complying with the special provisions stated in Rule 8.4.
- Farmstay accommodation provided that all accommodation is in the same dwelling and complying with Rule 8.5 in terms of paragraphs (a), (c), (f), (g), (j), (k), and (l) and provided that the number of fee paying guests does not exceed eight, exclusive of occupiers, family and staff who are accommodated in the same dwelling.
- The development or use of land for recreation or reserves in terms of the Reserves Act 1977.
- The use of land for scenery protection or conservation of the natural environment
- A single household unit on a lot created prior to 14 April 1997 or on a lot that has no Residential Curtilage Area restriction created pursuant to the provisions of Rule 7.1.5.2 (f) of this Plan.
- A single household unit on a lot created since 14 April 1997, pursuant to the subdivision rules of this plan and in particular the provisions of Rule 7.1.5.2 (f), provided that the residential unit is located on the residential curtilage identified on the plan of subdivision.
- Buildings which are accessory to any permitted activity on a lot created prior to 14 April 1997 or a lot that has no Residential Curtilage Area restriction created pursuant to the provisions of Rule 7.1.5.2 (f) of this Plan and which are to be used solely as an essential adjunct to such a use provided that a suitable means of stormwater and effluent disposal from any activity is available.
- Buildings which are accessory to household units on a lot created since 14 April 1997 that has a Residential Curtilage Area restriction created pursuant to the provisions of

Rule 7.1.5.2 (f) of this Plan, provided that any such building is located on the residential curtilage identified on the plan of subdivision.

- Plant nurseries/garden centres
- Demolition of buildings except as limited by the Schedule of Places and Objects and Significant Natural Areas to be protected.
- Cleanfill and earthworks activities involving less than 100 cubic metres of material complying with Rule 8.3 and 8.11 provided that this does not permit any alteration to or modification or diversion of any natural or artificial watercourse.

### **7.2.3 Controlled Activities**

- Horse riding clubs and riding schools on sites greater than 2 hectares in area
- Changes to the location of a Residential Curtilage Area created pursuant to the provisions of Rule 7.1.5.2 (f) of this Plan, provided that any such Residential Curtilage Area is no more than 2000m<sup>2</sup> in area, contains all existing residential development, is located so as not to compromise the productive potential of the rural area and complies with the provisions of Rule 7.1.5.2 (f).

### **7.2.4 Discretionary Activities**

Subject to assessment against the relevant criteria set out in Rule 8.14.

- Home enterprises complying with Rule 8.5
- Horse riding clubs and riding schools on sites less than 2 hectares in area
- Farrier workshops
- Horse transport depots
- Stalls exceeding 15m<sup>2</sup> in floor area for the sale of farm produce grown on the farm or holding on which the stall is located
- LPG installations having a capacity of 2 tonnes or more but not more than 6 tonnes.
- Churches or church halls serving the local rural community
- Research, charitable, religious and philanthropic institutions including ancillary residential buildings where such uses are directly associated with and ancillary to farming activity.
- Cleanfill and excavation activities involving less than 500 cubic metres of material complying with the provisions of Rule 8.3.
- Factory farming but excluding pig farming
- Cat boarding and breeding establishments
- Educational facilities
- ~~For the land contained in Lot 1 DP 84684 comprehensive development uses related to the farming and horse industries including tourist activities ancillary to farming, sale of goods ancillary to farming, and veterinary clinics, provided the following requirements are met:~~
  - ~~(1) the proposed development of the whole site (Lot 1 DP 84684) including any existing or proposed activities for which a resource consent has been granted shall be shown on an approved comprehensive development plan to the satisfaction of the Council.~~
  - ~~(2) No dwelling house other than staff quarters shall be permitted on this site.~~

- ~~(3) Minimum site area to be available for any single use 1500m<sup>2</sup>.~~
- ~~(4) A landscape strip of a minimum width of 4 metres must be provided along 70% of the frontage of the site.~~
- ~~(5) The application is to be assessed against the objectives and policies of the plan for the Rural Takanini/Drury Zone.~~

## **7.2.5 Subdivision**

### **7.2.5.1 Permitted Activities**

Minor boundary adjustments to lots which existed at the date on which the District Plan became operative where the adjustments sought will change the area of the individual lots by no more than 10%.

### **7.2.5.2 Discretionary Activities**

- Boundary adjustments which are not permitted activities, subject to assessment against the relevant criteria set out in Rule 8.14.
- Subdivision of lots which existed at or prior to 14 April 1997 and subdivision of any lot which is amalgamated from titles which existed at or prior to 14 April 1997, provided that:
  - (a) the minimum size of a parent lot which is to be subdivided is 4 hectares of useable land.
  - (b) One lot only, of a minimum size of 2 hectares of useable land may be subdivided from each parent lot provided that the balance of the parent lot after subdivision must comprise a minimum 2 hectares of useable land.
  - (c) For the purposes of this rule “useable land” and “useable area” will be defined in terms of the following criteria. Where land complies with some but not all of the criteria the Council will decide whether, on balance, and in the light of the available evidence, land should be regarded as useable or not.

In determining what is “useable land” and “useable area” the Council will have regard to the extent to which:

- The land has significant impediments to rural activities which are permitted or controlled or discretionary in terms of Rules 7.2.2 and 7.2.3 and 7.2.4, such as may be caused by rivers or streams, esplanade reserves or strips, unstable land, poor physical access, and does it comply with the requirements of Rule 8.18 for the conservation of landscape, roads, driveway/accessways, shape or dimensions of the land.
- The land has slopes and/or aspects which would significantly limit the potential of the land to be used for agricultural purposes.
- The land has versatile soils, i.e soils having a classification of 1, 2 or 3 in the NZ Land Resource Inventory Worksheets.
- The land has any major limitations to agricultural production created by being situated in a flood hazard area.

- The land has access to an adequate water supply
- The land is adequately sheltered from prevailing wind

(d) Every subdivision application must include plans which show the proposed location of or a practical location for any new driveways/accessways and the site of any new house/s and ancillary buildings and facilities. The maximum area to be occupied by new driveways/accessways and buildings is 2000m<sup>2</sup>. This area is to be shown on the plans as the residential curtilage and the Council will require that the curtilage is registered in the title or as a consent notice appended to the title. Any proposal which involves a greater curtilage area than the maximum of 2000m<sup>2</sup> will be regarded as non complying unless the Council determines that a greater area is acceptable because it enables a greater area of useable land to be retained for possible agricultural use. For the purposes of this rule “building” includes any structure, hard stand, or paved area which is to be used primarily for residential purposes or for purposes directly linked to residential use such as garages for private vehicles and swimming pools but does not include gardens or lawn tennis courts. The location of new driveways and buildings is to be chosen so that it can be demonstrated to the Council that these facilities will not significantly affect the rural character of the area and that they will not have a significant adverse effect on the potential of the land to be managed sustainably for rural purposes. In assessing whether the driveways and buildings proposed in any application affect the sustainable management of land the Council will have regard to the permitted and controlled and discretionary activities set out in Rules 7.2.2, 7.2.3, and 7.2.4 of Section Two of this Plan.

(e) ~~Subdivision of Lot 1 DP 84684 is allowed as a restricted discretionary activity provided that the lots shall only be created in accordance with a discretionary activity consent granted in accordance with 7.2.4.~~

**7.2.6** The reason for these rules is that the existing pattern of subdivision in the Takanini and Drury area covered by the zone is characterised by smaller lots than occur in the Rural Papakura Zone. Within these areas small lots can be and are used for rural-based activities that can be sustainable on a smaller area of land. Typical examples are horse training and glasshouse operations. The minimum lot size of 2 hectares and the control on the number of lots that can be created allows further opportunities for such activities and yet still retains a degree of flexibility for future alternative uses. Subdivision in excess of what is provided would jeopardise this flexibility and change the character of the area from one of small holdings to rural residential.

## **7.3 RURAL-RESIDENTIAL ZONES**

### **RURAL RESIDENTIAL ZONES 1 and 2**

#### **7.3.1 Purpose of Zones**

The Rural-Residential 1 Zone has been designed to provide for large lot development in those areas of Keri Hills and also the Hunua foothills which are situated to the east and south of the Papakura urban area. The Rural Residential 2 Zone is located adjacent and to the west of the North Island Main Trunk Railway in the Drury area. While it is within the Metropolitan Urban Limits the Council has no intention of providing urban services.

While a differentiation has been made between the Rural Residential 1 and 2 zones this relates simply to the different locations of the two zones. The same rules apply to both zones.

The Council is concerned to ensure that development on the hilly land which comprises the Rural-Residential Zones does not result in flooding problems downstream in the Drury area.

For this reason, cleanfill and excavation activities and discharge of stormwater from roofs and paved areas are controlled and/or discretionary activities which the Council may approve only if it is satisfied that adverse effects downstream will not occur or that conditions can be imposed so as to avoid, remedy or mitigate any likely adverse effects. Much of the land in the zones has been identified as having land stability problems. Consequently, Council will require geotechnical reports for all subdivisions within the zone and may require further engineering reports at the time an application for a building consent is made.

Sites must be capable of being self sufficient in terms of water supply, sewage treatment and stormwater disposal.

The boundaries of the zone have been drawn having regard to existing uses, land use capability, geography and the existence of cultural features (such as roads) which form logical and practicable boundaries. Because this is a rural zone, in which rural activities may be carried out, there must be an expectation on the part of land owners that the effects of normal rural activities may be experienced. These effects may include noise from animals and farm equipment, smell from spillage, spray drift. The rules for the zone also provide for the fact that residential uses must be self sufficient in terms of services such as refuse disposal, water supply and sewerage.

#### **7.3.2 Permitted Activities**

- One single household unit on each Certificate of Title  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
- Temporary household units complying with Rule 8.4  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
- Doctors' surgeries  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)

- Farm forestry provided that on any site boundary which adjoins the Rural Farmlet Zone no tree which is planted as part of a forestry operation shall be permitted to exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the tree and the nearest site boundary.
- Farming
- Horticulture
- Buildings with a floor area of less than 50m<sup>2</sup> in which crops are to be grown.
- Accessory buildings and landscape planting in association with the foregoing.
- The development or use of land for recreation or reserves in terms of the Reserves Act 1977.
- The use of land for scenery protection or conservation of the natural environment.
- Demolition of buildings except as limited by the Schedule of Places and objects and Significant Natural Areas to be protected.
- Prospecting and exploration as defined in the Crown Minerals Act 1991 and water well drilling, provided that the activity does not involve the removal or excavation of more than 100m<sup>3</sup> of material, does not result in any increase in sediment flows to streams and rivers and does not cause dust nuisance.

### **7.3.3 Controlled Activities**

- Stalls not exceeding 15m<sup>2</sup> in floor area for the sale of farm produce grown on the farm or holding on which the stall is located.
- Horse riding clubs and riding schools on sites greater than 2 hectares in area.
- Cleanfill and excavation activities involving a cumulative total of equal or less than 100 cubic metres of material excavated or cleanfilled on a separately rated property existing at 14 April 1997 and complying with the special provisions stated in Rules 8.3 and 8.1 provided that this does not permit any alteration to or modification or diversion of any river or artificial watercourse.

For the purposes of this rule a river is defined as meaning a continually or intermittently flowing body of fresh water and includes a stream or natural water course and a modified water course. Where the cumulative total of cleanfill or excavation would exceed 100 cubic metres at 14 April 1997, if the application was approved, it will be treated as a discretionary activity.

### **7.3.4 Discretionary Activities**

Subject to assessment against the relevant criteria set out in Rule 8.14.

- Home enterprises complying with Rule 8.5
- Multiple household units on site provided that the overall density shall not exceed 1 dwelling per hectare
- Buildings with a floor area greater than 50m<sup>2</sup> in which crops are to be grown.
- Nurseries, day care centres, creches and kindergartens for pre-school children.
- Cat boarding and breeding establishments



- Horse riding clubs and riding schools on sites of less than 2ha in area
- Veterinary hospitals
- Educational facilities
- Cleanfill and excavation activities involving more than 100 cubic metres of material and/or not complying with Rule 7.3.3 and complying with the special provisions stated in Rules 8.3 and 8.11 provided that this does not permit any alteration to or modification or diversion of any river or artificial watercourse. For the purposes of this rule, a river is defined as meaning a continually or intermittently flowing body of fresh water and includes a stream or natural watercourse and a modified watercourse.
- The discharge of stormwater from roofs or paved areas.
- Any activity listed as a permitted or controlled activity which is annotated: “On land in an Aggregate Resource Protection Area this is a discretionary activity”.
- Prospecting and exploration as defined in the Crown Minerals Act 1991 and water well drilling which do not comply with the requirements for a permitted activity.

**Advice Note:** Advice is given that a resource consent may be required from the Auckland Regional Council under section 13 of the Resource Management Act 1991 in respect of any work involving the modification or piping of any watercourse or stream.

### **7.3.5 Subdivision**

#### **7.3.5.1 Permitted Activities**

Minor boundary adjustments to existing lots where the adjustment sought will change the area of the individual lots involved by no more than 10%.

#### **7.3.5.2 Controlled Activities**

Subject to assessment against the relevant criteria set out in Rule 8.13. Subdivision to a minimum lot size of 1 hectare provided that lot sizes may be reduced to a minimum of 4000m<sup>2</sup> if, for every lot of less than 1 hectare there shall be a corresponding lot of at least 2 hectares.

(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)

In considering applications for subdivision the Council will, where practicable and reasonable, require that lots of less than 1 hectare are not contiguous.

**7.3.5.3** The reason for this rule is that it is considered appropriate to provide for a variety of residential living opportunities in the rural part of the District ranging from full time farming operations, including hobby or part time farms and also residential living in a rural environment but without a significant farming component. The District has a number of areas where physical factors such as soil quality and slope tend to be unattractive for economic farming ventures but which are nevertheless attractive for rural living. It is these areas where it is considered appropriate to permit subdivision down to 1 hectare.

#### **7.3.5.4 Discretionary Activities**

Any activity listed as a permitted or controlled activity which is annotated: “On land in an Aggregate Resource Protection Area this is a discretionary activity” and subject to the assessment criteria set out in Rule 8.14.

## **7.4 NATURE CONSERVATION ZONE**

### **7.4.1 Purpose of Zone**

The purpose of the Nature Conservation Zone is to protect the natural character of the Ponga Road forest. This large area of remnant native forest is a significant landscape feature and constitutes a wildlife habitat of district and regional importance. It also contains forest types now uncommon in the Auckland Region.

Most of the land contained within the zone is in private ownership. Consequently, the zone provisions seek to achieve an appropriate balance between the conservation and preservation of this outstanding natural feature and the development aspirations of individual landowners – in particular, the desire to erect a dwelling.

The boundaries of the Nature Conservation Zone are constituted by the edge of the main body of the Ponga Road forest as fixed by aerial survey in June 1994. Where the location of the zone boundary within a particular property is at issue in terms of a resource consent application, the Council will have the edge of the bush defined by survey at the applicant's expense.

### **7.4.2 Permitted Activities**

The following activities are permitted activities in the Nature Conservation Zone:

- Indigenous forest, wetland and wildlife habitats conservation, where indigenous forest communities, wetlands and habitats are managed to protect their natural values.
- Wildlife management and pest control activities
- Soil conservation, river and erosion control works – including any works immediately necessary to avoid any actual or potential damage to the life, health or property of the people of the area.
- Provided that a safe and stable building platform, outdoor living area, access, on-site effluent disposal, and network utilities can be provided without the damage or removal of indigenous trees and vegetation, the following activities are permitted:
  - (i) a single household unit on each Certificate of Title  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
  - (iii) a temporary household unit complying with Rule 8.4;  
(Proviso – on land in an Aggregate Resource Protection Area this is a discretionary activity)
  - (iv) stalls, not exceeding 15m<sup>2</sup> in floor area, for the sale of produce grown on the farm or holding on which the stall is located;
  - (v) buildings, except household units and stalls, which are accessory to any permitted activity and which are to be used solely as an essential adjunct to such a use provided that a suitable method of effluent disposal from any activity is available.
  - (vi) accessways to any permitted activity.
- Home enterprises complying with Rule 8.5
- Farmstay accommodation provided that the farmer and family live on the premises and no more than ten persons inclusive of the occupier, family and staff are accommodated in the dwelling.

- Pastoral farming, excluding deer and goat farming, on land already cleared and used for that purpose as at 1 May 1993.
- Bee-keeping
- Outdoor recreation, including the use of land for recreation or reserves in terms of the Reserves Act 1977, provided this does not require the damage or removal of indigenous trees and vegetation.
- The treatment and removal of dead, damaged or diseased trees
- Demolition of buildings except as limited by the Schedule of Places and Objects and Significant Natural Areas to be protected.
- Prospecting and exploration as defined in the Crown Minerals Act 1991 and water well drilling, provided that the activity does not involve the removal or excavation of more than 100m<sup>3</sup> of material, does not result in any increase in sediment flows to streams and rivers and does not cause dust nuisance.

#### **7.4.3 Controlled Activities**

Subject to assessment against the relevant criteria set out in Rules 8.13 and 8.13.1.

- The construction of effluent disposal fields within areas of indigenous trees and vegetation for the purposes of servicing household units.

An application for a land use consent for a controlled activity may be considered without public notification or the need to obtain the written approval of affected persons. In considering an application the Council may, however, seek the advice of the Department of Conservation.

#### **7.4.4 Discretionary Activities**

Subject to assessment against the relevant criteria set out in Rule 8.14.

- A single household unit on each Certificate of Title where the construction of the household unit would require the clearance of indigenous trees and vegetation, provided that the maximum area cleared for the household unit and its associated outdoor living area and waste treatment and disposal system does not exceed 300m<sup>2</sup>.
- Accessways where it is necessary to remove areas of indigenous trees and vegetation.
- The excavation or depositing of not more than 100m<sup>3</sup> of spoil, soil or other material, where this is required in association with any permitted, controlled or discretionary activity provided this does not involve the diversion or modification of natural watercourses, rivers or ponding areas – including the reclamation of swamps or wetlands.
- Any activity listed as a permitted or controlled activity which is annotated: “On land in an Aggregate Resource Protection Area this is a discretionary activity”.
- Prospecting and exploration as defined in the Crown Minerals Act 1991 and water well drilling which do not comply with the requirements for a permitted activity.

#### **7.4.5 Subdivision**

**7.4.5.1 Permitted Activities**

Minor boundary adjustments to existing lots where the adjustment sought will change the area of the individual lots involved by no more than 10%.

**7.4.5.2 Discretionary Activities**

Subject to assessment against the relevant criteria set out in Rule 8.14.

Where a subdivider agrees to the legal and physical protection of an area of indigenous trees and vegetation, the Council will consider an application for the creation of a small rural lot provided that:

- (a) One small rural lot may be created where the area of indigenous trees and vegetation to be legally physically protected is between 2 hectares and 15 hectares.
- (b) One additional small rural lot may be created where the area of indigenous trees and vegetation to be legally and physically protected is in excess of 15 hectares.
- (c) The maximum area of the small rural lot, inclusive of access, shall be 4000m<sup>2</sup>.
- (d) The small rural lot does not need to be contiguous with the area of indigenous trees and vegetation being legally and physically protected.
- (e) A Memorandum of Encumbrance or Covenant in perpetuity under the provisions of the Reserves Act 1977, the Queen Elizabeth II National Trust Act 1977, or the Conservation Act 1987 (as amended by the Conservation Law Reform Act 1990) shall be registered on the title of each small rural lot created or the balance area to the effect that the indigenous trees or vegetation be fenced with a stock-proof fence, kept free of livestock and noxious plants and protected in perpetuity.

## **7.5 KARAKA CENTRE ZONE**

### **7.5.1 Purpose of the Zone**

The purpose of the zone is to provide for rural activities while encouraging the growth and development of the bloodstock industry, enabling complementary activities to establish in proximity to the Karaka Bloodstock Centre. This is important for the economy of the area and the industry generally. The zone recognises the character and location of the land, particularly with regard to the pattern of development and ready access to the motorway. The zone provides a focus for a range of activities to complement the Centre without compromising the integrity of the wider rural area.

Compatible activities associated with the Centre include equestrian activities, temporary accommodation ancillary to the main activities of the Bloodstock Centre, conventions and special events.

Further activities which can be appropriately located in a rural environment are also encouraged, to maximise the potential of the land.

The zone achieves its purpose by establishing that the provisions of the Rural Papakura Zone will apply generally but that special provisions will apply in respect of a concept plan. The rules which apply to activities proposed in accordance with the concept plan are set out below.

### **7.5.2 Permitted Activities**

The permitted activities in the Karaka Centre zone are:

- those which are set out in the Rural Papakura Zone
- horticulture and market gardening
- earthworks including clean fill involving less than 100m<sup>3</sup> of material

### **7.5.3 Controlled Activities**

Subject to assessment against the relevant criteria set out in Rule 8.13 the controlled activities in the Karaka Centre zone are:

- those set out in the Rural Papakura Zone
- travellers' accommodation, assessed in accordance with the provisions of Rule 8.12, including conference centres, restaurants, recreation facilities, shops and other amenities which are an ancillary part of the travellers' accommodation.
- earthworks including cleanfill involving between 100m<sup>3</sup> and 500m<sup>3</sup> of material.

### **7.5.4 Discretionary Activities**

Subject to assessment against the relevant criteria set out in Rule 8.14, the discretionary activities in the Karaka zone are:

- those set out in the Rural Papakura Zone
- earthworks including clean fill involving more than 500m<sup>3</sup> of material.

### **7.5.5 Subdivision**

The rules relating to subdivision are those which apply to the Rural Papakura Zone and which are set out in Part 7.1.5 of this Section of the Plan.

### **7.5.6 Rules which apply in the Karaka Centre Zone**

Except as specified below, the Rules set out in Section 8 shall apply.

#### **Maximum Building Height**

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 the nearest site boundary; provided that at all times height restrictions for airport approaches are met. The maximum height of any building is 15 metres above ground level.

## **7.6 CONCEPT PLAN: THE KARAKA BLOODSTOCK CENTRE**

**7.6.1** A Concept Plan for the Centre is shown on the Map attached to this section of the plan. An application for a change to the concept plan may be made at any time and will require resource consent.

Notwithstanding the rules set out in section 7.5.6, particular rules set out below apply to the Karaka Bloodstock Centre. These rules shall be read in conjunction with the Concept Plan.

### **7.6.2 Permitted Activities**

- Bloodstock sales centre
- Stables
- Parade rings
- Lunging rings
- Carparking and horse float parking
- Horse training tracks/riding schools
- Buildings and uses ancillary to any of the above activities including residential accommodation for staff, temporary accommodation ancillary to the main activities of the Bloodstock Centre offices and catering.
- The use of the Centre for reception purposes for weddings, product launches, conferences, seminars, promotions and like activities, provided that:
  - (i) these activities shall be limited to 7 days duration for any particular event.
  - (ii) these activities shall not be permanently based in the Centre.
  - (iii) no permanent buildings or other facilities shall be developed for these activities.
- The use of the Centre for equestrian and other animal related shows and competitions provided that:
  - (i) these activities shall be limited to 10 days duration for any particular event.
  - (ii) these activities shall not be permanently based in the Centre.
  - (iii) No permanent buildings or other facilities shall be developed for these activities.

### **7.6.3 Controlled Activities**

- Tea rooms, restaurant and licensed premises ancillary to the Bloodstock Centre.
- Travellers' accommodation complying with the provisions of Rule 8.12, including conference centres, restaurants, recreation facilities, shops and other amenities which are an ancillary part of the travellers' accommodations.
- Minor deviations from the concept plan.

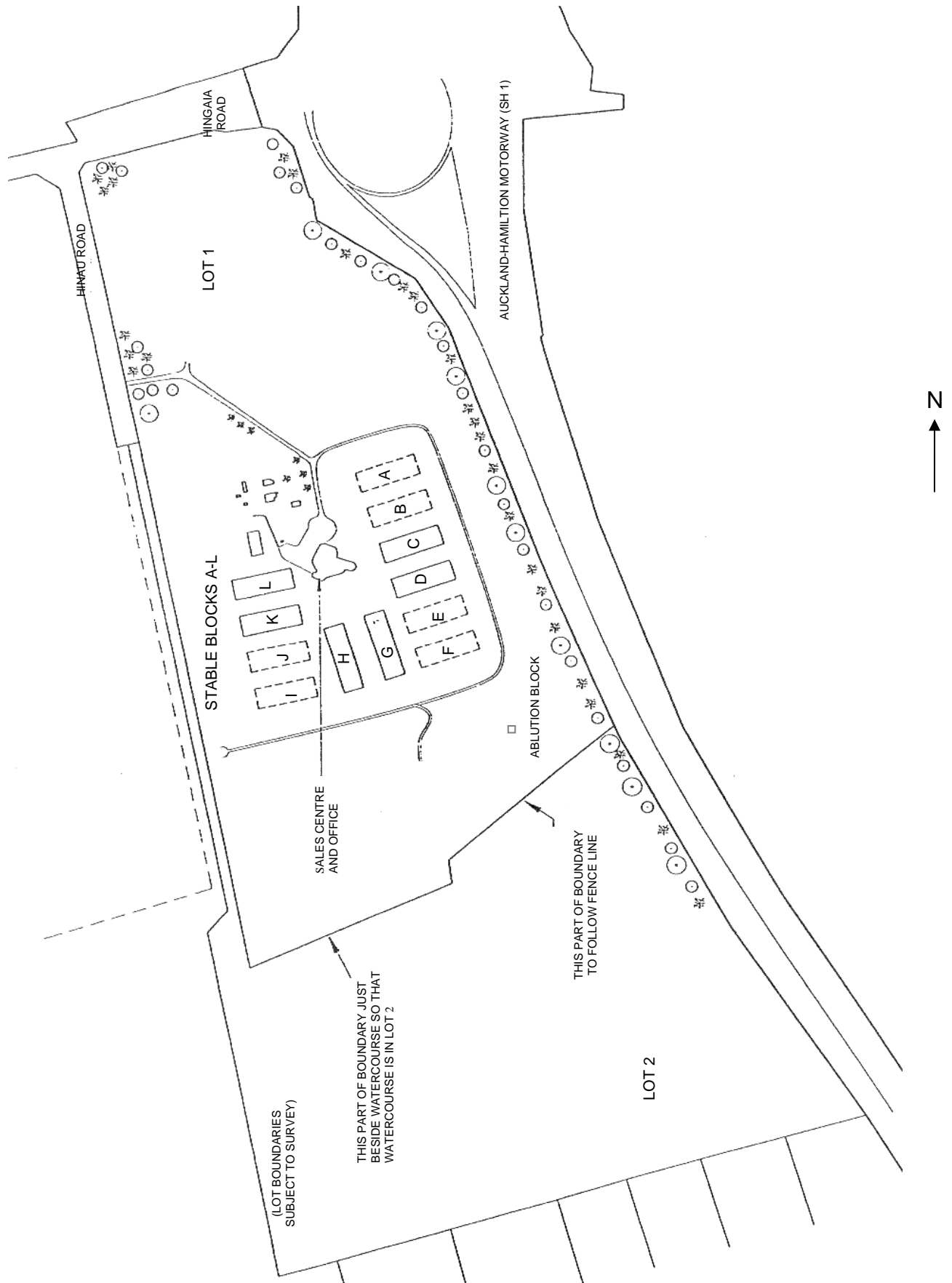
### **7.6.4 Discretionary Activities**

Any permitted or controlled activity which involves more than a minor deviation from the concept plan.

### **7.6.5 Rules which apply to the Concept Plan**

- (a) All applications for building consent shall be generally in accordance with the concept plan.
- (b) No building consent will be issued unless the Council is satisfied that adequate provision has been made for services, and in particular, effluent and stormwater disposal.
- (c) No building consent will be issued unless the Council is satisfied that after consultation by the applicant with Transit New Zealand all roading concerns have been adequately addressed including any widening of the Hingaia Road for the construction of a right turn bay to feed the north bound motorway on-ramp to ensure safe and efficient traffic flow.
- (d) In considering any application for a controlled activity consent Council shall have particular regard to the visual impact of any buildings and the design of carparking and horse float and accommodation facilities as viewed from the motorway.
- (e) The provisions of temporary accommodation shall comply with the provisions of the Camping Ground Regulations 1985.
- (f) Access shall be provided at all times to enable servicing of electricity lines and pylons.
- (g) In order to assess the aesthetic and visual aspects of any application the Council shall require the applicant to provide a landscaping plan which shall be designed bearing in mind views from the motorway and the impact on the rural environment.
- (h) An application for building consent shall be accompanied by sufficient information to enable an assessment of the proposal in terms of the financial contribution requirement of the Resource Management Act 1991 and the requirements of this Plan.
- (i) All new buildings shall have an appearance and character compatible with existing buildings.
- (j) **Yards**  
The requirement for front, side and rear yards shall be deemed to be satisfied if all buildings comply with the concept plan.
- (k) **Site Coverage**  
The limitation on site coverage shall be deemed to be satisfied so long as all buildings and carparking areas comply with the concept plan.

CONCEPT PLAN: THE KARAKA BLOODSTOCK CENTRE





## 7.7 HINGAIA EDUCATION ZONE

### 7.7.1 Purpose of the Zone

The purpose of the zone is to identify land for staged development of educational facilities on the western tip of the Hingaia Peninsula. Development of these facilities is now well advanced for Stage 1 shown on the Site Concept Plan, with full development and operation of the site likely to be achieved over the life of this District Plan. Potential exists to expand the zone at a future date for further educational facilities if desirable to service the Hingaia Growth Area and Papakura District.

### 7.7.2 Site Concept Plan

The Site Concept Plan as shown in 7.7.6 shall generally guide development and activities located on the site. The Site Concept Plan identifies a series of “precincts” for buildings, activities and development and indicates the expected extent and general coverage of buildings and structures within the identified precincts. Development may vary within the limits of the identified precinct areas by way of resource consent.

### 7.7.3 Activity Status

The following table identifies permitted, controlled, restricted discretionary and discretionary activities within the Hingaia Education Zone. Controlled and restricted discretionary activities will be considered by Council without the need for affected party approval or public notification.

ACTIVITY	ACTIVITY STATUS			
	PERMITTED	CONTROLLED	RESTRICTED DISCRETIONARY	DISCRETIONARY
Stage 1 Development of Strathallan Preparatory School and College in accordance with the Site Concept Plan including: <ul style="list-style-type: none"> <li>- Earthworks</li> <li>- Early Childhood Centre</li> <li>- Preparatory School Buildings</li> <li>- Parking, Bus and Access Precinct</li> <li>- Playing Fields</li> <li>- Vehicular Direction Signage</li> </ul>		✓		
Development and operation of subsequent stages of Strathallan Preparatory School and College in general accordance with the building and activity precincts identified on the Site Concept Plan		✓		
Educational Facilities		✓		
Caretaker’s Residence	✓			
Buildings or structures not exceeding 150m <sup>2</sup> gfa outside of the building and activity precincts identified on the Site Concept Plan			✓	

ACTIVITY	ACTIVITY STATUS			
	PERMITTED	CONTROLLED	RESTRICTED DISCRETIONARY	DISCRETIONARY
Buildings or structures exceeding 150m <sup>2</sup> gfa outside of the building and activity precincts identified on the Site Concept Plan				✓
Buildings or structures within 20 metres of mean high water spring tide mark				✓
Any building not in accordance with the Site Concept Plan: - not exceeding 150m <sup>2</sup> gfa - exceeding 150m <sup>2</sup> gfa			✓	✓
Any activity not otherwise provided for in the District Plan				✓
Any non-compliance with any other rule in the District Plan				✓
Free-standing signage on the site not exceeding a total signage area of 12m <sup>2</sup> and located 0.5 metres from boundary except that no signage or hoarding is permitted to be constructed on the site that is intended to be viewed, or can be viewed, across the estuary	✓			

#### 7.7.4 Assessment Criteria

##### 7.7.4.1 Controlled Activities

In considering any controlled activity application the Council will have regard to the matters set out in section 105 and section 108 of the Resource Management Act 1991. Every application shall be accompanied by plans and statements sufficient to demonstrate the effects of the proposed activity on the environment. The Council may impose on conditions of consent in regard to the following matters:

- Consistency of the proposed buildings with the existing architectural style of the development;
- Compatibility with the rural and coastal environment;
- Landscaping and screen planting;
- Traffic, parking and access; and
- The effects of the activity on the environment.

##### 7.7.4.2 Restricted Discretionary Activities

In considering any restricted discretionary activity application the Council will have regard to the matters set out in sections 104, 105 and 108 of the Resource Management Act 1991. Every application shall be accompanied by plans and statements sufficient to demonstrate the effects of the proposed activity on the environment. In deciding whether to grant or refuse consent to and in imposing conditions if consent is granted, the Council will restrict its assessment and the exercise of its discretion to the following matters:

- Whether the development is consistent with the spirit and intent of the Site Concept Plan and does not compromise future implementation of the Concept Plan;
- Whether the development is compatible in intensity, scale and character with existing development on-site;
- Whether the development has any adverse visual, noise, lighting or privacy effects on nearby dwellings and what measures are available to mitigate any such effects;
- Consistency of the proposed buildings with the existing architectural style of the development and compatibility with the rural and coastal setting;
- Landscaping and screen planting proposed and consistency with the landscape concept for the whole site as contained in the Site Management Plan;
- Whether the development impacts upon the parking and access facilities existing on-site and if so what measures are taken to remedy any impact;
- Whether alternative locations within the building and activity precincts of the Site Concept Plan have been considered.
- The impact on natural character and landscape values of the coastal environment.
- Whether the development is located in an area that may be subject to future coastal erosion.

#### **7.7.4.3 Discretionary Activities**

In considering any discretionary activity application the Council will have regard to the matters set out in sections 104, 105 and 108 of the Resource Management Act 1991. Every application shall be accompanied by plans and statements sufficient to demonstrate the effects of the proposed activity on the environment. In deciding whether to grant or refuse consent to an application and in imposing conditions if consent is granted, the Council may impose on conditions of consent in regard to the following matters:

- Any matter outlined above in 7.7.4.1 Permitted Activities;
- Any matter outlined above in 7.7.4.2 Restricted Discretionary Activities; and
- Any other matters the Council considers relevant and reasonably necessary to determine the application.
- Whether alternative locations for the structures and uses outside of the 20 metres setback from MHWS have been considered.
- Whether the location of structures within the 20 metres setback from MHWS results in adverse effects on the natural character and landscape values of the coastal environment.

#### **7.7.5. Rules**

Notwithstanding the General Rules of the District Plan and in addition to the general limits of the precincts identified on the Site Concept Plan the following rules shall apply: (Note: except for Rule 8.3 for earthworks outside those outlined in the Site Management Plan, where there is conflict between these Rules and the General Rules in Part 8, these Rules shall apply.)

### 7.7.5.1 Yards

- (a) No building shall be located within 6 metres of any boundary with an adjoining site.
- (b) No earthworks shall be undertaken within 20 metres of the mean high water spring tide mark (MHWS) unless associated with an activity for which a resource consent has been obtained.
- (c) Car parking areas shall be no less than 3 metres from any boundary with an adjoining site.

### 7.7.5.2 Height

- (a) No building shall exceed the height limits specified below:

Precinct A:	Access and Parking	5 metres
Precinct B:	Preparatory School	10 metres
Precinct C:	Sports Centre and Performing Arts Building	15 metres
Precinct C:	All other buildings	10 metres
Precinct D:	Sports Fields	10 metres
Precinct E:	West Peninsula/Playing Field	5 metres

### 7.7.5.3 Height in Relation to Boundaries

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 the nearest lot boundary, provided that the height shall be measured from the ground level at the point on the lot boundary to which the measurement is taken.

### 7.7.5.4 Building Coverage and Impermeable Surfaces

- (a) Building coverage shall not exceed 15% of the total site area and shall not exceed the following limits within each precinct:

PRECINCT	BUILDING COVERAGE (MAX M <sup>2</sup> )
A: Access and Parking	250 m <sup>2</sup>
B: Preparatory School	7,000 m <sup>2</sup>
C: Main Blocks/Sports Centre (excluding outdoor swimming pool)	14,000 m <sup>2</sup>
D: Sports Fields	250 m <sup>2</sup>
E: West Peninsula/ Playing Field	250 m <sup>2</sup>
<b>Total Building Coverage (15%)</b>	<b>21,750 m<sup>2</sup></b>

- (b) No more than 30% of the total site area may be covered in buildings or impermeable surfaces.

#### **7.7.5.5 Landscaping**

- (a) A landscaping plan and planting guide shall be provided for each stage of development, such plan to be submitted at the time of the resource consent application. The landscape concept shall be consistent with the landscape concept contained in the resource consent dated 17 August 1999 for stage I of the site development, or an alternative landscape plan approved by Council, and those conditions of consent shall be transferred to future stages of the site development unless they have been implemented and satisfied. The landscaping plan and planting guide shall specifically provide the following:
- (i) A Landscape and Visual Mitigation Planting Plan to be approved by Council;
  - (ii) A Landscape and Visual Mitigation Monitoring Programme to be approved by Council including but not limited to:
    - Annual inspections for a period of five years, beginning immediately upon completion of the main physical and landscape implementation works as set out in the above Monitoring Programme.
    - Inspection reports to be submitted within one month of the inspection.
- (b) (i) A bond of \$20,000 in surety of the implementation of the Landscape and Visual Mitigation Planting for the Stage 1 development provided for a term of three years from the completion of the main physical and landscape implementation works as set out in the above Monitoring Programme.
- (ii) At each future development stage a bond is to be provided for a term of three years from the completion of the main physical and landscape implementation works as set out in the above Monitoring Programme. The amount of the bond is to reflect the extent of the landscaping and maintenance required.
- (c) Landscaping and screen planting of at least 3 metre widths shall be planted and maintained within all yards adjoining neighbouring sites.
- (d) Screen planting shall be provided and maintained between all car park areas and adjacent properties.
- (e) Appropriate planting shall be provided and maintained as a means of mitigating adverse effects of structures on the landscape values of the coastal environment.

#### **7.7.5.6 Esplanade Reserve**

- (a) A Reserve Management Plan was prepared in August 2001 in consultation with Papakura District Council showing the width of the coastal setback and in accordance with the resource consent granted for Stage 1 of the site development.
- (b) The esplanade reserve, coastal walkway and coastal setback as defined in the Site Concept Plan have been surveyed. Easements are shown on the survey plan, providing for: discharge of stormwater runoff and general public access. In the future, easements will be provided for, but not limited to, access to: boat sheds and to water for boating and other water activities (See the Activity Table as resource consents may be required for some of these activities).
- (c) The esplanade reserve, coastal walkway and coastal setback as defined in the Site Concept Plan is to be transferred to Papakura District Council at no cost to Council no later than 12 April 2005 (five years from granting consent for Stage 1 development);

- (d) Temporary public access to the Esplanade Reserve is to be provided via easement until such time as access is available from adjacent areas.

#### **7.7.5.7 Traffic Management and Car Parking**

In addition to the General Rules relating to Parking, Access and Loading (Rule 8.16) the following rules shall apply to the Hingaia Education Zone:

(a) Traffic Management

- Facilities for the pick up and drop off of students and for vehicle manoeuvring including buses shall be contained wholly within the site.
- Access and parking areas shall be designed so that there is no need for reverse manoeuvring of vehicles onto Hayfield Way.
- Unobstructed access to building areas shall be maintained for emergency vehicles at all times.

(b) Parking

- A minimum of 205 off street car parks shall be provided in general accordance with the layout illustrated on the Site Concept Plan.
- Bus parking and loading areas shall be provided for a minimum of 15 buses on-site at any one time.

(c) Monitoring of Local Traffic Management Measures

1(i) The measures undertaken to upgrade and improve local traffic management in respect of the effectiveness of those measures to mitigate any actual or potential adverse traffic effects generated by the development will be reviewed with respect to Stage 1 by 31 January 2002.

1(ii) This Stage 1 review will be undertaken at the expense of the Strathallan College Properties Ltd, or successor.

2(i) The measures undertaken to upgrade and improve local traffic management in respect of the effectiveness of those measures to mitigate any actual or potential adverse traffic effects generated by the development will be reviewed with respect to Stage 2 within one year of granting consent for the Stage 2 development and a final review by the earlier of 31 May 2005 and the roll reaching 1,000 pupils.

2(ii) These Stage 2 reviews will be undertaken at the joint expense of the Council and Strathallan College Properties Ltd, or successor.

2(iii) Costs will be apportioned to each party according to the proportion of public / private needs identified at the time.

3 Traffic mitigation matters may include but not be confined to:

- (i) the need to widen the Oakland Rd carriageway
- (ii) further intersection upgradings
- (iii) the provision of a cycle track either on the carriageway or by widening the footpath in Oakland Rd and by widening the footpath in Hayfield Way
- (iv) the need for carriageway widening in Hayfield Way

(d) Monitoring of Pavement Structure of Oakland Rd and Hayfield Way

Pavement structures of Oakland Rd (Hingaia Rd to Hayfield Way) and Hayfield Way are to be monitored by the Council with pavement roughness values taken annually from the date of initial existing baseline roughness value being measured. If the average roughness values reach a value of 100, measured at 100 metres intervals in both directions of travel, or a trend in values indicates pavement deterioration, payments by Strathallan College Properties Ltd to the Council shall be considered for rehabilitation in a method to be agreed between Strathallan College Properties Ltd based on the traffic loadings apportioned to each party and based on the proportion of the local authority share of rehabilitation costs.

The above monitoring is to continue until such time as the urban zoning foreshadowed by the Auckland Regional Growth Strategy is imposed on land adjacent to the portions of said roads.

#### 7.7.5.8. Noise

- (a) Noise generated on-site, as measured at the boundary shall not exceed the following limits:

Daytime 0700 - 2000  $L_{10} = 45$  dBA

Night-time 2000 - 0700  $L_{10} = 40$  dBA

- (b) The noise levels shall be measured and assessed in accordance with the requirements of NZS 6801:1999 Measurement of Sound and NZS 6802:1999 Assessment of Environmental Sound
- (c) The noise shall be measured by a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

Should the Council adopt instruments or standards that supersede these then they will be used in place of the standards and instruments referred to above.

#### 7.7.5.9 Lighting and Glare

- (a) All exterior lighting must be designed, located and at all times directed, screened, adjusted and maintained to ensure that:

- (i) the direct luminance from the lighting installation shall not exceed:
- 10 lux (lumens per square metre) at or within the notional boundary of any dwelling between the hours of 10.00 pm and 8.00 am;
  - 20 lux at or within the notional boundary of any dwelling at all other times when exterior lighting is required;
- (ii) the indirect luminance from the lighting installation shall be minimised.

**Note:** *Unless otherwise provided, the notional boundary is 20 metres from the closest point of a dwelling or at the property boundary whichever is the shorter distance.*

7.7.6 Site Concept Plan





